

ORCUTT UNION SCHOOL DISTRICT
Regular Closed Meeting of the Board of Trustees
Wednesday, October 14, 2020
Closed Session – 6:00 P.M.
Public Session – 6:30 P.M.
District Board Room
500 Dyer St., Orcutt, CA 93455

There will be a link posted on the district website home page prior to the start of the meeting. To view the meeting go to that link. If you want to just listen to the meeting or make a public comment, you will need to follow the instructions below.
Due to Covid 19 Pandemic and need for Social Distancing, the physical Board meeting is closed to the public, however you can access the board meeting via audio teleconference

Orcutt Conference Call

Please join the meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/orcutt>

You can also dial in using your phone.

United States: +1 (571) 317-3122

Access Code: 887-747-125

CALL TO ORDER 6:00 P.M.

- A. Pledge of Allegiance

CLOSED SESSION PUBLIC COMMENTS

- A. 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. Those wishing to speak about items to be discussed in closed session will need to email Alice Salazar, at asalazar@orcutt-schools.net and state that you want to make a public comment. Speakers are allowed a maximum of three (3) minutes to address the Board. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting.

ADJOURN TO CLOSED SESSION

- A. 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. Holly Edds, Superintendent and/or Susan Salucci
 - a. OEA
 - b. CSEA
 4. Conference with labor negotiators for unrepresented employees:
 - a. Certificated and Classified Management, and Confidential. Agency representative – Superintendent.
 - b. 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.

- A. Public Report on Action Taken in Closed Session
- B. Adoption of October 14, 2020 Agenda

Moved _____ Second _____ Vote _____

C. **PUBLIC COMMENT ANNOUNCEMENT**

The Board of Trustees welcomes comments about items appearing or not appearing on tonight's agenda. Audience members wishing to address the Board during the Public Comment segment of the agenda are asked to email Alice Salazar at asalazar@orcutt-schools.net. You will need to join the meeting, and you will be called upon during the public comment section of the agenda.

ITEMS SCHEDULED FOR INFORMATION/DISCUSSION

A. 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. Pine Grove School Presentation
2. Orcutt Academy High School ASB Presentation

B. Items from the Board

C. Public Comment

The public comment section of the agenda is an opportunity for the public to provide input to the Board of Trustees. Any request to speak must be emailed to Alice Salazar at asalazar@orcutt-schools.net and state that you want to make a public comment. If you are speaking to an item that is not on the agenda, you can only speak during the public comment section.

Those wishing to speak about an item that is on the agenda may do so during the public comment section, or when the item is being considered. If you choose to speak on an item at the time it is being considered, your name will be called before the Board's deliberation.

Speakers are allowed a maximum of three (3) minutes to address the Board. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting.

Please make sure to join the meeting (see instructions on page 1) if you plan on making a public comment.

D. Written Communication

Documents addressed to or by board members as communications during a Board of Education meeting is 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. OAHS Hiring of Charter High School Coaches for 2020-21 School Year
- B. Classified Personnel Action Report
- C. Certificated Personnel Action Report
- D. Approval of Warrants
- E. Minutes, Regular Board Meeting, September 9, 2020
- F. Minutes, Special Board Meeting, September 16, 2020
- G. Minutes, Special Board Meeting, October 7, 2020
- H. BP 4112.9, 4219.9, 4319.9, Employee Notification, for Second the Reading
- I. BP 4113, Assignment, for the Second Reading
- J. BP 4119.43, 4219.43, 4319.43, Universal Precautions for the Second Reading
- K. BP 4151, Employee Compensation, for the Second Reading
- L. OAHS Restroom Alteration Project, change order #5
- M. Olga Reed Cafeteria Project, change order #5
- N. Alice Shaw Full Day Kindergarten Project, changer order #4
- O. Joe Nightingale Full Day Kindergarten Project, change order #3
- P. Ralph Dunlap Full Day Kindergarten Project, change order #3
- Q. Pine Grove/Patterson Road Full Day Project, change order #4
- R. Pine Grove Site Safety & Security Project, change order #3
- S. Joe Nightingale Site Safety & Security Project, change order #2
- T. Orcutt Academy Site Safety & Security Project, change order #3
- U. Lakeview Site Safety & Security Project, change order #2
- V. Williams/Valenzuela Uniform Complaints Quarterly Report

The Superintendent recommends ratification of the change orders described above and in the attached materials. The fiscal impact to the Measure G Bond Fund (21) and Developer Fee Fund (25) will be \$280,738.19. It is recommended that the Board of Trustees approve Consent Agenda Items A through V, as submitted.

Moved _____ Second _____ Vote _____

ITEMS SCHEDULED FOR ACTION

A. GENERAL

1. Ratification of Assistant Superintendent Business Services Contract

It is recommended that the Board of Trustees ratify the Employment Agreement with Assistant Superintendent, Business Services, Nick Taylor.

Moved _____ Second _____ Vote _____

2. Acceptance of Gifts

Pine Grove Elementary: Received a \$600 check from Mr. and Mrs. David Strait, to be used for the Pine Grove Accelerated Reader Program.

Orcutt Academy HS: Received a \$10,000 check from Pickle & Peanut Restaurants, Inc. DBA McDonald's, to be put towards the support of the OAHS Drama program.

It is recommended that the Board of Trustees accept these gifts and that a letter of acceptance and appreciation be forwarded to Mr. and Mrs. David Strait, and Pickle & Peanut Restaurants, Inc. DBA McDonald's.

Moved _____ Second _____ Vote _____

B. BUSINESS SERVICES

PUBLIC HEARING – AB1200 PUBLIC DISCLOSURE

The public is invited to address the Board and present comments regarding the AB1200 Public Disclosure of proposed Collective Bargaining Agreement – California School Employees Association (Orcutt), Classified/Confidential Management, and Orcutt Educators Association and Certificated Management

ITEMS SCHEDULED FOR ACTION

1. AB1200 Public Disclosure of proposed Collective Bargaining Agreement – California School Employees' Association (Orcutt), and Classified/Confidential Management

It is recommended that the Board of Trustees approve the AB1200 Disclosure of Proposed Collective Bargaining Agreement, California School Employees' Association (Orcutt), as submitted.

Moved _____ Second _____ Vote _____

2. Authorized Signatures: District Personnel Approved by The Superintendent for Release of Commercial Payroll Warrants

Staff recommends that the Board of Trustees approve the authorized signatures for release of commercial and payroll warrants, as submitted.

Moved _____ Second _____ Vote _____

3. Self-Insurance Program Employee (SIPE) JPA Resolution No. 9

Staff recommends that the Board of Trustees adopt the Self Insurance Program Employee (SIPE) JPA Resolution No. 9, as submitted.

Moved _____ Second _____ Vote _____

4. Board Policy 3555 Nutrition Program Compliance

It is recommended that the Board of Trustees approve the revisions to Board Policy 3555, Nutrition Program Compliance, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

5. SB 820 Growth Funding Application for Orcutt Academy Charter

It is recommended that the Board of Trustees approve the SB 820 Growth Funding Application, as submitted.

Moved _____ Second _____ Vote _____

C. EDUCATIONAL SERVICES

1. Board Policy 5141.22 Infectious Diseases

It is recommended that the Board of Trustees approve the revisions to Board Policy 5141.22 Infectious Diseases, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

2. Board Policy 5145.6 Parental Notifications

It is recommended that the Board of Trustees approve the revisions to Board Policy 5145.6 Parental Notifications for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

3. Board Policy 5145.7 Sexual Harassment

It is recommended that the Board of Trustees approve the revisions to Board Policy 5145.7 Sexual Harassment, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 6142.7 Physical Education and Activity

It is recommended that the Board of Trustees approve the revisions to Board Policy 6142.7 Physical Education and Activity, for the first reading and that it be placed on the next Consent Agenda for the Second reading.

Moved _____ Second _____ Vote _____

5. Board Policy 6159 Individualized Education Program

It is recommended that the Board of Trustees approve the revisions to Board Policy 6159 Individualized Education Program, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

6. Board Policy 6159.1 Procedural Safeguards for Special Education

It is recommended that the Board of Trustees approve the revisions to Board Policy 6159 Procedural Safeguards for Special Education, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

7. Board Policy 6159.2 Nonpublic, Nonsectarian School and Agency Services for Special Education

It is recommended that the Board of Trustees approve the revisions to Board Policy 6159.2 Nonpublic, Nonsectarian School and Agency Services for Special Education, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

D. HUMAN RESOURCES

1. Board Policy 4119.11, 4219.11, 4319.11 Sexual Harassment

It is recommended that the Board of Trustees approve the revisions to Board Policy 4119.11, 4219.11, 4319.11 Sexual Harassment, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____

Second _____

Vote _____

2. Board Policy 4119.42, 4219.9.42, 4319.42 Control Plan for Blood Borne Pathogens

It is recommended that the Board of Trustees approve the revisions to Board Policy 4119.42, 4219.9.42, 4319.42 Control Plan for Blood Borne Pathogens, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____

Second _____

Vote _____

3. Ratification of the Renewal of the agreement with Confidential Employees'

It is recommended that the Board of Trustees ratify the agreement with Orcutt Union School District Confidential Employees', as submitted.

Moved _____

Second _____

Vote _____

4. Ratification of the Renewal of the agreement with Certificated Management and Classified Management

It is recommended that the Board of Trustees ratify the agreement with Certificated Management and Classified Management, as submitted.

Moved _____

Second _____

Vote _____

5. Approval of Agreement with the California School Employees Association (CSEA) #255

It is recommended that the Board of Trustees approve the negotiated agreement with the California School Employees Association #255, as submitted.

Moved _____

Second _____

Vote _____

GENERAL ANNOUNCEMENTS

- A. Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, November 4, 2020, 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. There will be a Special Curriculum Board Meeting on Wednesday, October 28, 2020, 5:00 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN 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.

ORCUTT ACADEMY CHARTER SCHOOL

ORCUTT UNION SCHOOL DISTRICT

TO: Dr. Holly Edds
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: October 14, 2020

**RE: NOTIFICATION TO BOARD – HIRING OF CHARTER HIGH SCHOOL
COACHES FOR 2020-21 SCHOOL YEAR**

Orcutt Academy Charter HS:

Gabe Espinoza	Football Coach
Josiah Morales	Football Asst. Coach
A. Jose Limon	Football Asst. Coach
Bri Decker	Girls Varsity Volleyball Coach
Matt Patterson	Girls Varsity Volleyball Coach
Bri Decker	Boys Varsity Volleyball Coach
Matt Patterson	Boys Varsity Volleyball Coach
Oneita Cragg	Girls Junior Varsity Volleyball Coach
Kyle Zafiris	Girls Junior Varsity Volleyball Coach
Marc Tosches	Girls Cross Country Coach
Coy Kendrick	Girls Cross Country Coach
Roger Fabing	Boys Cross Country Coach
Megan Moore	Cheer Coach
Naomi Miller	Cheer Coach

Unpaid Volunteers:

Joseph Maycotte	Football
Diego DeLaCruz	Football
Francisco Villa	Football
Dominique Garrett	Football

*Volunteer coaches are required to submit the same paperwork as paid positions and meet the State Certification requirements. They are no longer required to hold an ASCC certificate from the CTC but instead submit fingerprints to FBI and DOJ for background checks reportable to the Orcutt Union School District



Orcutt Union School District

Classified Personnel Action Report

Oct. 14, 2020

TO: Holly Edds, Ed.D.

FROM: Susan Salucci, Assistant Superintendent/Human Resources

RE: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Acosta, Hilda	Nightingale & Lakeview JH	Noon Duty Supervisor	6/2	.83 & 1.67	\$13.99 per hr.	10/1/2020	Resignation
Alfaro, Jaime	Maintenance & Operations	Office Manager	21/6	8.0	\$125.00 per mo.	12/1/2020	Longevity – 10 years
Arguilles, Maria	Transportation	Bus Attendant	11/6	4.0	\$19.25 per hr.	9/28/2020	Reinstate from layoff
Badenell, Lisa	Transportation	Bus Attendant	11/6	4.0	\$19.25 per hr.	9/28/2020	Reinstate from layoff
Brieske, Michael	Technology	Network Systems Specialist	42/1	8.0	\$5,641 per mo.	9/21/2020	Promotion
Chacon, Erica	Transportation	Bus Attendant	11/4	3.0	\$17.46 per hr.	9/28/2020	Reinstate from layoff
Gorman, Andrew	Technology	Technology Applications Specialist	29/1	8.0	\$4,092 per mo.	10/6/2020	Permanent/Probationary
Gorman, Andrew	Technology	Technology Applications Specialist	29/1	8.0	\$25.00 per mo.	10/6/2020	Phone Stipend
Morgan, Gary	Orcutt Academy HS	Noon Duty Supervisor	6/6	3.0	\$175.00 per mo.	12/1/2020	Longevity – 20 years
Newhall, Nancy	Nightingale, Campus Connection	Child Care Assistant	7/6	3.75	\$175.00 per mo.	12/1/2020	Longevity – 20 years
Vader Kidd, Leanne	Nightingale	Noon Duty Supervisor	6/4	7.0 per wk.	\$15.43 per hr.	9/11/2020	Voluntary reduction in hours
Yolar-Groppetti, Madison	Olga Reed/Orcutt Academy K-8	Instructional Assistant, I	11/4	6.0	\$17.46 per hr.	10/2/2020	Resignation



Orcutt Union School District

Certificated Personnel Action Report

October 14, 2020

TO: Dr. Holly Edds, Superintendent

FROM: Susan Salucci, Assistant Superintendent / Human Resources

RE: Recommendations for Board Approval and Ratification

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Adler, Katherine	Patterson Road	Stipend	\$947	2020-21	Yearbook Advisor
Alter, Sara	Ralph Dunlap	Hourly	\$25	8/18-8/31/20	Intervention, 36 hrs
Avedikian, Helena	Alice Shaw	VI	\$127,545*	10/19/20	Principal
Baldwin, Beth	Lakeview JHS	Extra Duty	\$40/hr	8/31/20	IEP Meeting, .5 hr
Batchelor, Melanie	Pine Grove	Hourly	\$25	5/25-8/31/20	After Hours Support, 3 hrs
Beyers, Karly	Pine Grove	Hourly	\$25	2020-21	Intervention, 24 hrs wk
Birdsall, Swapna	Alice Shaw	Hourly	\$25	8/24-8/31/20	Intervention, 36.5 hrs
Blanchard, Kimberly	Joe Nightingale	Hourly	\$25	8/10-8/28/20	Intervention, 32 hrs
Bormes, Lori	Ralph Dunlap	Hourly	\$25	8/26-8/31/20	After Hours Support, 3 hrs
Brown, Matthew	Joe Nightingale	VI-4	\$62,863	2020-21	Completed MA Degree
Buchanan, Sarah	Pine Grove	Hourly	\$25	8/17-8/27/20	Intervention, 30 hrs
Byrne, Jennifer	Olga Reed	Extra Duty	\$1500 \$40/hr	6/2021 8/8-8/13/20	Combo Class Moved Classrooms, 12 hrs
Campbell, Kaitlin	Orcutt Academy I/S	Hourly	\$30	8/10-8/31/20	Support Teacher, 112 hrs
Cantrell, Andrea	Ralph Dunlap	Hourly	\$25	8/18-8/31/20	Intervention, 45 hrs
Carter, Krista	Orcutt JHS	Extra Duty	\$40/hr	8/5-8/6/20	Moved Classrooms, 12 hrs
Clayton, Michelle	Orcutt Academy K-8	Stipend	\$947 \$1353	2020-21	Yearbook Advisor ASB Advisor
Collison, Deirdre	Alice Shaw	Stipend	\$1200	2020-21	Lead Teacher, Grade 4
Conway, Shannon	Ralph Dunlap	Hourly	\$25	2020-21	Intervention, 24 hrs wk
Cornwell, Karen	District	Extra Duty	\$40/hr	8/5-8/7/20	New Teacher Training, 17.25 hrs
Craft, Cheri	Ralph Dunlap	Extra Duty	\$40/hr	7/14/20	Accelerated Planning, 2.5 hrs

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Cragg, Oneita	Orcutt Academy HS	Stipend	\$1066*	2020-21	Girls JV Volleyball Coach (split)
Davis, JoAnne	Ralph Dunlap	Stipend	\$947	2020-21	Yearbook Advisor
Decker, Bri	Orcutt Academy HS	Stipend	\$1400* \$1400*	2020-21	Girls Varsity Volleyball Coach (shared) Boys Varsity Volleyball Coach (shared)
Dedek, Rachel	Patterson Road	Stipend	\$211	2020-21	Battle of the Books Advisor
Del Valle, Danielle	Alice Shaw	Hourly	\$25	2020-21	Intervention, 24 hrs wk
Dell'Armo, Sarah	Orcutt JHS	Extra Duty	\$40/hr	8/19/20	IEP Meeting, 1 hr
Duft, Jamie	Orcutt Academy I/S	Hourly	\$30	8/10-8/31/20	Support Teacher, 112 hrs
Elkin, Miranda	Patterson Road	Stipend	\$1000	2020-21	Student Council Advisor
Espinoza, Gabe	Orcutt Academy HS	Stipend	\$1600	2020-21	Football Coach
Fabing, Roger	Orcutt Academy HS	Stipend	\$1400	2020-21	Boys Cross Country Coach
Felix, Danielle	Patterson Road	Stipend	\$1200	2020-21	Lead Teacher, Grade 4-5
Fichter, Megan	Lakeview JHS	Extra Duty	\$40/hr	6/11-8/8/20	Home Instruction / Testing, 13 hrs
Francisco, Mary	Ralph Dunlap	Stipend	\$1200	2020-21	Lead Teacher, Grade 5
Freeland, Susan	Joe Nightingale	Hourly	\$25	8/10-8/28/20	Intervention, 45 hrs
Garcia, Deedra	Patterson Road	Hourly	\$25	8/10-8/31/20	Intervention, 48.5 hrs
Garcia, Teresa	Alice Shaw	Hourly	\$25	2020-21	Intervention, 24 hrs wk
Golden, Cassandra	Orcutt JHS	Hourly	\$25	8/28-8/31/20	After Hours Support, 3 hrs
Guerrero, Angeli	Ralph Dunlap	V-3	\$58,069	2020-21	Completed Units for Movement
Haggerty, Susi	Olga Reed	Stipend	\$1200	2020-21	Lead Teacher, Grade TK/K
Hayes, Cheryl	Patterson Road	Hourly	\$25	2020-21	Intervention, 29 hrs wk
Henry, Kristi	Joe Nightingale	Extra Duty	\$48.32/hr	8/31/20	IEP Meeting, .75 hr
Hinden, Susan	Patterson Road	Extra Duty	\$1500	6/2021	Combo Class
Hodson, Joslyn	Patterson Road	Stipend	\$1200	2020-21	Lead Teacher, Grade 6-Spec Ed
Hotchkiss, Molly	Ralph Dunlap / District	V-20	\$95,494*	2020-21	Temporary Contract, .08% contract
Ibarra, Emily	Joe Nightingale	Hourly	\$25	8/28-8/31/20	After Hour Support, 3 hrs
Johnson, Cameran	Patterson Road	Hourly	\$25	2020-21	Intervention, 24 hrs wk
Joseph, Joy	Alice Shaw	Stipend Extra Duty	\$1000* \$1200 \$40/hr	2020-21 8/13-8/31/20	Student Council Advisor, split Lead Teacher, Grade 6 Home / Hospital, 10.25 hrs

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Kaczor, Grazyna	District	Hourly	\$40	6/17-7/21/20	Special Ed Support, 14 hrs
Kantorowski, Jennifer	Olga Reed / Orcutt Academy K-8	Hourly	\$25	8/18-8/31/20 8/25-8/31/20	Intervention, 25.5 hrs After Hour Support, 3 hrs
Kendrick, Coy	Orcutt Academy HS	Stipend	\$1400*	2020-21	Girls Cross Country Coach (split)
Kuykendall, Emma	Patterson Road	Hourly	\$25	8/18-8/31/20	Intervention, 40.5 hrs
Kuykendall, Colleen	District	Extra Duty	\$40/hr	8/5-8/7/20	New Teacher Training, 17.75 hrs
Lake, Catherine	District	Extra Duty	\$40/hr	8/5-8/7/20	New Teacher Training, 10.5 hrs
Lara, Nichol	Alice Shaw	Hourly	\$25	8/18-8/31/20	Intervention, 40.5 hrs
Larrabee, Jennifer	District	Hourly	\$25	8/17-8/31/20	Art Enrichment, 35 hrs
Leach, Veronica	Olga Reed	Hourly	\$25	8/18-8/31/20	Intervention, 30 hrs
Lee, Tanya	Olga Reed	Stipend	\$947 \$1353	2020-21	Yearbook Advisor ASB Advisor
Limon, Jose	Orcutt Academy HS	Stipend	\$800	2020-21	Football Assistant Coach
Lovell, Stacey	Orcutt Academy K-8	Stipend	\$211 \$1200	2020-21	Battle of the Books Advisor Lead Teacher, Grade 5-6
Luis, Michael	Olga Reed	Stipend	\$1200	2020-21	Lead Teacher, Grade 7/8
Macdonald, Christa	Alice Shaw	Extra Duty	\$1500	6/2021	Combo Class
Majewski, Katlin	Pine Grove	Hourly	\$25	8/17-8/27/20	Intervention, 23 hrs
Manich, Cher	District	Extra Duty	\$40/hr	8/5-8/7/20	New Teacher Training, 17.75 hrs
Mason, Caryn	Orcutt Academy I/S	Hourly	\$30	8/10-8/31/20	Support Teacher, 112 hrs
Matautia, Jewelee	Orcutt Academy K-8	Hourly	\$25	8/18-8/31/20	Intervention, 32 hrs
Millan, Laurie	Alice Shaw	Hourly	\$25	8/18-8/31/20	Intervention, 40.5 hrs
Miller, Naomi	Orcutt Academy HS	Stipend	\$1600*	2020-21	Cheer Advisor (split)
Montgomery, Megan	Orcutt Academy HS	Extra Duty	\$1500	6/2021	Combo Class
Moore, Megan	Orcutt Academy HS	Stipend	\$1600*	2020-21	Cheer Advisor (split)
Morales, Josiah	Orcutt Academy HS	Stipend	\$800	2020-21	Football Assistant Coach
Nye, Judy	Orcutt Academy K-8	Extra Duty	\$48.32/hr	8/27/20	IEP Meetings, 1.5 hrs
Patterson, Matthew	Orcutt Academy HS	Stipend	\$1400* \$1400*	2020-21	Girls Varsity Volleyball Coach (shared) Boys Varsity Volleyball Coach (shared)
Reyes, Emily	Orcutt JHS	Extra Duty	\$40/hr	8/19/20	IEP Meeting, 1 hr
Richardson, Laura	Joe Nightingale	Hourly	\$25	8/14-8/28/20	Intervention, 32 hrs

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Riggs, Isabel	Orcutt Academy K-8	Extra Duty	\$40/hr	8/27/20	IEP Meeting, 1.5 hrs
Ruth, Amy	Alice Shaw	Stipend IV-8	\$1200 \$65,399	2020-21	Lead Teacher, Grade 5 Completed Units for Movement
Salinas, Jackie	Alice Shaw	Stipend	\$1000*	2020-21	Student Council Advisor, split
Salvesen, Kristin	Alice Shaw	Hourly	\$25	8/24/20 8/25-8/31/20	Intervention, 3 hrs After Hour Support, 3 hrs
Schmid, Renee	Joe Nightingale	Extra Duty	\$40/hr	8/31/20	IEP Meeting, .75 hr
Schmidt, Chris	Orcutt JHS	Extra Duty	\$40/hr	8/19/20	IEP Meeting, 1 hr
Segura, Monique	Alice Shaw	Stipend	\$1200	2020-21	Lead Teacher, Kinder
Severance, Jenee	Alice Shaw	VI	\$127,549	6/30/2021	Retirement
Shannon, Joanne	Ralph Dunlap	Stipend	\$1200	2020-21	Lead Teacher, Grade 6
Smith, April	Lakeview JH	Hourly	\$25	8/25-8/31/20	After Hour Support, 3 hrs
Smithson, Allen	Pine Grove	VI-7	\$69,422	2020-21	Completed Units for Movement
Snow, Cory	Lakeview JHS	VI-6	\$67,161	2020-21	Completed Units for Movement
Soriano, Yvette	Patterson Road	Stipend	\$1200	2020-21	Lead Teacher, Grade K-1
Stevens, Suzanne	Ralph Dunlap	Stipend	\$211	2020-21	Battle of the Books Advisor
Tosches, Marc	Orcutt Academy HS	Stipend	\$1400*	2020-21	Girls Cross Country Coach (split)
Trenev, Valerie	Alice Shaw	Extra Duty	\$1500	6/2021	Combo Class
Voss, Caitlin	Ralph Dunlap	Stipend	\$1000	2020-21	Student Council Advisor
Whitted, Dana	Olga Reed	Hourly	\$25	8/18-8/31/20	Intervention, 30.75 hrs
Wilson, Shauna	Orcutt Academy K-8	Stipend	\$1200	2020-21	Lead Teacher, Grade 1-2
Winkelpleck, Dustin	Patterson Road	Stipend	\$1200	2020-21	Lead Teacher, Grade 2-3
Winters, Nicole	Patterson Road	Hourly	\$25	8/28-8/31/20	After Hour Support, 3.25 hrs
Woodruff, Jenna	Ralph Dunlap	Stipend	\$1200	2020-21	Lead Teacher, Grade 1
York, Sarah	Pine Grove Patterson Road	I-2 Hourly	\$46,697* \$25	2020-21 8/10-8/31/20	Temporary Intervention, 44 hrs
Zafirir, Kyle	Orcutt Academy HS	Stipend	\$1066*	2020-21	Girls JV Volleyball Coach (split)
Zimmerman, Lauren	Ralph Dunlap	Stipend	\$1200	2020-21	Lead Teacher, Grade 3

*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
September 9, 2020**

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, September 9, 2020, in the District Board Room, beginning with Liz Phillips calling Public Session to order at 6:00 p.m. The Pledge of Allegiance was led by Bill Young. Members Present: Phillips, Waffle, Steller, Henderson, and Morinini. Administrators Present: Edds, Salucci, Young and Bertoldi. The Board Meeting was closed to the Public due to the Covid 19 Pandemic. The Board Meeting was teleconferenced via "Go to Meeting" and streamed via "You Tube".

CLOSED SESSION PUBLIC COMMENTS

None

ADJOURN TO CLOSED SESSION

It was moved by Mark Steller seconded by Melanie Waffle and carried to adjourn to Closed Session at 6:01 p.m. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:31 p.m. Liz Phillips reported that no action was taken in closed session.

RECONVENE TO PUBLIC SESSION

It was moved by Shaun Henderson seconded by Melanie Waffle to adopt the September 9, 2020 agenda.

PUBLIC COMMENT

Monique Segura, President of the Orcutt Educators Association (OEA), Pat Brickey (teacher) and Anna Zucker (teacher) made public comments regarding the stress during the Covid 19 Pandemic.

SUPERINTENDENT'S REPORT

Dr. Holly Edds provided the Board with a School Opening Update

ITEMS FROM THE BOARD

Lisa Morinini, Shaun Henderson, Melanie Waffle, Mark Steller and Liz Phillips thanked all staff, parents, students and bargaining units with the continued hard work and efforts during this challenging time.

CONSENT AGENDA ITEMS

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Special Board Meeting, August 7, 2020
- E. Minutes, Regular Board Meeting, August 12, 2020
- F. BP 0430, Comprehensive Local Plan for Special Education, for Second the Reading
- G. BP 1312.3, Uniform Complaint Procedures, for the Second Reading
- H. BP 1340, Access to District Records for the Second Reading
- I. BP 5145.3, Nondiscrimination/Harassment for the Second Reading
- J. BP 6020, Parent Involvement for the Second Reading
- K. BP 6115, Ceremonies & Observances for the Second Reading
- L. Alice Shaw Full Day Kindergarten Project, change order #3
- M. Joe Nightingale Full Day Kindergarten Project, change order #2
- N. Ralph Dunlap Full Day Kindergarten Project, change order #2
- O. Pine Grove School Site Safety & Security Project, change order #2
- P. Joe Nightingale School Site Safety & Security Project, change order #1
- Q. Patterson/Pine Grove Full Day Kindergarten Project, change order #3
- R. Olga Reed Cafeteria Alteration Project, change order #4
- S. OAHS Restroom Alteration Project, change order #4
- T. OUSD Innovation Center Project, change order #2
- U. OAHS Site Safety & Security Project, change order #2
- V. Lakeview JHS Site Safety & Security Project, change order #1

It was moved by Mark Steller, seconded by Shaun Henderson and carried to approve consent agenda items A - V, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

ACTION AGENDA ITEMS

Approval of Governance Handbook

It was moved by Melanie Waffle, seconded by Lisa Morinini, and carried to approve the Governance Handbook, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Approval of the First Amendment of Professional Services Agreement with TELACU

Construction Management Firm

It was moved by Lisa Morinini, seconded by Mark Steller, and carried to approve the First Amendment of Professional Services Agreement with TELACU Construction Management Firm, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Approval of the Third Amendment of Professional Services Agreement with PMSM/19six Architects

It was moved by Shaun Henderson, seconded by Melanie Waffle, and carried to approve the Third Amendment of Professional Services Agreement with PMSM/19six, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Resolution No. 5 GANN Limit

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to adopt Resolution No. 5 GANN Limit. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

District and Charter Fund Certification of the 2019-2020 Unaudited Actuals

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve and certify the Unaudited Actuals Finance Report, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Resolution No. 8 Commit the General Fund Balance

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to adopt Resolution No. 8 Commit the General Fund Balance, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Resolution No. 6 Approving Temporary Borrowing Between Funds

It was moved by Shaun Henderson, seconded by Melanie Waffle, and carried to adopt Resolution No. 6 Approving Temporary Borrowing Between Funds, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Ratification of Agreement with PolyChrome Construction, Inc. for the Painting Project at Orcutt JHS

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to ratify the agreement with PolyChrome Construction, Inc. agreement for \$94,000, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Notice of Completion for the Painting Project at Orcutt JHS

It moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the Notice of Completion for the Painting Project at Orcutt JHS, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Presentation on OUSD and Orcutt Academy Charter Learning Continuity and Attendance Plan

No action required

Public Hearing – OUSD Learning Continuity and Attendance Plan

No action required

Public Hearing – Orcutt Academy Charter Learning Continuity and Attendance Plan

No action required

Public Hearing – Resolution No. 7 2020-2021 Sufficiency of Instructional Materials

It was moved by Mark Steller, seconded by Shaun Henderson, and carried to adopt Resolution No. 7, 2020-2021 Sufficiency of Instructional Materials, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Disposal of Obsolete Textbooks and Library Books

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the immediate disposal of library books and Instructional Materials as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4112.9, 4219.9, 4319.9 Employee Notifications

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4112.9, 4219.9, 4319.9, Employee Notifications, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4113, Assignment

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the revisions made to Board Policy 4113, Assignment, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4119.43, 4219.43, 4319.43 Universal Precautions

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4119.43, 4219.43, 4319.43 Universal Precautions, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4151, Employee Compensation

It was moved by Mark Steller, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4151, Employee Compensation, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, October 14, 2020, 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. There will be a Special Board Meeting on Wednesday, September 16, 2020, beginning at 5:00 p.m., Board Study Session will be immediately following, and the board will travel to each school site to tour Measure G School Site Improvements.

ADJOURN

It was moved by Mark Steller, seconded by Melanie Waffle and carried to adjourn the meeting at 8:22 PM.

Holly Edds, Ed.D. Board Secretary

Melanie Waffle, Clerk, Board of Trustees

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL BOARD MEETING
Open to the Public via Teleconference
Wednesday, September 16, 2020**

CALL TO ORDER

A special Board meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, September 16, 2020, beginning with Liz Phillips calling Public Session to order at 5:00 p.m. Shaun Henderson led the Pledge of Allegiance. Members Present: Phillips, Waffle, Steller, Henderson, and Morinini. Administrators: Edds, Salucci, Young and Bertoldi. It was moved by Lisa Morinini seconded by Melanie Waffle and carried to adopt the September 16, 2020, agenda, as presented. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

PUBLIC COMMENTS

Jeff Pawley commented on the Re-Opening of School.

OUSD Learning Continuity and Attendance Plan (LCAP)

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to approve the OUSD Learning Continuity and Attendance Plan (LCAP), as submitted. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

Orcutt Academy Charter Learning Continuity and Attendance Plan (LCAP)

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve the Orcutt Academy Charter Learning Continuity and Attendance Plan (LCAP), as submitted. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

Board Study Session – Measure G Bond School Site Improvement Tour to each school site

ADJOURN

It was moved by Mark Steller, seconded by Lisa Morinini and carried to adjourn the meeting at 7:32 p.m.

Holly Edds, Ed.D., Board Secretary

Melanie Waffle, Clerk, Board of Trustees

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
SPECIAL BOARD MEETING
Open to the Public via Teleconference
Wednesday, October 7, 2020**

CALL TO ORDER

A special Board meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, October 7, 2020, beginning with Liz Phillips calling Public Session to order at 5:01 p.m. Mark Steller led the Pledge of Allegiance. Members Present: Phillips, Waffle, Steller, Henderson, and Morinini. Administrators: Edds, Salucci, and Bertoldi. It was moved by Mark Steller seconded by Melanie Waffle and carried to adopt the September 16, 2020, agenda, as presented. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

PUBLIC COMMENTS

Pamela Blythe, Monique Segura, Hannah Rubalacava, Lise Pawley, Monika Keeley, Janell Provost, Karen Ebner, and Jessica Villasenor, commented on the pros and cons of Re-Opening of School.

Board Study Session – Discussion of Reopening School Plan

The Board's recommendation to the Superintendent, is to revisit and discuss in December, but to continue with Distance Learning.

ADJOURN

It was moved by Melanie Waffle, seconded by Mark Steller and carried to adjourn the meeting at 7:11 p.m.

Holly Edds, Ed.D., Board Secretary

Melanie Waffle, Clerk, Board of Trustees

BP 4112.9(a)
BP 4212.9(a)
BP 4312.9(a)

Personnel

EMPLOYEE NOTIFICATIONS

The Board of Trustees believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications he/she believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf.3580-District Records)

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

Legal Reference:

EDUCATION

CODE

231.5 Sexual harassment policy

17612 Notification of pesticide use

22455.5 STRS information to potential members

22461 Postretirement compensation limitation

35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services

35171 Notice of regulations pertaining to certificated employee evaluations

37616 Notice of public hearing on year-round schedule

44031 Personnel file contents, inspection

44663-44664 Evaluation of certificated employees

44842 Reemployment notices, certificated employees

44896 Transfer of administrator or supervisor to teaching position

44916 Written statement of employment status

44929.21 Reelection or nonreelection of probationary employee after second year

44929.23 Reelection notice, districts with less than 250 ADA

44934 Notice of disciplinary action for cause

44934.1 Suspension or dismissal for egregious misconduct

44936 Notice of suspension or dismissal

44938 Notice of unprofessional conduct and opportunity to correct

44940.5-44941 Notification of suspension and intent to dismiss

44948.3- Dismissal of probationary employees

4948.5 Nonreelection procedures, districts under 250 ADA

44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel

44954 Nonreelection of temporary employees

44955 Reduction in number of employees

45113 Notification of charges, classified employees

45117 Notice of layoff, classified employees

45169 Employee salary data, classified employees

45192 Industrial and accident leave

45195 Additional leave

BP 4112.9(b)
BP 4212.9(b)
BP 4312.9(b)

Personnel

EMPLOYEE NOTIFICATIONS

46162 Notice of public hearing on block schedule
49013 Complaints regarding student fees
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

49414 Epinephrine auto-injectors

49414.3 Administration of opioid antagonist

GOVERNMENT CODE

1126 Incompatible activities of employees

~~3100-3109 Oath or affirmation of allegiance~~

8355 Certification of drug-free workplace, including notification

12950 Sexual harassment

21029 Retirement credit for period of military service

54957 Complaints against employees; right to open session

54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

1797.196 Automated external defibrillators; notification of use and locations

104420 Tobacco-free schools

120875 Information on AIDS, AIDS-related conditions, and hepatitis B

120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

1797.796 Automated external defibrillators; notification of use and locations

LABOR CODE

245-249 Healthy Workplaces, Healthy Families Act of 2014

1034 Lactation accommodation

2800.2 Notification of availability of continuation health coverage

2810.7 Notice to participate in flexible spending account

3550-3553 Notifications re: workers' compensation benefits

5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

11105 Access to criminal history information

11105.2 Subsequent arrest notification

11165.7 Child Abuse and Neglect Reporting Act; notification requirement

11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

11023 Nondiscrimination in employment

11049 Notice of right to request pregnancy disability leave or transfer

11091 California Family Rights Act, designation notice

11096 Notice of right to request family care leave

~~7288.0 Sexual harassment training, provision of district policy~~

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures

80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records

BP 4112.9(c)
BP 4212.9(c)
BP 4312.9(c)

Personnel

EMPLOYEE NOTIFICATIONS

5191 Chemical hygiene plan

5194 Hazard communication program

~~5193 California bloodborne pathogens standard~~

CODE OF REGULATIONS, TITLE 13

1234 Reports regarding school buses and bus drivers

2480 Vehicle idling, limitations

UNITED STATES CODE, TITLE 38

4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

84.205-84.210 Drug-free workplace statement

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.601 Controlled substance and alcohol use and testing notifications

Policy Adopted: ~~11/14/2012~~ 10/14/20

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Personnel

ASSIGNMENT

In order to serve the best interests of students and the educational program, the Board of Trustees authorizes the Superintendent or designee to assign certificated personnel to positions for which **they are qualified pursuant to** their certification, preparation, **professional** experience, and aptitude **qualify them**.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Teachers may be assigned to any school within the district in accordance with the collective bargaining agreement or board policy.

(cf. 4141/4241- Collective Bargaining Agreement)

Assignment to Courses/Classes

The Superintendent or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.

When specifically authorized by law or regulation, the Superintendent or designee may, with the teacher's consent, assign a teacher to a position outside the teacher's credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall reference in district records the statute or regulation under which the assignment is authorized.

(cf. 3580 – District Records)

If at any time a certificated employee is required by the district to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the Superintendent or designee, in writing, of the misassignment. Within 15 working days, the Superintendent or designee shall notify the employee of the legality of the assignment. If no action is taken by the district, the employee shall provide written notification to the County Superintendent of Schools. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

Personnel

ASSIGNMENT

Vacancies and Misassignments

Annually, the district shall review potential misassignments and vacant positions throughout the district. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the district, the Superintendent shall review the data within 60 days. When necessary, the Superintendent or designee may respond by submitting additional documentation to the County Superintendent showing that an employee is legally authorized for an assignment and/or that a position identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the district subsequently receives, within 90 days of CTC's initial notification, a notification from the County Superintendent indicating that a certificated employee in the district is assigned to a position for which the employee has no legal authorization, the district shall correct the assignment within 30 calendar days. (Education Code 44258.9)

The district shall serve as the monitoring authority for teacher assignments in any charter school it has authorized, in accordance with Education Code 44258.9-44258.10.

(cf. 0420.41 - Charter School Oversight)

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the district's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

~~Teachers who are assigned to teach core academic subjects shall meet the requirements of the No Child Left Behind Act (NCLB) pertaining to qualifications of highly qualified teachers. (20 USD 6319, 7801; 5 CCR 6100 6126)~~

~~(cf. 4112.24 Teacher Qualifications Under the No Child Left Behind Act)~~

~~The Superintendent or designee may assign a teacher, with his/her consent, to a position outside his/her credential authorization when specifically authorized by law or regulation, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing Administrator's Assignment Manual. Assignments made pursuant to Education Code 44256, 44258.2, and 44263 shall be annually approved by Board resolution. In such cases the Superintendent or designee shall reference in district records the statute or regulation under which the assignment is authorized. The Superintendent or designee shall, with the assistance of subject matter specialists, develop procedures to verify the subject matter knowledge of the teacher before any such assignment is made. (Education Code 44258.3)~~

~~The Superintendent or designee shall periodically report to the Board on teacher assignments and vacancies, including the number and type of assignments made outside a teacher's credential authorization through a local teaching assignment option. Whenever district misassignments and vacancies are reviewed by the County Superintendent of Schools or Commission on Teacher Credentialing, as applicable, the Superintendent or designee shall report the results to the Board and shall provide recommendations for remedying any identified issues.~~

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Personnel**ASSIGNMENT**

The school accountability report card for each school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

(cf. 0510 - School Accountability Report Card)

Equitable Distribution of Qualified ~~and Experienced~~ Teachers

~~In order to ensure that highly qualified and experienced teachers are equitably distributed among district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students, the Superintendent or designee shall:~~

- ~~1. Verify that all teachers of core academic subjects possess the qualifications of highly qualified teachers as required by NCLB or develop immediate and long-term solutions for ensuring that all core academic classes will be taught by highly qualified teachers.~~
- ~~2. Not assign teachers with provisional internship permits, short-term staffing permits, or credential waivers to schools that have 40 percent or higher poverty or are ranked in deciles 1-3 on the statewide Academic Performance Index.~~
- ~~3. Not place interns in high-poverty, low-performing schools in greater numbers than in schools with low poverty or higher academic achievement.~~
- ~~4. Compare teacher retention rates across district schools and develop strategies to recruit and retain experienced and effective teachers in hard-to-staff schools.~~

Equitable Distribution of Qualified and Experienced Teachers

The Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The Superintendent or designee shall annually report to the Board comparisons of teacher qualifications across district schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

Legal Reference:

EDUCATION CODE

33126 School accountability report card

35035 Additional powers and duties of superintendent

Personnel

ASSIGNMENT

35186 Complaint process
37616 Assignment of teachers to year-round schools
44225.6 Commission report to the legislature re: teachers
44250-44277 Credentials and assignments of teachers
44314 Subject matter programs, approved subjects
~~44395-44398 Incentives for assigning NBPTS-certified teachers to high-priority schools~~
44824 Assignment of teachers to weekend classes
44955 Reduction in number of employees

GOVERNMENT CODE

3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5
~~6100-6126 Teacher qualifications, No Child Left Behind Act~~
80003-80005 Credential authorizations
80020-80020.5 Additional assignment authorizations
80335 Performance of unauthorized professional services
80339-80339.6 Unauthorized certificated employee assignment
UNITED STATES CODE, TITLE 20
6311 State plan

6312 Local educational agency plans

6319 Highly qualified teachers
6601-6651 Teacher and Principal Training and Recruiting Fund
~~7801 Definitions, highly qualified teacher~~
CODE OF FEDERAL REGULATIONS, TITLE 34
~~200.55-200.57 Highly qualified teachers~~

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California State Plan to Ensure Equitable Access to Excellent Educators
Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016
~~Revised State Plan for the No Child Left Behind Act, rev. September 2008~~

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual – **Updates and Revisions, May 2014, The Administrator's Assignment Manual**, rev. September 2007

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Transitioning to the Every Student Succeeds Act (ESSA): Frequently Asked Questions, rev. May 4, 2016

Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006
WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

~~Santa Clara County Office of Education, Personnel Management Assistance Team:~~
~~<http://www.sccoe.org/depts/pmat>~~

U.S. Department of Education: <http://www.ed.gov>

BP 4119.43(a)
BP 4219.43(a)
BP 4319.43(a)

Personnel

UNIVERSAL PRECAUTIONS

In order to protect employees from contact with potentially infectious blood or other body fluids, the Board of Trustees requires that universal precautions be observed throughout the district. Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.6 - Student Health and Social Services)
(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall distribute to employee's information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

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

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

BP 4119.43(b)
BP 4219.43(b)
BP 4319.43(b)

Personnel

LABOR CODE

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Hepatitis B Questions and Answers for the Public

CDE PROGRAM ADVISORIES

~~1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings~~

WEB SITES

American Federation of Teachers: <http://www.aft.org>

California Department of Industrial Relations, Occupational Safety and Health:
http://www.dir.ca.gov/occupational_safety.html

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration:
<http://www.osha.gov>

Policy Adopted: ~~2/8/06~~ 10/14/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

BP 4151 (a)
BP 4251 (a)
BP 4351 (a)

Personnel

EMPLOYEE COMPENSATION

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Trustees recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)
(cf. 3400 - Management of Districts Assets/Accounts)
(cf. 4000 - Concepts and Roles)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, 45268028)

(cf. 4121 - Temporary/Substitute Personnel)
(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4312.1 - Contacts)

The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.

(cf. 4140/4240 - Bargaining Units)
(cf. 4312.1 – Contracts)

BP 4151 (b)
BP 4251 (b)
BP 4351 (b)

Personnel

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

(cf. 4300 - Administrative and Supervisory Personnel)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months after making the request if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

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

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45127-45133.5 Classified employees; work week; overtime provisions

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

BP 4151 (c)
BP 4251 (c)
BP 4351 (c)

Personnel

3543.2 Scope of representation
3543.7 Duty to meet and negotiate in good faith
LABOR CODE
226 Employee access to payroll records
232 Disclosure of wages
CODE OF REGULATIONS, TITLE 8
11040 Wages and hours; definitions of administrative, executive, and professional employees
UNITED STATES CODE, TITLE 26
409A Deferred compensation plans
UNITED STATES CODE, TITLE 29
201-219 Fair Labor Standards Act, especially:
203 Definitions
207 Overtime
213 Exemptions from minimum wage and overtime requirements
CODE OF FEDERAL REGULATIONS, TITLE 26
1.409A-1 Definitions and covered plans
CODE OF FEDERAL REGULATIONS, TITLE 29
516.4 Notice of minimum wage and overtime provisions
516.5-516.6 Records
541.0-541.710 Exemptions for executive, administrative, and professional employees
553.1-553.51 Fair Labor Standards Act; applicability to public agencies
COURT DECISIONS
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

~~NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS~~
~~NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation—~~
~~Section 409A of the Internal Revenue Code, January 2008~~
OFFICE OF MANAGEMENT AND BUDGET PUBLICATIONS
Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly
Impacted by the Novel Coronavirus (COVID-19) Due to Loss of Operations, Memorandum
M-20-17, March 19, 2020
WEB SITES
CSBA: <http://www.csba.org>
Internal Revenue Service: <http://www.irs.gov>
School Services of California, Inc.: <http://www.sscal.com>
U.S. Department of Labor, Wage and Hour Division: <http://www.dol.gov/whd>
~~National School Boards Association: <http://www.nsba.org>~~



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order #5 Pre Con Industries, Inc. for Orcutt Academy HS Restroom Alteration Project

BACKGROUND: Attached is a change order request #4 from Pre Con Industries in the amount of \$6,500.25 for the Orcutt Academy HS Restroom Alteration Project. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for Pre Con Industries, Inc. for \$6,500.25, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Orcutt Academy HS Restroom Alteration Project
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **5**

Date: **9/29/2020**

To Contractor:
Pre Con Industries, Inc.
PO Box 5728
Santa Maria, CA 93456

Contract Date: **3/19/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	958,900.00
The net change by previously authorized Change Orders	\$	100,586.00
The Contract Sum prior to this Change Order was	\$	1,059,486.00
The Contract Sum will be Increased by this new Change Order in the amount of	\$	6,500.25
The new Contract Sum including this Change Order will be	\$	1,065,986.25
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	Pre Con Industries, Inc.	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 5728 Santa Maria, CA 93456	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1230 Doris Ave. Oxnard, CA 93030

BY (Signature) BY (Signature) BY (Signature) BY (Signature) BY (Signature)

DATE DATE DATE DATE DATE

CHANGE ORDER 05- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Low Voltage T&M Revisions	22	Design Issue – The data provisions for several of the low voltage devices located in and around the ASB office were not shown on the plans. In order for the devices to work as intended, data cabling was need to be installed from the device to the new IDF location or extended from their previous existing locations. Cost includes additional labor and materials to provide data connections to the clocks, speakers and camera on top of the ASB office roof.	\$ 2,350.31
2	Miscellaneous T&M	28	Owner Requested – Upon completion of the Restroom project, several minor modifications were requested by the District. The costs include labor, equipment and materials for the following modifications: demolishing of existing metal posts that were protruding out of the asphalt and patching back, additional cleaning and painting of electrical conduit that runs into the existing adjacent Building 030, painting of the hallway walls at the entrance of Building 030, reinstallation and resealing of the existing hallway skylights.	\$ 3,021.66
3	Kiln Hood Electrical Interlock	29	Owner Requested – Per suggestion by the IOR, the District had requested that the exhaust fan in the Kiln Room be activated when the Kilns are in use in an effort to maintain temperatures within the Kiln room. Costs include labor and materials to provide an interlock connection between the (2) Kilns and the Kiln Room Exhaust Fan	\$ 1,128.28
Total Change Order Amount				\$ 6,500.25



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- Pre Con Industries, Inc. for Olga Reed Cafeteria

BACKGROUND: Attached is a change order request #5 from Pre Con Industries, Inc. in the amount of \$3,337.35 for the Olga Reed Cafeteria Alteration Project. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for Pre Con Industries, Inc. for \$3,337.35, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Olga Reed Cafeteria Alteration Project
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **5**

Date: **9/29/2020**

To Contractor:
Pre Con Industries, Inc.
PO Box 5728
Santa Maria, CA 93456

Contract Date: **3/19/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	1,178,400.00
The net change by previously authorized Change Orders	\$	187,432.79
The Contract Sum prior to this Change Order was	\$	1,365,832.79
The Contract Sum will be Increased by this new Change Order in the amount of	\$	3,337.35
The new Contract Sum including this Change Order will be	\$	1,369,170.14
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	Pre Con Industries, Inc.	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 5728 Santa Maria, CA 93456	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1230 Doris Ave. Oxnard, CA 93030

BY (Signature) BY (Signature) BY (Signature) BY (Signature) BY (Signature)

DATE DATE DATE DATE DATE

CHANGE ORDER 05- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Low Voltage T&M Revisions	47	Design Issue - Per the IOR's request, (2) Fire ready sleeves were needed in the wall to the MDF room for fire alarm cabling in-order to maintain the fire rating of the wall. The cost includes labor and materials to install (2) 2" STI Fire Ready sleeves.	\$544.92
2	Added Work on Punch List	50	Design Issues – Upon completion of the Cafeteria project, some additional items were added to the scope per the punch walk comments provided by the AOR & IOR. The costs include labor and materials for the following added scope items: installing louvers at the water heater room door to mitigate excessive heat within the water heater closet space, installing rubber base and floor stop in the storage closet.	\$1,536.11
3	Electrical T&M-Raise In-Ground Pull Box	51	Owner Requested – Due to the flatwork revisions made at the west side of the cafeteria (refer to PCO #012), the elevation of the existing adjacent in-ground electrical box created a tripping hazard at the side of the newly replaced concrete sidewalk. The cost includes labor and materials to encase the existing electrical box with a larger electrical box set to match the new top of concrete sidewalk elevation, eliminating the trip hazard.	\$1,256.32
			Total Allowance Change Order Amount	\$3,337.35



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- RDZ Contractors for Alice Shaw Full Day Kindergarten

BACKGROUND: Attached is a change order request #4 from RDZ Contractors in the amount of \$21,159.87 for the Alice Shaw Full Day Kindergarten. The deductive change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the deductive change order for RDZ Contractors for \$21,159.87, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ 19-Six Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Alice Shaw Full Day Kindergarten
Orcutt Union School District
 500 Dyer Street
 Orcutt, CA 93455

Change Order Number: **4**

Date: **10/1/2020**

To Contractor:
 RDZ Contractors
 PO Box 760
 Nipomo, CA 93444

Contract Date: **4/29/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	265,797.00
The net change by previously authorized Change Orders	\$	36,344.97
The Contract Sum prior to this Change Order was	\$	302,141.97
The Contract Sum will be Increased by this new Change Order in the amount of	\$	21,159.87
The new Contract Sum including this Change Order will be	\$	323,301.84
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	RDZ Contractors	TELACU Construction Management	19-Six Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 760 Nipomo, CA 93444	604 N. Eckhoff St. Orange, CA 92868	560 Higuera Street, Ste C San Luis Obispo, CA 93401	1230 Doris Ave. Oxnard, CA 93030

BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)
----------------	----------------	----------------	----------------	----------------

DATE	DATE	DATE	DATE	DATE
------	------	------	------	------

CHANGE ORDER 04- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Fire Alarm Tie-Back	10	o Unforeseen Condition – During the over-excavation process, existing utilities were discovered within the over-excavation (refer to PCO #001). One of the utilities encountered was the fire alarm lines that run across the building pad into the adjacent existing portable buildings. After the new modular building was set, the fire alarm line was re-routed to resume service to the adjacent classroom buildings. The costs associated with this change includes pulling out the damaged fire alarm backbone cabling, re-pulling and terminating 500 lineal feet of new backbone cabling.	\$8,991.80
3	Electrical Conduit Tie-Back & Repair	13	Unforeseen Condition – During the over-excavation process, existing electrical utilities were discovered within the over-excavation zone of the new modular classroom building (refer to PCO #001). The existing electrical lines crossed the modular building pad into the adjacent existing portable buildings. After the new modular building was set, the electrical lines were re-routed to resume service to the adjacent classroom buildings. The costs associated with this change include additional trenching, conduit installation, backfill, compaction and reconnection of the re-routed electrical lines.	\$13,024.98
4	Allowance Credit	14	Contract – Per the contract, a \$15,000 allowance was allocated in the project budget to assist in paying for any unforeseen items that may arise during construction. Upon completion of the new modular building, a total of \$856.91 remained in the allowance budget, which is being credited back to the District as specified within the contract language.	-\$856.91
Total Change Order Amount				\$21,159.87



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- RDZ, Contractors for Joe Nightingale Full Day Kindergarten

BACKGROUND: Attached is a change order request #3 from RDZ Contractors in the amount of \$62,439.64 for the Joe Nightingale Full Day Kindergarten. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for RDZ Contractors for \$62,439.64, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ 19-Six Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Joe Nightingale Full Day Kindergarten
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **3**

Date: **10/1/2020**

To Contractor:
RDZ Contractors
PO Box 760
Nipomo, CA 93444

Contract Date: **4/29/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	738,573.00
The net change by previously authorized Change Orders	\$	31,312.63
The Contract Sum prior to this Change Order was	\$	769,885.63
The Contract Sum will be Increased by this new Change Order in the amount of	\$	62,439.64
The new Contract Sum including this Change Order will be	\$	832,325.27
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	RDZ Contractors	TELACU Construction Management	19-Six Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 760 Nipomo, CA 93444	604 N. Eckhoff St. Orange, CA 92868	560 Higuera Street, Ste C San Luis Obispo, CA 93401	1230 Doris Ave. Oxnard, CA 93030

BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)
----------------	----------------	----------------	----------------	----------------

DATE	DATE	DATE	DATE	DATE
------	------	------	------	------

CHANGE ORDER 03- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Sewer Re-Route	10	Unforeseen Condition/Design Issue – Due to the necessary site grade revisions made and shifting of the new modular locations due to the existing PG&E utilities encountered at the corner of Dickson Drive & Winter Road (refer to PCO #004), the designed slope of the sewer line was lessened and would no longer work with the conditions presented. It was determined that in-order to obtain satisfactory sewer slopes for the new modular buildings, the sewer lines would need to be ran from the back of the classroom, under the crawl space underneath the new modular sections and out through the front of each classroom. The added costs associated with this change includes revising the sewer installation underneath each modular room to allow for routing to the front of the classroom, concrete coring of the modular foundation stem wall at each room, additional sewer clean outs and pipe fittings as needed.	\$34,888.81
2	Data & Fiber Backbone Repair	12	Unforeseen Condition - During the over-excavation process, existing utilities were discovered within the over-excavation (refer to PCO #001). Two of the utilities encountered were the fiber optic and data communication lines that run across the building pads that feed the adjacent existing portable buildings and the former portable classroom buildings that were removed under this contract. After the new modular building was set, the communication lines were repaired to resume service to the campus. The costs associated with this change include removing the existing cabling and re-pulling 25 pair cabling and 12 fiber 62.5 optic cabling, splicing and termination of the new lines at the communications pedestal, installing 3 new networks switches and testing of the new cabling.	\$19,210.17
3	Credit for Pedestal Relocation & Pull Box	14	Owner Requested –The communications pedestal that was shown on the original contract drawings to be relocated remained at its original location while still meeting the design intent. The credit associated with this change includes labor and materials for relocation of the communications pedestal and the installation of a #5 pull box that was not needed due to the pedestal remaining in-place.	-\$9,360.00
4	Electrical Overtime	15	Owner Requested - In an effort to have (4) modular classrooms ready for District move-in on the first week of classes (before originally scheduled move-in), the electrician was directed to accelerate the fire alarm work at the K1, K2, K3 & K4 Classrooms. The cost associated with this change is the overtime Saturday work performed by the electrical contractor on July 25th and August 1st.	\$4,953.90
5	Remove & Replace Redwood Header	16	Design Issue – Due to the revised site grades (refer to PCO #004), the elevation difference between the perimeter of the new modular classrooms and the existing street sidewalk was significant enough to require a new redwood header board be installed in-place of the existing header board that was in poor shape in order to maintain a manageable slope behind the new modular classrooms off of Winder Road. The costs associated with this change includes labor, equipment and materials to remove and replace the existing header board, raise the grade at the backside of the new modular classrooms off of Winter Road, and fine grading to ensure that any water runoff is directed to the bubbler drains that were installed per the contract drawings.	\$9,903.63
6	Added Heat Detectors	17	Design Issue– Upon placement of the modular sections, it was discovered that the drywall in the restrooms protrudes past the ceiling elevation all the way to the roof. Per code requirements, the restroom needed an additional heat detector in-order to be compliant. Cost includes installation of (1) heat detector at each new modular classroom building (7 total).	\$1,580.75

7	Playground Panel Demo & Replacement	18	Unforeseen Condition – In conjunction with the new modular classroom work, a new playground was also installed towards the end of the project under a separate contract with another contractor. During the hoisting of the playground canopy, the wheel from the playground contractor's lift damaged the corner of the newly poured concrete panel at the perimeter of the playground. The associated costs with this added work include labor, equipment and materials to replace (1) 4' x 4' concrete sidewalk panel.	\$2,284.74
8	Allowance Credit	19	Contract – Per the contract, a \$25,000 allowance was allocated in the project budget to assist in paying for any unforeseen items that may arise during construction. Upon completion of the new modular building, a total of \$1,022.36 remained in the allowance budget, which is being credited back to the District as specified within the contract language.	-\$1,022.36
Total Change Order Amount				\$62,439.64



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- RDZ Contractors for Ralph Dunlap Full Day Kindergarten

BACKGROUND: Attached is a change order request #3 from RDZ Contractors in the amount of \$26,393.91 for the Ralph Dunlap Full Day Kindergarten. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for RDZ Contractors for \$26,393.91, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ 19-Six Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Ralph Dunlap Full Day Kindergarten
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **3**

Date: **10/1/2020**

To Contractor:
RDZ Contractors
PO Box 760
Nipomo, CA 93444

Contract Date: **4/29/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	298,696.00
The net change by previously authorized Change Orders	\$	34,048.82
The Contract Sum prior to this Change Order was	\$	332,744.82
The Contract Sum will be Increased by this new Change Order in the amount of	\$	26,393.91
The new Contract Sum including this Change Order will be	\$	359,138.73
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	RDZ Contractors	TELACU Construction Management	19-Six Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 760 Nipomo, CA 93444	604 N. Eckhoff St. Orange, CA 92868	560 Higuera Street, Ste C San Luis Obispo, CA 93401	1230 Doris Ave. Oxnard, CA 93030

BY (Signature) BY (Signature) BY (Signature) BY (Signature) BY (Signature)

DATE DATE DATE DATE DATE

CHANGE ORDER 02- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Stair Regrading, Planter & Rail Revisions	10	Design Issue – As the flatwork in front of the new modular classroom was being formed, it was determined by the IOR that the slopes created by tying in the new flatwork to the existing would be out of ADA compliance. Per the AOR's direction, significant revisions were made which include: adding a planter to the middle of the steps at the front of the classroom to eliminate the step transition from 6" to 0". Railing was also added due to the flatwork being deemed a ramp due to the excessive slope per ADA requirements. The costs associated with this change include added labor, equipment and materials for re-working the installed formwork to incorporate the stair and planter revisions, re-grade to ensure slopes meet ADA requirements and the addition of handrails as required to satisfy ADA ramp requirements.	\$26,450.42
6	Allowance Credit	16	Contract – Per the contract, a \$15,000 allowance was allocated in the project budget to assist in paying for any unforeseen items that may arise during construction. Upon completion of the new modular building, a total of \$56.51 remained in the allowance budget, which is being credited back to the District as specified within the contract language.	-\$56.51
Total Change Order Amount				\$26,393.91



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- Pre Con Industries, Inc. for Patterson & Pine Grove Full Day Kindergarten

BACKGROUND: Attached is a change order request #4 from Pre Con Industries, Inc. in the amount of \$17,077.59 for the Patterson & Pine Grove Full Day Kindergarten. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for Pre Con Industries, Inc. for \$17,077.59, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ 19-Six Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Patterson & Pine Grove Full Day Kindergarten
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **4**

Date: **10/1/2020**

To Contractor:
PreCon Industries
PO Box 5728
Santa Maria, CA 93456

Contract Date: **3/19/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	1,132,500.00
The net change by previously authorized Change Orders	\$	177,015.36
The Contract Sum prior to this Change Order was	\$	1,309,515.36
The Contract Sum will be Increased by this new Change Order in the amount of	\$	17,077.59
The new Contract Sum including this Change Order will be	\$	1,326,592.95
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	Pre Con Industries, Inc.	TELACU Construction Management	19-Six Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 5728 Santa Maria, CA 93456	604 N. Eckhoff St. Orange, CA 92868	560 Higuera Street, Ste C San Luis Obispo, CA 93401	1230 Doris Ave. Oxnard, CA 93030

BY (Signature) BY (Signature) BY (Signature) BY (Signature) BY (Signature)

DATE DATE DATE DATE DATE

CHANGE ORDER 03- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Both Sites: Added Cat6 Cable at Modulares T&M	23	Design Issue – Clarification #008 – The site contractor's base bid was to include power and data per the AOR's provided bid drawing E-101. After the buildings were placed, Clarification #008 directed the contractor to install the electrical outlets and data ports per the modular contractor's (AMS) provided drawing E1.0R. The cost includes the difference in electrical/data scope between the AOR's drawings and the modular contractor's drawings.	\$5,946.19
2	Pine Grove - Export of Unsuitable Soils	33	District Requested – Refer to PCO 004 regarding the unsuitable soils encountered during the over excavation process for the Pine Grove School new modular classroom building. The costs associated with this change includes labor and equipment to export the spoils generated from the PCO 004 unsuitable soils change order work. The contractor was directed to export the pile of unsuitable (wet) soils to the District yard per District's request.	\$6,129.02
3	Patterson - Remove and Relocate Spoils	36	District Requested – Refer to PCO 009 regarding the unsuitable soils encountered during the over excavation process, PCO 011 regarding the added retaining wing walls & PCO 013 regarding the extending of the gas line. The associated costs for this change includes labor and equipment to export the spoils generated by the (3) PCOs stated herein. The spoils were exported from the Patterson School site to the District yard per the District's request.	\$4,517.93
4	Patterson - Repair Existing Gate and Bollard	37	District Requested – At the start of the project, the contractor was directed to cut down (1) gate post at the kindergarten area boundary and (1) bollard at the adjacent front parking lot in-order to provide a clear pathway for the modular contractor's crane to set the new modular sections in place. The cost associated with this change includes labor and materials to re-install the gate post and bollard at their original locations.	\$1,400.64
6	Patterson - Added Fencing	39	Design Issue – Refer to RFI #006 regarding the shifting of the site retaining wall toward the new modular classrooms & PCO 011 regarding the added retaining wing walls. Due to the shifting of the wall and added wing walls, the District had requested chain link fencing close-off panels at both ends of the new modular classrooms to close off the tight space between the site retaining wall and classrooms to student and public traffic. The costs associated with this change includes added labor and materials to install (8) new 2-7/8" posts, chain link fabric and associated fencing hardware.	\$1,981.35
7	Allowance Credit	40	Contract – Per the contract, a \$25,000 allowance was allocated in the project budget to assist in paying for any unforeseen items that may arise during construction. Upon completion of the new modular buildings, a total of \$962.09 remained in the allowance budget, which is being credited back to the District as specified within the contract language.	-\$962.09
8	B/C: Tackboard Repair	B/C-1	Back Charge to Contractor – During the electrical and data installation at the new Patterson ES modular classroom buildings, the site contractor mistakenly installed wire molding over the tack-board surface at (3) locations total. The costs associated with this back-charge is being credited by the site contractors to the district to cover the added labor and material costs for the modular contractor (separate contract) to remove and reinstall the tack-board panels at (3) locations.	-\$1,935.45
Total Change Order Amount				\$17,077.59



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- RDZ Contractors for Pine Grove School Site Safety & Security

BACKGROUND: Attached is a change order request #2 from RDZ Contractors in the amount of \$35,853.20 for the Pine Grove School Site Safety & Security. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for RDZ Contractors for \$35,853.20, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Pine Grove Site Safety & Security
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **3**

Date: **10/1/2020**

To Contractor:
RDZ Contractors
PO Box 760
Nipomo, CA 93444

Contract Date: **3/19/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	1,522,200.00
The net change by previously authorized Change Orders	\$	163,997.59
The Contract Sum prior to this Change Order was	\$	1,686,197.59
The Contract Sum will be Increased by this new Change Order in the amount of	\$	35,853.20
The new Contract Sum including this Change Order will be	\$	1,722,050.79
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	RDZ Contractors	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 760 Nipomo, CA 93444	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1151 1230 Doris Ave. Oxnard, CA 93030

BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)
----------------	----------------	----------------	----------------	----------------

DATE	DATE	DATE	DATE	DATE
------	------	------	------	------

CHANGE ORDER 03- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Clay Pipe and Domestic Water	12	Unforeseen Condition – During the grading operations in front of the administration office, a clay storm drainage pipe was discovered running parallel to the concrete sidewalk. The roof drainage was routed down to the discovered clay pipe. The costs associated with this change includes cutting/capping the existing clay pipe and re-routing the roof drainage to the adjacent retaining wall drainage system.	\$2,544.79
2	Filter Fabric	13	Owner Requested – Prior to placement of the permeable pavers at the upper parking lot, the District had requested the addition of a filter fabric being installed underneath the permeable pavers for maintenance purposes. The costs associated with this change include labor and materials to install over 6,500 square feet of 140N filter fabric.	\$2,272.79
3	Demo Pony Wall at Rooms 103 & 104	14	Design Issue/Unforeseen Condition - During the framing portion of the administration office scope, several ADA issues were identified with the bid set proposed layout of the office and some conflicts with existing electrical utilities were encountered. It was decided to omit the proposed pony wall that separates rooms 102 & 103. Instead, the contractor was directed to proceed with just providing a large encased opening between the offices. The costs associated with this change include labor to demolish the already framed pony wall at the administration office.	\$544.52
4	Tackboard at Rooms 103 & 104	15	Owner Requested – In an effort to provide a more finished product for the District, the contractor was asked to install District furnished tack-board at the existing cabinet location in Room 103 and to infill any other “voids” of tack-board that occurred within the office area. The costs associated with this change include labor and material to install drywall, tack-board panels and associated trim.	\$2,196.28
5	Tile Abatement and New Tile Install	16	Unforeseen Condition – The lower cabinet in Room 110 was called to remain at its existing location within the bid plans. Due to the widening of the adjacent doorway, the lower portion of casework would no longer fit at the existing location and needed to be relocated to the middle of the adjacent wall. The relocation of the casework created a void within the flooring within Room 110. Prior to installation of new flooring to fill the void, it was discovered that the existing vinyl tile flooring was lifting with little effort, furthermore, the adhesive used for the existing vinyl flooring was black mastic adhesive (which contains asbestos). The costs associated with this change include abatement of the flooring and black mastic adhesive within Room 110 and install new vinyl tile flooring that was furnished by the District.	\$5,520.18
6	Credit for Panel A3	17	Owner Requested – Upon further review of the existing available utilities within the staff lounge area, an electrical panel with open slots located next to the existing copiers was identified as a closer panel that could be utilized for the added electrical items within the staff lounge in-lieu of running new feeds from the farther away panel A3. Credit includes costs associated with labor and materials to complete the feed run from Panel A3 to the staff lounge area.	-\$2,225.00
7	Pony Wall Electrical Changes	18	Unforeseen Condition – During the demolition of the existing walls, some existing electrical utilities were encountered within the wall between rooms 102 & 103. After review of the existing electrical items occurring within the wall, the contractor was asked to re-route and utilize the encountered electrical and data lines for the administration office spaces. The costs associated with this change includes added labor and materials to re-route the electrical/data conduit to the adjacent office walls and floor, installing a new concrete floor box and receptacle, re-installing light switches, electrical/data outlets and security pad at new locations.	\$3,910.69

8	MPR and Vestibule Electrical	19	Unforeseen Condition – During the demolition work at the Multi-Purpose Room door frame, (2) electrical home-runs were discovered at the location where the door was to be widened at. The contractor was directed to remove the existing conduit and re-route conduit and wiring as needed to ensure service resumes all affected devices and receptacles. The costs associated with this change includes added labor and materials to remove and grind down the existing metal conduit, trace the origins of the electrical runs, re-route the data electrical lines and re-install switches for lights and fan.	\$3,600.70
9	Teacher's Lounge Electrical	20	Owner Requested – Per the District request, some additional scope was requested at the staff lounge's copier area. The costs associated with this change include added labor and material to cut-down existing floor conduits and install a new light fixture to provide additional lighting at copier area.	\$750.59
10	Jute Netting at Hill	22	Design Issue – Per the IOR's suggestion, jute netting was recommended to be installed at the steep hill to the south of the main entry of the new parking lot due to of erosion concerns. It was agreed upon by the project team that jute netting would be the most cost effective measure to mitigate erosion at the hill at this time. The costs associated with this change include added labor and material to install roughly 4,000 square feet of jute netting at the southeast landscaped portion of the new upper parking lot.	\$982.84
11	Upper PL Grading, Engineering & Curb Drains	23	Design Issue – Due to the IOR's concern of student safety and potential erosion from run-off, the layout of the flatwork to the north of the new upper parking lot was revised to shift the flatwork closer to the parking lot area, which reduces the grade changes of the sidewalks significantly. The sidewalks did get extended at a couple of locations towards the west side of the new flatwork to ensure the ramps fall within the required slope percentages. The costs associated with this change includes added labor, equipment, material and engineering to re-work the site grades to meet ADA requirements in an effort to improve student safety and mitigate the need for additional handrails, curbs and erosion control measures. The change order for the added handrails and fencing at the upper parking lot is forthcoming and will be addressed under a seperate PCO.	\$15,754.82
Total Change Order Amount				\$35,853.20



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- RDZ Contractors for Joe Nightingale School Site Safety & Security

BACKGROUND: Attached is a change order request #2 from RDZ Contractors in the amount of \$41,968.40 for the Joe Nightingale School Site Safety & Security. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for RDZ Contractors for \$41,968.40, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Joe Nightingale Site Safety & Security
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **2**

Date: **9/29/2020**

Contract Date: **5/11/2020**

To Contractor:
RDZ Contractors
PO Box 760
Nipomo, CA 93444

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	427,187.00
The net change by previously authorized Change Orders	\$	3,075.33
The Contract Sum prior to this Change Order was	\$	430,262.33
The Contract Sum will be Increased by this new Change Order in the amount of	\$	41,968.40
The new Contract Sum including this Change Order will be	\$	472,230.73
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	RDZ Contractors	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 760 Nipomo, CA 93444	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1230 Doris Ave. Oxnard, CA 93030

BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)
----------------	----------------	----------------	----------------	----------------

DATE	DATE	DATE	DATE	DATE
------	------	------	------	------

CHANGE ORDER 02- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Wall Per County Encroachment Permit	1	Design Issue – During construction of the site improvements occurring along Glenwood Drive, the Santa Barbara County Engineer intervened and notified the District that the County has a right-of-way at the location where the improvements were scheduled to occur per the County provided Glenwood Civil drawings dated from 1959. After further discussion, it was agreed-upon between the District and County that it was acceptable to shift the improvements along Glenwood to 4'-6" from the face of the street curb. Additional grading, masonry block and fencing scope was created due to shifting the improvements. The costs include additional grading, providing new fence posts at the ball field fence line and adding (2) courses of allan block to the block wall that was to be installed per contract to compensate for the higher grade at the ballfield fence line & Snack Bar areas.	\$20,272.94
2	Playground Curb Demo & Concrete Sidewalk Thickened Edge	4	Owner Requested – In an effort to plan for future upgrades at the Joe Nightingale site next year, the playground concrete curb adjacent to the new sidewalk running east to west from the entrance off of Dickenson Drive was demolished and the new concrete sidewalk was realigned to be parallel to the opposite side of the new sidewalk. A 18" thickened concrete edge was required at the demolished curb location. The cost for this work includes demolition of the concrete curb, additional excavation/grading for the thickened edge, and additional forming required due to the original contract work not requiring forming on that side as it was to be poured up against the existing curb.	\$10,524.81
4	ADA Restroom Landing	8	Design Issue – Upon installation of the door threshold at the existing All-Gender Restroom, it was determined by the IOR that the existing threshold would not work with the conditions presented at the restroom entrance due to the difference in elevations between the restroom's interior floor tile and adjacent concrete flatwork outside. The only viable option to correct this condition was to remove the existing concrete flatwork and some existing asphalt paving and replacing with new concrete sidewalk that will meet ADA requirements and satisfy the threshold condition at the restroom. The costs associated with this work includes demolition of the existing concrete and asphalt paving, grading/forming/finishing of for new concrete and installation of a new threshold.	\$11,170.65
Total Change Order Amount				\$41,968.40



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- Pre Con Industries, Inc. for Orcutt Academy HS School Site Safety & Security Project

BACKGROUND: Attached is a change order request #3 from Quincon in the amount of \$53,466.16 for the Orcutt Academy HS Site Safety & Security Project. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for Pre Con Industries, Inc. for \$53,466.16, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Orcutt Academy High School Site Safety & Security
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **3**

Date: **10/1/2020**

To Contractor:
Quincon, Inc.
PO Box 1029
Grover Beach, CA 93483

Contract Date: **5/30/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	547,322.00
The net change by previously authorized Change Orders	\$	41,195.00
The Contract Sum prior to this Change Order was	\$	588,517.00
The Contract Sum will be Increased by this new Change Order in the amount of	\$	53,466.16
The new Contract Sum including this Change Order will be	\$	641,983.16
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	Quincon, Inc.	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 1029 Grover Beach, CA 93483	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1230 Doris Ave. Oxnard, CA 93030

BY (Signature) BY (Signature) BY (Signature) BY (Signature) BY (Signature)

DATE DATE DATE DATE DATE

CHANGE ORDER 03- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
3	Increase Carpet Area	9	Design Issue/District requested - Due to the office layout reconfigurations, a small void of carpeting occurred within Room-107. The removal and replacement of the carpeting in Room-107 was not shown to be replaced under the contract documents. The costs associated with this change includes labor and material to provide new carpeting in Room-107, eliminating any voids in flooring and areas of miss-matched carpeting.	\$4,285.00
4	Added Abatement	11	Unforeseen Issue – In addition to the abatement required within the existing administration office, additional abatement was required at the ceiling of vestibule adjacent to the office due to the black mastic adhesive pucks used to adhere the ceiling tiles to the ceiling drywall. The associated costs for this change include asbestos abatement at the vestibule west of the new administration office.	\$4,606.00
5	Condensate piping	12	Unforeseen Condition – During the demolition work at the administration office, a condensate line for the existing AC Unit was encountered and required to be re-routed in-order to complete the contract work. The costs associated with this change include added labor and materials to re-route the existing condensate line to connect to the newly installed condensate line that was installed per the contract drawings.	\$1,573.36
6	Electrical Mods	13	Unforeseen Condition – As work progressed within the administration office area, it was determined that the surface mounted raceways at the perimeter of the office ceilings were at max-capacity. Additional cabling was needed to facilitate the added data and fire alarm devices within the office building per the contract drawings. The contractor was directed to install an additional cable tray to facilitate the required added cabling. The costs associated with this change include added labor and materials to install a 6" wide cable tray within Room-107, adding a junction box and sleeves from the front office to electrical room.	\$8,985.00
7	Remove Cabinet Unit at RM-107	15	Design Issue/Owner Requested – The existing casework within Room-107 was not shown to be removed on the bid documents. Per the District's request, the contractor was directed to remove the casework and repair the existing wall behind the casework. The costs associated with this change includes added labor and materials to demolish and dispose of the existing casework and some additional finish work was also requested by the IOR at Room-107. The IOR requested work includes tack-board repairs at existing tack-board, added drywall/skim coats and painting.	\$7,860.77
8	Remove Ceiling Foil, Add Blocking & Insulate	16	Design Issue – During the office demolition work, it was discovered that the ceiling had a foil material installed under the ceiling tiles covering the framed ceiling bays. It was also noted that the insulation within the ceiling was not adequate to meet Title-24. The contractor was directed to remove the ceiling foil, add (2) layers of insulation and add blocking at the framed ceiling bays as directed by the IOR.	\$6,434.00
9	Add Storefront Windows	17	Design Issue – Due to the layout of the administration office, the originally specified windows sizes would not have worked for the conditions presented due to clearance issues encountered. In an effort to reduce lead time, the AOR suggested installing a storefront frame in-lieu of the specified Kawneer 8225 windows. The cost associated with this change includes labor and materials to install the storefront window system at (2) locations.	\$728.00

10	Project Overtime	18	Owner Requested - In an effort to meet the Districts schedule for the return of office staff, the contractor was directed to accelerate the finish work within the administration office. The costs associated with this change includes overtime pay for weekend work by the contractor.	\$8,417.00
11	Modifications for wall AC Unit	19	Design Issue – Per the IOR's suggestion, additional work was requested to raise the final location of the new HVAC split unit within the administration front office due to a head clearance safety hazard that was presented from the unit elevation being too low. The costs associated with this change includes added labor and materials to add framing for structural support of the new split system unit, additional drywall patching and painting as needed.	\$2,621.00
12	Bollard Installation Conditions and Added ADA Bollard/Sign	20	Design Issue/Unforeseen Condition – The contract drawings do not show a bollard to be installed at the ADA parking stall at the east side of the parking lot. Per the AOR's RFI #038 response, the contractor was directed to add the bollard and associated ADA signage. In addition, the contractor encountered hard-pan soils when digging for the bollard installation at several locations. Utilities were also encountered at (2) bollard locations that required additional hand digging. The contractor's added time has been verified by the IOR. The costs associated with this change include labor, equipment and materials to install (1) additional bollard and ADA sign, excavate through hard-pan soil at (11) locations and hand-dig around existing utilities at (2) locations.	\$7,956.03
Total Change Order Amount				\$53,466.16



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Construction Change Order- Vernon Edwards for Lakeview JHS Site Safety & Security Project

BACKGROUND: Attached is a change order request #1 from Vernon Edwards in the amount of \$12,541.82 for the Lakeview JHS Site Safety & Security Project. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

The change order request was reviewed by the following parties, the Contractor, TELACU Construction Management firm, and district staff.

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for Pre Con Industries, Inc. for \$12,541.82, as submitted.

FUNDING: Fund 21 – Building fund for the Measure G Bond

CHANGE ORDER

Distribution:

- ☐ OUSD
- ☐ SVA Architects
- ☐ Contractor
- ☐ TELACU Construction Management (TCM)
- ☐ Inspector of Record

Project:
Lakeview Junior High School Site Safety & Security
Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455

Change Order Number: **2**

Date: **9/29/2020**

To Contractor:
Vernon Edwards
Constructors, Inc.
PO Box 5849
Santa Maria, CA 93456

Contract Date: **6/26/2020**

The Contract Is Changed As Follows:
Refer to the attached summary page

The original Contract Sum was	\$	350,000.00
The net change by previously authorized Change Orders	\$	22,864.31
The Contract Sum prior to this Change Order was	\$	327,135.69
The Contract Sum will be Increased by this new Change Order in the amount of	\$	12,541.82
The new Contract Sum including this Change Order will be	\$	339,677.51
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

Note: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price Which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE OWNER, CONTRACTOR, AND CONSTRUCTION MANAGER.

Owner	Contractor	Construction Mgr.	Architect of Record	Inspector of Record
Orcutt Union School District	Vernon Edwards Constructors, Inc.	TELACU Construction Management	SVA Architects	Kenco Construction Services, Inc.
500 Dyer Street Orcutt, CA 93455	PO Box 5849 Santa Maria, CA 93456	604 N. Eckhoff St. Orange, CA 92868	6 Hutton Centre Dr. Ste. 115 Santa Ana, CA 92707	1230 Doris Ave. Oxnard, CA 93030

BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)	BY (Signature)
----------------	----------------	----------------	----------------	----------------

DATE	DATE	DATE	DATE	DATE
------	------	------	------	------

CHANGE ORDER 02- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Office Furniture Modifications and Added Comm & Power Outlets	10	District Requested - Upon installation of the district provided furniture at the Lakeview Administration office, it was determined that some minor modifications to the furniture would be needed, as well as some additional data & power outlets in-order to provide a more efficient work space for office staff. Cost includes labor for the minor modification made to the furniture, labor for extending the data and power cabling under the desks and material costs for (2) added surge protectors and miscellaneous materials to extend out the power and data under the new desks.	\$2,772.83
2	Remove & Replace Concrete at Front of Administration Office	11	Due to the existing elevations of the existing concrete at the front of the Lakeview Administration office, the specified thresholds at both exterior office doors would not work for the conditions presented. After a thorough review of potential substitute thresholds, it was determined that the only option was to remove the concrete in front of the office and replace it, which raises the elevation of the concrete at that location about an inch higher than the previously existing concrete. The raise in elevation allows for the installation of an ADA compliant threshold at both doors. Cost includes the labor, equipment and materials required to complete the removal and replacement of the concrete at the front of the Lakeview Administration office. In addition to the concrete work, the installation of (3) new door stops is also included, as they were needed to prevent the new decorative fencing from being hit by classroom doors at (3) locations.	\$9,768.99
Total Change Order Amount				\$12,541.82

Quarterly Report
on
Williams/Valenzuela Uniform Complaints
[Education Code § 35186]

District: _____

Name of person completing this form: _____

Title of person completing this form: _____

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

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			
Teacher vacancy or misassignment			
Facilities conditions			
<i>Valenzuela</i> /CAHSEE intensive instruction and services			
TOTALS			

Signature of district superintendent

Date



Orcutt Union School District

Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees

FROM: Dr. Holly Edds, Superintendent
Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: October 14, 2020

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

BACKGROUND: In order to secure the most qualified candidate, this position was flown, and an interview panel vetted the selected candidates down to two finalists. The Superintendent selected Dr. Nick Taylor. Dr. Taylor will be joining us from Kingsburg Charter School District. Nick is an experienced Chief Business Official who started in the classroom. His teaching experience was in Clovis Unified School District where he taught regular and special education, and coached students in football, basketball, volleyball, and track. He then moved to the Sanger Unified School District where he was a principal for fourteen years in elementary, middle and high school settings, including an independent study school, a community day school, and a continuation school. He then spent one year as the director of support services where he supervised transportation and risk management before moving to Kingsburg Elementary Charter School District as their Chief Business Official. He will be honored shortly before he comes to Orcutt on November 9th, right after he is honored as the 2020 ACSA's Administrator of the Year for Business Services

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 granted consistent with similarly situated senior management personnel.

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

**EMPLOYMENT AGREEMENT
BETWEEN
THE ORCUTT UNION SCHOOL DISTRICT
AND
DR. NICHOLAS TAYLOR,
ASSISTANT SUPERINTENDENT, BUSINESS SERVICES**

THIS EMPLOYMENT AGREEMENT ("Agreement") is entered into on October 14, 2020, between the Governing Board (hereinafter "the Board") of and on behalf of the Orcutt Union School District ("District") and Dr. Nicholas Taylor ("Assistant Superintendent"), collectively referred to as "the Parties."

1. TERM

The term of this Agreement is from November 9, 2020 through June 30, 2024. The Parties shall endeavor to discuss extension of the term of this agreement well in advance of the expiration date to allow for adequate planning.

2. QUALIFICATIONS AND EMPLOYMENT STATUS

The Assistant Superintendent warrants and represents that he currently possesses an administrative credential issued by the State of California, and that such credential has not been suspended or revoked. Any suspension or revocation of such administrative credential shall constitute cause for termination of this Agreement.

The Assistant Superintendent shall not become a permanent employee in the position of Assistant Superintendent. The Assistant Superintendent's employment rights and status shall be determined solely by this Agreement and California law that does not conflict with the terms hereof.

3. POWERS AND DUTIES

The Assistant Superintendent is hereby employed as the chief business officer of the District. The Assistant Superintendent shall have the powers and duties set forth in the position description adopted by the Board, which is described as follows:

- A. The Assistant Superintendent shall effectively and competently do and perform the duties as the chief business officer for the Orcutt Union School 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 functions of the District.
- C. The Assistant Superintendent is responsible for administrative oversight of the Child Nutrition, Child Care, Maintenance and Operations, and Transportation Departments, as well as Facilities Development. The position shall answer directly to the District Superintendent.

4. EVALUATION

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

5. COMPENSATION

The Assistant Superintendent's base annual salary, shall be pursuant to the salary schedule below and shall be paid in twelve (12) equal monthly installments minus any applicable state and federal taxes or other withholding according to the District's regular payroll practices. If only a portion of a year or month is served, such as in 2020-2021, the Assistant Superintendent's salary and benefits shall be prorated to reflect a partial year or month of service.

This annual base salary amount includes recognition for previous years of service in the position, any graduate degrees and other certifications and licenses, workdays, vacation, and holidays. The annual salary shall be prorated for less than a year of employment. Generally, all other District employees are paid based upon on a salary schedule that provides an annual step increase in salary each year and in some cases column movement for levels of education. The Assistant Superintendent shall be placed salary schedule below, consistent with other cabinet level employees. The Assistant Superintendent will be placed in Column 3, on Step 6, reflecting his attaining an education level of Doctorate degree and credit for prior years of experience in the position of chief business official.

Step	RANGE		
	A	B	C
1	\$137,722	\$140,834	\$144,073
2	\$141,853	\$145,191	\$148,530
3	\$146,108	\$149,546	\$152,986
4	\$150,491	\$154,033	\$157,576
5	\$155,005	\$158,654	\$162,302
6	\$158,880	\$162,619	\$166,359

Salary Classifications

Range A Placement is based on a B.A./B.S. only

Range B Placement is based on a B.A./B.S. plus a Master's degree

Range C Placement is based on a Doctorate Degree

The Assistant Superintendent shall be entitled to longevity increases consistent with certificated management employees in the District. After 16 years of service to the District, \$3,200 annual salary increase; after 19 years of service to the District, annual salary increase; \$4,600, after 22 years of service to the District, \$6,000 annual salary increase; after 24 years of service to the District, \$7,400 annual salary increase.

Beginning in the 2020-2021 school year, the Assistant Superintendent shall receive annual salary increases commensurate with those offered to other members of the management team during each fiscal year.

6. HEALTH AND WELFARE AND OTHER BENEFITS

The Assistant Superintendent shall be afforded all of the fringe benefits of employment which are granted to the District's management personnel, except as otherwise set forth in this Agreement.

The Assistant Superintendent shall receive:

- The District shall provide term life insurance of not less than \$150,000.
- Payment of the Assistant Superintendent's membership dues for ACSA and CASBO
- The Assistant Superintendent shall receive health and welfare benefits consistent with those granted to similarly situated District senior management personnel.

The Assistant Superintendent shall not be entitled to cash in lieu of any fringe benefits provided for in this section.

7. EXPENSE REIMBURSEMENT

The Assistant Superintendent is a 12-month employee and his annual salary is based on a full 12-month work year. The Assistant Superintendent's work year consists of 223 workdays, 23 vacation days and holidays consistent with those provided to classified employees and other management personnel for a work year of 261 days. Each school year, the Assistant Superintendent shall be entitled to receive 23 days of paid vacation, exclusive of holidays.

The District shall reimburse the Assistant Superintendent for all actual, necessary and reasonable expenses which are incurred within the scope of employment, pursuant to Board Policy 3350. The Assistant Superintendent shall provide expense records which the District normally requires for reimbursement. The Assistant Superintendent shall be responsible for providing his own automobile and appropriate levels of automobile insurance. Mileage reimbursement for District-related travel will be paid in accordance with Board Policy.

8. WORK YEAR AND VACATION

The Assistant Superintendent is encouraged to take vacation during the year in which it is earned. If there is unused, accrued vacation at the end of a work year (June 30), the Assistant Superintendent may carry over no more than 20 days without written authorization from the Superintendent. Unless authorized by the Superintendent, vacation days accrued but unused in excess of 20 at the end of a year, shall be paid out at the Assistant Superintendent's daily rate of pay.

In the event of termination or expiration of this Agreement, the Assistant Superintendent shall be entitled to compensation for unused accrued vacation.

The Assistant Superintendent's daily rate of pay shall be calculated by dividing the then current salary rate divided by the 261 days of the work year (262 during a leap year). The Assistant Superintendent is entitled to paid holidays consistent with other employees of the District.

9. SICK LEAVE

The Assistant Superintendent is entitled to 12 sick leave days per year. The Assistant Superintendent may also use personal necessity and business leave days in accordance with District policy for full time employees.

10. CERTIFICATED MANAGEMENT

The Assistant Superintendent's position under this Agreement shall be considered certificated management.

11. TERMINATION OF AGREEMENT

This Agreement may be terminated prior to its expiration by any of the following methods:

- A. Mutual Agreement. At any time, the Parties may mutually agree to terminate the Agreement.
- B. Retirement or Death. This Agreement will be terminated upon the Assistant Superintendent's retirement or death.
- C. Resignation. The Assistant Superintendents may terminate this Agreement by providing the Board with a written notice of intent to terminate. This notice shall be provided not less than ninety (90) days prior to the effective date of the resignation. The Assistant Superintendent and the Board may mutually agree to a termination notice of less than (90) days. Should the Assistant Superintendent be selected for an interview for other employment, he shall notify the Board immediately.
- D. Unilateral Termination by the Board. Upon ninety (90) days prior written notice, the Board may terminate this Agreement at its discretion at any time during the term of the Agreement without cause. Any cash settlement paid under this Agreement shall not exceed the number of months remaining in the term of the Agreement. If there are more than twelve (12) months remaining in the term of the Agreement, then the Parties may negotiate a cash settlement of up to twelve (12) months' salary. No additional non-cash settlement may be agreed to, except that health benefits may be continued at the option of the Assistant Superintendent, limited to the same time restrictions as for a cash settlement, or until new employment is found, whichever occurs first. The Assistant Superintendent shall be obligated to seek other employment and shall notify the District immediately if he earns income or health benefits from any employment-related activity
- F. Non-renewal of Agreement by the District. The Board of Trustees may elect not to renew this Agreement by providing written notice to the Assistant Superintendent in accordance with Education Code section 35031 (currently 45 days' prior notice) in advance of the expiration of the date of the term as stated in paragraph 1, Term, above. The Assistant Superintendent shall notify the Superintendent and the Board President, in writing, at least ninety (90) days before the expiration of the term of this Agreement that the Agreement will renew for an additional four-year term if a notice is not given forty-five (45) days before expiration of this Agreement.

The Assistant Superintendent's failure to provide the above mentioned notice shall constitute a material breach of this Agreement and shall constitute grounds for dismissal, independent of any other grounds.

- G. Termination for Cause. The Board may discharge the Assistant Superintendent for cause. Discharge for cause shall be warranted only for conduct that is prejudicial to the District, including but not limited to, neglect of duty.

Notice of discharge for cause shall be given in writing and the Assistant Superintendent shall be entitled to appear before the Board to discuss such causes.

If the Assistant Superintendent chooses to be accompanied by legal counsel at such meeting, the Assistant Superintendent shall bear any costs he incurs for such representation. Such meeting shall be conducted in closed session unless mutually agreed otherwise.

The Board shall prepare a written statement of reasons for any decision to discharge for cause and provide it to the Assistant Superintendent. The Assistant Superintendent shall have the right to submit a written response to the decision, which the District shall attach to and make a part of the decision. The Board's decision shall be final.

All documents relating to termination of this Agreement shall be treated as confidential personnel matters and maintained in confidence except as required by California law.

- H. Remedies. The Parties expressly understand and agree that any breach or termination of this Agreement by the District and/or Board shall not result in the Superintendent's continued employment or reinstatement. The remedies provided in this Agreement are the exclusive remedies available to the Assistant Superintendent.
- I. If the Agreement is terminated under any of the foregoing provisions, any cash settlement related to the termination that Assistant Superintendent may receive from the District shall be fully reimbursed to the District if the Assistant Superintendent is convicted of a crime involving an abuse of office or position.

12. ENTIRE AGREEMENT

This Agreement contains the entire agreement and understanding between the Parties. There are no oral understandings, terms or conditions, and neither party has relied upon any representation, express or implied, not contained in this Agreement.

13. APPLICABLE LAW

This Agreement shall be construed in accordance with, and governed by the laws of the State of California; should any provision of this Agreement be invalid, the remainder of this Agreement shall nevertheless be binding and effective.

14. VENUE

This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced, and governed by the laws of that state. Venue of any action to enforce this Agreement shall be in Santa Barbara County, California.

15. ATTORNEYS' FEES

The Parties further agree and understand that in the event that legal proceedings are initiated for the purpose of enforcing the terms of this Agreement, the prevailing party in any such proceeding shall be entitled to an award of reasonable attorneys' fees and costs incurred in bringing or defending such action.

16. AMENDMENTS

The Parties agree that the terms of this Agreement cannot be changed or supplemented orally and may be modified or superseded only by a written instrument executed by all Parties.

17. EXECUTION IN COUNTERPARTS

This Agreement may be executed in two or more counterparts which, taken together, shall constitute the whole Agreement between the Parties. A fax or PDF signature shall be as valid as an original signature. A copy of this document shall be as valid as the original.

18. EFFECTIVE DATE

The effective date of this Agreement shall be July 1, 2020 even though the date on which the Board may approve this Agreement may occur on a different date.

19. NON-WAIVER

Failure to insist upon strict performance of any requirement of this Agreement shall not be construed as a waiver of any other or future performance hereunder.

20. INDEMNITY AND DEFENSE OF ASSISTANT SUPERINTENDENT

The District shall indemnify, save, hold harmless and defend the Assistant Superintendent from any claim, demand, suit, action and proceeding of any kind and in any forum wherein the Assistant Superintendent is alleged to have acted in any way related to his duties as Assistant Superintendent or related to the District. The District's obligation to indemnify shall be excused only as to liability for damages awarded against the Assistant Superintendent upon exhaustion of all appeals from any finding by a court of competent jurisdiction that the Assistant Superintendent's action was outside the scope of his employment, intentionally violated a criminal law of California or constituted intentional fraud with malice without reversal of such finding. Upon retirement or separation from the District, the Assistant Superintendent will continue to be indemnified for any actions taken against his related to his role as Assistant Superintendent.

21. NO ASSIGNMENT

The Assistant Superintendent may not assign or transfer any rights granted or obligations assumed under this Agreement.

22. INDEPENDENT REPRESENTATION

The Assistant Superintendent and the Board each recognize that in entering into this Agreement, the Parties have relied upon the advice of their own attorneys or other representatives, and that the terms of this Agreement have been completely read and explained to them by their attorneys or representatives, and that those terms are fully understood and voluntarily accepted. The Assistant Superintendent acknowledges and agrees that legal counsel for the Board represents the Board's interest exclusively and that no attorney-client relationship exists between Assistant Superintendent and legal counsel to the Board.

Acceptance of Employment

I hereby accept this offer of employment and agree to the terms and conditions set forth in this Agreement and will report for duty as described above.

Dated: _____

Dr. Nick Taylor
Assistant Superintendent of Business Services
Orcutt Union School District

Ratified in a public meeting of the Governing Board on **October 14, 2020**.

Dated: _____

Liz Phillips
President, Governing Board
Orcutt Union School District

Dated: _____

Melanie Waffle
Clerk, Governing Board
Orcutt Union School District

Dated: _____

Shaun Henderson
Board Member
Orcutt Union School District

Dated: _____

Lisa Morinini
Board Member
Orcutt Union School District

Dated: _____

Mark Steller
Board Member
Orcutt Union School District

Approved by the District:

Dated: _____

Dr. Holly Edds
Superintendent
Orcutt Union School District



Pine Grove Elementary School

1050 East Rice Ranch Road Orcutt, CA 93455 (805)938-8800 Fax (805) 938-8849

September 9, 2020

Dr. Holly Edds
Superintendent
Orcutt Union School District
501 Dyer
Orcutt, CA 93455
&
The Board of Trustees
Orcutt Union School District

Dear Dr. Edds and Board;

On behalf of Pine Grove School, I am requesting that the Board of Trustees accept a donation of a check in the amount of \$600.00 from Elizabeth and David Strait. The donation will be put toward the purchase of our Accelerated Reader program which benefits all of our students.

The generosity of Mr. and Mrs. Strait is greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Michelle Boyd".

Michelle Boyd
Principal

Mailing address:
Mr. and Mrs. David Strait
2662 Niverth Place
Santa Maria CA 93455



ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Pine Grove Elementary School Date: 1/22/2019

DONOR: Name: Mr. and Mrs. David Strait
Address: 2662 Niverth Place, Santa Maria CA 93455
Phone No. 805-637-8801

GIFT: Item Donated _____ or Cash Donation \$ 600.00
(Fill in if money is donated)
Designated for: Accelerated Reader Program
General Description: _____
Model No.: _____ Condition: ☒ New ☒ Used
Value (estimated): _____
Purpose of Gift: To help with the purchase of the Accelerated Reader 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): Julie Slovek

Acceptance Approved By (Administrator): Michelle Boyd, Principal

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: Orcutt Academy High School

Date: Sept. 8, 2020

DONOR: Name: Pickle & Peanut Restaurants, Inc. DBA: McDonalds

Address: 5144 Brittany Ct Santa Maria, CA 93455

Phone No. _____

GIFT: Item Donated _____ or Cash Donation \$ 10,000.00

(Fill in if money is donated)

Designated for: OAHS Drama Department

General Description: Donation to support OAHS Drama Class/Department

Model No.: _____ Condition: ☒ New ☐ Used

Value (estimated): _____

Purpose of Gift: _____

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): Michael Shaw - Drama Teacher

Acceptance Approved By (Administrator): Principal, Rhett Carter

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.)



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: AB1200 Public Disclosure of proposed Collective Bargaining Agreement – California School Employees Association and Classified/Confidential Management.

BACKGROUND: Before entering into a written agreement with a collective bargaining unit, all school districts must disclose at a public meeting, the costs that would be incurred in the current and subsequent two years as a result of the agreement. The Superintendent and Chief Business Official of the district must certify in writing that these costs can be met by the district during the term of the agreement.

Reference: AB 1200 (Chapter 1213/1991), GC 3540.2(a), GC 3547.5 and CCR, Title V and Section 15449.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the attached AB 1200 Disclosure as submitted.

FUNDING: As presented in the attached AB 1200 Disclosure.

PUBLIC DISCLOSURE OF PROPOSED COLLECTIVE BARGAINING AGREEMENT
in accordance with AB 1200 (Chapter 1213/Statutes 1992), AB 2756 (Chapter 52/Statutes 2004), GC 3547.5

Name of School District:	Orcutt Union School District
Name of Bargaining Unit:	CSEA
Certificated, Classified, Other:	Classified

The proposed agreement covers the period beginning: July 1, 2020 and ending: June 30, 2021
(date) (date)

The Governing Board will act upon this agreement on: October 14, 2020
(date)

Note: This form, along with a copy of the proposed agreement, must be submitted to the County Office at least ten (10) working days prior to the date the Governing Board will take action.

A. Proposed Change in Compensation

Bargaining Unit Compensation All Funds - Combined		Fiscal Impact of Proposed Agreement (Complete Years 2 and 3 for multiyear and overlapping agreements only)			
		Annual Cost Prior to Proposed Settlement	Year 1 Increase/(Decrease)	Year 2 Increase/(Decrease)	Year 3 Increase/(Decrease)
			2020-21	2021-22	2022-23
1. Salary Schedule Including Step and Column					
			0.00%	0.00%	0.00%
2. Other Compensation Stipends, Bonuses, Longevity, Overtime, Differential, Callback or Standby Pay, etc.		\$ 29,832			
Description of Other Compensation					
3. Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare, etc.		\$ 8,751			
			0.00%	0.00%	0.00%
4. Health/Welfare Plans					
5. Total Bargaining Unit Compensation Add Items 1 through 4 to equal 5	\$ -	\$ 38,583	\$ -	\$ -	
			0.00%	0.00%	0.00%
6. Total Number of Bargaining Unit Employees (Use FTEs if appropriate)	129.93				
7. Total Compensation <u>Average</u> Cost per Bargaining Unit Employee	\$ -	\$ 297	\$ -	\$ -	
			0.00%	0.00%	0.00%

Orcutt Union School District
CSEA

8. What was the negotiated percentage change? For example, if the change in "Year 1" was for less than a year, what is the annualized percentage of that change for "Year 1"?

No percentage change at this time. This settlement is only for re-ranging of 5 job classification.

9. Were any additional steps, columns, or ranges added to the salary schedules? (If yes, please explain.)

No

10. Please include comments and explanations as necessary. (If more room is necessary, please attach an additional sheet.)

11. Does this bargaining unit have a negotiated cap for Health and Welfare benefits?

Yes ☒ No ☐

If yes, please describe the cap amount.

Single = \$8,922, 2 party = \$13,596, Family = \$18,675. No change in Health & Welfare benefits due to the settlement.

- B. Proposed negotiated changes in noncompensation items** (i.e., class size adjustments, staff development days, teacher prep time, classified staffing ratios, etc.)

No changes

- C. What are the specific impacts (positive or negative) on instructional and support programs to accommodate the settlement?** Include the impact of changes such as staff reductions or increases, program reductions or increases, elimination or expansion of other services or programs (i.e., counselors, librarians, custodial staff, etc.)

None.

Orcutt Union School District
CSEA

D. What contingency language is included in the proposed agreement (e.g., reopeners, etc.)?

"Me Too" clause. In the event the certificated bargaining unit negotiates a raise for this year, the raise will apply to the classified bargaining unit as well.

E. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.

None

F. Source of Funding for Proposed Agreement:

1. Current Year

General Fund.

2. If this is a single year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years?

The cost of the re-ranging of positions will be paid by the General Fund directly and through contributions to restricted programs. Other budget reductions may be necessary in the out years.

3. If this is a multiyear agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years? (Remember to include compounding effects in meeting obligations.)

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Unrestricted General Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
LCFF Revenue 8010-8099	\$ 34,314,606		\$ -	\$ 34,314,606
Federal Revenue 8100-8299			\$ -	\$ -
Other State Revenue 8300-8599	\$ 777,624		\$ -	\$ 777,624
Other Local Revenue 8600-8799	\$ 1,408,540		\$ -	\$ 1,408,540
TOTAL REVENUES	\$ 36,500,770		\$ -	\$ 36,500,770
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 16,278,441			\$ 16,278,441
Classified Salaries 2000-2999	\$ 4,954,587	\$ 9,812		\$ 4,964,399
Employee Benefits 3000-3999	\$ 8,058,882	\$ 2,878		\$ 8,061,760
Books and Supplies 4000-4999	\$ 1,559,342		\$ -	\$ 1,559,342
Services, Other Operating Expenses 5000-5999	\$ 1,465,121		\$ -	\$ 1,465,121
Capital Outlay 6000-6999	\$ 126,900		\$ -	\$ 126,900
Other Outgo 7100-7299 7400-7499			\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ (134,800)		\$ -	\$ (134,800)
TOTAL EXPENDITURES	\$ 32,308,473	\$ 12,690	\$ -	\$ 32,321,163
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ 575,000	\$ -	\$ -	\$ 575,000
Transfers Out and Other Uses 7600-7699	\$ 25,000	\$ -	\$ -	\$ 25,000
Contributions 8980-8999	\$ (6,221,609)	\$ (25,893)	\$ -	\$ (6,247,502)
OPERATING SURPLUS (DEFICIT)*	\$ (1,479,312)	\$ (38,583)	\$ -	\$ (1,517,895)
BEGINNING FUND BALANCE 9791	\$ 11,673,315			\$ 11,673,315
Prior-Year Adjustments/Restatements 9793/9795				\$ -
ENDING FUND BALANCE	\$ 10,194,003	\$ (38,583)	\$ -	\$ 10,155,420
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ 28,951	\$ -	\$ -	\$ 28,951
Restricted Amounts 9740				
Committed Amounts 9750-9760	\$ 8,214,597	\$ (38,583)	\$ -	\$ 8,176,014
Assigned Amounts 9780	\$ 547,891	\$ -	\$ -	\$ 547,891
Reserve for Economic Uncertainties 9789	\$ 1,402,564	\$ -	\$ -	\$ 1,402,564
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Restricted General Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
LCFF Revenue 8010-8099	\$ 1,211,056		\$ -	\$ 1,211,056
Federal Revenue 8100-8299	\$ 1,944,880		\$ -	\$ 1,944,880
Other State Revenue 8300-8599	\$ 2,853,392		\$ -	\$ 2,853,392
Other Local Revenue 8600-8799	\$ 1,985,810		\$ -	\$ 1,985,810
TOTAL REVENUES	\$ 7,995,138		\$ -	\$ 7,995,138
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 3,184,459	\$ -	\$ -	\$ 3,184,459
Classified Salaries 2000-2999	\$ 2,329,976	\$ 20,020	\$ -	\$ 2,349,996
Employee Benefits 3000-3999	\$ 3,782,687	\$ 5,873	\$ -	\$ 3,788,560
Books and Supplies 4000-4999	\$ 560,045		\$ -	\$ 560,045
Services, Other Operating Expenses 5000-5999	\$ 2,177,316		\$ -	\$ 2,177,316
Capital Outlay 6000-6999	\$ 42,510		\$ -	\$ 42,510
Other Outgo 7100-7299	\$ 1,901,655		\$ -	\$ 1,901,655
7400-7499				
Indirect/Direct Support Costs 7300-7399	\$ 37,600		\$ -	\$ 37,600
TOTAL EXPENDITURES	\$ 14,016,248	\$ 25,893	\$ -	\$ 14,042,141
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 402,398	\$ -	\$ -	\$ 402,398
Contributions 8980-8999	\$ 6,221,609	\$ 25,893	\$ -	\$ 6,247,502
OPERATING SURPLUS (DEFICIT)*	\$ (201,899)	\$ -	\$ -	\$ (201,899)
BEGINNING FUND BALANCE				
9791	\$ 1,187,482			\$ 1,187,482
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 985,583	\$ -	\$ -	\$ 985,583
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 985,583	\$ -	\$ -	\$ 985,583
Committed Amounts 9750-9760				
Assigned Amounts 9780				
Reserve for Economic Uncertainties 9789		\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Combined General Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
LCFF Revenue 8010-8099	\$ 35,525,662		\$ -	\$ 35,525,662
Federal Revenue 8100-8299	\$ 1,944,880		\$ -	\$ 1,944,880
Other State Revenue 8300-8599	\$ 3,631,016		\$ -	\$ 3,631,016
Other Local Revenue 8600-8799	\$ 3,394,350		\$ -	\$ 3,394,350
TOTAL REVENUES	\$ 44,495,908		\$ -	\$ 44,495,908
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 19,462,900	\$ -	\$ -	\$ 19,462,900
Classified Salaries 2000-2999	\$ 7,284,563	\$ 29,832	\$ -	\$ 7,314,395
Employee Benefits 3000-3999	\$ 11,841,569	\$ 8,751	\$ -	\$ 11,850,320
Books and Supplies 4000-4999	\$ 2,119,387		\$ -	\$ 2,119,387
Services, Other Operating Expenses 5000-5999	\$ 3,642,437		\$ -	\$ 3,642,437
Capital Outlay 6000-6999	\$ 169,410		\$ -	\$ 169,410
Other Outgo 7100-7299 7400-7499	\$ 1,901,655		\$ -	\$ 1,901,655
Indirect/Direct Support Costs 7300-7399	\$ (97,200)		\$ -	\$ (97,200)
TOTAL EXPENDITURES	\$ 46,324,721	\$ 38,583	\$ -	\$ 46,363,304
OTHER FINANCING SOURCES/USES				
Transfer In and Other Sources 8900-8979	\$ 575,000	\$ -	\$ -	\$ 575,000
Transfers Out and Other Uses 7600-7699	\$ 427,398	\$ -	\$ -	\$ 427,398
Contributions 8980-8999	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ (1,681,211)	\$ (38,583)	\$ -	\$ (1,719,794)
BEGINNING FUND BALANCE				
Prior-Year Adjustments/Restatements 9791	\$ 12,860,797			\$ 12,860,797
9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 11,179,586	\$ (38,583)	\$ -	\$ 11,141,003
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ 28,951	\$ -	\$ -	\$ 28,951
Restricted Amounts 9740	\$ 985,583	\$ -	\$ -	\$ 985,583
Committed Amounts 9750-9760	\$ 8,214,597	\$ (38,583)	\$ -	\$ 8,176,014
Assigned Amounts 9780	\$ 547,891	\$ -	\$ -	\$ 547,891
Reserve for Economic Uncertainties 9789	\$ 1,402,564	\$ -	\$ -	\$ 1,402,564
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Fund 11 - Adult Education Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of _____)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Federal Revenue 8100-8299	\$ -		\$ -	\$ -
Other State Revenue 8300-8599	\$ -		\$ -	\$ -
Other Local Revenue 8600-8799	\$ -		\$ -	\$ -
TOTAL REVENUES	\$ -		\$ -	\$ -
EXPENDITURES				
Certificated Salaries 1000-1999	\$ -	\$ -	\$ -	\$ -
Classified Salaries 2000-2999	\$ -	\$ -	\$ -	\$ -
Employee Benefits 3000-3999	\$ -	\$ -	\$ -	\$ -
Books and Supplies 4000-4999	\$ -		\$ -	\$ -
Services, Other Operating Expenses 5000-5999	\$ -		\$ -	\$ -
Capital Outlay 6000-6999	\$ -		\$ -	\$ -
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ -		\$ -	\$ -
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ -	\$ -	\$ -	\$ -
BEGINNING FUND BALANCE 9791	\$ -			\$ -
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ -	\$ -	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Fund 12 - Child Development Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Federal Revenue 8100-8299	\$ 202,602		\$ -	\$ 202,602
Other State Revenue 8300-8599	\$ 7,378		\$ -	\$ 7,378
Other Local Revenue 8600-8799	\$ -		\$ -	\$ -
TOTAL REVENUES	\$ 209,980		\$ -	\$ 209,980
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 3,810	\$ -	\$ -	\$ 3,810
Classified Salaries 2000-2999	\$ 142,456	\$ -	\$ -	\$ 142,456
Employee Benefits 3000-3999	\$ 61,137	\$ -	\$ -	\$ 61,137
Books and Supplies 4000-4999	\$ 5,573		\$ -	\$ 5,573
Services, Other Operating Expenses 5000-5999	\$ 3,798		\$ -	\$ 3,798
Capital Outlay 6000-6999	\$ -		\$ -	\$ -
Other Outgo 7100-7299 7400-7499	\$ 9,200		\$ -	\$ 9,200
Indirect/Direct Support Costs 7300-7399	\$ -		\$ -	\$ -
TOTAL EXPENDITURES	\$ 225,974	\$ -	\$ -	\$ 225,974
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ 15,994	\$ -	\$ -	\$ 15,994
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ -	\$ -	\$ -	\$ -
BEGINNING FUND BALANCE 9791	\$ -			\$ -
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ -	\$ -	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Fund 13/61 - Cafeteria Fund**

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
LCFF Revenue 8010-8099	\$ -		\$ -	\$ -
Federal Revenue 8100-8299	\$ 1,213,000		\$ -	\$ 1,213,000
Other State Revenue 8300-8599	\$ 80,000		\$ -	\$ 80,000
Other Local Revenue 8600-8799	\$ 610,000		\$ -	\$ 610,000
TOTAL REVENUES	\$ 1,903,000		\$ -	\$ 1,903,000
EXPENDITURES				
Certificated Salaries 1000-1999	\$ -	\$ -	\$ -	\$ -
Classified Salaries 2000-2999	\$ 761,096	\$ -	\$ -	\$ 761,096
Employee Benefits 3000-3999	\$ 284,220	\$ -	\$ -	\$ 284,220
Books and Supplies 4000-4999	\$ 972,039		\$ -	\$ 972,039
Services, Other Operating Expenses 5000-5999	\$ 50,887		\$ -	\$ 50,887
Capital Outlay 6000-6999	\$ 5,000		\$ -	\$ 5,000
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ 88,000		\$ -	\$ 88,000
TOTAL EXPENDITURES	\$ 2,161,242	\$ -	\$ -	\$ 2,161,242
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ 25,000	\$ -	\$ -	\$ 25,000
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ (233,242)	\$ -	\$ -	\$ (233,242)
BEGINNING FUND BALANCE 9791	\$ 1,207,452			\$ 1,207,452
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 974,210	\$ -	\$ -	\$ 974,210
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 974,210	\$ -	\$ -	\$ 974,210
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Enter Fund:

Fund 09

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Federal Revenue 8100-8299	\$ -		\$ -	\$ -
Other State Revenue 8300-8599	\$ 7,508,315		\$ -	\$ 7,508,315
Other Local Revenues 8600-8799	\$ 175,481		\$ -	\$ 175,481
TOTAL REVENUES	\$ 7,683,796		\$ -	\$ 7,683,796
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 3,212,796	\$ -	\$ -	\$ 3,212,796
Classified Salaries 2000-2999	\$ 494,903	\$ -	\$ -	\$ 494,903
Employee Benefits 3000-3999	\$ 1,795,820	\$ -	\$ -	\$ 1,795,820
Books and Supplies 4000-4999	\$ 367,568		\$ -	\$ 367,568
Services, Other Operating Expenses 5000-5999	\$ 2,380,979		\$ -	\$ 2,380,979
Capital Outlay 6000-6999	\$ -		\$ -	\$ -
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ -		\$ -	\$ -
TOTAL EXPENDITURES	\$ 8,252,066	\$ -	\$ -	\$ 8,252,066
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ (568,270)	\$ -	\$ -	\$ (568,270)
BEGINNING FUND BALANCE 9791	\$ 1,429,261			\$ 1,429,261
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 860,991	\$ -	\$ -	\$ 860,991
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ -	\$ -	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 860,991	\$ -	\$ -	\$ 860,991
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Enter Fund:

Bargaining Unit:

CSEA

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of -----)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Federal Revenue 8100-8299	\$ -		\$ -	\$ -
Other State Revenue 8300-8599	\$ -		\$ -	\$ -
Other Local Revenue 8600-8799	\$ -		\$ -	\$ -
TOTAL REVENUES	\$ -		\$ -	\$ -
EXPENDITURES				
Certificated Salaries 1000-1999	\$ -	\$ -	\$ -	\$ -
Classified Salaries 2000-2999	\$ -	\$ -	\$ -	\$ -
Employee Benefits 3000-3999	\$ -	\$ -	\$ -	\$ -
Books and Supplies 4000-4999	\$ -		\$ -	\$ -
Services, Other Operating Expenses 5000-5999	\$ -		\$ -	\$ -
Capital Outlay 6000-6999	\$ -		\$ -	\$ -
Other Outgo 7100-7299	\$ -		\$ -	\$ -
7400-7499				
Indirect/Direct Support Costs 7300-7399	\$ -		\$ -	\$ -
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ -	\$ -	\$ -	\$ -
BEGINNING FUND BALANCE				
9791	\$ -			\$ -
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ -	\$ -	\$ -	\$ -
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ -	\$ -	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Orcutt Union School District

CSEA

Explanations for Column 3 "Other Revisions" entered on Pages 4a through 4h:

Page 4a: Unrestricted General Fund	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4b: Restricted General Fund	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4d: Fund 11 - Adult Education Fund	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4e: Fund 12 - Child Development Fund	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4f: Fund 13/61 - Cafeteria Fund	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4g: Other	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4h: Other	Amount	E
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Additional Comments:

Orcutt Union School District

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS**Unrestricted General Fund MYP**

Bargaining Unit:

CSEA

Object Code	2020-21	2021-22	2022-23
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
LCFF Revenue 8010-8099	\$ 34,314,606	\$ 33,545,870	\$ 32,816,900
Federal Revenue 8100-8299	\$ -	\$ -	\$ 785,842
Other State Revenue 8300-8599	\$ 777,624	\$ 781,596	\$ 1,414,120
Other Local Revenue 8600-8799	\$ 1,408,540	\$ 1,411,301	\$ -
TOTAL REVENUES	\$ 36,500,770	\$ 35,738,767	\$ 35,016,862
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 16,278,441	\$ 16,611,474	\$ 16,759,546
Classified Salaries 2000-2999	\$ 4,964,399	\$ 5,008,990	\$ 5,033,986
Employee Benefits 3000-3999	\$ 8,061,760	\$ 8,186,790	\$ 8,141,707
Books and Supplies 4000-4999	\$ 1,559,342	\$ 1,604,407	\$ 1,955,635
Services, Other Operating Expenses 5000-5999	\$ 1,465,121	\$ 1,661,627	\$ 1,706,927
Capital Outlay 6000-6999	\$ 126,900	\$ 126,900	\$ 126,900
Other Outgo 7100-7299 7400-7499	\$ -	\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ (134,800)	\$ (134,800)	\$ (134,800)
Other Adjustments			\$ (560,807)
TOTAL EXPENDITURES	\$ 32,321,163	\$ 33,065,388	\$ 33,029,094
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ 575,000	\$ 575,000	\$ 575,000
Transfers Out and Other Uses 7600-7699	\$ 25,000	\$ 25,000	\$ 25,000
Contributions 8980-8999	\$ (6,247,502)	\$ (6,992,569)	\$ (7,288,752)
OPERATING SURPLUS (DEFICIT)*	\$ (1,517,895)	\$ (3,769,190)	\$ (4,750,984)
BEGINNING FUND BALANCE 9791	\$ 11,673,315	\$ 10,155,420	\$ 6,386,230
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 10,155,420	\$ 6,386,230	\$ 1,635,246
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ 28,951	\$ 28,951	\$ 28,951
Restricted Amounts 9740			
Committed Amounts 9750-9760	\$ 8,176,014	\$ 4,628,929	\$ 100,000
Assigned Amounts 9780	\$ 547,891	\$ 246,617	\$ 28,000
Reserve for Economic Uncertainties 9789	\$ 1,402,564	\$ 1,481,733	\$ 1,478,295
Unassigned/Unappropriated Amount 9790	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

Orcutt Union School District

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS**Restricted General Fund MYP**

Bargaining Unit:

CSEA

		2020-21	2021-22	2022-23
		Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
Object Code				
REVENUES				
LCFF Revenue	8010-8099	\$ 1,211,056	\$ 1,211,056	\$ 1,211,056
Federal Revenue	8100-8299	\$ 1,944,880	\$ 1,861,662	\$ 1,861,662
Other State Revenue	8300-8599	\$ 2,853,392	\$ 2,849,478	\$ 2,870,276
Other Local Revenue	8600-8799	\$ 1,985,810	\$ 2,039,552	\$ 2,095,662
TOTAL REVENUES		\$ 7,995,138	\$ 7,961,748	\$ 8,038,656
EXPENDITURES				
Certificated Salaries	1000-1999	\$ 3,184,459	\$ 3,159,894	\$ 3,230,991
Classified Salaries	2000-2999	\$ 2,349,996	\$ 2,174,211	\$ 2,184,982
Employee Benefits	3000-3999	\$ 3,788,560	\$ 3,751,185	\$ 3,780,543
Books and Supplies	4000-4999	\$ 560,045	\$ 419,325	\$ 1,134,955
Services, Other Operating Expenses	5000-5999	\$ 2,177,316	\$ 2,189,262	\$ 2,388,546
Capital Outlay	6000-6999	\$ 42,510	\$ 42,510	\$ 42,510
Other Outgo	7100-7299 7400-7499	\$ 1,901,655	\$ 2,180,071	\$ 2,500,250
Indirect/Direct Support Costs	7300-7399	\$ 37,600	\$ 37,600	\$ 37,600
Other Adjustments			\$ -	\$ -
TOTAL EXPENDITURES		\$ 14,042,141	\$ 13,954,058	\$ 15,300,377
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources	8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses	7600-7699	\$ 402,398	\$ 397,398	\$ 397,398
Contributions	8980-8999	\$ 6,247,502	\$ 6,992,569	\$ 7,288,752
OPERATING SURPLUS (DEFICIT)*		\$ (201,899)	\$ 602,861	\$ (370,367)
BEGINNING FUND BALANCE	9791	\$ 1,187,482	\$ 985,583	\$ 1,588,444
Prior-Year Adjustments/Restatements	9793/9795	\$ -		
ENDING FUND BALANCE		\$ 985,583	\$ 1,588,444	\$ 1,218,077
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts	9711-9719	\$ -	\$ -	\$ -
Restricted Amounts	9740	\$ 985,583	\$ 1,588,444	\$ 1,218,077
Committed Amounts	9750-9760			
Assigned Amounts	9780			
Reserve for Economic Uncertainties	9789	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount	9790	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

Orcutt Union School District

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS**Combined General Fund MYP**

Bargaining Unit:

CSEA

		2020-21	2021-22	2022-23
		Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
Object Code				
REVENUES				
LCFF Revenue	8010-8099	\$ 35,525,662	\$ 34,756,926	\$ 34,027,956
Federal Revenue	8100-8299	\$ 1,944,880	\$ 1,861,662	\$ 2,647,504
Other State Revenue	8300-8599	\$ 3,631,016	\$ 3,631,074	\$ 4,284,396
Other Local Revenue	8600-8799	\$ 3,394,350	\$ 3,450,853	\$ 2,095,662
TOTAL REVENUES		\$ 44,495,908	\$ 43,700,515	\$ 43,055,518
EXPENDITURES				
Certificated Salaries	1000-1999	\$ 19,462,900	\$ 19,771,368	\$ 19,990,537
Classified Salaries	2000-2999	\$ 7,314,395	\$ 7,183,201	\$ 7,218,968
Employee Benefits	3000-3999	\$ 11,850,320	\$ 11,937,975	\$ 11,922,250
Books and Supplies	4000-4999	\$ 2,119,387	\$ 2,023,732	\$ 3,090,590
Services, Other Operating Expenses	5000-5999	\$ 3,642,437	\$ 3,850,889	\$ 4,095,473
Capital Outlay	6000-6999	\$ 169,410	\$ 169,410	\$ 169,410
Other Outgo	7100-7299 7400-7499	\$ 1,901,655	\$ 2,180,071	\$ 2,500,250
Indirect/Direct Support Costs	7300-7399	\$ (97,200)	\$ (97,200)	\$ (97,200)
Other Adjustments			\$ -	\$ (560,807)
TOTAL EXPENDITURES		\$ 46,363,304	\$ 47,019,446	\$ 48,329,471
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources	8900-8979	\$ 575,000	\$ 575,000	\$ 575,000
Transfers Out and Other Uses	7600-7699	\$ 427,398	\$ 422,398	\$ 422,398
Contributions	8980-8999	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*		\$ (1,719,794)	\$ (3,166,329)	\$ (5,121,351)
BEGINNING FUND BALANCE	9791	\$ 12,860,797	\$ 11,141,003	\$ 7,974,674
Prior-Year Adjustments/Restatements	9793/9795	\$ -		
ENDING FUND BALANCE		\$ 11,141,003	\$ 7,974,674	\$ 2,853,323
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts	9711-9719	\$ 28,951	\$ 28,951	\$ 28,951
Restricted Amounts	9740	\$ 985,583	\$ 1,588,444	\$ 1,218,077
Committed Amounts	9750-9760	\$ 8,176,014	\$ 4,628,929	\$ 100,000
Assigned Amounts	9780	\$ 547,891	\$ 246,617	\$ 28,000
Reserve for Economic Uncertainties	9789	\$ 1,402,564	\$ 1,481,733	\$ 1,478,295
Unassigned/Unappropriated Amount	9790	\$ -	\$ -	\$ -

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

Orcutt Union School District
CSEA**I. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES**

1. State Reserve Standard

		2020-21	2021-22	2022-23
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 46,790,702	\$ 47,441,844	\$ 48,751,869
b.	Less: Special Education Pass-Through Funds	\$ -	\$ -	\$ -
c.	Net Expenditures, Transfers Out, and Uses	\$ 46,790,702	\$ 47,441,844	\$ 48,751,869
d.	State Standard Minimum Reserve Percentage for this District Enter percentage →	3.00%	3.00%	3.00%
e.	State Standard Minimum Reserve Amount for this District (For districts with less than 1,001 ADA, this is the greater of Line a, times Line b, or \$50,000)	\$ 1,403,721	\$ 1,423,255	\$ 1,462,556

2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a.	General Fund Budgeted Unrestricted Designated for Economic Uncertainties (9789)	\$ 1,402,564	\$ 1,481,733	\$ 1,478,295
b.	General Fund Budgeted Unrestricted Unassigned/Unappropriated Amount (9790)	\$ -	\$ -	\$ -
c.	Special Reserve Fund (Fund 17) Budgeted Designated for Economic Uncertainties (9789)	\$ -	\$ -	\$ -
d.	Special Reserve Fund (Fund 17) Budgeted Unassigned/Unappropriated Amount (9790)	\$ -	\$ -	\$ -
e.	Total Available Reserves	\$ 1,402,564	\$ 1,481,733	\$ 1,478,295
f.	Reserve for Economic Uncertainties Percentage	3.00%	3.12%	3.03%

3. Do unrestricted reserves meet the state minimum reserve amount?

2020-21

Yes

☒

No

☐

2021-22

Yes

☒

No

☐

2022-23

Yes

☒

No

☐

4. If no, how do you plan to restore your reserves?

Reductions to staff will be made in the out years due to retirements and layoffs due to declining enrollment.

Public Disclosure of Proposed Collective Bargaining Agreement
Orcutt Union School District
CSEA

Page 7

5. Does the Total Compensation Increase/(Decrease) on Page 1, Section A, #5 agree with the Total Increase/(Decrease) for all funds as a result of the settlement(s)? Please explain any variance.

Total Compensation Increase/(Decrease) on Page 1, Section A, #5	\$	38,583
General Fund balance Increase/(Decrease), Page 4c, Column 2	\$	(38,583)
Adult Education Fund balance Increase/(Decrease), Page 4d, Column 2	\$	-
Child Development Fund balance Increase/(Decrease), Page 4e, Column 2	\$	-
Cafeteria Fund balance Increase/(Decrease), Page 4f, Column 2	\$	-
Other Fund balance Increase/(Decrease), Page 4g, Column 2	\$	-
Other Fund balance Increase/(Decrease), Page 4h, Column 2	\$	-
Total all fund balances Increase/(Decrease) as a result of the settlement(s)	\$	(38,583)

Variance \$ -

Variance Explanation:

6. Will this agreement create or increase deficit financing in the current or subsequent years?

"Deficit Financing" is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If a deficit is shown below, provide an explanation and any deficit reduction plan, as necessary.

<u>General Fund Combined</u>	<u>Surplus/ (Deficit)</u>	<u>(Deficit) %</u>	<u>Deficit primarily due to:</u>
Current FY Surplus/(Deficit) before settlement(s)?	\$ (1,681,211)	(3.6%)	declining enrollment and staffing
Current FY Surplus/(Deficit) after settlement(s)?	\$ (1,719,794)	(3.7%)	declining enrollment and staffing
1st Subsequent FY Surplus/(Deficit) after settlement(s)?	\$ (3,166,329)	(6.7%)	declining enrollment and staffing
2nd Subsequent FY Surplus/(Deficit) after settlement(s)?	\$ (5,121,351)	(10.5%)	declining enrollment and staffing

Deficit Reduction Plan (as necessary):

Significant changes have occurred since budget adoption. These changes will be reflected in First Interim and will significantly improve the District's financial position due to additional revenue and a hold harmless on enrollment for the 2020-21 year.

Were "Other Adjustments" amount(s) entered in the multiyear projections (pages 5a and 5b) for 1st and 2nd

7. Subsequent FY?

"Other Adjustments" could indicate that a budget reduction plan was/is being developed to address deficit spending, and to rebuild reserves. Any amount shown below must have an explanation. If additional space is needed, attach a separate sheet, or use page 9a.

<u>MYP</u>	<u>Amount</u>	<u>"Other Adjustments" Explanation</u>
1st Subsequent FY Unrestricted, Page 5a	\$ -	
1st Subsequent FY Restricted, Page 5b	\$ -	
2nd Subsequent FY Unrestricted, Page 5a	\$ (560,807)	bulk reductions to be determined at a later date.

2nd Subsequent FY Restricted, Page 5b

\$

-

CSEA

J. COMPARISON OF PROPOSED CHANGE IN TOTAL COMPENSATION TO CHANGE IN LCFF FUNDING FOR THE NEGOTIATED PERIOD

The purpose of this form is to determine if the district has entered into bargaining agreements that would result in salary increases that are expected to exceed the projected increase in LCFF funding.

	(fill out columns for which there is an agreement)			
	Prior Year	2020-21	2021-22	2022-23
a. LCFF Funding per ADA	9,078.41	8,361.17		
b. Amount Change from Prior Year Funding per ADA	(717.24)	-		
c. Percentage Change from Prior Year Funding per ADA	-7.90%	0.00%		0.00%
d. Total Compensation Amount Change (from Page 1, Section A, Line 5)	38,583.00	-		-
e. Total Compensation Percentage Change (from Page 1, Section A, Line 5)	0.00%	0.00%		0.00%
f. Proposed agreement is within/exceeds change in LCFF Funding (f vs. e)	-	-		-

K. CERTIFICATION NO. 1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF THE COLLECTIVE BARGAINING AGREEMENT

This certification page must be signed by the district's Superintendent and Chief Business Official at the time of public disclosure and is intended to assist the district's Governing Board in determining whether the district can meet the costs incurred under the tentative Collective Bargaining Agreement in the current and subsequent years. The absence of a certification signature or if "I am unable to certify" is checked should serve as a "red flag" to the district's Governing Board.

In accordance with the requirements of Government Code Sections 3540.2 and 3547.5, the Superintendent and Chief Business Official of the Orcutt Union School District, hereby certify that the District can meet the costs incurred under this Collective Bargaining Agreement during the term of the agreement from July 1, 2020 to June 30, 2021.

Board Actions

The board actions necessary to meet the cost of the agreement in each year of its term are as follows:

Current Year

Budget Adjustment Categories:

Revenues/Other Financing Sources
Expenditures/Other Financing Uses
Ending Balance(s) Increase/(Decrease)

Budget Adjustment Increase/(Decrease)	
\$	-
\$	38,583
\$	(38,583)

Subsequent Years

Budget Adjustment Categories:

Revenues/Other Financing Sources
Expenditures/Other Financing Uses
Ending Balance(s) Increase/(Decrease)

Budget Adjustment Increase/(Decrease)	
\$	-
\$	-
\$	-

Budget Revisions

If the district does not adopt and submit within 45 days all of the revisions to its budget needed in the current year to meet the costs of the agreement at the time of the approval of the proposed collective bargaining agreement, the county superintendent of schools is required to issue a qualified or negative certification for the district on its next interim report.

Assumptions

See attached page for a list of the assumptions upon which this certification is based.

Certifications

☐ I hereby certify ☐ I am unable to certify

District Superintendent
(Signature)

Date

☒ I hereby certify ☐ I am unable to certify



Chief Business Official
(Signature)



Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.

Orcutt Union School District

CSEA

Assumptions and Explanations (enter or attach documentation)

The assumptions upon which this certification is made are as follows:

The AB1200 was built based on the last Board approved budget, which is the original budget for 2020-21.

Concerns regarding affordability of agreement in subsequent years (if any):

Budget reductions will need to be made in the out years. This was the case prior to the settlement agreeemnt. Significant change have been made to the budget since Budget Adoption, which is the basis for the AB1200. The District's financial position will improve significantly at First Inerim. While the District is in declining enrollment, the hold harmless on attendance for the 2020-21 fiscal year, as well as prior year funding for 2021-22 will help the District and are not currently reflected in the MYP. Staffing, including the possibility of not replacing anyone who retires, and layoffs will be carefully considered in order to right-size our District in the coming years.

L. CERTIFICATION NO. 2

The disclosure document must be signed by the district Superintendent at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Sections 3540.2(a) and 3547.5.

Orcutt Union School District

District Name

**District Superintendent
(Signature)**

Date

Contact Person

Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on _____, took action to approve the proposed agreement with the Bargaining Unit(s).

**President (or Clerk), Governing Board
(Signature)**

Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Authorized Signatures: District Personnel Approved by the Superintendent for Release of Commercial and Payroll Warrants

BACKGROUND: In order to proceed with normal District business, the Board must delegate district personnel who are authorized to release commercial and payroll warrants on behalf of Orcutt Union School District. Normally this is to be completed once a year, but due to personnel changes, it is being brought to the Board for authorization at this time.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the authorized signatures for release of commercial and payroll warrants as submitted.

FUNDING: This action does not require a funding source.



AUTHORIZED SIGNATURES
DISTRICT PERSONNEL APPROVED BY THE SUPERINTENDENT
FOR RELEASE OF COMMERCIAL AND PAYROLL WARRANTS

DISTRICT: _____

Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll

I certify that the names and signatures above are authorized district personnel who may receive warrants on behalf of our district.

Superintendent's Signature: _____ Date: ____/____/____



CHANGES TO AUTHORIZED SIGNATURES
DISTRICT PERSONNEL APPROVED BY THE SUPERINTENDENT
FOR RELEASE OF COMMERCIAL AND PAYROLL WARRANTS

DISTRICT: _____

ADDITIONS:

Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll

DELETIONS:

Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll
Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Payroll

I certify that the above changes to authorized district personnel who may receive warrants on behalf of our district.

Superintendent's Signature: _____ Date: ____/____/____

Note: Please use this form if there are changes that occur after the organizational meeting in December.

ATTACHMENT F(1)



AUTHORIZED SIGNATURES
DISTRICT PERSONNEL APPROVED BY THE BOARD
TO ACT AS DISTRICT AGENTS

DISTRICT: _____

Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll

I certify that the above individuals are authorized to act as agents of the governing board.

Board President Signature: _____ Date: ____/____/____

REFERENCE:
 K-12: EC§42632, 42633, 17604
 COMMUNITY COLLEGE: EC§85232, 85233, 85655

Note for Escape Financial System Users: The district must have an active employee with access to Escape in order to authorize accounts payable. This form is needed in order to grant activity permissions necessary to authorize payments in Escape.



CHANGES TO AUTHORIZED SIGNATURES
DISTRICT PERSONNEL APPROVED BY THE BOARD
TO ACT AS DISTRICT AGENTS

DISTRICT: _____

ADDITIONS:

Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Signature _____ Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll

DELETIONS:

Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll
Typed Name/Title _____	<input type="checkbox"/> Commercial <input type="checkbox"/> Contracts <input type="checkbox"/> Payroll

I certify that the above changes to authorized individuals to act as agents of the governing board.

Board President's Signature: _____ Date: ____/____/____

Note for Escape Financial System Users: The district must have an active employee with access to Escape in order to authorize accounts payable. This form is needed in order to grant activity permissions necessary to authorize payments in Escape.

REFERENCE:
K-12: EC§42632, 42633, 17604
COMMUNITY COLLEGE: EC§85232, 85233, 85655

Note: Please use this form if there are changes that occur after the organizational meeting in December.

ATTACHMENT G(1)



GOVERNING BOARD MEMBER ORGANIZATION

DISTRICT: _____

Name: _____ Title: **Board President**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Vice President**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Clerk**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Board Member**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Board Member**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Board Member**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Board Member**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

Name: _____ Title: **Board Member**
Address: _____ Zip: _____
Phone No.: _____ Year term expires: _____ Trustee area # (if applicable) ____

The below named individual is the Secretary to the Board.

Name: _____ Title: **Secretary**
Address: _____ Zip: _____
Phone No.: _____

I certify that all the information provided herein is true and correct.

Board President's Signature: _____ Date: ____/____/____

REFERENCE:
EC§1010, 35025, 35250, 35143, 72000(B)(5)(C)(2)A,B,C
CSBA BOARD BYLAWS 9100, 9121, 9122

ATTACHMENT C

**RESOLUTION OF THE GOVERNING BOARD
DELEGATION OF GOVERNING BOARD POWERS DUTIES
AUTHORITY TO MAKE CASH AND BUDGET TRANSFERS**

Whereas, Education Code Section 35161 provides that “The governing board of any school district may execute any powers delegated by law to it or to the district of which it is the governing board, and shall discharge any duty imposed by law upon it or upon the district of which it is the governing board...” and

Whereas, Education Code Section 35161 further provides that the governing board “...may delegate to an officer or employee of the district any of those powers or duties. The governing board, however, retains ultimate responsibility over the performance of those powers or duties so delegated;” and

Whereas, the governing board of the _____ recognizes that, while the authority provided in Education Code Section 35161 authorizes the board to delegate any of its powers and duties, the governing board retains the ultimate responsibility over the performance of those powers and duties; and

Whereas, the governing board further recognizes that where other Education Code provisions authorize a delegation of authority for a specific purpose, but impose restrictions on such delegated authority, these restrictions must be observed;

Now, Therefore, Be It Resolved that, in accordance with the authority provided in Education Code Section 35161, the governing board of the _____ hereby delegates to the following officers or employees of the district, the authority to make cash and budget transfers between and within district funds as necessary for the payment of obligations of the district effective from the date this resolution is passed through the year-end accrual phase without submitting the transfers as part of a specific board resolution.

Authorized District Employee/Officer

Authorized District Employee/Officer

Authorized District Employee/Officer

Authorized District Employee/Officer

Passed and adopted this _____ day of _____, _____ by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Board President's Signature: _____ Date: ____/____/____

Note for Escape Financial System Users: The district must have an active employee with Escape access authorized to perform cash and budget transfers. This resolution is needed in order to grant activity permissions necessary to authorize certain budget and cash transfers (i.e., interfund cash transfers and deposits) in Escape.

REFERENCE:
K-12: EC§35161

ATTACHMENT H (1) – K-12 DISTRICTS



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Self Insurance Program Employee (SIPE) JPA Resolution No. 9

BACKGROUND: Attached is Resolution No. 9 requesting that Orcutt Union School District designate the Assistant Superintendent, Business Services, as the primary representative to the Santa Barbara SIPE JPA and the Director of Maintenance, Operation and Transportation, as the official alternate. Said representatives are authorized to sign documents and perform all functions pertaining to the interest of the Board of Directors as a legislative body pursuant to the terms of this agreement.

This change would become effective the date of board approval and signing.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the Self Insurance JPA Resolution No. 9 as submitted.

FUNDING: N/A

Orcutt Union School District

Resolution No. 9

Resolution for Designation of the Official Representative to the Santa Barbara SIPE Joint Powers Authority Board of Directors

Where As, the Orcutt Union School District is a member of the Santa Barbara SIPE JPA:

Be It Resolved, that the Board of Trustees of Orcutt Union School District of Santa Barbara County, in a regular public meeting assembled the 14th day of October 2020, designated the Assistant Superintendent, Business Services, as the primary representative to the Santa Barbara SIPE JPA and the Director of Maintenance, Operations and Transportation, as the official alternate. Said representatives are authorized to sign documents and perform all functions pertaining to the interest of the Board of Directors as a legislative body pursuant to the terms of this agreement. This agreement becomes effective upon approval.

Approved this 14th day of October 2020.

-Ayes:

-Noes:

-Abstain:

-Absent:

**Liz Phillips, Board President
Orcutt Union School District**



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 3555, Nutrition Program Compliance

BACKGROUND: The policy was updated to reflect new state regulations (Register 2020, No. 21) which provide that complaints regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses should be submitted directly to the California Department of Education (CDE), and complaints alleging discrimination on the basis of race, color, national origin, sex, age, or disability should be submitted to the U.S. Department of Agriculture (USDA). Complaints regarding other program requirements or other bases for discrimination are to be investigated and resolved at the district level. Policy also deletes the USDA nondiscrimination statement that must be included on all forms of communication regarding program availability, which is now presented in exhibit E of AR 3555.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the updated Board Policy 3555, Nutrition Program Compliance, as presented for first reading.

FUNDING: N/A

Nutrition Program Compliance

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law.

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

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Compliance Coordinator

The Board designates the compliance coordinator, **for nutrition programs, who may also be the officer(s) specified in AR 1312.3 - Uniform Complaint Procedures, as the district's civil rights coordinator** to ensure compliance with the laws governing its nutrition programs ~~and to investigate any related complaints.~~

The responsibilities of the compliance ~~officer~~/coordinator include, but are not limited to:

1. Providing the name of the civil rights coordinator, Section 504 coordinator, and Title IX coordinator, if different from the civil rights coordinator, to the California Department of Education and other interested parties

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

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs

(cf. 6159 - Individualized Education Program)

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants

5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below

Nutrition Program Compliance

6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log and working with the appropriate person to resolve any complaint, **and referring the complainant to the appropriate state or federal agency when necessary**

10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

(cf. 5022 - Students and Family Privacy Rights)

(cf. 5125 - Student Records)

(cf. 5145.13 - Response to Immigration Enforcement)

Notifications

The compliance coordinator shall ensure that the U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service shall be displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

The **compliance** coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their program rights and responsibilities and steps necessary for participation. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be file anonymously or by a third party.

(cf. 5145.6 - Parental Notifications)

In addition, the **compliance** coordinator **shall ensure that** all forms of communication available to the public regarding program availability shall contain, in a prominent location, **a statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.**

~~the following statement:~~

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude items such as

Nutrition Program Compliance

cups, buttons, magnets, and pens that identify the program when the size or configuration makes it impractical. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

~~"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.~~

~~Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.~~

Complaints of Discrimination

A complaint alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at: (5 CCR 15582)

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

~~Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude menus. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.~~

~~A short version of the nondiscrimination statement, stating "This institution is an equal opportunity provider," may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.~~

Nutrition Program Compliance

Complaints **Regarding Noncompliance with Program Requirements**

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's parent/guardian by phone, email, or letter.

The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

1. A statement that the district has violated a law or regulation relating to its child nutrition program
2. The facts on which the statement is based
3. The name of the district or the school against which the allegations are made
4. The complainant's contact information
5. The name of the student if alleging violations regarding a specific student

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 60 days of the district's receipt of the complaint. (5 CCR 15583; 5 CCR 4631)

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

~~concerning the district's nutrition programs shall be investigated using the process identified in AR 1312.3—Uniform Complaint Procedures.~~

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

~~When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:~~

Nutrition Program Compliance

- ~~1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California~~
- ~~2. Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609~~
- ~~3. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service – English), (800) 845-6136 (Federal Relay Service – Spanish), fax (202) 690-7442, or email program.intake.usda.gov.~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

42238.01 Definitions for purposes of funding

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

15580-15584 Child nutrition programs complaint procedures

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

~~2000h-2000h-6 Title IX~~

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.19 National School Lunch Program, additional responsibilities

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

220.13 School Breakfast Program, special responsibilities of state agencies

225.3 Summer Food Service Program, administration

225.7 Summer Food Service Program, program monitoring

225.11 Summer Food Service Program, corrective action procedures

226.6 Child and Adult Care Food Program, state agency administrative responsibilities

250.15 Out-of-condition donated foods, food recalls, and complaints

CODE OF FEDERAL REGULATIONS, TITLE 28

Nutrition Program Compliance

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, **June 2018**, ~~rev. November 2015~~

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE
PUBLICATIONS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

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

Notice of Non-Discrimination, August 2010

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Regulation Approved ~~9-11-19~~ **11-04-2020**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Bob Klempen
Interim Assistant Superintendent, Business Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: SB 820 (Charter) Growth Funding Application

BACKGROUND: As part of the Enacted State Budget, the newly created Education Code Section 43502 was introduced, which required the California Department of Education to use actual attendance reported at the 2019-20 Second Principal Apportionment and Annual Apportionment reporting periods as the basis for funding in 2020-21 fiscal year. This is not beneficial for districts or charters who are experiencing growth, because they will not receive apportionment for any growth over and above the previous year's Average Daily Attendance (ADA).

Senate Bill (SB) 820 amended Education Code Section 43505(b)(1)(A), to allow eligible local educational agencies to apply for funding based on projected growth in either enrollment or ADA for the 2020-21 fiscal year, as documented in the 2020-21 Adoption Budget.

Our charter school is experiencing growth. At budget adoption, we projected that the charter would grow by approximately 20 ADA. The charter has grown much more than that, but this application will at least allow us to be funded on the growth that we projected at budget adoption. Attached you will find the SB 820 Growth Funding Application for your review.

Orcutt Union School District is in declining enrollment so there is no need to file an application. The District will be funded on last year's ADA numbers, which are higher than this year's numbers.

RECOMMENDATION: Staff recommends that the Board of Trustees approves the SB 820 Growth Funding Application.

FUNDING: N/A

SB 820 Growth Funding Application

Developed by the California Department of Education, October 2020

[End of Tab]

2. SB 820 Growth Funding Application Instructions

These instructions are for the completion of the application for SB 820 growth funding.

Notice that there are 10 tabs along the bottom of the workbook titled: '1. Title Page', '2. Instructions', '3. LEA Information', '4. Enrollment at 2nd Interim', '5. Enrollment at 2020-21 Budget', '6. ADA at 2nd Interim', '7. ADA at 2020-21 Budget', '8. 2020-21 Grade Span Data', '9. NSS', and '10. Certification'. All local educational agencies (LEAs) will complete tabs 3, 8, and 10. LEAs will complete only one of tabs 4, 5, 6, or 7 as appropriate. Tab 9 is only for School Districts with Necessary Small School (NSS) Funding.

Eligible Local Educational Agencies

Education Code (EC) Section 43505(b)(1)(A), as amended by Senate Bill 820, Chapter 110, Statutes of 2020, provides eligible local educational agencies (LEAs) the opportunity to apply for funding based on projected growth in either enrollment or average daily attendance (ADA) for the 2020-21 fiscal year.

The following LEAs are eligible to apply:

- School districts
- County offices of education
- Continuing classroom-based charter schools

Pursuant to *EC* 43505(c)(1), charter schools that were nonclassroom-based as of the 2019-20 Second Principal Apportionment (P-2) certification are not eligible to apply for SB 820 growth funding. A list of such charter schools is available here:

<https://www.cde.ca.gov/fg/aa/pa/documents/ncbcs20.xlsx>

Application Process

Complete the necessary tabs included in this workbook. Start with Tab 3. LEA Information. All LEAs completing this application must complete tabs 3, 8, and 10. Additionally, LEAs must complete only one of tabs 4, 5, 6, 7. Tab 3. LEA Information will determine which of these 4 tabs to complete.

Data entry cells are colored orange and marked with "Respond Here".

Submission:

Email this completed Excel workbook, a signed copy of Tab 10. Certification, and supporting documentation (PDF or Excel only) together as attachments in one email to:

SB820GrowthFunding@cde.ca.gov

Due Date:

November 6, 2020. This deadline is determined by statute [EC Section 43505(b)(3)].

Documentation

Format:

Only Excel and PDF files will be accepted.

File Names:

In order to facilitate the California Department of Education's review, please use the following file naming conventions:

Application Document (Excel Workbook):

LEA Name_LEA Type_Date Submitted

For example: "ExampleUSD_SD_11.6.2020.xlsx"

Supporting Documents:

Please include the name of the LEA and document in the filename.

For example: "ExampleUSD_Adopted Budget.pdf"

For school districts, if growth is documented in the 2020-21 Adopted Budget or 2019-20 2nd Interim Report, submit Form 01CS or Form 01CSI only as appropriate. A school district is not required to submit the entire 2nd Interim Report or Adopted Budget unless further documentation is requested during the application review process.

For County Offices of Education, if growth is documented in the 2020-21 Adopted Budget or 2019-20 2nd Interim Report, submit Form A or Form AI only as appropriate. A COE is not required to submit the entire 2nd Interim Report or Adopted Budget unless further documentation is requested during the application review process.

For Charter Schools, submit the 2019-20 2nd Interim Report or 2020-21 Adopted Budget, as appropriate. Please indicate in your email submission the page numbers on which the relevant enrollment or ADA numbers are documented.

3. SB 820 Growth Funding Application LEA Information

LEA Information	
1. Local Educational Agency (LEA) name:	Orcutt Academy Charter
2. Type of LEA:	Charter School
3. CDS code:	116434
4. LEA contact name:	Sandra Knight
5. LEA contact email address:	sknight@orcutt-schools.net
Eligibility and Documentation	
6. Indicate basis of eligibility	ADA Growth
7. Documentation	2020-21 Adopted Budget

Based on your answers to prompts 6 and 7 above, continue to the next appropriate section as indicated:

If Growth in Enrollment at 2019-20 2nd Interim: Complete Tabs 4, 8, and 10 only.

If Growth in Enrollment at 2020-21 Adopted Budget: Complete Tabs 5, 8, and 10 only.

If Growth in ADA at 2019-20 2nd Interim: Complete Tabs 6, 8, and 10 only.

If Growth in ADA at 2020-21 Adopted Budget: Complete Tabs 7, 8, and 10 only.

4. Basis of Eligibility: Growth in Enrollment at 2019-20 2nd Interim

Complete this tab only if your LEA is applying on the basis of enrollment growth as demonstrated in its 2019-20 2nd Interim Report.

Supporting documentation must be submitted per instructions provided on Tab 2. Instructions.

1. Enter overall enrollment for 2019-20 as of 2019-20 2nd Interim Report:	[Respond here]
2. Enter projected overall enrollment for 2020-21 as of the 2019-20 2nd Interim Report:	[Respond here]

Instructions:

Prompt 1: Enter overall enrollment for 2019-20 as of 2019-20 2nd Interim Report:

For school districts, enter the amount found in Form 01CSI, Criterion 2, Item 2A:
Calculating the District's Enrollment Variances:

Row: "Current Year (2019-20) District Regular"

Column: "Second Interim CBEDS/Projected"

For charter schools, enter the amount of overall enrollment for 2019-20 as documented in the charter school's 2019-20 2nd Interim Report.

For county offices of education, enter the amount of overall enrollment for 2019-20 as documented in the COE's 2019-20 2nd Interim Report.

Prompt 2: Enter projected overall enrollment for 2020-21 as of 2019-20 2nd Interim Report:

For school districts, enter the amount found in Form 01CSI, Criterion 2, Item 2A:
Calculating the District's Enrollment Variances:

Row: "1st Subsequent Year (2020-21) District Regular"

Column: "Second Interim CBEDS/Projected"

For charter schools, enter the amount of projected enrollment for 2020-21 as documented in the charter school's 2019-20 2nd Interim Report.

For county offices of education, enter the amount of projected enrollment for 2020-21 as documented in the COE's 2019-20 2nd Interim Report.

5. Basis of Eligibility: Growth in Enrollment at 2020-21 Adopted Budget

Complete this tab only if your LEA is applying on the basis of enrollment growth as demonstrated in its 2020-21 Adopted Budget.

Supporting documentation must be submitted per instructions provided on Tab 2.
Instructions.

1. Enter overall enrollment for 2019-20 as of the 2020-21 Adopted Budget:	
2. Enter projected overall enrollment for 2020-21 as of the 2020-21 Adopted Budget:	

Instructions:

Prompt 1: Enter overall enrollment for 2019-20 as of the 2020-21 Adopted Budget:

For school districts, enter the amount found in Form 01CS, Criterion 2, Item 2A: Calculating the District's Enrollment Variances:

Row: "First Prior Year (2019-20) District Regular"

Column: "CBEDS Actual"

For charter schools, enter the amount of estimated actual enrollment for 2019-20 as documented in the charter school's 2020-21 Adopted Budget.

For county offices of education, Enter the amount of actual estimated enrollment for 2019-20 as documented in the COE's 2020-21 Adopted Budget.

Prompt 2: Enter projected overall enrollment for 2020-21 as of the 2020-21 Adopted Budget:

For school districts, enter the amount found in Form 01CS, Criterion 2, Item 2A: Calculating the District's Enrollment Variances:

Row: "Budget Year (2020-21) District Regular"

Column: "Budget"

For charter schools, enter the amount of projected enrollment for 2020-21 as documented in the charter school's 2020-21 Adopted Budget.

For county offices of education, enter the amount of projected enrollment for 2020-21 as documented in the COE's 2020-21 Adopted Budget.

6. Basis of Eligibility: Growth in ADA at 2019-20 2nd Interim

Complete this tab only if your LEA is applying on the basis of ADA growth as demonstrated in its 2019-20 2nd Interim Report.

Supporting documentation must be submitted per instructions provided on Tab 2. Instructions.

1. Enter projected overall ADA for 2019-20 as of the 2019-20 2nd Interim Report:

[Respond here]

2. Enter projected overall ADA for 2020-21 as of the 2019-20 2nd Interim Report:

[Respond here]

Instructions:

Prompt 1: Enter projected overall ADA for 2019-20 as of the 2019-20 2nd Interim Report:

For school districts, enter the amount found in Form 01CSI, Criterion 1, Item 1A: Calculating the District's ADA Variances:

Row: "Current Year (2019-20) District Regular"

Column: "Second Interim Projected Year Totals"

For charter schools, enter the amount of projected ADA for 2019-20 as documented in the charter school's 2019-20 2nd Interim Report.

For county offices of education, enter the amount of projected ADA found in Form AI, Tab/Section B: County Office of Education:

Row: "3. Total County Office ADA"

Column: As applicable

Prompt 2: Enter projected overall ADA for 2020-21 as of the 2019-20 2nd Interim Report:

For school districts, enter the amount found in Form 01CSI, Criterion 1, Item 1A: Calculating the District's ADA Variances:

Row: "1st Subsequent Year (2020-21) District Regular"

Column: "Second Interim Projected Year Totals"

For charter schools, enter the amount of projected ADA for 2020-21 as documented in the charter school's 2019-20 2nd Interim Report.

For county offices of education, enter the total amount of projected ADA found in Form 01CSI, Criterion 1, Item 1A: Calculating the County Office's ADA Variances:

Row: "County Alternative Education Grant ADA" (exclude any ADA reported in the Charter School Alternative Education Grant ADA) and "District Funded County Program ADA", for "1st Subsequent Year (2020-21)".

Column: "Second Interim Projected Year Totals"

Note: COE total ADA should reflect (County Alternative Education Grant ADA – Charter School Alternative Education Grant ADA) + District Funded County Program

7. Basis of Eligibility: Growth in ADA at 2020-21 Adopted Budget

Complete this tab only if your LEA is applying on the basis of ADA growth as demonstrated in its 2020-21 Adopted Budget.

Supporting documentation must be submitted per instructions provided on Tab 2. Instructions.

1. Enter estimated actual overall ADA for 2019-20 as of the 2020-21 Adopted Budget:	749.45
2. Enter projected overall ADA for 2020-21 as of the 2020-21 Adopted Budget:	772

Instructions

Prompt 1: Enter estimated actual overall ADA for 2019-20 as of the 2020-21 Adopted Budget:

For school districts, enter the amount found in Form 01CS, Criterion 1, Item 1A: Calculating the District's ADA Variances:

Row: "First Year (2019-20) District Regular"

Column: "Estimated/Unaudited Actuals Funded ADA"

For charter schools, enter the amount of estimated actual ADA for 2019-20 as documented in the charter school's 2020-21 Adopted Budget.

For county offices of education, enter the amount of estimated actual overall ADA found in Form A, Tab/Section B: County Office of Education:

Row: "3. Total County Office ADA"

Column: As applicable

Prompt 2: Enter projected overall ADA for 2020-21 as of the 2020-21 Adopted Budget:

For school districts, enter the amount found in Form 01CS, Criterion 1, Item 1A: Calculating the District's ADA Variances:

Row: "Budget Year (2020-21) District Regular"

Column: "Estimated/Unaudited Actuals Funded ADA"

For charter schools, enter the amount of projected ADA for 2020-21 as documented in the charter school's 2020-21 Adopted Budget.

For county offices of education, enter the amount of projected ADA found in Form A, Tab/Section B: County Office of Education:

Row: "3. Total County Office ADA"

Column: As applicable

8. 2020-21 Grade Span Data

All LEAs must complete Row 9 of this tab.

Rows 10-13 are a subset of units included in Row 9 completed by either charter schools or COEs as applicable.

Enter the enrollment or ADA as appropriate depending on the basis of eligibility.

Type of LEA Charter School

Basis of Eligibility ADA Growth

Documentation 2020-21 Adopted Budget

Grade Span Data	Grades TK/K-3	Grades 4-6	Grades 7-8	Grades 9-12	Total
Total Units of Overall Projected for 2020-21	78.95	57.25	43.5	592	771.7
County Program Charter School: Units included in the amount of TOTAL Units provided in Row 9 attributed to students in juvenile court schools, county community schools, or special education classes and centers, who are enrolled pursuant to EC Section 2574(c)(4)(A) operated by the county program charter school (County Program Alternative Education)					0
County Program Charter School: Units included in the amount of TOTAL Units provided in Row 9 attributed to students enrolled in charter operated county programs that are not enrolled pursuant to EC Section 2574(c)(4)(A) (Charter Funded County Programs)					0
County Office of Education: Units included in the amount of TOTAL Units provided in Row 9 attributed to students in juvenile court schools, county community schools, or special education classes and centers, who are enrolled pursuant to EC Section 2574(c)(4)(A) operated by the COE (County Program Alternative Education)					0
County Office of Education: Units included in the amount of TOTAL Units provided in Row 9 attributed to students enrolled in county programs that are not enrolled pursuant to EC Section 2574(c)(4)(A) (District Funded County Programs)					0

9. Necessary Small Schools

School District Reporting: Orcutt Academy Charter

Type of LEA: Charter School

Instructions: Report the units included in the amount of TOTAL Units provided in Tab 8 that are attributable to each school that meets the criteria for Necessary Small School (NSS) funding. The final NSS funding selection will be collected via the 2020-21 Principal Apportionment Data Collection Software.

Name of Necessary Small School	School Code	Grades TK/K-3	Grades 4-6	Grades 7-8	Grades 9-12

10. Certification - SB820 Growth Funding Application

All LEAs must provide this certification. Applications submitted without this certification will not be processed.

Please print the document, sign, scan (in PDF format), and email certification together with all other application and supporting documentation per instructions for submitting the application provided on Tab 2. Instructions to:

SB820GrowthFunding@cde.ca.gov.

Application must be submitted by **November 6, 2020**. This deadline is determined by statute [EC Section 43505(b)(3)].

Education Code Section 43505(b)(3)(C), as amended by Senate Bill 820, requires the superintendent or equivalent officer and the president of the governing board or body of the local educational agency to both attest under penalty of perjury that documentation submitted pursuant to subparagraphs (A) and (B) is true and correct and is the most recent budget adopted by the governing board or body of the local educational agency on or before June 30, 2020, or is the 2019–20 second interim report adopted by the governing board or body of the local educational agency.

The undersigned do attest, under penalty of perjury, that documentation submitted in conjunction with this application is true and correct and is the most recent budget adopted by the governing board or body of the LEA on or before June 30, 2020, or is the 2019-20 second interim report adopted by the governing board or body of the LEA.

LEA Superintendent / Equivalent Officer

Dr. Holly Edds

Sign Name:

Date:

President of the LEA's Governing Board or Body

Liz Phillips

Sign Name:

Date:



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 5141.22 – Infectious Diseases

BACKGROUND: Policy reflects new law (AB 262, 2019) which requires local health officers to notify and update districts of an outbreak, or imminent outbreak, of a communicable disease and requires districts to comply with any orders issued by the health officers and all applicable privacy laws. Policy also clarifies that any allowable exclusions apply only to on-campus instruction and provides that the superintendent or designee will, when necessary, inform the local health official of any potential outbreak.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 5141.22.

FUNDING: There are no funding implications.

Students

INFECTIOUS DISEASES

The Board of Trustees desires to protect students from risks posed by exposure to infectious diseases while providing ~~an appropriate~~ a high-quality education for all students. ~~The Board recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.~~ Infectious Disease Prevention

The Superintendent or designee shall collaborate with ~~parents/guardians and local~~ and state health ~~agencies and organizations~~ officials to develop and regularly update a comprehensive ~~approach~~ plan to for disease prevention that promotes preventative measures, mitigation, and education, communication, and training of students and staff. All measures to limit the spread of infectious diseases shall be nondiscriminatory and ensure that equity is promoted.

(cf. 0400 - Comprehensive Plans)

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

(cf. 0415 - Equity)

(cf. 0450 - Comprehensive Safety Plan)

~~(cf. 1020 - Youth Services)~~

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - Student Health and Social Services)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall regularly review resources available from health experts to ensure that district programs and operations are based on the most up-to-date information.

~~The Superintendent or designee shall ensure that the district's comprehensive health education program shall provides age-appropriate information about the nature and symptoms of communicable-prevention of infectious diseases, including the nature of bloodborne pathogens and their transmission, as well as information and how to help prevent the spread of contagious diseases, such as a pandemic influenza. He/she shall also ensure that each school has sufficient infection prevention supplies that are easily accessible to staff.~~

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

(cf. 6142.8 - Comprehensive Health Education)

If the local health officer notifies the district of an outbreak of a communicable disease, or the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, the district shall take any action that the health officer deems necessary to control the spread of the disease. The district shall comply with all applicable state and federal privacy laws in regard to any such information received from the local health officer. (Health and Safety Code 120175.5)

Universal Precautions

Students and staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

The Superintendent or designee shall inform students of the precautions to be used in cases of exposure to blood or other body fluids through injury, accident, or classroom instruction.

(cf. 5141 - Health Care and Emergencies)
(cf. 6145.2 - Athletic Competition)

Students with Infectious Diseases

The Superintendent or designee shall exclude students **from on-campus instruction** only in accordance with law, Board policy, and administrative regulation. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the presence of infectious conditions of this type is not, by itself, sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 6164.6 - Identification and Education Under Section 504)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize ~~the child's~~ exposure to other diseases in the school setting. **If necessary, the Superintendent or designee shall inform the local health official of any potential outbreak.** The Superintendent or designee shall ensure that student confidentiality **and privacy** rights are strictly observed in accordance with law.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48210-48216 Persons excluded

49060-49069.7 Student records

49073-49079 Privacy of pupil records

49403 Cooperation in control of communicable disease and immunization of pupils

49405 Smallpox control
 49406 Examination for tuberculosis (employees)
 49408 Information of use in emergencies
 49602 Confidentiality of student information
 51202 Instruction in personal and public health and safety
 CALIFORNIA CONSTITUTION
 Article 1, Section 1 Right to Privacy
 CIVIL CODE
 56-56.37 Confidentiality of Medical Information Act
 1798-1798.78 Information Practices Act
 HEALTH AND SAFETY CODE
120175.5 Local health officers and communicable diseases
 120230 Exclusion for communicable disease
 120325-120380 Immunization against communicable diseases
 120875-120895 AIDS information
 120975-121023 Mandated blood testing and confidentiality to protect public health
 121475-121520 Tuberculosis tests for pupils
 CODE OF REGULATIONS, TITLE 8
 5193 Bloodborne pathogens
 CODE OF REGULATIONS, TITLE 17
 2500-2511 Communicable disease reporting requirements
 UNITED STATES CODE, TITLE 20
 1232g Family Educational and Privacy Rights Act
 1400-1482 Individuals with Disabilities Education Act
 UNITED STATES CODE, TITLE 29
 794 Section 504 of the Rehabilitation Act of 1973
 CODE OF FEDERAL REGULATIONS, TITLE 45
 164.500-164.534 ~~Health Insurance Portability and Accountability Act (HIPAA)~~ **Privacy of individually identifiable health information**
 COURT DECISIONS
 Thomas v. Atascadero Unified School District, (1986) 662 F.Supp. 376
Management Resources:
 CSBA PUBLICATIONS
 Saving Lives: AIDS Issues for California Schools 1994, rev. 2006
 Avian Influenza, Governance and Policy Services Fact Sheet, April 2006
 CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
 Science Safety Handbook for California Public Schools, 2014
 U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS
 School District (K-12) Pandemic Influenza Planning Checklist
 WEB SITES
 CSBA: <http://www.csba.org>
 California Department of Education: <http://www.cde.ca.gov>
 California Department of Health Services: <http://www.dhs.ca.gov>
 California Department of Public Health: <http://www.cdph.ca.gov>
 Centers for Disease Control and Prevention: <http://www.cdc.gov>
 Contra Costa County Office of Education, Pandemic Flu Resources: http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit
 U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>

Policy Adopted: ~~10/15/08~~ **11/4/2020**

ORCUTT UNION SCHOOL DISTRICT
 Orcutt, California



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 5145.6 – Parental Notifications

BACKGROUND: Policy updated for gender neutrality and to update legal references based on new laws.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 5145.6.

FUNDING: There are no funding implications.

Students

PARENTAL NOTIFICATIONS

The Board of Trustees desires to promote effective communication between the school and the home and to keep parents/guardians informed regarding educational programs, school operations, and the legal rights of students and their parents/guardians. The Superintendent or designee shall send ~~students and~~ parents/guardians ~~and students~~ all notifications required by law and any other notifications ~~he/she~~ the Superintendent believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 6020 - Parent Involvement)

Notice of the rights and responsibilities of parents/guardians as specified in Education Code 48980 shall be sent at the beginning of each academic year and may be provided either by regular mail, in electronic form when so requested by the parent/guardian, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 48981)

No activity specified in Education Code 48980 ~~will~~ **shall** be undertaken with respect to any particular student unless ~~his/her~~ **the student's** parent/guardian has been informed of such action through the annual notification or other separate special notification. Such notice shall state the activity that will be undertaken and the approximate date on which the activity will occur. (Education Code 48983-48984)

The annual notification shall include a request that the parent/guardian sign the notice and return it to the school or, if the notice is provided in electronic format, that the parent/guardian submit a signed acknowledgment of receipt of the notice to the school. The parent/guardian's signature is an acknowledgment of receipt of the information but does not indicate that consent to participate in any particular program has been given or withheld. (Education Code 48982)

Whenever a student enrolls in a district school during the school year, ~~his/her~~ **the student's** parents/guardians shall be given all required parental notifications at that time.

Notifications shall be presented in an understandable and uniform format and, to the extent practicable, in a language that parents/guardians can understand.

Whenever 15 percent or more of the students enrolled in a district school speak a single primary language other than English, as determined from the California Department of Education census data collected pursuant to Education Code 52164, all notices sent to the parent/guardian of any such student shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (Education Code 48981, 48985)

Students

PARENTAL NOTIFICATIONS

Whenever an employee learns that a student's parent/guardian is ~~for any reason~~ unable to understand the district's printed notifications for any reason, ~~he/she~~ **the employee** shall inform the principal or designee, **who** shall work with the parent/guardian to establish other appropriate means of communication.

Legal Reference:

EDUCATION CODE

221.5 Prohibited sex discrimination

231.5 Sexual harassment policy

234.7 Student protections relating to immigration and citizenship status

262.3 Appeals for discrimination complaints; information regarding availability of civil remedies

310 ~~Structured English Immersion Program~~ **Language Acquisition programs**

313 Reclassification of English learners, parental consultation

313.2 Long-term English learner, notification

440 English language proficiency assessment; instruction in English language development

8483 Before/after school program; enrollment priorities

17288 Building standards for university campuses

17611.5-17612 Notification of pesticide use

32221.5 Insurance for athletic team members

32255-32255.6 Right to refuse harmful or destructive use of animals

32390 Fingerprint program; contracts; funding; consent of parent/guardian

33479.3 The Eric Pareds Sudden Cardiac Arrest Prevention Act

35160.5 Extracurricular and cocurricular activities

35178.4 Notice of accreditation status

35182.5 Advertising in the classroom

35183 School dress codes; uniforms

35186 Complaints concerning deficiencies in instructional materials and facilities

35211 Driver training; district insurance, parent/guardian liability

35256 School accountability report card

35258 School accountability report card

35291 Rules for student discipline

37616 Consultation regarding year-round schedule

39831.5 School bus rider rules and information

44050 Employee codes of conduct, employee interactions with students

44808.5 Permission to leave school grounds

46010.1 Notice regarding excuse to obtain confidential medical services

46014 Regulations regarding absences for religious purposes

46600-46611 Interdistrict attendance agreements

48000 Minimum age of admission

48070.5 Promotion or retention of students

48204 Residency requirements

48205 Absence for personal reasons

48206.3 Students with temporary disabilities; individual instruction; definitions

48207-48208 Students with temporary disabilities in hospitals

48213 Prior notice of exclusion from attendance

Students

PARENTAL NOTIFICATIONS

48216 Immunization
48260.5 Notice regarding truancy
48262 Need for parent conference regarding truancy
48263 Referral to School Attendance Review Board or probation department
48301 Interdistrict transfers
~~48350-48361 Open enrollment~~
~~48354 Option to transfer from school identified under Open Enrollment Act~~
~~48357 Status of application for transfer from school identified under Open Enrollment Act~~
48412 Certificate of proficiency
48432.3 Voluntary enrollment in continuation education
48432.5 Involuntary transfers of students
48850-48859 Education of foster youth and homeless students
48900.1 Parental attendance required after suspension
48904 Liability of parent/guardian for willful student misconduct
48904.3 Withholding grades, diplomas, or transcripts
48906 Notification of release of student to peace officer
48911 Notification in case of suspension
48911.1 Assignment to supervised suspension classroom
48912 Closed sessions; consideration of suspension
48915.1 Expelled individuals: enrollment in another district
48916 Readmission procedures
48918 Rules governing expulsion procedures
48929 Transfer of student convicted of violent felony or misdemeanor
48980 Required notification at beginning of term
48980.3 Notification of pesticide use
48981 Time and means of notification
48982 Parent signature acknowledging receipt of notice
48983 Contents of notice
48984 Activities prohibited unless notice given
48985 Notices to parents in language other than English
48987 Child abuse information
49013 Use of uniform complaint procedures for complaints regarding student fees
49063 Notification of parental rights
49067 Student evaluation; student in danger of failing course
49068 Transfer of permanent enrollment and scholarship record
49069 Absolute right to access
49070 Challenging content of student record
49073 Release of directory information
49073.6 Student records, social media
49076 Access to student records
49077 Access to information concerning a student in compliance with court order
49403 Cooperation in control of communicable disease and immunization
49423 Administration of prescribed medication for student
49451 Physical examinations: parent's refusal to consent
49452.5 Screening for scoliosis

49452.7 Information on type 2 diabetes
49452.8 Oral health assessment
49456 Results of vision or hearing test
49471-49472 Insurance
49475 Student athletes; concussions and head injuries
49476 Student athletes; opioid fact sheet
49480 Continuing medication regimen for nonepisodic conditions
49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017; notice of negative balance in meal account
51225.1 Exemption from district graduation requirements
51225.2 Course credits; ~~foster youth, homeless youth, former juvenile court school students and military-connected students~~
51225.3 Graduation requirements; courses that satisfy college entrance criteria
51229 Course of study for grades 7-12
51513 Personal beliefs; privacy
51938 HIV/AIDS and sexual health instruction
52164 Language census
52164.1 Census-taking methods; determination of primary language; assessment of language skills
52164.3 Reassessment of English learners; notification of results
54444.2 Migrant education programs; parent involvement
56301 Child-find system; policies regarding written notification rights
56321 Special education: proposed assessment plan
56321.5-56321.6 Notice of parent rights pertaining to special education
56329 Written notice of right to findings; independent assessment
56341.1 Development of individualized education program ; right to audio record meeting
56341.5 Individualized education program team meetings
56343.5 Individualized education program meetings
56521.1 Behavioral intervention
58501 Alternative schools: notice required prior to establishment
60615 Exemption from state assessment
60641 ~~Standardized Testing and Reporting Program~~ **California Assessment of Student Performance and Progress**
69432.9 Submission of grade point average to Cal Grant program
CIVIL CODE
1798.29 District records, breach of security
HEALTH AND SAFETY CODE
1596.857 Right to enter child care facility
1597.16 Licensed child care centers, lead testing
104420 Tobacco use prevention
104855 Availability of topical fluoride treatment
116277 Lead testing of school drinking water
120365-120375 Immunizations
120440 Sharing immunization information
124100-124105 Health screening and immunizations
PENAL CODE
626.81 Notice of permission granted to sex offender to volunteer on campus
627.5 Hearing request following denial or revocation of registration
CODE OF REGULATIONS, TITLE 5
852 Exemptions from state assessments
863 ~~Standardized Testing and Reporting Program~~ **Reports of state assessment results**

3052 Behavioral intervention
4622 Notification of uniform complaint procedures
4631 Uniform complaint procedures; notification of decision and right to appeal
~~4702 Student transfer from school identified under Open Enrollment Act~~
4917 Notification of sexual harassment policy
11303 Reclassification of English learners
11511.5 English language proficiency assessment; test results
11523 Notice of proficiency examinations
18066 Child care policies regarding excused and unexcused absences
18094-18095 Notice of Action; child care services
18114 Notice of delinquent fees; child care services
18118-18119 Notice of Action; child care services
CODE OF REGULATIONS, TITLE 17
2951 Hearing tests
6040 Time period to obtain needed immunizations
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act
1232h Privacy rights
1415 Procedural safeguards
6311 State plans
6312 Local education agency plans
6316 Academic assessment and local education agency school improvement
6318 ~~Parental involvement~~ Parent and family engagement
7704 Impact Aid; policies and procedures related to children residing on Indian lands
7908 Armed forces recruiter access to students
UNITED STATES CODE, TITLE 42
1758 Child nutrition programs
11431-11435 McKinney-Vento Homeless Assistance Act
CODE OF FEDERAL REGULATIONS, TITLE 7
245.5 Eligibility criteria for free and reduced-price meals
245.6a Verification of eligibility for free and reduced-price meals
CODE OF FEDERAL REGULATIONS, TITLE 34
99.7 Student records, annual notification
99.30 Disclosure of personally identifiable information
99.34 Student records, disclosure to other educational agencies
99.37 Disclosure of directory information
104.32 District responsibility to provide free appropriate public education
104.36 Procedural safeguards
104.8 Nondiscrimination
106.8 NOTification of contact information for Title IX coordinator
106.9 Dissemination of policy, nondiscrimination on basis of sex
200.48 Teacher qualifications
222.94 Impact Aid; district responsibilities
300.300 Parent consent for special education evaluation
300.322 Parent participation in IEP team meetings
300.502 Independent educational evaluation of student with disability
300.503 Prior written notice regarding identification, evaluation, or placement of student with disability
300.504 Procedural safeguards notice for students with disabilities
300.508 Due process complaint
300.530 Discipline procedures

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

Management Resources:

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

~~Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017~~

Civil Rights Compliance and Enforcement -- Nutrition Programs and Services, FNS Instruction 113-1, 2005

WEB SITES

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

Policy Adopted: ~~05/09/18~~ **11/4/2020**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 5145.7 – Sexual Harassment

BACKGROUND: Policy updated to include examples of actions to reinforce the district's sexual harassment policy, consistent with new law (AB 34, 2019) which requires posting the sexual harassment policy on the district's web site and new law (AB 543, 2019) which requires displaying a poster and providing the sexual harassment policy in student orientations. Policy also reflects new federal regulations (85 Fed. Reg. 30026) which require that complaints of behavior that meets the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Title of compliance officer changed to Title IX Coordinator throughout policy pursuant to federal regulations.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 5145.7.

FUNDING: There are no funding implications.

SEXUAL HARASSMENT

The Board of Trustees is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The board also prohibits retaliatory behavior or action against any person who reports, files a complaint, or testifies about, or otherwise supports a complainant in alleging sexual harassment.

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

(cf. 5131 – Conduct)

(cf. 5131.2 – Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 – Nondiscrimination/Harassment)

The district strongly encourages ~~any students~~ who feels that ~~he/she is~~ **they are** being or ~~has~~ **have** been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who has experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact ~~his/her~~ **their** teacher, the principal, **the district's Title IX Coordinator**, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the ~~principal or a district compliance officer~~ **the Title IX Coordinator**.

Once notified, the ~~principal or compliance officer~~ **Title IX Coordinator** shall ~~take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation~~ **ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.**

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

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

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

~~(cf. 5131 – Conduct)~~

~~(cf. 5131.2 – Bullying)~~

~~(cf. 5141.4 - Child Abuse Prevention and Reporting)~~

~~(cf. 5145.3 – Nondiscrimination/Harassment)~~

~~(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)~~

~~(cf. 6142.1 – Sexually Transmitted Diseases and HIV/AIDS Prevention Instruction)~~

The Superintendent or designee shall ~~take appropriate actions to reinforce the district's sexual harassment policy.~~ **inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.**

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate ~~instruction and~~ information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that

sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even when the **alleged** victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and ~~prompt~~ action shall be taken to ~~stop any~~ respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a **civil or criminal** complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will ~~take interim~~ **implement supportive** measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation ~~and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment~~

Complaint Process and Disciplinary Actions

~~Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3—Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.~~

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

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

Upon investigation of a sexual harassment complaint, any ~~staff member~~ **employee** found to have engaged in sexual harassment or sexual violence toward any student shall ~~have his/her employment terminated~~ **be subject to disciplinary action, up to and including dismissal**, in accordance with ~~applicable policies, laws, and/or the applicable~~ collective bargaining agreement.

(cf. 4117.7/4317.7 – Employment Status Report
(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

In accordance with the law. The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

(cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex
48900 Grounds for suspension or expulsion
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term
48985 Notices, report, statements and records in primary language

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 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 1681-1688 Title IX **of the Education Amendments of 1972, discrimination**

UNITED STATES CODE, TITLE 34

12991 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy
106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

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

Q&A on Campus Sexual Misconduct, September 2017

~~Dear Colleague Letter: Transgender Students, May 2016~~

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

~~Questions and Answers on Title IX and Sexual Violence, April 2014~~

~~Dear Colleague Letter: Sexual Violence, April 4, 2011~~

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

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

Policy Adopted: ~~01/11/2017~~ 11/4/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 6142.7 – Physical Education and Activity

BACKGROUND: Policy updated to add statement on equal access and equal opportunities for participation in physical education regardless of gender, gender expression, sexual orientation, and mental or physical disability, as included in CDE's Federal Program Monitoring instrument. Policy also reflects U.S. Department of Health and Human Services recommendations for moderate to vigorous physical activity in children, clarifies credential requirements for teachers of physical education, and reflects the requirement that students who have been granted a permanent exemption from physical education must still be offered physical education courses of at least 400 minutes each 10 school days.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 6142.7.

FUNDING: There are no funding implications.

Instruction

PHYSICAL EDUCATION AND ACTIVITY

The Board of Trustees recognizes the positive benefits of physical activity on student health, **well-being**, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall **support the district's coordinated student wellness program and** encourage lifelong fitness.

(cf. 5030 - Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

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

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

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

~~(cf. 6011 - Academic Standards)~~

~~(cf. 6143 - Courses of Study)~~

The overall course of study for grades 9-12 shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. (Education Code 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

~~The district's physical education program shall engage students in moderate to vigorous physical activity, as defined in the accompanying administrative regulation, for at least 50 percent of class or session time. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.~~

~~The Superintendent or designee shall ensure that the district's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.~~

~~All physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. LEAs must provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades one through twelve, inclusive, regardless of gender or sexual orientation. (EC §§ 221.5(f), 33352[b][8]; 5 CCR §§ 4930, 4931, 4940; Title IX 106.33, 106.34)~~

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

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)

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

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

(cf. 3514 - Environmental Safety)

(cf. 5141.7 - Sun Safety)

(cf. 5141.23 - Asthma Management)

(cf. 6145.2 - Athletic Competition)

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals and/or volunteers.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4113 - Assignment)

(cf. 4222 - Teacher Aides/Paraprofessionals)

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

(cf. 4131 - Staff Development)

(cf. 5121 - Grades/Evaluation of Student Achievement)

Physical Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

Temporary Exemptions

The Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.
2. The student is enrolled for one-half time or less.

Two-Year Exemptions

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the ~~physical fitness test~~ **FITNESSGRAM** to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code **33352**, 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

(cf. 6112 – School Day)

Permanent Exemptions

The Superintendent or designee may grant a permanent exemption from physical education to students under any of the following conditions: (Education Code 51241)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years. However, such a student shall not be permitted to attend fewer total hours of courses and classes than he/she would have attended if enrolled in a physical education course.
2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352)

Other Exemptions

The Superintendent or designee may grant an exemption from physical education under the following

special circumstances:

1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training. However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (Education Code 51222)
2. When the student is in grades 10-12 attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses. Any such student shall have a minimum school day of 180 minutes. (Education Code 52316)

(cf. 6178.2 - Regional Occupational Center/Program)

3. The student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)

Program Evaluation

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. ~~He/she~~ **The Superintendent or designee** shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity **and student well-being**.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

221.5 Sex equity in education

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

49066 Grades; physical education class

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51241 Temporary, two-year or permanent exemption from physical education

51242 Exemption from physical education for athletic program participants

52316 Excuse from attending physical education classes; regional occupational center/program

60800 Physical performance test

CODE OF REGULATIONS, TITLE 5

1040-1044 Physical performance test

1047-1048 Testing Variations and accommodations

3051.5 Adapted physical education for individuals with exceptional needs

4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
10060 Criteria for high school physical education programs
80020 Additional assignment authorizations for specific credentials
80037 Designated subjects teaching credential; special teaching authorization in physical education
80046.1 Added authorization to teach adapted physical education
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
~~1751~~ 1758b Note-Local wellness policy
CODE OF FEDERAL REGULATIONS, TITLE 34
106.33 Nondiscrimination on the basis of sex; comparable facilities
106.34 Nondiscrimination on the basis of sex; access to classes and schools
300.108 Assistance to states for the education of children with disabilities; physical education
ATTORNEY GENERAL OPINIONS
53 Ops.Cal.Atty.Gen. 230 (1970)
COURT DECISIONS
Doe v. Albany Unified School District (2010) 190 Cal.App.4th 668
Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975
Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959)

Management Resources:

CSBA PUBLICATIONS

~~Districts at Risk from Lawsuits Regarding PE Instructional Minute Requirement, Legal Alert, May 2015~~
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012
Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010
Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009
Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009
Physical Education and California Schools, Policy Brief, October 2007
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 2009
Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

~~Adapted Physical Education Guidelines for California Schools, 2003~~

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index (SHI): A Self-Assessment and Planning Guide, ~~2014~~ **Elementary School, 2017**
School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual, ~~2007~~ **2019**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

~~2008~~ Physical Activity Guidelines for Americans, ~~October 2008~~ **2nd Edition, 2018**

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education, ~~Physical Fitness Testing~~: <http://www.cde.ca.gov/ta/tg/pf>
California Healthy Kids Resource Center: <http://www.californiahealthykids.org>
California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>
Centers for Disease Control and Prevention: <http://www.cdc.gov>
Commission on Teacher Credentialing: <http://www.etc.ca.gov>
~~Educational Data System, California physical fitness~~: <http://www.eddata.com/projects/current/cpf>
Healthy People 2010: <http://www.healthypeople.gov>

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>
~~http://www.aahperd.org/naspe~~ [pgpedia.com/n/national-](http://www.aahperd.org/naspe)
[association-sport-and-physical-education](http://www.aahperd.org/naspe)
President's Council on Physical Fitness and Sports, [Physical Fitness and Nutrition](http://www.fitness.gov): <http://www.fitness.gov>
U.S. Department of Health and Human Services: <http://www.health.gov>

Policy Adopted ~~04/11/18~~ [11/4/2020](#)

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 6159 – Individualized Education Program

BACKGROUND: Policy updated to include the requirement, formerly in BP/AR 0430 - Comprehensive Local Plan for Special Education, to provide a free appropriate public education (FAPE) to students who have been suspended or expelled from school or who are placed by the district in a nonpublic, nonsectarian school. Policy adds the requirement to provide FAPE to individuals age 18-21 who are incarcerated in an adult correctional facility if they had been identified as students with disabilities or had an individualized education program (IEP) in their prior educational placement. Paragraph on the rights of foster parents moved to AR.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 6159.

FUNDING: No Funding Implication

INDIVIDUALIZED EDUCATION PROGRAM

The Board of Trustees desires to provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free appropriate public education (FAPE) and, to the maximum extent possible, be placed educated in the least restrictive environment with nondisabled students which meets their needs to the extent provided by law.

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

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

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

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

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

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

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

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

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

For each student with disabilities, an individualized education program (IEP) shall be developed which identifies the special education instruction and related services to be provided to the student. The Superintendent or designee shall develop administrative regulations regarding the appointment membership of the individualized education program team (IEP) team, the team's responsibility to develop and regularly review the IEP, the contents of the IEP, and the development, review and revision of the IEP processes.

The district shall make FAPE available to individuals with disabilities ages 3-21 who reside in the district, including: (Education Code 56040; 20 USC 1412; 34 CFR 300.17, 300.101, 300.104)

Students who have been suspended or expelled from school

Students who are placed by the district in a nonpublic, nonsectarian school

Individuals age 18-21 years who are incarcerated in an adult correctional facility and were identified as being an individual with disabilities or had an IEP in their prior educational placement

~~To the extent permitted by federal law, a foster parent shall have the same rights relative to his/her foster child's IEP as a parent/guardian. (Education Code 56055)~~

Legal Reference:

EDUCATION CODE

46392 Emergencies

51225.3 Requirements for high school graduation and diploma

56040.3 Assistive technology

56055 Rights of foster parents pertaining to foster child's education

56136 Guidelines for low incidence disabilities areas

56195.8 Adoption of policies

56321 Development or revision of IEP
 56321.5 Notice to include right to electronically record
 56340.1-56347 Instructional planning and individualized education program
 56350-56354 IEP for visually impaired students
 56380 IEP reviews; notice of right to request
 56390-56392 Certificate of completion, special education
 56500-56509 Procedural safeguards
 60640-60649 ~~Standardized Testing and Reporting Program~~ *California Assessment of Student Performance and Progress*
 60850 ~~High school exit examination, students with disabilities~~
FAMILY CODE
 6500-6502 Age of majority
GOVERNMENT CODE
 7572.5 Seriously emotionally disturbed child, expanded IEP team
WELFARE AND INSTITUTIONS CODE
 300 Children subject to jurisdiction
 601 Minors habitually disobedient
 602 Minors violating law defined as crime
CODE OF REGULATIONS, TITLE 5
 853-853.5 ~~Standardized Testing and Reporting Program~~ *State assessments, accommodations for students with disabilities*
 1216-1218 ~~High School Exit Examination, accommodations for students with disabilities~~
 3021-3029 Identification, referral and assessment
 3040-3043 Instructional planning and the individualized education program
 3051-3053 *Implementation of the individualized education program*
UNITED STATES CODE, TITLE 20
 1232g Family Educational Rights and Privacy Act of 1974
 1400-1482 Individuals with Disabilities Education Act
CODE OF FEDERAL REGULATIONS, TITLE 34
 300.1-300.818 Individuals with Disabilities Education Act
COURT DECISION
Marshall v. Monrovia Unified School District, (9th Circuit, 2010) 627 F.3d 773
Schaffer v. Weast (2005) 125 S. Ct. 528
Shapiro v. Paradise Valley Unified School District, No. 69 (9th Circuit, 2003) 2003 US.App. LEXIS 1395
Sacramento City School District v. Rachel H., 14 F.3d 1398 (9th Cir. 1994)
Endrew F. v. Douglas County School District Re-1, 137 S. Ct. 988
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen. 157 (2002)

Management Resources:

FEDERAL REGISTER
 34 CFR 300.a ~~Appendix A to Part 300—Questions and Answers~~
 34 CFR 300.a1 ~~Attachment 1: Analysis of Comments and Changes~~
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Frequently Asked Questions: Promotion, Retention, and Grading (Students with Disabilities)
California Practitioners' Guide for Educating English Learners with Disabilities, July 2019

WEB SITES
 California Department of Education: <http://www.cde.ca.gov>
 US Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/OSERS/osep>



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 6159.1 – Procedural Safeguards for Special Education

BACKGROUND: Policy updated to encourage early, informal resolution of any dispute regarding special education services. Policy also reflects new state regulations (Register 2020, No. 21) which establish a complaint process, separate from UCP, for complaints alleging noncompliance with federal or state laws related to the provision of FAPE to students with disabilities, such as the district's violation of the federal Individuals with Disabilities in Education Act or state law on special education, violation of a settlement agreement, failure to implement a due process hearing order, or physical safety concerns that interfere with the provision of FAPE.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 6159.1.

FUNDING: There are no funding implications.

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Procedural Safeguards/Due Process Hearings

~~In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.~~

~~Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.~~

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

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

The Board of Trustees recognizes its obligation to provide a free appropriate public education (FAPE) to students with disabilities and to uphold the rights of parents/guardians to be involved in educational decisions regarding their child. Parents/guardians of students with disabilities shall receive written notice of their rights under the federal Individuals with Disabilities Education Act.

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

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

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

~~(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)~~

~~(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)~~

~~(cf. 6159.4 - Behavioral Interventions for Special Education Students)~~

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

Whenever there is a dispute between the district and the parent/guardian of a student with disabilities regarding the identification, assessment, or educational placement of the student or the provision of FAPE to the student, the Superintendent or designee shall encourage the early, informal resolution of the dispute at the school level to the extent possible. The district or parent/guardian may also request mediation and/or a due process hearing in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall ~~provide~~ **inform** the Board of Trustees ~~with~~ **about** the results of these hearings.

Complaints for Special Education

~~Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's uniform complaint procedures.~~

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

PROCEDURAL SAFEGUARDS AND COMPLAINTS FOR SPECIAL EDUCATION

Any complaint alleging the district's noncompliance with federal or state laws or regulations related to the provision of a free appropriate public education to students with disabilities shall be filed in accordance with 5 CCR 3200-3205.

Legal Reference:

EDUCATION CODE

56000 Education for individuals with ~~exceptional needs~~ disabilities

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56385 Identification and referral, assessment, ~~instructional planning, implementation, and review~~

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56509 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3100 Regulations governing special education, especially:

3080-3089 Procedural safeguards

3200-3205 Special education compliance complaints

~~4600-4671 Uniform complaint procedures~~

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

UNITED STATES CODE, TITLE 42

11434 Homeless assistance

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.1-300.818 Assistance to states for the education of students with disabilities, especially:

300.150-300.153 State compliance complaints

300.500-300.520 Procedural safeguards and due process for parents and students

~~300.500-300.517 Due process procedures for parents and children~~

COURT DECISIONS

Winkelman v. Parma City School District, (2007) 550 U.S. 516

Management Resources:

WEB SITES

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

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

Office of Administrative Hearings, Special Education Division:

<http://www.dgs.ca.gov/OAH/Case-Types/Special-Education>

U.S. Department of Education, Office of Special Education Programs:

<http://www.ed.gov/about/offices/list/osers/osep>

Policy Adopted ~~12/13/06~~ 11/4/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



EDUCATIONAL SERVICES MEMORANDUM

TO: Board of Trustees
Holly Edds, Ed.D.

FROM: Janet Bertoldi, Interim Assistant Superintendent, Educational Services

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 6159.2 – Nonpublic, Nonsectarian School and Agency Services for Special Education

BACKGROUND: Policy updated to include the provision of nonpublic, nonsectarian school and agency (NPS/A) services in the comprehensive local plan of the Special Education Local Plan Area. Policy reflects new law (AB 1172, 2019) which requires districts to verify that the NPS/A provides staff training in the use of practices and interventions specific to the unique behavioral needs of the student population at the NPS/A. Policy also reflects the requirement for the district to pay the full amount of the school's tuition or, as amended by AB 1172, the fees for the agency. Legal cite for Education Code 56366.3 deleted as it has been repealed.

RECOMMENDATION: Staff recommends the Board of Trustees approve the proposed revisions of BP 6159.2.

FUNDING: No Funding Implication

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

The Board of Trustees recognizes its responsibility to provide ~~all district students, including students with disabilities,~~ a free appropriate public education **to students with disabilities** in accordance with law. When the district is unable to provide direct special education and/or related services to students with disabilities, the Board may enter into a contract with a nonpublic, nonsectarian school or agency **(NPS/A)** to meet ~~the students'~~ needs **consistent with the comprehensive local plan of the Special Education Local Plan Area.**

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

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 3541.2 – Transportation for Students with Disabilities)

(cf. 6146.4 – Differential Graduation and Competency Standards for Students with Disabilities)

~~In selecting nonpublic, sectarian schools or agencies with which the district may contract for placement of any district student with disabilities, the Superintendent or designee shall follow the procedures specified in law and accompanying administrative regulation.~~

Prior to entering into a contract to place any student in ~~an nonpublic, nonsectarian school or agency~~ **NPS/A**, the Superintendent or designee shall verify that the school or agency is certified to provide special education and related services to individuals with disabilities **and complies with staff training requirements** in accordance with Education Code 56366 **and 5366.1**. In addition, the Superintendent or designee shall monitor, on an ongoing basis, the certification of any ~~nonpublic nonsectarian school~~ **NPS/A** with which the district has a contract to ensure that the ~~school or agency's~~ certification has not expired.

No district student shall be placed in ~~an nonpublic, nonsectarian school or agency~~ **NPS/A** unless the student's individualized education program (IEP) team has determined that an appropriate public education alternative does not exist and that the ~~nonpublic, nonsectarian school or agency~~ placement is appropriate for the student. ~~In accordance with law, any student with disabilities placed in a nonpublic, nonsectarian school or agency shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, the procedural safeguards, due process rights, and periodic review of his/her IEP.~~ (Education Code 56195.8, 56342.1)

(cf. 6159 – Individualized Education Program)

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

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

The district shall pay to the NPS/A the full amount of the tuition or fees, as applicable, for students with disabilities who are enrolled in programs or receiving services provided by the NPS/A. (Education Code 56365)

In accordance with law, any student with disabilities placed in an NPS/A shall have all the rights and protections to which students with disabilities are generally entitled, including, but not limited to, procedural safeguards, due process rights, and periodic review of the student's IEP.

NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

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

During the period when any student with disabilities is placed in ~~an nonpublic, nonsectarian school or agency~~ **NPS/A**, the student's IEP team shall retain responsibility for monitoring the student's progress towards meeting the goals identified in ~~his/her~~ **the** IEP.

Legal References:

EDUCATION CODE

56034-56035 Definitions of nonpublic, nonsectarian school and agency

56042 Placement not to be recommended by attorney with conflict of interest

56101 Waivers

56163 Certification

56168 Responsibility for education of student in hospital or health facility school

56195.8 Adoption of policies

56342.1 Individualized education program; placement

56360-56369 Implementation of special education

56711 Computation of state aid

56740-56743 Apportionments and reports

56760 Annual budget plan; service proportions

56775.5 Reimbursement of assessment and identification costs

56836.20-56836.21 Special education funding; SELPA contracts with nonpublic nonsectarian schools

FAMILY CODE

7911-7912 Interstate compact on placement of children

GOVERNMENT CODE

7570-7587 Interagency responsibilities for providing services to children with disabilities, especially:

7572.55 Seriously emotionally disturbed child; out-of-state placement

WELFARE AND INSTITUTIONS CODE

362.2 Out-of-home placement for IEP

727.1 Out-of-state placement of wards of court

CODE OF REGULATIONS, TITLE 5

3001 Definitions

3051-3051.24 Special education; standards for related services and staff qualifications

3061-3070 Nonpublic, nonsectarian school and agency services

UNITED STATES CODE, TITLE 20

1400-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

~~300.400-300.487~~ **300.129-300.148** Children with disabilities in private schools

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

~~Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845~~

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

US Department of Education, Office of Special Education and Rehabilitative Services:

<http://www.ed.gov/about/offices/list/OSERS>



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees

Holly Edds, Ed.D.

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 4119.11, 4219.11, 4319.11 – Sexual Harassment

BACKGROUND: Policy updated to reflect NEW FEDERAL REGULATIONS (85 Fed Reg. 30026) which require that complaints of behavior that meets the federal definition of sexual harassment be addressed through new Title IX complaint procedures. Title of compliance office changed to Title IX Coordinator pursuant to federal regulations, and responsibility assigned to Title IX Coordinator to receive complaints and determine the appropriate complaint procedure to use.

RECOMMENDATION: It is recommended that the Board of Trustees approve the revisions to BP 4119.11, 4219.11, 4319.11, Sexual Harassment, for the first reading and that it be placed on the next Consent Agenda for the second reading.

FUNDING: There are no funding implications.

BP 4119.11 (a)
BP 4219.11 (a)
BP 4319.11 (a)

Personnel

SEXUAL HARASSMENT

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Board of Trustees is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

~~The Board of Trustees prohibits sexual harassment of district employees. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.~~

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to ~~staff~~ **employees and others to whom the policy may apply**

~~(cf. 4112.9/4212.9/4312.9 — Employee Notifications)~~

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

~~All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)~~

Personnel

SEXUAL HARASSMENT

~~Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.~~

~~A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.~~

~~Complaints of sexual harassment shall be filed in accordance with AR 4030 Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.~~

~~Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.~~

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through either AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures for complaints meeting the Title IX definition of sexual harassment or AR 4030 - Nondiscrimination in Employment for complaints meeting the state definition, as applicable, and shall offer supportive measures to the complainant.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

Upon investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced

BP 4119.11 (c)
BP 4219.11 (c)
BP 4319.11 (c)

Personnel

SEXUAL HARASSMENT

another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

~~7287.8 Retaliation~~

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs ~~receiving state financial assistance~~

UNITED STATES CODE, TITLE 42

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

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

~~2000h-2-2000h-6 Title IX, 1972 Education Act Amendments~~

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Dissemination of policy Nondiscrimination on the basis of sex in education programs or activities

106.51-106.82 Nondiscrimination on the basis of sex in employment in education programs or activities

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

BP 4119.11 (d)
BP 4219.11 (d)
BP 4319.11 (d)

Personnel

SEXUAL HARASSMENT

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998
Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57
Management Resources:

~~OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL~~
~~Protecting Students from Harassment and Hate Crime, January, 1999~~

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Promising Practices for Preventing Harassment, November 2017

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office of Civil Rights:

<http://www.ed.gov/offices/OCR>~~about/offices/list/ocr/index/html~~

Policy Adopted: ~~03/14/2018~~ **11/04/20**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees

Holly Edds, Ed.D.

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Board Policy 4119.42, 4219.42, 4319.42 – Control Plan for Blood Borne Pathogens

BACKGROUND: Policy updated to add the requirement that the district's exposure control plan for blood borne pathogens be consistent with the district's injury and illness prevention program established pursuant to Labor Code [6401.7](#). Legal cites added for training and hepatitis B vaccination requirements, and material deleted regarding the exemption of designated first aid providers from the pre-exposure hepatitis B vaccination, which is repeated in the AR. Paragraph added to include the district's responsibility to implement follow-up procedures in the event of an exposure incident.

RECOMMENDATION: It is recommended that the Board of Trustees approve the revisions to BP 4119.42, 4219.42, 4319.42, Control of Bloodborne Pathogens, for the first reading and that it be placed on the next Consent Agenda for the second reading.

FUNDING: There are no funding implications.

BP 4119.42
BP 4219.42
BP 4319.42

Personnel

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

As part of its commitment to provide a safe and healthful work environment, the Board of Trustees recognizes the importance of ~~developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect~~ing employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV). **The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace.**

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

~~(cf. 4157/4257/4357 - Employee Safety)~~

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

(cf. 5141.6 - School Health Services)

The exposure control plan shall be consistent with the district's injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination. **(8 CCR 5193; 29 CFR 1910.1030)**

Any employee not identified by the Superintendent or designee as having occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

In the event that an employee has an exposure incident, the district shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in district practices.

Legal Reference:

GOVERNMENT CODE

3543.2 Scope of bargaining

BP 4119.42
BP 4219.42
BP 4319.42

Personnel

LABOR CODE

142.3 Authority of Cal/OSHA to adopt standards

144.7 Requirement to amend standards

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3204 Access to employee exposure and medical records

5193 California bloodborne pathogens standards

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA bloodborne pathogens standards

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Frequently Asked Questions About the Bloodborne Pathogens Standard

A Best Practices Approach for Reducing Bloodborne Pathogens Exposure, 2001

Exposure Control Plan for Bloodborne Pathogens, 2001

CDE PROGRAM ADVISORIES

~~1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings~~

WEB SITES

California Department of Industrial Relations, Occupational Safety and Health:

~~Cal/OSHA: http://www.dir.ca.gov/occupational_safety.html~~

http://www.dir.ca.gov/occupational_safety.html

Centers for Disease Control and Prevention: <http://www.cdc.gov>

U.S. Department of Labor, Occupational Safety and Health Administration:

<http://www.osha.gov>

Policy Adopted: ~~10/15/08~~ **11/4/2020** ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Dr. Holly Edds, Superintendent
Board of Trustees

FROM: Susan Salucci, Asst. Supt. of Human Resources

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Ratification of the Renewal of the agreement with Confidential Employees

BACKGROUND: Every year the contract with Confidential Employees needs to be renewed by the Board. This year there is a three-year renewal term.

RECOMMENDATION: It is recommended that the Board of Trustees ratify the agreement with Orcutt Union School District Confidential Employees.

FINANCIAL IMPACT: No new financial impact

ORCUTT UNION SCHOOL DISTRICT

CONFIDENTIAL EMPLOYEES' AGREEMENT

Effective July 1, 2020

1. The terms of this agreement shall be in effect until June 30, 2023. Compensation will be determined annually by the Board for each school each year.
2. The work year for the confidential positions identified below shall be as specified, inclusive of paid holidays in accordance with the California School Employees Association, Chapter #255 Contract (Association Contract) and paid vacation and leaves as indicated.

POSITION	WORK YEAR (# of Days)	VACATION (# of Days)
Confidential Administrative Assistant for the Superintendent	261	Per Association Contract
Confidential Administrative Assistant for the Assistant Superintendents in Business Services and Human Resources	261	Per Association Contract

3. A 15% difference between the salary of the Confidential Administrative Assistant for the Superintendent and the salaries of other Confidential Administrative Assistants will be maintained.
4. A 10.5% difference between the three Confidential Administrative Assistants and the Administrative Assistants category of the CSEA Salary Schedule shall be maintained. It is understood that this differential will increase if confidential employees receive a compensation adjustment higher than that received by the classified bargaining unit. It is further understood that confidential employees will not receive a smaller differential than the previous year.

Longevity increments will be compensated per Association Contract.

5. For Confidential employees, the District will contribute up to the following amounts to health benefits for confidential employees:

Individual recipients: \$8,160.00

Two-party recipients: \$12,700.00

Family recipients: \$17,779.00

The remaining cost of the plans over the above amounts will be the responsibility of each confidential employee.

6. The terms of this agreement are subject to the availability of funds.

7. In accordance with 1975/76 Resolution #J, Confidential Designation Under the Rodda Act, adopted by the Board of Trustees on March 10, 1976, benefits and compensation for confidential employees shall be not less than those received by members of the basic classified unit. The District agrees to provide vision care (Vision Service Plan) through SISC. Dependent coverage is available; however the District's premium payment for VSP (Vision Service Plan) including dependent coverage is limited to that for the single rate.
8. Application of compensation is separate, distinct, and not tied to the Association Contract. Percentage increases for confidential employees shall not be less than percentage increases received by members of the classified bargaining unit.
9. If mutually agreed between the Board of Trustees and the confidential employees, this contract is subject to yearly review.

Adopted by the Board of Trustees October 14, 2020

Holly Edds, Ed.D., Superintendent

ORCUTT UNION SCHOOL DISTRICT

Confidential Salary Schedule

Effective 2020/2021

	I	II	III	IV	V	VI
Superintendent, Administrative Asst.	5,331	5,596	5,876	6,171	6,478	6,802
Administrative Assistant	4,635	4,866	5,110	5,366	5,633	5,915

Longevity - Monthly

After 10 Years	\$	125
After 15 Years	\$	150
After 20 Years	\$	175
After 25 Years	\$	200

Board Approved 4/8/2020



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Dr. Holly Edds, Superintendent
Board of Trustees

FROM: Susan Salucci, Asst. Supt. of Human Resources

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Ratification of the Renewal of the agreement with Certificated Management and Classified Management.

BACKGROUND: Every year the contract with Certificated Management and Classified Management needs to be renewed by the Board. This year there is a three-year renewal term, as well as the additional positions of Executive Director of Special Education, Executive Director of Technology/Ed. Services and Program Specialist on the salary schedule.

RECOMMENDATION: It is recommended that the Board of Trustees ratify the agreement with Orcutt Union School District Certificated Management and Classified Management.

FINANCIAL IMPACT: No new financial impact

ORCUTT UNION SCHOOL DISTRICT
Administrative and Management Agreement
Effective July 1, 2020

- A. The terms of this agreement shall be in effect until June 30, 2023. Compensation will be determined by the Board of Trustees prior to the start of school each year. The 2019-20 Salary Schedules are attached.
- B. The work year for all positions covered by this agreement are stated in the Salary Schedules.
- C. Longevity increases shall be awarded to certificated management personnel after their 16th, 19th, 22nd, and 24th years in the district. Longevity increases shall be awarded to classified management after their 16th, 19th, 22nd and 24th years in the district per the Classified Management Salary Schedule attached. Current classified management who have not reached the first increment of this schedule will continue to receive classified longevity per the CSEA Classified Salary schedule until such time as they qualify to return to the Management Schedule.
- D. An additional \$1,000 shall be added to the salary benefits for management employees holding an earned Doctorate Degree.
- E. Intra-district mileage allowances per year will be as follows:

Principals	\$1100
Psychologists	\$1050
Other Classified and Certificated Directors	\$800-\$2400

- F. Cell phone reimbursement allowances per year will be as follows:

Administrators, Management, Classified & Certificated Director \$180-600

- G. For Administrative and Management employees hired on or before June 30, 2005, Medical and dental insurance plans will be compensated one-hundred percent (100%) for employees and dependents.

For Administrative and Management employees hired on or after July 1, 2005, the District will contribute up to the following amounts to health benefits for administrative and Management employees:

Individual recipients:	\$8,160.00
Two-party recipients:	\$12,700.00
Family recipients:	\$17,779.00

Medical coverage is as follows:

1. Five Anthem Plans to choose from through SISC
2. Dental coverage for single, 2-party or family based on the selected plan
3. The District agrees to provide vision care (Vision Service Plan) through SISC. Dependent coverage is available; however the District's premium payment for VSP (Vision Service Plan) including dependent coverage is limited to that for the single rate at the current level.

4. Cancer and catastrophic care for family
5. \$50,000 life insurance policy

H. Leave allocations follow the bargaining unit contracts.

I. Extended Sick Leave

If a certificated administrative or management employee is absent from his/her duties on account of illness or accident for a period of five school months or less, he/she shall receive compensation of fifty (50) percent of his/her salary (Education Code 44983). The five month period shall run consecutively with the use of sick leave days.

J. The terms of this agreement are subject to the availability of funds.

K. If mutually agreed between the Board of Trustees and the management team, this contract is subject to yearly review.

Adopted by the Board of Trustees October 14, 2020

Holly Edds Ed.D., Superintendent

ORCUTT UNION SCHOOL DISTRICT

Classified Management Salary Schedule

Effective 2020/21

	I	II	III	IV	V	VI	# of Days
Operations Supervisor	64,677	66,941	69,284	71,709	74,219	76,817	223
Director, Child Care Services	75,385	78,024	80,755	83,582	86,508	89,536	223
Director, Child Nutrition Services	89,534	92,668	95,912	99,269	102,744	106,341	223
Director, Fiscal Services	101,097	104,636	108,299	112,090	116,014	120,075	223
Director, MOT	98,743	102,200	105,777	109,480	113,312	117,278	223

Longevity - Annual

After 16 Years	\$ 3,200
After 19 Years	\$ 4,600
After 22 Years	\$ 6,000
After 24 Years	\$ 7,400

Adopted by the Board of Trustees 4/8/2020

ORCUTT UNION SCHOOL DISTRICT

Administrative Salary Schedule

Effective 2020/21

ENTRY LEVEL AT ANY POSITION MAY BE NEGOTIATED AT A SALARY LESS THAN COLUMN I

	I	II	III	IV	V	VI	# of Days
Principal K-6	107,390	111,148	115,039	119,064	123,232	127,545	208
Principal 7-8	109,972	113,821	117,804	121,927	126,193	130,611	213
Full-Time Vice-Principal	95,696	99,045	102,511	106,099	109,812	113,657	200
Executive Director, Special Education	120,143	124,349	128,701	133,205	137,867	142,693	223
Program Specialist, Special Education	95,696	99,045	102,511	106,099	109,812	113,657	213
Executive Director, Technology/Ed Services	120,143	124,349	128,701	133,205	137,867	142,693	223
Director, Pupil Services	101,148	104,689	108,353	112,144	116,071	120,133	208
Psychologist	89,669	92,807	96,055	99,418	102,897	106,499	196
Administrative Nurse (effective 2007/08)	78,263	81,002	83,837	86,771	89,808	92,951	196
Nurse ***	61,071	63,208	65,420	67,709	70,080	72,532	196

Half-time Vice-Principal

Salary based on placement on Certificated Salary Schedule, plus 10 days at daily rate of pay, plus a \$2,000 stipend for part-time Assistant Principals.

Longevity - Annual

After 16 Years	\$ 3,200
After 19 Years	\$ 4,600
After 22 Years	\$ 6,000
After 24 Years	\$ 7,400

Doctorate - \$1,000 Stipend

***The daily rate of pay will be calculated from either the management or teacher's salary schedule, whichever is higher, based upon education and years of service.

Board Approved 4/08/2020

ORCUTT ACADEMY CHARTER SCHOOL

Administrative Salary Schedule

20-21

ENTRY LEVEL AT ANY POSITION MAY BE NEGOTIATED AT A SALARY LESS THAN COLUMN I

	I	II	III	IV	V	VI	# of Days
Dean of Counseling and Student Services	89,446	92,577	95,818	99,172	102,644	106,237	200

	I	II	III	# of Days
Director, Charter School	124,728	130,965	137,514	215
Principal	123,059	129,212	135,673	213

Doctorate - \$1,000 Stipend

Longevity - Annual	
After 16 Years	\$ 3,200
After 19 Years	\$ 4,600
After 22 Years	\$ 6,000
After 24 Years	\$ 7,400

Board Approved 04/08/2020



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Dr. Holly Edds, Superintendent
Board of Trustees

FROM: Susan Salucci, Asst. Supt. of Human Resources

BOARD MEETING DATE: October 14, 2020

BOARD AGENDA ITEM: Approval of Agreement with the California School Employees Association #255

BACKGROUND: The District has reached agreement with CSEA for 2020-21 negotiations

Highlights of the agreement are:

- A three-year term for the new contract (2020-2023)
- Eliminated the Noon Duty Article (it is no longer necessary as noon duty supervisors are now part of the bargaining unit as of 2018)
- Article 9.6 the probationary period changed from 12 months to 6 months in order to comply with the law.
- Re-ranged 5 classifications in order to be more competitive with salary (these positions were all below the 50th percentile with regard to surrounding districts).
 - Media Specialists: Move from a Range 14 to a Range 15
 - Office Assistant: Move from a Range 14 to a 15
 - Technology Application Specialist: Move from a Range 27 to a 29
 - Instructional Assistant I Special Ed: Move from a Range 11 to a 12
 - Instructional Assistant II Special Ed: Move from a Range 12 to a Range 13
- Lastly we eliminated Appendix E and incorporated the language into the Appendix C (bus routes)

RECOMMENDATION: It is recommended that the Board of Trustees approve the negotiated agreement with California School Employees Association #255.

FINANCIAL IMPACT: The increased costs apply to the General Fund, and the Charter Fund. Additional details related to the financial impact of the agreement can be found in the *AB1200 Public Disclosure of Proposed Collective Bargaining Agreement* in the Business section of tonight's agenda.