

ORCUTT UNION SCHOOL DISTRICT  
Regular Meeting of the Board of Trustees  
Wednesday, March 11, 2015  
Closed Session – 6:45 P.M.  
Public Session – 7:15 P.M.  
District Office Board Room  
500 Dyer Street, Orcutt, CA 93455

**CALL TO ORDER** 6:45 P.M.

A. Pledge of Allegiance

**CLOSED SESSION PUBLIC COMMENTS**

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

**ADJOURN TO CLOSED SESSION**

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

1. Public Employment per Personnel Report.
2. Public Employee Employment/Discipline/Dismissal/Release.
3. Conference with labor negotiator Dr. Deborah Blow, Superintendent and/or Don Nicholson.
  - 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.

**RECONVENE TO PUBLIC SESSION** 7:15 P.M.

B. Public Report on Action Taken in Closed Session

C. Adoption of March 11, 2015 Agenda

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**PUBLIC COMMENT ANNOUNCEMENT**

The Board of Trustees welcomes comments about items appearing or not appearing on tonight's agenda. The audience members wishing to address the Board during the Public Comment segment of the agenda are reminded to fill out a *Public Comment Form* from the Superintendent's secretary and submit it prior to the time the presiding officer calls for Public Comment.

A maximum of thirty (30) minutes is set aside for Public Comment; speakers are allowed a maximum of three (3) minutes to address the Board on any items within the Board's jurisdiction in accordance with the Brown Act. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting.

- D. Superintendent's Report  
An opportunity for the Superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities such as curriculum/instructional updates, timely events/information, and district activities.
  - 1. OCAF Report
  - 2. Pupil Services Report
  
- E. Public Comment  
An opportunity for the public to provide input to the Board of Trustees. Those wishing to speak about a specific agenda item may do so during the Public Comment segment or when the item is being considered. Any request to speak must be submitted on a *Request for Public Comment Form* which can be obtained from the Superintendent's secretary and submitted prior to the presiding officer addressing the item. If you choose to speak when an item is before the Board, your name will be called prior to Board consideration. An item not on the agenda must be addressed during the Public Comment segment of the agenda.
  
- F. Written Communication  
Documents addressed to or by board members as communications during a Board of Education meeting are defined as letters from parents or community members regarding issues within the jurisdiction of authority of the Board of Education; information or reports from professional organizations, i.e., CSBA, SBCSBA, etc.; letters or reports from other public agencies; letters or reports from legislators; or letters or reports from district schools or staff.
  
- G. Public Hearing - None

**CONSENT AGENDA ITEMS**

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

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Regular Meeting, February 18, 2015
- E. Youth League Facility Use Agreements
- F. Hiring of Coaches 2014/2015
- G. Certification of Coaches 2014/2015
- H. Certification of Temporary Coaches 2014/2015

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

Moved \_\_\_\_\_

Second \_\_\_\_\_

Vote \_\_\_\_\_

**ITEMS SCHEDULED FOR ACTION**

A. GENERAL

1. Orcutt Junior High School Journalism and Leadership Trip

Staff requests that the Board of Trustees approve the Orcutt Junior High School Journalism and Leadership class trip to participate in the Disney Resort YES Program on April 17-19, 2015 in Anaheim, CA.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

2. Strategic Plan Adoption

It is recommended that the Board of Trustees adopt the Orcutt Union School District Strategic Plan, as presented.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

B. BUSINESS

1. 2014/2015 Resolution No. 13, Authorizing the Issuance of Orcutt Union School District 2015 General Obligation Refunding Bonds

It is recommended that the Board of Trustees adopt 2014/2015 Resolution No. 13, Authorizing the Issuance of Orcutt Union School District 2015 General Obligation refunding Bonds.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

2. Second Interim Report 2014/2015

It is recommended that the Board of Trustees approve the Second Interim Report 2014/2015 as presented and authorize the filing of a positive certification with the Santa Barbara County Education Office. A copy of the Second Interim Report 2014/2015 is available for review at the District Office, 500 Dyer Street, Orcutt, CA Monday-Friday between the hours of 7:30 a.m. to 4:30 p.m.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

C. EDUCATIONAL SERVICES

1. Safe School Plans

Staff recommends the Board of Trustees approve the Safe School Plans for Ralph Dunlap, Pine Grove, Patterson Road, Joe Nightingale, Alice Shaw, Olga Reed, Lakeview Jr. High and Orcutt Jr. High.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

D. HUMAN RESOURCES

1. 2015/2016 School Calendar

It is recommended that the Board of Trustees adopt the 2015/2016 School Calendar, as presented.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

2. 2014/2015 Resolution No. 14, Designating Chief Technology Officer as Senior Management of the Classified Service

Staff recommends that the Board of Trustees adopt 2014/2015 Resolution No. 14, as submitted.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

3. Ratification of Chief Technology Officer Contract

Staff recommends that the Board of Trustees ratify the Employment Agreement with Chief Technology Officer, Kirby L. Fell.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

4. Certificated Extended School Year Pay Rate

Staff recommends that the Board of Trustees approve the pay rate of \$35 per hour for certificated teachers working the Extended School Year Program.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

5. Classified Substitute Salary Schedule

Staff recommends that the Board of Trustees approve the Classified Substitute Salary Schedule, as presented.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**ITEMS SCHEDULED FOR INFORMATION/DISCUSSION**

- 1. Board Financial Report
- 2. Items from the Board

**GENERAL ANNOUNCEMENTS**

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, April 15, 2015, beginning with Closed Session beginning at 6:45 p.m., Public Session at 7:15 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

**ADJOURN**

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

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

Classified Personnel Action Report  
March 11, 2015

TO: Deborah Blow, Ed.D.  
SUBMITTED BY: Don Nicholson, Assistant Superintendent/Human Resources  
SUBJECT: Recommendations for Board Approval



SITE	CLASSIFICATION	SALARY	EFFECTIVE	ACTION INFORMATION
Ralph Dunlap	Inst Assistant I	\$13.89/hr	02/23/15	Permanent/Probationary
Ed Services	Community Liaison	\$14.25/hr	03/02/15	Permanent/Probationary
MOT	Sr. Maintenance Worker	\$3094/mo	03/09/15	Permanent/Probationary
Pine Grove	Inst Assistant I	\$13.23/hr	03/02/15	Permanent/Probationary
Pupil Services	Inst Assistant I	\$10.56/hr	03/01/15	Substitute
Pupil Services	Inst Assistant II	\$10.79/hr	03/01/15	Substitute
Ralph Dunlap Campus Connection	Child Care Coordinator		06/12/15	Retirement – Request Participation in Early Retirement Incentive Program
Child Nutrition	Director, Child Nutrition		07/01/15	Retirement

# ORCUTT UNION SCHOOL DISTRICT

## Certificated Personnel Action Report

**TO:** Dr. Deborah Blow  
District Superintendent

**FROM:** Don Nicholson  
Assistant Superintendent of Human Resources

**DATE:** Board Meeting of March 11, 2015

**RE:** **RECOMMENDATIONS FOR APPROVAL AND RATIFICATION**

<i>SCHOOL</i>	<i>CLASS/STEP</i>	<i>EFFECTIVE DATE</i>	<i>ACTION INFORMATION</i>
District	Hourly	6/12/2015	Release from Compass Learning position
Pine Grove	III-2	2014-15	Prob 2
	III-3	2015-16	Tenured
Shaw	I-2	2014-15	Prob 2
	I-3	2015-16	Tenured
District	Hourly	6/12/2015	Release from ELD position
Olga Reed	Hourly	6/12/2015	Release from Garden position
Dunlap	Hourly	6/12/2015	Release from PE position
Lakeview	Extra Duty	1/14-1/27/15	Homework Club, 2 hrs Detention, 1 hr
Nightingale	II-3	6/12/2015	Release, Non Re-Election
	Extra Duty	1/22-1/23/15	McKnight Training, 13 hrs
Nightingale	Hourly	6/12/2015	Release from Title 1 position
District	Hourly	6/12/2015	Release from EIA position
Nightingale	Hourly	6/12/2015	Release from Title 1 position
Nightingale	Hourly	6/12/2015	Release from Title 1 position
District	Hourly	6/12/2015	Release from Band position
		1/14-1/30/15	Band, 15 hrs
Nightingale	Hourly	6/12/2015	Release from Title 1 position
Olga Reed	Hourly	6/12/2015	Release from Admin support position
		1/15-1/30/15	Admin Support, 48 hrs

\*To be prorated

<i>SCHOOL</i>	<i>CLASS/ STEP</i>	<i>EFFECTIVE DATE</i>	<i>ACTION INFORMATION</i>
Orcutt	Stipend	2014-15	8 <sup>th</sup> Grade Boys Basketball
Lakeview	V-3 Extra Duty	6/12/2015 1/20-1/22/15	Release, Non Re-Election Detention, 2 hrs
Lakeview	Extra Duty	1/13-1/27/15 1/29/15	Homework Club, 3 hrs Basketball Supervisor, 1 game
District	Daily	1/15-1/30/15	Sub Administrator, 4 days
Nightingale	Hourly	6/12/2015	Release from Intervention position
Nightingale	Hourly	6/12/2015	Release from Title 1 position
District	Daily	1/15-1/16/15	Sub Administrator, 2 days
Orcutt	VI-15	2015-16	Tenured
Orcutt	V-3	2015-16	Prob 2
District	Daily	1/15-1/30/15	Sub Administrator, 4 days
Nightingale	Hourly	6/12/2015	Release from Title 1 positon
Olga Reed	Extra Duty	1/15/15	Basketball Supervisor, 1 game
Shaw	V-3 V-4	2014-15 2015-16	Prob 2 Tenured
District	Stipend	12/6-12/16/15	Band
Shaw	Hourly	6/12/2015	Release from Compass Learning positon
Patterson	Hourly	6/12/2015	Release from Compass Learning position
Shaw	Hourly	1/14-1/30/15	Compass Learning, 43 hrs
Orcutt	VI-7 VI-8	2014-15 2015-16	Prob 2 Tenured
District	Daily	1/15-1/30/15	Sub Administrator, 4 days
Nightingale/ Dunlap	IV-2	2015-16	Prob 2
Patterson	Extra Duty	1/12-1/30/15	Home & Hospital, 13 hrs
Orcutt	Extra Duty	1/13/15	Worked Prep, 1 hr
Nightingale	Hourly	6/12/2015	Release from Title 1 position
Patterson	Hourly	6/12/2015	Release from Compass Learning position

\*To be prorated

<i><b>SCHOOL</b></i>	<i><b>CLASS/ STEP</b></i>	<i><b>EFFECTIVE DATE</b></i>	<i><b>ACTION INFORMATION</b></i>
Shaw	V-2	6/12/2015	Release, Non Re-Election
Pine Grove	V-1	6/12/2015	Release, Non Re-Election
Nightingale	Hourly	6/12/2015	Release from Compass Learning position
District	Hourly	6/12/2015	Release from ELD position
Nightingale	Hourly	6/12/2015	Release from PE position
Patterson	IV-13	6/12/2015	Release, Non Re-Election
Lakeview	Extra Duty	1/29/15	Basketball Supervisor, 1 game
Patterson	V-7	6/12/2015	Release, Non Re-Election
Patterson	V-20	2015-16	Early Retirement
Dunlap	V-4	2014-15	Prob 2
	VI-5	2015-16	Tenured
Shaw	Hourly	6/12/2015	Release from PE position
Nightingale	V-4	2014-15	Prob 2
	V-5	2015-16	Tenured
Shaw	Hourly	6/12/2015	Release from Overage and Reading positions
Shaw	III-6	6/12/2015	Release, Non Re-Election
District	Hourly	6/12/2015	Release from ELD position
Lakeview	Extra Duty	1/15-1/29/15 10/15-11/19/14	Homework Club, 3 hr Math Articulation, 4 hrs
Lakeview/ Orcutt	IV-2	2015-16	Prob 2
Orcutt	VI-20	6/12/2015	Release, Non Re-Election
Shaw	II-1	6/12/2015	Release, Non Re-Election
Nightingale	Hourly	6/12/2015	Release from Title 1 position
District	Hourly	6/12/2015	Release from ELD position
Nightingale	II-1	6/12/2015	Release, Non Re-Election
Lakeview	Extra Duty	1/12-1/30/15	Home & Hospital, 13 hrs
Dunlap	IV-2	2014-15	Prob 2
	IV-3	2015-16	Tenured
Shaw	III-5	6/12/2015	Release, Non Re-Election
Shaw	V-8	2015-16	Tenured

\*To be prorated



<i><b>SCHOOL</b></i>	<i><b>CLASS/STEP</b></i>	<i><b>EFFECTIVE DATE</b></i>	<i><b>ACTION INFORMATION</b></i>
Pine Grove	Hourly	6/12/2015	Release from Compass Learning position
Patterson	III-1	6/12/2015	Release, Non Re-Election
Patterson	V-4 V-5	2014-15 2015-16	Prob 2 Tenured
Olga Reed	III-1 III-2	2014-15 2015-16	Prob 1 Prob 2
Olga Reed	Hourly	6/12/2015	Release from Overage and Title 1 positions
District	Hourly	6/12/2015	Release from Strings position
Nightingale	II-1	6/12/15	Release, Non Re-Election
Dunlap	Hourly	6/12/2015	Release from Compass Learning position
Lakeview	Extra Duty	1/14-1/16/15	Detention, 3 hrs
Pine Grove	V-2 V-3	2014-15 2015-16	Prob 2 Tenured
Orcutt	Extra Duty	1/13-1/29/15 1/12-1/29/15	Detention, 6 hrs Home & Hospital, 12.5 hrs
District	Daily	1/20-1/23/15	Speech Training, 30.5 hr
Lakeview	Extra Duty	1/13-1/29/15	Noon League, 5 hrs
Pine Grove	Hourly	6/12/2015	Release from PE position
Lakeview	IV-1	6/12/2015	Release, Non Re-Election
Olga Reed	Hourly	6/12/2015	Release from Intervention and Title 1 positions
Olga Reed	Hourly	6/12/2015	Release from ELD, Overage and Title 1 positions
Dunlap	III-4	2015-16	Tenured
Lakeview	Hourly	6/12/15	Release from Compass Learning Position
Nightingale	VI-8 VI-9	2014-15 2015-16	Prob 2 Tenured
Patterson	Hourly	6/12/2015	Release from PE position
Patterson	Hourly	6/12/2015	Release from PE position
Dunlap	IV-1 IV-2	2014-15 2015-16	Prob 1 Prob 2

\*To be prorated

<i>SCHOOL</i>	<i>CLASS/STEP</i>	<i>EFFECTIVE DATE</i>	<i>ACTION INFORMATION</i>
Orcutt	Extra Duty	1/21/15 1/27-1/28/15 1/8-1/11/15	Worked prep, 1 hr Detention, 2 hrs Articulation Mtg, 4.5 hrs

\*To be prorated

## Warrants

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

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

**ORCUTT UNION SCHOOL DISTRICT  
BOARD OF TRUSTEES  
REGULAR MEETING  
February 18, 2015**

**CALL TO ORDER**

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, February 18, 2015 beginning with Mr. Hatch calling Public Session to order at 7:00 p.m. The Pledge of Allegiance was led by Jan Zilli. Members Present: Hatch, Peterson and Zilli. Absent: Buchanan and Phillips.. Administrators Present: Blow, Edds, Ochej and Nicholson. Absent: None. It was moved by Jim Peterson seconded by Jan Zilli and carried to adjourn to Closed Session at 7:03 p.m. Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**RECONVENE TO PUBLIC SESSION**

The meeting reconvened to Public Session at 7:31 p.m. and Mr. Hatch reported that no action was taken in Closed Session. It was moved by Jan Zilli, seconded by Jim Peterson and carried to adopt the February 18, 2015 agenda, as presented. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**SUPERINTENDENT'S REPORT**

Superintendent Blow reminded everyone of the upcoming OCAF Gala being held on February 21, 2015 at the Santa Maria Country Club. Executive Director Hannah Rubalcava reported that OCAF is adopting the slogan "More Arts, More Often." OCAF is currently offering Visual Arts and Glee Club opportunities for students.

The District Mission, Vision, Values and Goals which were developed through the Strategic Planning process will be presented for the Board's approval in March.

**PUBLIC COMMENT**

OEA President, Monique Segura reported that OEA elections were held with officers to serve a 2 year term of office. Teacher, Mary Francisco was the lucky winner of tickets to the OCAF Gala. Monique reported that she had positive feedback from teachers who attended the *Unconscious Bias Workshop*.

**CONSENT AGENDA ITEMS**

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Regular Meeting December 10, 2014
- E. Minutes, Regular Meeting January 14, 2015
- F. Minutes, Special Meeting January 8, 2015

It was move by Jim Peterson, seconded by Jan Zilli and carried to approve Consent Agenda Items A-F, as submitted. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**ITEMS SCHEDULED FOR ACTION**

**Gifts**

It was moved by Jan Zilli, seconded by Jim Peterson and carried to accept the gifts and directed that a letter of acceptance and appreciation be forwarded to California Women for Agriculture and Dr. David Alford. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**CSBA Election**

It was moved by Jim Peterson, seconded by Bob Hatch and carried to vote for Janet Zilli for CSBA Delegate Assembly for Subregion 11-A. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**2014/2015 Resolution No. 12**

It was moved by Jim Peterson, seconded by Jan Zilli and carried to adopt 2014/2015 Resolution No. 12, Local Reserves Cap. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

Travel Approval

It was moved by Jan Zilli, seconded by Jim Peterson and carried to authorize travel for three of the District Psychologists to attend the Association of Applied Behavior Analysis Annual Convention in San Antonio, Texas May 22-26, 2015. . Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

Safe School Plans

It was moved by Jim Peterson, seconded by Jan Zilli and carried to table the approval of the Safe School Plans until the next regular meeting so that all Board members would have the opportunity to review the plans prior to a vote. Ayes: Hatch, Peterson, and Zilli. Absent: Buchanan and Phillips.

**ITEMS FOR INFORMATION/DISCUSSION**

The California Department of Education Library Surveys were presented for review by the Board. The Board Financial Report was presented with Marysia reporting that there was nothing unusual to report.

**GENERAL ANNOUNCEMENTS**

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, March 11, 2015 beginning with Closed Session at 6:45 p.m., Public Session at 7:15 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

**ADJOURN**

It was moved by Jim Peterson, seconded by Jan Zilli and carried to adjourn the meeting at 8:00 p.m.

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Deborah L. Blow, Ed.D. Board Secretary


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Lizbeth Phillips, Clerk, Board of Trustees



## BUSINESS SERVICES MEMORANDUM

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

**FROM:**  Marysia Ochej,  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 11, 2015

**BOARD AGENDA ITEM:** Approval of Youth Leagues Facility Use Agreements

**BACKGROUND:** Several years ago district counsel recommended that we enter into annual facility use agreements with three local youth groups. It was previously agreed that these agreements would routinely come before the Board on an annual basis unless there were changes. The facility use agreements between the Orcutt Union School District and the Orcutt Youth Softball Association, the Orcutt National and the Orcutt American Little Leagues, respectively, are included for your review and approval.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve the facility use agreements with the Orcutt Youth Softball Association, Orcutt American Little League, and Orcutt National Little League as submitted.

**FUNDING:** None

# ***ORCUTT UNION SCHOOL DISTRICT***

**TO:** Dr. Deborah Blow  
District Superintendent

**FROM:** Don Nicholson  
Assistant Superintendent, Human Resources

**DATE:** March 11, 2015

**RE:** ***NOTIFICATION TO BOARD –HIRING OF COACHES FOR 2014-15  
SCHOOL YEAR***

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**Orcutt JHS:**

Patrick Crowley

8<sup>th</sup> Grade Boys Basketball Coach

**Unpaid Volunteer Assistant Coaches:**

\*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**

**TO:** Dr. Deborah Blow  
District Superintendent

**FROM:** Don Nicholson  
Assistant Superintendent of Human Resources

**DATE:** March 11, 2015

**RE:** **NOTIFICATION TO BOARD  
CERTIFICATION OF COACHES FOR 2014-15 SCHOOL YEAR**

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Article 5, Section 5594, of the California Administrative Code, requires that “the District Superintendent shall certify to the local Board of Trustees that the provisions in Section 5593 have been met” with respect to the selection of temporary athletic team coaches. Section 5594 also requires that “by April 1 of each year, local governing school boards shall certify to the State Board of Education that the provisions of Section 5593 have been met.” Section 5593 applies to any person serving at any grade level as a temporary athletic team coach.

All temporary coaches hired for the 2014-15 school year have been certified as meeting the provisions of Section 5593.

**Alice Shaw:**

Bob Severance                      Track

**Joe Nightingale:**

Track

**Olga Reed:**

Mike Luis                              Track  
Tom Ferdinandi                      Girls Basketball  
Mike Luis                                Boys Basketball

**Patterson Road:**

Nicole Wilberg                      Track

**Pine Grove:**

Don Robertson                      Track



**Ralph Dunlap:**

Jennette Stites

Track

**Lakeview Junior High:**

Elaine Furst

Girls Volleyball

Elaine Furst

Boys Volleyball

Brad Gitchell

7<sup>th</sup> and 8<sup>th</sup> Grade Girls Basketball

Richard Partida

7<sup>th</sup> Grade Boys Basketball

Simon Griffin

8<sup>th</sup> Grade Boys Basketball

Patsy Shaffer

Cheer

Al Cabanting

Track

**Orcutt Junior High:**

Shilo Ridgeway

Girls Volleyball

Shilo Ridgeway

Boys Volleyball

Sal Ruiz

7<sup>th</sup> & 8<sup>th</sup> Grade Girls Basketball

Ernie Salinas

7<sup>th</sup> Grade Boys Basketball

Patrick Crowley

8<sup>th</sup> Grade Boys Basketball

Regina Cosma

Cheer

Naomi Miller

Cheer

Shilo Ridgeway

Track

**Unpaid Volunteer Assistant Coaches:**

Jeff Furst

Boys & Girls Volleyball – Lakeview JH

Al Cabanting

Girls Basketball – Lakeview JH

Meghan Rimrodt

Boys and Girls Volleyball – Orcutt JH

\*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***

## **2014-15 CERTIFICATION** **TEMPORARY ATHLETIC TEAM COACHES**

### **TO STATE BOARD OF EDUCATION:**

Title 5, California Code of Regulations, Section 5594, requires:

By April 1 of each year, each local governing school board shall certify to the State Board of Education that the provisions of Section 5593 have been met.

### **LOCAL SCHOOL BOARD CERTIFICATION:**

I hereby certify the school district has met the conditions set forth in Title 5, Sections 5593 and 5594.

Orcutt Union School District  
500 Dyer Street  
Orcutt, CA 93455

\_\_\_\_\_  
*Board of Trustees*

\_\_\_\_\_  
*(School District)*

\_\_\_\_\_  
*(Date)*

Return to: State Board of Education  
Department of Education  
1430 N. St.  
Sacramento, CA 95814

# ***Orcutt Junior High School***

P.O. BOX 2310 ORCUTT, CALIFORNIA 93457  
PHONE (805) 938-8700 FAX (805) 938-8749



February 13, 2015

Dear Orcutt Union School District Board,

Like during the previous years, the Journalism and Leadership classes would like to plan an overnight trip to participate in the Disney Resort YES Programs on April 17 through the 19<sup>th</sup> of this school year.

The class will be participating in either an animation (Designing A Disney Story) or a leadership workshop that Disneyland offers to grades 3-12. The leadership class will benefit our students by helping them develop personal leadership skills and how to apply them to a team setting. While discovering how leadership played a role in Walt Disney's life, students explore exciting Disneyland attractions, learn the importance of teamwork and gain the self confidence necessary to be leaders of tomorrow. Also, the class discusses the importance of diversity and helps you learn to brainstorm for creative ideas and solutions for a project. It gives students the ability to gain confidence to overcome obstacles and find courage and determination to accomplish goals and believe in their dreams.

The Designing A Disney Story class would help us with animating the video portion of our class for the video morning news announcements. Students get an inside look at Disney animation while learning the artistic and technical sides of the process. This knowledge is then applied when they get the opportunity to explore their creativity while planning and designing their very own storyboard. The class teaches students how to draw Disney characters using simple geometric shapes and demonstrates storyboarding. The animation class would help students to articulate the physical process of persistence of vision and to calculate the number of frames needed in a sixty-minute animated film. All of the objectives from both of the classes available to take would help our Journalism students in the future.

Our Journalism and Leadership classes of 66 students would like to ask for your permission to miss school Friday, April 17, 2015 to take this educational field trip that we have already raised the money for. Thank you for your consideration.

Sincerely,

***The Orcutt Junior High School Journalism and Leadership Classes of 2014-2015***



# Orcutt Union School District Strategic Plan

## **Mission**

Opportunities for learning are limitless. The Orcutt Union School District's mission is to nurture, educate, empower, and inspire our children to successfully navigate and thrive in an ever changing world.

## **Vision**

As the heart of the communities we serve, the Orcutt Union School District will foster high levels of student success through multiple pathways of learning.

By offering a world-class education, our district will lead the way in innovation and creativity, and will be known for its caring, collaborative and inclusive culture.

## **Core Values** *We Believe*

- ❖ Kids come first
- ❖ Student safety is paramount
- ❖ All students can learn at high levels
- ❖ In meeting the needs of the whole child
- ❖ Results matter

### ***Our success is assured through***

- ❖ Fostering a community of learners
- ❖ Equal access for all students
- ❖ Quality instruction with rigor and relevance
- ❖ Effective dynamic leadership
- ❖ Mutual respect
- ❖ Cultural understanding and tolerance
- ❖ Clear and open communication
- ❖ Parent/community partnerships
- ❖ Continuous improvement
- ❖ Data-driven decision-making
- ❖ Accountability of all stakeholders

# Goals

## **High Quality Instruction**

We will provide and support engaging, high quality instruction, which promotes active learning and maximizes student achievement.

- Implementation of Common Core
- Response to Intervention
- Data-Driven Decision Making
- Targeted Intervention
- Professional Development
- Assessment

## **21st Century Skills**

We will provide students with an innovative 21st century curriculum that will enable them to compete in a global society.

- Creativity and Innovation
- Collaboration
- Communication Skills
- Critical Thinking Skills
- Citizenship
- Character Development
- Cross-Cultural Understanding

## **Flexible Learning Environments**

We will create flexible learning environments that will encourage new delivery models and expand students' opportunities for learning.

- Instructional Time
- New Curriculum Delivery Models
- Career Pathways
- Extended Learning Opportunities
- Creative Spaces

## **Whole Child**

We will provide a rich and diverse curriculum in a positive and safe atmosphere to address the needs of the whole child.

- Social Emotional Support
- School-wide Positive Behavior Support
- Visual and Performing Arts
- Physical Education
- Wellness
- Safe Environment

## **Resources**

We will utilize our existing and future resources and explore new avenues to support the goals of our district.

- Finances
- Facilities
- Personnel
- Time
- Technology

# ORCUTT

## Union School District

Where a Dedicated Staff Means  
**KIDS COME FIRST**

### BOARD OF TRUSTEES

ROB BUCHANAN  
ROBERT HATCH  
DR. JAMES PETERSON  
LIZ PHILLIPS  
JANET ZILLI

DEBORAH BLOW, Ed.D.  
*District Superintendent*  
HOLLY EDDS, Ed.D.  
*Assistant Superintendent*  
DON NICHOLSON  
*Assistant Superintendent*  
MARYSIA OCHEJ  
*Assistant Superintendent*

DATE: March 11, 2015

TO: Board of Trustees

FROM: Deborah Blow, Superintendent

RE: Resolution No. 13, Resolution Authorizing the Issuance of Orcutt Union School District (Santa Barbara County, California) 2015 General Obligation Refunding Bonds (Bank Qualified)

### BACKGROUND

An election was held in the Orcutt Union School District (the "District") on June 8, 1999 for the issuance and sale of general obligation bonds of the District for various purposes in the maximum amount of \$15,000,000 (the "1999 Authorization").

Pursuant to the 1999 Authorization, the District previously issued (i) an aggregate principal amount of \$5,000,000 of Orcutt Union School District General Obligation Bonds, 1999 Election, Series A (the "Series A Bonds"), and (ii) an aggregate principal amount of \$5,000,000 of Orcutt Union School District General Obligation Bonds, 1999 Election, Series B (the "Series B Bonds"). In March 2005, the District issued an aggregate principal amount of \$9,710,000 of Orcutt Union School District General Obligation Refunding Bonds (the "Prior Bonds"), the proceeds of which were used to (i) refund portions of the Series A Bonds and the Series B Bonds and (ii) pay the costs of issuance of the Prior Bonds

The District now desires to currently refund all or a portion of the outstanding Prior Bonds (the "Refunded Bonds") through the issuance of general obligation refunding bonds, in an aggregate par amount of not-to-exceed \$7,600,000 (the "Refunding Bonds"). All Prior Bonds will be redeemed on August 1, 2015. All benefits from the refunding will be delivered to the property owners in the District. The terms of the Refunding Bonds will not be longer than the terms of the Refunded Bonds (August 1, 2030).

(a) Bond Resolution. This Resolution authorizes the issuance of the Refunding Bonds. The resolution specifies the basic terms, parameters and forms of the Bonds, and approves the form of Purchase Contract and form of Placement Agent Agreement described below. In particular, Section 1 of the Resolution establishes the maximum aggregate principal amount of the Refunding Bonds issued (\$7,600,000). Section 3 of the Resolution authorizes the Refunding Bonds to be sold at a private placement sale.

(b) Form of Purchase Contract. Pursuant to the Purchase Contract, Capital One Public Funding, LLC ("Capital One") will agree to buy the Refunding Bonds from the District. Capital One has given a tentative interest rate commitment of a fixed interest rate of 3.25% per annum. All the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the

closing by various parties. Upon the pricing of the Refunding Bonds, the final execution copy of the Purchase Contract will be prepared following this form.

(c) Form of Placement Agent Agreement. Pursuant to the Placement Agent Agreement, Piper Jaffray & Co. will agree to facilitate the sale of the Refunding Bonds to Capital One.

(d) Escrow Agreement. Pursuant to the Escrow Agreement, proceeds from the sale of the Refunding Bonds will be deposited in an escrow fund (the “Escrow Fund”) held by U.S. Bank National Association (acting as “Escrow Agent”). The monies in the Escrow Fund will be used by the Escrow Agent to refund the Refunded Bonds on or about August 1, 2015. As a result of the deposit and application of funds so provided in the Escrow Agreement, the Refunded Bonds will be defeased and the obligation of Santa Barbara County to levy *ad valorem* property taxes for payment those Bonds will cease.

#### FISCAL IMPACT

There is no fiscal impact to the General Fund resulting from the issuance of the Bonds.

#### RECOMMENDATION

Staff recommends approval of Resolution No. 13 Resolution Authorizing the Issuance of Orcutt Union School District (Santa Barbara County, California) 2015 General Obligation Refunding Bonds (Bank Qualified).

## 2014/2015 RESOLUTION NO. 13

### RESOLUTION AUTHORIZING THE ISSUANCE OF ORCUTT UNION SCHOOL DISTRICT (SANTA BARBARA COUNTY, CALIFORNIA) 2015 GENERAL OBLIGATION REFUNDING BONDS (BANK QUALIFIED)

**WHEREAS**, a duly called election was held in the Orcutt Union School District, Santa Barbara County, State of California (hereinafter referred to as the “District”), on June 8, 1999 (the “Authorization”) and thereafter canvassed pursuant to law;

**WHEREAS**, at such election there was submitted to and approved by the requisite two-thirds vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for various purposes set forth in the ballot submitted to the voters, in the maximum principal amount of \$15,000,000 payable from the levy of an *ad valorem* tax against the taxable property in the District;

**WHEREAS**, pursuant to the Authorization, in August 1999, the District issued an aggregate principal amount of \$5,000,000 of Orcutt Union School District General Obligation Bonds, 1999 Election, Series A (the “Series A Bonds”), and in May 2000, the District issued an aggregate principal amount of \$5,000,000 of Orcutt Union School District General Obligation Bonds, 1999 Election, Series B (the “Series B Bonds”);

**WHEREAS**, in March 2005, the District issued an aggregate principal amount of \$9,710,000 of Orcutt Union School District General Obligation Refunding Bonds (the “Prior Bonds”), the proceeds of which were used to (i) refund portions of the Series A Bonds and the Series B Bonds and (ii) pay the costs of issuance of the Prior Bonds;

**WHEREAS**, pursuant to Section 53550 *et seq.* of the California Government Code, the District is authorized to issue general obligation refunding bonds (the “Refunding Bonds”) to refund all or a portion of the remaining outstanding Prior Bonds (so refunded, the “Refunded Bonds”);

**WHEREAS**, pursuant to Section 265(b)(3) of the Code (as defined herein), under certain circumstances, certain obligations the interest on which is exempt from federal income tax under Section 103 of the Code may be designated by the issuer thereof as “qualified tax exempt obligations,” thereby allowing certain financial institutions that are holders of such qualified tax exempt obligations to deduct for federal income tax purposes a portion of such institution’s interest expense that is allocable to such qualified tax exempt obligations, all as determined in accordance with Sections 265 and 291 of the Code;

**WHEREAS**, this Board wishes to designate the Refunding Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code;

**WHEREAS**, this Board desires to appoint certain professionals to provide services related to the issuance of the Refunding Bonds; and

**WHEREAS**, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation refunding bonds of the District, and whereas the indebtedness of the District, including this proposed issue of Refunding Bonds, is within all limits prescribed by law;



**WHEREAS**, at this time the Board desires to appoint professionals related to the issuance of the Refunding Bonds; and

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE BOARD OF TRUSTEES OF THE ORCUTT UNION SCHOOL DISTRICT, SANTA BARBARA COUNTY, CALIFORNIA AS FOLLOWS:**

SECTION 1. **Purpose.** To refund all or a portion of the outstanding principal amount of the Prior Bonds, and to pay all necessary legal, financial, and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Refunding Bonds pursuant to the Act in an aggregate principal amount not-to-exceed \$7,600,000, in one or more Series, to be styled as “Orcutt Union School District (Santa Barbara County, California) 2015 General Obligation Refunding Bonds (Bank Qualified)” (the “Refunding Bonds”), and with appropriate Series designation if more than one Series is issued. Additional costs authorized to be paid from the proceeds of the Refunding Bonds are all of the authorized costs of issuance set forth in Section 53550(e) and (f) and Section 53587 of the Government Code.

SECTION 2. **Paying Agent.** The Board hereby appoints the Paying Agent, as defined in Section 5 hereof, to act as paying agent, bond registrar, authentication agent and transfer agent for the Refunding Bonds on behalf of the District. The Board hereby authorizes the payment of the reasonable fees and expenses of the Paying Agent, as they shall become due and payable. The fees and expenses of the Paying Agent which are not paid as a cost of issuance of the Refunding Bonds may be paid in each year from ad valorem property taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically Section 15232 of the Education Code.

SECTION 3. **Terms and Conditions of Sale.** The Refunding Bonds shall be sold at a private placement upon the direction of the Superintendent of the District (the “Superintendent”) or the Assistant Superintendent of Business Services of the District (the “Assistant Superintendent of Business Services”). The Refunding Bonds shall be sold pursuant to the terms and conditions set forth in the Purchase Contract (as defined below).

SECTION 4. **Approval of Placement Agent Agreement and Purchase Contract.** The form of Placement Agent Agreement (the “Placement Agent Agreement”) by and between the District and Piper Jaffray & Co. (the “Placement Agent”) and the form of the Bond Purchase Contract with Capital One Public Funding, LLC (the “Purchaser”) for the purchase and sale of the Refunding Bonds (the “Purchase Contract”), substantially in the form on file with the Secretary to the Board, are hereby approved and the Superintendent, the Assistant Superintendent of Business Services, and such other officer of the District as the Superintendent may designate (collectively, the “Authorized Officers”), each alone, are hereby authorized to execute and deliver the Placement Agent Agreement and the Purchase Contract, but with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same may approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, that the maximum interest rates of the Refunding Bonds shall not exceed the maximum rate permitted by law. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Refunding Bonds to be specified in the Purchase Contract for sale by the District up to \$7,600,000 and to enter into and execute the Purchase Contract with the Purchaser, if the conditions set forth in this Resolution are satisfied.

SECTION 5. **Certain Definitions.** As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

- (a) **“Act”** means Sections 53550 *et seq.* of the California Government Code.
- (b) **“Beneficial Owner”** means, when used with reference to book-entry Refunding Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Refunding Bonds pursuant to the arrangements for book-entry determination of ownership applicable to the Depository.
- (c) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Refunding Bonds.
- (d) **“Bond Payment Date”** means, unless otherwise provided by the Purchase Contract, February 1 and August 1 of each year commencing August 1, 2015 with respect to the interest on the Refunding Bonds, and August 1 of each year commencing August 1, 2015 with respect to the principal payments on the Refunding Bonds.
- (e) **“Bond Register”** means the records maintained by the Paying Agent for the registry of ownership of the Refunding Bonds.
- (f) **“Book-Entry Bonds”** means the Refunding Bonds held by DTC (or its nominee) as the registered Bondholder thereof pursuant to the terms and provisions of Section 6(c) hereof.
- (g) **“Code”** means the Internal Revenue Code of 1986, as the same may be amended from time to time. Reference to a particular section of the Code shall be deemed to be a reference to any successor to any such section.
- (h) **“County”** means the Santa Barbara County, California.
- (i) **“Date of Delivery”** means the date of initial issuance and delivery of the Refunding Bonds, or such other date as shall be set forth in the Purchase Contract.
- (j) **“Depository”** means when used in reference to book-entry Refunding Bonds, the entity acting as securities depository for the Refunding Bonds pursuant to Section 6(c) hereof.
- (k) **“DTC”** means when used in reference to book-entry Refunding Bonds, The Depository Trust Company, 55 Water Street, New York, New York 10041, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Refunding Bonds.
- (l) **“Escrow Agent”** means U.S. Bank National Association, or any other successor thereto, in its capacity as escrow agent for the Refunded Bonds.
- (m) **“Escrow Agreement”** means the agreement governing the deposit of funds or securities to refund the Refunded Bonds, dated as of April 1, 2015, or such other date as provided therein, by and between the District and Escrow Agent.

(n) **“Federal Securities”** means securities as permitted, in accordance with the resolution of the Board of Trustees of the District pursuant to which the Prior Bonds were issued, to be deposited for the purpose of defeasing the Prior Bonds.

(o) **“Information Services”** means Financial Information, Inc.’s “Financial Daily Called Bond Service; Standard & Poor’s J. J. Kenny Information Services’ Called Bond Service; or Mergent Inc.’s Called Bond Department.

(p) **“Moody’s”** means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(q) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(r) **“Outstanding”** means, when used with reference to the Refunding Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Refunding Bonds canceled at or prior to such date;

(ii) Refunding Bonds in lieu of or in substitution for which other Refunding Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Refunding Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Refunding Bonds), in accordance with Section 19 of this Resolution

(s) **“Owners”** or **“Registered Owner”** means the registered owner of a Bond as set forth on the registration books maintained by the Paying Agent pursuant to Section 6 hereof.

(t) **“Participants”** means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(u) **“Paying Agent”** means U.S. Bank National Association, or such other financial institution named in the Purchase Contract and appointed to act as paying agent, bond registrar, and transfer agent for the Refunding Bonds, or any successor thereto.

(v) **“Principal”** or **“Principal Amount”** means, with respect to any Refunding Bond, the initial principal amount thereof.

(w) **“Record Date”** means the close of business on the fifteenth (15th) day of the month preceding each Bond Payment Date.

(x) **“Series”** means any Refunding Bonds executed, authenticated and delivered pursuant to the provisions hereof and identified as a separate series of bonds.

(y) **“S&P”** means Standard & Poor’s Ratings Services, a Standard & Poor’s Financial Services LLC business, its successors and their assigns, or, if such entity shall be dissolved or

liquidated or shall no longer perform the functions of a securities rating agency, any other nationally recognized securities rating agency designated by the District.

(z) “**Term Bonds**” means those Refunding Bonds for which mandatory redemption dates have been established in the Purchase Contract

(aa) “**Transfer Amount**” means, with respect to any Outstanding Refunding Bond, the Principal Amount.

(bb) “**Treasurer**” means the Tax Collector and Treasurer of the County.

SECTION 6. **Terms of the Refunding Bonds.**

(a) Denomination, Interest, Dated Dates. The Refunding Bonds shall be issued in the denominations of \$100,000 principal amount or any integral multiple of \$5,000 in excess thereof, or in such other denominations as are required in the Purchase Contract. The Refunding Bonds will be initially registered as provided in the Purchase Contract.

Each Refunding Bond shall be dated the Date of Delivery, and shall bear interest at the rates set forth in the Purchase Contract from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from the Date of Delivery. Interest on the Refunding Bonds shall be payable on the respective Bond Payment Dates and shall be computed on the basis of a 360-day year of twelve 30-day months.

No Refunding Bond shall mature later than the final maturity date of the Refunded Bonds to be refunded from proceeds of such Refunding Bond.

(b) Redemption.

(i) Optional Redemption. Unless otherwise provided by the Purchase Contract, the Refunding Bonds shall not be subject to optional redemption prior to maturity.

(ii) Mandatory Redemption. Any Refunding Bonds issued as Term Bonds shall be subject to mandatory sinking fund redemption as provided in the Purchase Contract.

(iii) Selection of Refunding Bonds for Redemption. Whenever provision is made in this Resolution for the redemption of Refunding Bonds and less than all Outstanding Refunding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Refunding Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Refunding Bonds for redemption by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Refunding Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that a portion of any Term Bond is optionally redeemed prior to maturity pursuant to Section 6(b)(i) hereof, the remaining mandatory sinking fund payments with respect to such Term Bonds shall be reduced proportionately or as

otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect to the portion of such Term Bond optionally redeemed, or (ii) within a maturity, Refunding Bonds shall be selected for redemption on a "Pro Rata Pass-Through Distribution of Principal" basis in accordance with DTC procedures, provided further that, such pro-rata redemption is made in accordance with the operational arrangements of DTC then in effect.

(iv) Notice of Redemption. When redemption is authorized pursuant to this Resolution, the Paying Agent, upon written instruction from the District, shall give notice (a "Redemption Notice") of the redemption of the Refunding Bonds. Such Redemption Notice shall specify: the Refunding Bonds or designated portions thereof (in the case of redemption of the Refunding Bonds in part but not in whole) which are to be redeemed; the date of redemption; the place or places where the redemption will be made, including the name and address of the Paying Agent; the redemption price; the CUSIP numbers (if any) assigned to the Refunding Bonds to be redeemed, the Refunding Bond numbers of the Refunding Bonds to be redeemed in whole or in part and, in the case of any Refunding Bond to be redeemed in part only, the portion of the principal amount of such Refunding Bond to be redeemed; and the original issue date, interest rate and stated maturity date of each Refunding Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Refunding Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date thereon, and that from and after such date, interest thereon shall cease to accrue.

With respect to any Redemption Notice of Refunding Bonds, unless upon the giving of such notice such Refunding Bonds shall be deemed to have been defeased pursuant to Section 18 hereof, such notice shall state that such redemption shall be conditional upon the receipt by the Paying Agent (or an independent escrow agent selected by the District) on or prior to the date fixed for such redemption of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on, such Refunding Bonds to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, the Refunding Bonds shall not be subject to redemption on such date and the Refunding Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter give notice, to the persons to whom and in the manner in which the Redemption Notice was given, that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent shall distribute a notice of such rescission in the same manner as the Redemption Notice was originally provided.

The Paying Agent shall take the following actions with respect to such Redemption Notice:

(1) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Refunding Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.

(2) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service to the Depository.

(3) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service to one of the Information Services.

A certificate of the Paying Agent to the effect that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Refunding Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Refunding Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Refunding Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon.

(v) Partial Redemption of Refunding Bonds. Upon the surrender of any Refunding Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Refunding Bond or Refunding Bonds of like tenor and maturity and of authorized denominations equal in principal amounts to the unredeemed portion of the Refunding Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment

(vi) Effect of Notice of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 18 hereof, the Refunding Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Refunding Bonds to be redeemed as provided in Section 6(b)(i) hereof, together with interest accrued to such redemption date, shall be held by the Paying Agent (or an independent escrow agent selected by the District), as provided in Section 18 hereof, so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Refunding Bonds to be redeemed shall cease to accrue and become payable. All money held by or on behalf of the Paying Agent (or an independent escrow agent selected by the District) for the redemption of Refunding Bonds shall be held in trust for the account of the Owners of the Refunding Bonds so to be redeemed.

All Refunding Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Refunding Bond purchased by the District shall be cancelled by the Paying Agent.

(vii) Refunding Bonds No Longer Outstanding. When any Refunding Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys shall be held by the Paying Agent irrevocably held in trust for the payment of the redemption price of such Refunding Bonds or portions thereof, and, accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then

such Refunding Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Refunding Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Refunding Bonds in an authorized denomination and registered as provided in the Purchase Contract.

If the Refunding Bonds are issued as Book-Entry Bonds, the ownership of each such Refunding Bond shall be registered in the register of bonds (the "Bond Register") maintained by the Paying Agent in the name of the Nominee, as nominee of the Depository and ownership of the Refunding Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(v). The District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such the Refunding Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in the Refunding Bonds; (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to the Refunding Bonds, including any notice of redemption; (iii) the selection by the Depository and its Participants of the beneficial interests in the Refunding Bonds to be prepaid in the event the District redeems the Refunding Bonds in part; (iv) or the payment by the Depository or any Participant or any other person, of any amount with respect to principal, premium, if any, or interest on the Refunding Bonds. The District and the Paying Agent may treat and consider the person in whose name each Refunding Bond is registered in the Bond Register as the absolute Owner of such the Refunding Bond for the purpose of payment of principal of and premium and interest on and to such Refunding Bond, for the purpose of giving notices of redemption and other matters with respect to such Refunding Bond, for the purpose of registering transfers with respect to such Refunding Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of and premium, if any, and interest on the Refunding Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of principal of, and premium, if any, and interest on the Refunding Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of principal of, and premium, if any, and interest on the Refunding Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word "Nominee" in this Resolution shall refer to such nominee of the Depository.

(ii) Delivery of Letter of Representations. In order to qualify the Refunding Bonds for the Depository's book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in the Refunding Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be in compliance with all

representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Paying Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify the Refunding Bonds for the Depository's book-entry program.

(iii) Selection of Depository. In the event (A) the Depository determines not to continue to act as securities depository for the Refunding Bonds, or (B) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Refunding Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such the Refunding Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in Section 6(c)(v) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Refunding Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Refunding Bonds shall designate, in accordance with the provisions of this Section 6(c).

(iv) Payments and Notices to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Refunding Bonds are held in book-entry and registered in the name of the Nominee, all payments by the District or Paying Agent with respect to principal of and premium, if any, or interest on book-entry Refunding Bonds and all notices with respect to such Refunding Bonds, including notices of redemption, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

(v) Transfer of Refunding Bonds to Substitute Depository.

(A) Registered ownership of such Refunding Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its Nominee, or of any substitute depository designated pursuant to Section 6(c)(v)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository, upon (x) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (y) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (x) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (y) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.



(B) In the case of any transfer pursuant to Section 6(c)(v)(A)(1) or (2), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Refunding Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Refunding Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(v)(A)(3), upon receipt of all Outstanding Refunding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Refunding Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Refunding Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption of any Refunding Bonds evidencing a portion of the principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Refunding Bonds indicating the date and amounts of such reduction in principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Refunding Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Refunding Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Refunding Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Refunding Bonds.

SECTION 7. **Execution of Refunding Bonds.** The Refunding Bonds shall be signed by the President of the Board of Trustees, or by such other member of the Board authorized to sign on behalf of the President, by his or her manual or facsimile signature, and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, or the designees thereof, all in their official capacities. No Refunding Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Refunding Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Refunding Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 8. **Paying Agent; Transfer and Exchange.** So long as any of the Refunding Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated office all books and records necessary for the registration, exchange and transfer of the Refunding Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Refunding Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Refunding Bond for all purposes of this Resolution. Payment of or on

account of the principal of and premium, if any, and interest on any Refunding Bond shall be made only to or upon the order of that person; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Refunding Bonds, including interest, to the extent of the amount or amounts so paid.

Any Refunding Bond may be exchanged for Refunding Bonds of like tenor, Series, maturity and principal amount upon presentation and surrender at the designated office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Refunding Bond may be transferred on the Bond Register only upon presentation and surrender of the Refunding Bond at the designated office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new Refunding Bond or Refunding Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the principal amount of the Refunding Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Refunding Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in exchange and substitution for the Refunding Bond so mutilated, but only upon surrender to the Paying Agent of the Refunding Bond so mutilated. If any Refunding Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Refunding Bond of like Series, tenor, maturity and principal amount in lieu of and in substitution for the Refunding Bond so lost, destroyed or stolen (or if any such Refunding Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Refunding Bond, the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Refunding Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Refunding Bonds only after the new Refunding Bonds are signed by the authorized officers of the District as provided in Section 7. In all cases of exchanged or transferred Refunding Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Refunding Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Refunding Bonds surrendered upon that exchange or transfer.

Any Refunding Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Refunding Bonds

that the District may have acquired in any manner whatsoever, and those Refunding Bonds shall be promptly cancelled by the Paying Agent. Written reports of the surrender and cancellation of Refunding Bonds shall be made to the District by the Paying Agent as requested by the District. The cancelled Refunding Bonds shall be retained for three years, then returned to the District or destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Refunding Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Refunding Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) to transfer any Refunding Bonds which have been selected or called for redemption in whole or in part.

SECTION 9. **Payment.** Payment of interest on any Refunding Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Paying Agent for that purpose on or before the Record Date. The Owner in an aggregate principal amount of \$1,000,000 or more may request in writing to the Paying Agent that such Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal of and redemption premium, if any, payable on the Refunding Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The principal of, premiums, if any, and interest on the Refunding Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Refunding Bonds when duly presented for payment at maturity, and to cancel all Refunding Bonds upon payment thereof. The Refunding Bonds are obligations of the District payable solely from the levy of *ad valorem*

SECTION 10. property taxes upon all property subject to taxation within the District, which taxes are unlimited as to rate or amount. The Refunding Bonds do not constitute an obligation of the County and no part of any fund of the County is pledged or obligated to the payment of the Refunding Bonds.

SECTION 11. **Form of Refunding Bonds.** The Refunding Bonds shall be in substantially the form attached as Exhibit A, allowing those officials executing the Refunding Bonds to make the insertions and deletions necessary to conform the Refunding Bonds to this Resolution and the Purchase Contract, or to correct or cure any defect, inconsistency, ambiguity or omission therein.

SECTION 12. **Delivery of Refunding Bonds.** The proper officials of the District shall cause the Refunding Bonds to be prepared and, following their sale, shall have the Refunding Bonds signed and delivered, together with a final transcript of proceedings with reference to the issuance of the Refunding Bonds, to the Purchaser upon payment of the purchase price therefor.

SECTION 13. **Deposit of Proceeds of Refunding Bonds; Escrow Agreement.** An amount of proceeds from the sale of the Refunding Bonds necessary to purchase certain Federal Securities, or to otherwise refund the Refunded Bonds, shall be transferred to the Escrow Agent for deposit in the "Orcutt Union School District 2015 General Obligation Refunding Bonds Escrow Fund" (the "Escrow Fund") established under the Escrow Agreement, which amount, if uninvested

shall be sufficient, or if invested shall, together with an amount or amounts of cash held uninvested therein, shall be sufficient to refund the Refunded Bonds, all as set forth in a certificate of an Authorized Officer. Premium or proceeds received from the sale of the Refunding Bonds desired to pay all or a portion of the costs of issuing the Refunding Bonds may be deposited in the fund of the District held by a fiscal agent selected thereby and shall be kept separate and distinct from all other District funds, and those proceeds shall be used solely for the purpose of paying costs of issuance of the Refunding Bonds.

Any accrued interest received by the District from the sale of the Refunding Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the "Orcutt Union School District, 2015 General Obligation Refunding Bonds Debt Service Fund" (the "Debt Service Fund") for the Refunding Bonds and used only for payments of principal of and interest on the Refunding Bonds. The Debt Service Fund shall be held by the County, and may contain subaccounts if the Refunding Bonds are sold in more than one Series. A portion of the premium received by the District from the sale of the Refunding Bonds may be transferred to the Debt Service Fund or applied to the payment of cost of issuance of the Refunding Bonds, or some combination of deposits. Any excess proceeds of the Refunding Bonds not needed for the authorized purposes set forth herein for which the Refunding Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Refunding Bonds. If, after payment in full of the Refunding Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to either the registered owner, or to DTC, to pay the principal of and interest on the Refunding Bonds. If the Refunding Bonds are in book-entry form DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.

Except as required below to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay principal of and interest on the Refunding Bonds when due.

#### SECTION 14. **Rebate Fund.**

(a) **General.** If necessary, there shall be created and established a special fund designated the "Orcutt Union School District 2015 General Obligation Refunding Bonds Rebate Fund" (the "Rebate Fund"). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the "Rebate Requirement") pursuant to Section 148 of the Code, as the same may be amended from time to time, and the Treasury Regulations promulgated thereunder (the "Rebate Regulations"). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and Section 14 of this Resolution and by that certain tax certificate concerning certain matters pertaining to the use and investment of proceeds of the Refunding Bonds, executed and delivered to the District on the date of issuance of the Refunding Bonds, including any and all exhibits attached thereto (the "Tax Certificate").

(b) Deposits.

(i) Within forty-five (45) days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate) (1) the District shall calculate or cause to be calculated with respect to the Refunding Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Rebate Regulations, using as the “computation date” for this purpose the end of such five Bond Years, and (2) the District shall deposit to the Rebate Fund from deposits from the District or from amounts available therefor on deposit in the other funds established hereunder, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated.

(ii) The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section.

(iii) The District shall not be required to calculate the “rebate amount” and the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Refunding Bonds (including amounts treated as the proceeds of the Refunding Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148 (f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations or the small issuer exception of Section 148(f)(4)(D) of the Code, whichever is applicable, and otherwise qualify for the exception of the Rebate Requirement pursuant to whichever of said sections is applicable, or (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Withdrawal Following Payment of Refunding Bonds. Any funds remaining in the Rebate Fund after redemption of all the Refunding Bonds and any amounts described in paragraph (ii) of subsection (d) of this Section, including accrued interest, shall be transferred to the General Fund of the District.

(d) Withdrawal for Payment of Rebate. Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(i) not later than sixty (60) days after the end of (a) the fifth (5th) Bond Year, and (b) each fifth (5th) Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Rebate Regulations; and

(ii) not later than sixty (60) days after the payment of all Refunding Bonds, an amount equal to one hundred percent (100%) of the “rebate amount” calculated as of the date

of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Rebate Regulations.

(e) **Rebate Payments.** Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service Center, Ogden, Utah 84201, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by or on behalf of the District.

(f) **Deficiencies in the Rebate Fund.** In the event that, prior to the time of any payment required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(g) **Withdrawals of Excess Amount.** In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, upon written instructions from the District, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) **Record Retention.** The District shall retain records of all determinations made hereunder until three years after the retirement of the Refunding Bonds.

(i) **Survival of Defeasance.** Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Refunding Bonds.

SECTION 15. **Security for the Refunding Bonds.** There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Refunding Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Refunding Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, which fund is hereby designated for the payment of the principal of and interest on the Refunding Bonds when and as the same fall due, and for no other purpose. Pursuant to Government Code Sections 5450 and 5451, moneys on deposit in the Debt Service Fund are hereby pledged for the payment of the principal of and interest on the Refunding Bonds. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* property tax in accordance with this Section 14 and Section 53559 of the Act.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Refunding Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to the registered owner or, if the Refunding Bonds are in book-entry form, to DTC, to pay such principal and interest. DTC will thereupon make payments of principal of and interest on the Refunding Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Refunding Bonds. Any moneys remaining in the Debt Service Fund after the Refunding Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District.

SECTION 16. **Arbitrage Covenant.** The District will restrict the use of the proceeds of the Refunding Bonds in such manner and to such extent, if any, as may be necessary, so that the Refunding Bonds will not constitute arbitrage bonds under Section 148 of the Code and the

applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements shall be the sole responsibility of the District.

SECTION 17. **Legislative Determinations.** The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Refunding Bonds. Furthermore, the Board finds and determines pursuant to Section 53552 of the Act that the prudent management of the fiscal affairs of the District requires that it issue the Refunding Bonds without submitting the question of the issuance of the Refunding Bonds to a vote of the qualified electors of the District.

SECTION 18. **Insurance.** In the event the District purchases bond insurance for the Refunding Bonds, and to the extent that the Bond Insurer makes payment of the principal or interest on the Refunding Bonds, it shall become the Owner of such Refunding Bonds with the right to payment of principal or interest on the Refunding Bonds, and shall be fully subrogated to all of the Owners' rights, including the Owners' rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims of past due interest, the Paying Agent shall note the Bond Insurer's rights as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Refunding Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer as subrogee on the registration books for the Refunding Bonds maintained by the Paying Agent upon surrender of the Refunding Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 19. **Defeasance.** All or any portion of the Outstanding maturities of the Refunding Bonds may be defeased prior to maturity in the following ways:

(a) **Cash:** by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with any amounts transferred from the Debt Service Fund, is sufficient to pay all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or

(b) **Government Obligations:** by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with any amounts transferred from the Debt Service Fund and any other cash, if required, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Refunding Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Refunding Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Refunding Bonds shall cease and terminate, except only the obligation of the Paying Agent or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to

paragraphs (a) or (b) of this Section, to the Owners of such designated Refunding Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, "Government Obligations" shall mean:

Direct and general obligations of the United States of America, or obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or "prerefunded" municipal obligations rated in the highest rating category by Moody's or S&P. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody's or S&P.

**SECTION 20. Other Actions, Determinations and Approvals.**

(a) Officers of the Board, District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Refunding Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby finds and determines that both the total net interest cost to maturity on the Refunding Bonds plus the principal amount of the Refunding Bonds will be less than the total net interest cost to maturity on the Refunded Bonds plus the principal amount of the Refunded Bonds.

(c) The Board anticipates that the Refunded Bonds will be redeemed on August 1, 2015, which is the first optional redemption date of such Refunded Bonds following the issuance of the Refunding Bonds.

(d) The Board hereby appoints U.S. Bank National Association as Escrow Agent for the Refunding Bonds and approves the form of the Escrow Agreement substantially in the form on file with the Secretary to the Board. The Authorized Officers, each alone, are hereby authorized to execute the Escrow Agreement with such changes as they shall approve, such approval to be conclusively evidenced by such individual's execution and delivery thereof.

(e) The Board hereby appoints (i) Piper Jaffray & Co. as the Placement Agent, (ii) Stradling Yocca Carlson & Rauth, a Professional Corporation, as Bond Counsel and (iii) Causey Demgen & Moore, P.C. as verification agent, with respect to the issuance of the Refunding Bonds.



(f) The provisions of this Resolution may be amended by the Purchase Contract; if the Purchase Contract so provides, the Refunding Bonds may be issued as crossover refunding bonds pursuant to Section 53558(b) of the Government Code.

SECTION 21. **Resolution to the Counties.** The Secretary to this Board is hereby directed to provide a certified copy of this Resolution to the Tax Collector and Treasurer of the County immediately following its adoption.

SECTION 22. **Designation as Qualified Tax-Exempt Obligation.** Based on the following representations, the Refunding Bonds are hereby designated as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code: (i) the Refunding Bonds are not private activity bonds within the meaning of Section 141 of the Code; (ii) the District, together with all of its subordinate entities, has not issued obligations (other than those obligations described in clause (iv) below) in the calendar year in which the Refunding Bonds are issued the interest on which is excluded from gross income for federal income tax purposes under Section 103 of the Code; (iii) the District reasonably anticipates that it, together with its subordinate entities, will issue during the remainder of the calendar year in which the Refunding Bonds are issued obligations (other than those obligations described in clause (iv) below) the interest on which is excluded from gross income for federal income tax purposes under to Section 103 of the Code which, when aggregated with all obligations described in clause (ii) above (if any), will not exceed an aggregate principal amount of \$10,000,000; (iv) and notwithstanding clauses (ii) and (iii) above, the District and its subordinate entities may have issued in the calendar year in which the Refunding Bonds are issued and may continue to issue during the remainder of the calendar year in which the Refunding Bonds are issued private activity bonds other than qualified 501(c)(3) bonds as defined in Section 145 of the Code.

SECTION 23. **Action Regarding Qualified Tax-Exempt Obligation.** Appropriate officials of the District are hereby authorized and directed to take such other actions as may be necessary to designate the Refunding Bonds as “qualified tax-exempt obligations,” including, if either deemed necessary or appropriate, placing a legend to such effect on the form of the Refunding Bonds such form as either deemed necessary or appropriate.

SECTION 24. **Recitals.** All the recitals in this Resolution above are true and correct and the Board so finds, determines and represents.

SECTION 25. **Effective Date.** This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED** this 11th day of March, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

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President, Board of Trustees  
Orcutt Union School District

Attest:

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Secretary, Board of Trustees  
Orcutt Union School District

**SECRETARY'S CERTIFICATE**

I, Dr. Deborah Blow, Secretary to the Board of Trustees of the Orcutt Union School District (the "District"), hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees of the District duly and regularly and legally held at the regular meeting place thereof on March 11, 2015, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: \_\_\_\_\_, 2015

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Secretary to the Board of Trustees of the  
Orcutt Union School District

EXHIBIT A

**(Form of Refunding Bond)**

**THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933. THIS BOND IS SUBJECT TO RESTRICTIONS ON TRANSFERABILITY AND MAY ONLY BE TRANSFERRED IN ACCORDANCE WITH THE PROVISIONS OF THE BOND RESOLUTION AND THE PURCHASE CONTRACT, AS DEFINED HEREIN, TO PERSONS WITH THE EXPERIENCE AND FINANCIAL EXPERTISE TO UNDERSTAND AND EVALUATE THE HIGH DEGREE OF RISK INHERENT IN THIS INVESTMENT.**

**REGISTERED  
NO.**

**REGISTERED  
\$**

ORCUTT UNION SCHOOL DISTRICT  
(SANTA BARBARA COUNTY, CALIFORNIA)  
2015 GENERAL OBLIGATION REFUNDING BONDS  
(BANK QUALIFIED)

<b><u>INTEREST RATE:</u></b>	<b><u>MATURITY DATE:</u></b>	<b><u>DATED AS OF:</u></b>
3.25% per annum	August 1, 2030	_____, 2015

**REGISTERED OWNER: CAPITAL ONE PUBLIC FUNDING, LLC**

**PRINCIPAL AMOUNT:**

The Orcutt Union School District (the "District") in Santa Barbara County, California, for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the "Bond Payment Dates"), commencing August 1, 2015. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before July 15, 2015, in which event it shall bear interest from the Date of Delivery. Interest on this bond shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the Register maintained by the Paying Agent, initially U.S. Bank National Association. Principal is payable upon presentation and surrender of this bond at the designated office of the Paying Agent. Interest is payable by check or draft mailed by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the bond register maintained by the Paying Agent the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date"). The Owner of Refunding Bonds in the aggregate principal amount of \$1,000,000 or more may request in writing to the Paying

Agent that the Owner be paid interest by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date.

This bond is one of an authorization of bonds issued by the District pursuant to California Government Code Section 53550 et seq. (the "Act") for the purpose of refunding certain of the District's outstanding bonded indebtedness and to pay all necessary legal, financial, and contingent costs in connection therewith. The bonds are being issued under authority of and pursuant to the Act, the laws of the State of California, and the resolution of the Board of Trustees of the District adopted on March 11, 2015 (the "Bond Resolution"). This bond and the issue of which this bond is one are general obligation bonds of the District payable as to both principal and interest solely from the proceeds of the levy of ad valorem property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount.

The bonds of this issue comprise \$\_\_\_\_\_ principal amount of current interest bonds, of which this bond is a part (each a "Refunding Bond").

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, upon presentation and surrender hereof to the Paying Agent, together with a request for exchange or an assignment signed by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute Owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Refunding Bonds maturing on or before August 1, 20\_\_ are not subject to redemption prior to their fixed maturity dates. The Refunding Bonds maturing on or after August 1, 20\_\_ are subject to redemption on or after August 1, 20\_\_ or on any date thereafter at the option of the District as a whole or in part at a redemption price equal to the principal amount of the Refunding Bonds called for redemption plus interest accrued thereon to the date fixed for redemption, without premium.

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portions of bonds of such maturity to be redeemed shall be selected by lot by the District in such manner as the District in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of \$100,000 or some multiple thereof. If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions thereof to be redeemed shall be called in any order of maturity selected by the District or, if not so selected, in the inverse order of maturity.

Reference is made to the Bond Resolution and the Purchase Contract for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

**IN WITNESS WHEREOF**, the Orcutt Union School District, Santa Barbara County, California, has caused this bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signatures of the President of the Board of Trustees of the District, and to be countersigned by the manual or facsimile signature of the Secretary to the Board of Trustees of the District, all as of the date stated above.

**ORCUTT UNION SCHOOL DISTRICT**

By: \_\_\_\_\_  
President, Board of Trustees

**COUNTERSIGNED:**

\_\_\_\_\_  
Clerk, Board of Trustees

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2015.

U.S. BANK NATIONAL ASSOCIATION as Paying Agent

By: \_\_\_\_\_  
Authorized Signatory

**QUALIFIED TAX-EXEMPT OBLIGATION**

This bond has been determined to be a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, by resolution of the District.

**ASSIGNMENT**

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): \_\_\_\_\_ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: \_\_\_\_\_

Unless this bond is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any bond issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.



**LEGAL OPINION**

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

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Clerk, Board of Trustees

(Form of Legal Opinion)



## BUSINESS SERVICES MEMORANDUM

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

**FROM:** yuo Marysia Ochej  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 11, 2015

**BOARD AGENDA ITEM:** Second Interim Report, 2014-15

**BACKGROUND:** Education Code 42130 provides that the district submit a Second Interim Report to the governing board of the district that covers the financial and budgetary status of the district for the period ending January 31, 2015.

We continue to use the School Services of California dashboard as a tool for our projections. Education Code 42131 (a) (1) further states that “pursuant to the reports required by Section 42130, the governing board of each school district shall certify in writing, within 45 days after the close of the period being reported, whether or not the school district is able to meet its financial obligations for the remainder of the fiscal year, and based on current forecast, for the subsequent year.” In certifying the school year 2014-15 Second Interim Report as positive, the Board understands its fiduciary responsibility to maintain fiscal solvency for the current and two subsequent fiscal years.

In keeping with the provision, the district is providing the enclosed Second Interim Report for the governing board’s review and approval.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve the Second Interim Report as presented and authorize the filing of a “positive” certification with the Santa Barbara County Office of Education.

**FUNDING:** N/A



## Educational Services

Holly Edds – Assistant Superintendent, Educational Services  
hedds@orcutt-schools.net

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To: Deborah Blow, Superintendent

From: Holly Edds, Assistant Superintendent, Educational Services

Board Meeting Date: March 11, 2015

Board Agenda Item: Safe Schools Plans for Alice Shaw, Joe Nightingale, Patterson Road, Pine Grove, Ralph Dunlap, Lakeview Jr. High, Orcutt Jr. High and Olga Reed.

Background: California public schools are required to comply with California Education Code, Section 35294, dealing with the preparation of “safe school plans”. These plans address violence prevention, emergency preparedness, traffic safety, and crisis intervention.

Recommendation: This evening the School Safety Plans for each of the schools in the Orcutt Union School District are submitted for board approval as required in California statute. Staff recommends these be approved as submitted.



## HUMAN RESOURCES MEMORANDUM

**TO:** Dr. Deborah Blow  
District Superintendent

**FROM:** Don Nicholson  
Assistant Superintendent of Human Resources

**DATE:** March 11, 2015

**RE:** 2015-16 School Calendar

**BACKGROUND:** Each year the Calendar Committee develops a District school calendar for approval by the Board of Trustees.

**RECOMMENDATION:** The Calendar Committee recommends the attached 2015-16 Elementary / Junior High School (TK-8), including OAK8, calendar be considered for approval.

**FUNDING:** N/A

Pending Board  
Approval  
March 11, 2015

# ORCUTT UNION SCHOOL DISTRICT

## GRADES TK-8 INCLUDING CHARTER K-8

# 2015/2016 SCHOOL CALENDAR

Student  
Days  
Reporting  
Periods

M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F		
					27	28	29	30	31	Aug 3	4	5	6	7	10	11	12	13	14 +		
17 ▲	18 ▲	19 ▼	20	21	24	25	26	27	28	31	Sep 1	2	3	4 ◆	7 ■	8	9	10	11	17	1
14	15	16	17	18	21	22	23	24	25	28	29	30	Oct 1 ▼	2	5 ▼	6 ▼	7 ▼	8 ▼	9 ▼	20	2
12	13	14	15	16	19	20	21	22	23	26	27	28	29	30	Nov 2 ◆	3	4	5	6	20	3
9	10	11 ■	12	13	16	17	18	19	20	23	24	25 ●	26 ■	27 ●	30	Dec 1	2	3 ▼	4	16	4
7	8	9	10	11	14	15	16	17	18	21 ●	22 ●	23 ●	24 ●	25 ■	28 ●	29 ●	30 ●	31 ●	Jan 1 ■	10	5
4 ●	5 ●	6 ●	7 ●	8 ●	11 ◆	12	13	14	15	18 ■	19	20	21	22	25	26	27	28	29	13	6
Feb 1	2	3	4	5	8 ■	9	10	11	12	15 ■	16	17	18	19	22	23	24	25	26	18	7
29	Mar 1	2	3	4	7	8	9	10	11	14	15	16 ▼	17 ▼	18 ▼	21	22	23	24	25 ●	19	8
28 ●	29 ●	30 ●	31 ●	Apr 1 ●	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	15	9
25	26	27	28	29	May 2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	20	10
23	24	25	26	27	30 ■	31	Jun 1	2	3	6	7	8	9	10 ▼	(180 Student Days)					14	11

- ▲ Pre-service Day (returning teachers) ..... 185
- ◆ In-service Day (new teachers)..... 186
- Legal Holiday (no school)
- No School - Board Holiday
- ▼ Minimum Day / In-service
- ◆ Staff Development Day

**SIGNIFICANT DATES**

August 14..... New Teachers Begin  
 August 17..... All Staff Meeting - Convocation  
 August 18..... Teacher Work Day  
**AUGUST 18..... FIRST DAY OF CLASSES 7<sup>th</sup> GR. ONLY**  
**AUGUST 19..... FIRST DAY OF CLASSES / Minimum Day**  
 September 7..... Labor Day  
 October 23..... End First Quarter  
 September 4..... Staff Development Day  
 November 2..... Staff Development Day  
 November 11..... Veteran's Day  
 November 14..... End of First Trimester  
 November 25 to November 27..... Thanksgiving Holiday  
 December 18..... End Second Quarter  
 December 21 to January 8..... Winter Recess  
 January 11..... Staff Development Day  
 January 18..... Martin Luther King Day  
 February 8..... Lincoln's Birthday Day  
 February 15..... Presidents' Day  
 March 4..... End of Second Trimester  
 March 24..... End Third Quarter  
 March 26 to April 1..... Spring Break  
 May 30..... Memorial Day  
**June 10..... LAST DAY OF SCHOOL**

**ELEMENTARY SCHOOL PARENT CONFERENCES**

K-6 - Parent Conferences - Minimum Day..... Oct 5-9  
 K-6 - Parent Conferences - Minimum Day..... Mar 16-18  
**Minimum Days for Elementary ONLY**

**JR. HIGH SCHOOL PARENT CONFERENCES**

7-8 - Parent Conferences - Shortened Day.... Oct 1  
 7-8 - Parent Conferences - Shortened Day.... Dec 3  
 7-8 - Parent Evening Conferences .....Feb 25  
**Shortened Days for Jr. High ONLY**



# Orcutt Union School District

## Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

**TO:** Board of Trustees  
Dr. Deborah Blow, Superintendent

**FROM:** Don Nicholson, Assistant Superintendent/Human Resources

**BOARD MEETING DATE:** March 11, 2015

**BOARD AGENDA ITEM:** Resolution No. 14: Resolution Designating Chief Technology Officer (CTO) as Senior Management of the Classified Service

**BACKGROUND:** After completing their probationary period, classified employees become permanent employees with rights to their positions except in the event of layoff (with statutory reemployment rights) or termination for cause. If approved, Resolution No. 14 designates the Chief Technology Officer (CTO) as a senior classified management position who, upon commencement of employment, would have no permanent job rights to this position. In all other respects, this classified employee would have all the rights, benefits and obligations of other employees in the District's classified service.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve Resolution No. 14: Resolution Designating Chief Technology Officer (CTO) as Senior Management of the Classified Service.

**DOCUMENTS ATTACHED:**

1. Resolution No. 2725.
2. Ed Code Section 45100.5

**ORCUTT UNION SCHOOL DISTRICT  
BOARD OF EDUCATION**

**RESOLUTION NO. 14**

**RESOLUTION DESIGNATING CHIEF TECHNOLOGY OFFICER (CTO)  
AS SENIOR MANAGEMENT OF THE CLASSIFIED SERVICE**

**WHEREAS**, the Board of Education has the authority, pursuant to Education Code section 45100.5, to designate certain positions as senior management of the classified service; and

**WHEREAS**, senior management of the classified service shall be entitled to all rights, benefits, and burdens of other classified employees of the District, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.

**NOW, THEREFORE, BE IT RESOLVED** that the position of Chief Technology Officer (CTO), or equivalent position, is hereby designated as a senior management position of the classified service.

**PASSED AND ADOPTED** by the Orcutt Union School District Board of Education on this 11th day of March, 2015, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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Robert Hatch  
President, Board of Education

ATTESTED TO:

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Deborah L. Blow, Ed. D.  
Secretary of the Board of Education

EDUCATION CODE  
SECTION 45100.5

45100.5. (a) The governing board of a school district may adopt a resolution designating certain positions as senior management of the classified service. Notwithstanding the provisions of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, the decision of the governing board shall not be deemed a matter subject to negotiation, but shall be subject to review by the Public Employment Relations Board.

(b) Employees whose positions are designated as senior management of the classified service shall be a part of the classified service and shall be afforded all rights, benefits, and burdens of other classified employees, except that they shall be exempt from all provisions relating to obtaining permanent status in a senior management position.

(c) Notice of reassignment or dismissal from a position in the senior management of the classified service shall be provided in accordance with the provisions of Section 35031.






# Orcutt Union School District

## Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees  
Dr. Deborah Blow, Superintendent

FROM:  Don Nicholson, Assistant Superintendent/Human Resources

BOARD MEETING DATE: March 11, 2015

BOARD AGENDA ITEM: Ratification of Chief Technology Officer (CTO) Contract

BACKGROUND: The job description for Chief Technology Officer (CTO) was approved by the Board of Trustees at the January 14, 2015 meeting. The position was subsequently flown, interviews held, and a final selection made. The employment agreement is presented for Board ratification.

FINANCIAL CONSIDERATIONS: The Chief Technology Officer (CTO) salary will be \$122,200 per year. All other compensation including cell phone allowance, health and life benefits shall be the same as those granted all other senior management personnel.

RECOMMENDATION: It is recommended that the Board of Trustees ratify the Employment Agreement with Chief Technology Officer (CTO), Kirby L. Fell.

ATTACHMENT: Employment Agreement



## HUMAN RESOURCES MEMORANDUM

**TO:** Dr. Deborah Blow  
Superintendent

**FROM:** Don Nicholson

**DATE:** March 11, 2015

**RE:** Certificated Extended School Year Pay Rate

**BACKGROUND:** Orcutt Union School District collaborates and alternates with Santa Maria Bonita School District to provide an Extended School Year (ESY) summer program for students with special needs. Currently certificated teacher's participating in the program are paid at a rate of \$30 an hour. It is becoming more difficult to find teachers with the proper credentials to work over their summer months. Santa Maria Bonita School District has requested that we raise the hourly rate of certificated teachers to \$35 for the ESY program.

**RECOMMENDATION:** Staff recommends the Board of Trustees approve the new pay rate of \$35 per hour for certificated teacher's working the Extended School Year program.

**FUNDING IMPACT:** The Encroachment of Special Education on the General Fund will be increased



# Orcutt Union School District Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

**TO:** Board of Trustees  
Dr. Deborah Blow, Superintendent

**FROM:** Don Nicholson, Assistant Superintendent/Human Resources

**BOARD MEETING DATE:** March 11, 2015

**BOARD AGENDA ITEM:** Revision of Classified Substitute Pay Rate

**BACKGROUND:** The classified substitute salary schedule was last revised in September 2006. At that time minimum wage was \$6.75 per hour in California and our lowest substitute rate (Range 6) was 40% higher at \$9.45 per hour. Since that time minimum wage in California has risen to \$9.00 per hour and is scheduled to be raised to \$10.00 hour on January 1. That leaves our current rate beginning just 5% above minimum wage and if not addressed will fall behind minimum wage in the coming months. Establishing a classified substitute rate that is 5% below Step 1 for each range will allow us to stay ahead of the increases in minimum wage and allow for gradual increases over time.

**RECOMMENDATION:** It is recommended that the Board of Trustees approve establishment of a classified substitute pay rate that is 5% below Step 1 for each Range of the Classified Salary Schedule.

**FINANCIAL CONSIDERATIONS:** Increase in the amount paid classified substitutes as shown in the attached document paid from the appropriate fund.

**DOCUMENTS ATTACHED:** Current and Proposed Classified Substitute Pay Rate

**ORCUTT UNION SCHOOL DISTRICT  
CLASSIFIED SUB SALARY SCHEDULE 2014/15**

**ORCUTT UNION SCHOOL DISTRICT  
CLASSIFIED SUB SALARY SCHEDULE**  
(Revised 9/06)

Range	
6	\$9.45
7	\$9.66
8	\$9.87
9	\$10.10
10	\$10.32
11	\$10.56
12	\$10.79
13	\$11.04
14	\$11.29
15	\$11.55
16	\$11.81
17	\$12.08
18	\$12.36
19	\$12.64
20	\$12.93
21	\$13.23
22	\$13.54
23	\$13.85
24	\$14.17
25	\$14.50
26	\$14.84
27	\$15.19
28	\$15.54
29	\$15.90
30	\$16.28
31	\$16.66
32	\$17.05
33	\$17.45
34	\$17.86
44	\$22.59

Range	Hourly
6	11.12
7	11.39
8	11.68
9	11.96
10	12.26
11	12.57
12	12.88
13	13.21
14	13.54
15	13.87
16	14.22
17	14.57
18	14.94
19	15.31
20	15.69
21	16.09
22	16.49
23	16.91
24	17.33
25	17.77
26	18.20
27	18.66
28	19.12
29	19.60
30	20.09
31	20.60
32	21.11
33	21.64
34	22.17
35	22.73
36	23.30
37	23.88
38	24.48
39	25.09
40	25.72
41	26.36
42	27.03
43	27.70
44	28.40

# Board Report

## District 16 -- Orcutt Union

### Fund 01 -- General Fund

As of 2/28/2015

	Beginning Bal/ WrkBudget	Month-To-Date Actual	Year-To-Date Actual	Year-To-Date Encumbrances	Ending Bal/ Remaining Bal
9110 -- Cash in County Treasury	3,308,119.75	(2,656,264.81)	58,326.78	0.00	3,366,446.53
9130 -- Revolving Cash/Fiscal Agent	15,500.00	0.00	0.00	0.00	15,500.00
9200 -- Accounts Receivable	3,606,378.77	0.00	(3,606,378.77)	0.00	0.00
9310 -- Due from Other Funds	732,127.61	0.00	(685,305.01)	0.00	46,822.60
9320 -- Stores	13,927.06	0.00	10,067.52	0.00	23,994.58
9330 -- Prepaid Expenditures (Expenses)	27,960.17	0.00	(27,960.17)	0.00	0.00
<b>Total Assets</b>	<b>7,704,013.36</b>	<b>(2,656,264.81)</b>	<b>(4,251,249.65)</b>	<b>0.00</b>	<b>3,452,763.71</b>
9500 -- Accounts Payable (Current Liabilities)	1,130,196.89	179.29	(1,124,395.69)	0.00	5,801.20
9610 -- Due to Other Funds	1,072,524.71	0.00	(1,072,524.71)	0.00	0.00
9650 -- Deferred Revenue	8,025.49	0.00	(8,025.49)	0.00	0.00
<b>Total Liabilities</b>	<b>2,210,747.09</b>	<b>179.29</b>	<b>(2,204,945.89)</b>	<b>0.00</b>	<b>5,801.20</b>
<b>Fund Balance (Beginning Balance/Actual)</b>	<b>5,493,266.27</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,446,962.51</b>
9791 -- Net Beginning Balance	5,493,266.27	0.00	5,493,266.27	0.00	5,493,266.27
8010 -- Revenue Limit Sources	30,867,364.00	(74,762.00)	16,996,367.22	0.00	13,870,996.78
8100 -- Federal Revenue	1,407,056.08	31,377.27	209,163.35	0.00	1,197,892.73
8300 -- Other State Revenues	3,417,444.90	0.00	345,877.94	0.00	3,071,566.96
8600 -- Other Local Revenue	1,502,326.94	164,833.21	984,002.41	0.00	518,324.53
8910 -- Other Financing Sources	524,721.00	1,254.60	513,899.28	0.00	10,821.72
8980 -- Contributions	0.00	0.00	0.00	0.00	0.00
<b>Total Revenues</b>	<b>37,718,912.92</b>	<b>122,703.08</b>	<b>19,049,310.20</b>	<b>0.00</b>	<b>18,669,602.72</b>
1000 -- Certificated Personnel Salaries	18,815,693.86	1,711,814.45	11,068,851.96	0.00	7,746,841.90
2000 -- Classified Personnel Salaries	5,951,762.87	483,834.70	3,702,425.12	0.00	2,249,337.75
3000 -- Employee Benefits	7,284,394.33	685,630.09	4,308,924.49	0.00	2,975,469.84
4000 -- Books and Supplies	3,589,578.27	80,140.26	756,008.71	436,404.02	2,397,165.54
5000 -- Services and Other Operating Expenditures	3,520,430.19	(276,509.70)	462,970.73	979,512.02	2,077,947.44
6000 -- Capital Outlay	1,554,952.34	94,237.38	796,432.95	17,798.31	740,721.08
7000 -- Other Outgo & Transfers Out	786,562.46	0.00	0.00	0.00	786,562.46
<b>Total Expenditures</b>	<b>41,503,374.32</b>	<b>2,779,147.18</b>	<b>21,095,613.96</b>	<b>1,433,714.35</b>	<b>18,974,046.01</b>
<b>Fund Balance (Budget/Actual)</b>	<b>1,708,804.87</b>	<b>0.00</b>	<b>3,446,962.51</b>	<b>0.00</b>	<b>0.00</b>

Selection Criteria: District = 16; Fund = 01,09 Filtered By: None