

ORCUTT UNION SCHOOL DISTRICT
Regular Closed Meeting of the Board of Trustees
Wednesday, June 10, 2020
Closed Session – 6:00 P.M.
Public Session – 6:30 P.M.
District Board Room
500 Dyer St., Orcutt, CA 93455

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

Orcutt Conference Call

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

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

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: **887-747-125**

CALL TO ORDER 6:00 P.M.

- A. Pledge of Allegiance

CLOSED SESSION PUBLIC COMMENTS

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

ADJOURN TO CLOSED SESSION

- A. Adjourn to Closed Session for the purpose of discussing matters expressly authorized by Government Code Section 3549.1, 54956.95, 54957, and 54957.6.
1. Public Employment per Personnel Report.
 2. Public Employee Employment/Discipline/Dismissal/Release.
 3. Conference with labor negotiator Dr. Deborah Blow, Superintendent and/or Susan Salucci
 - a. OEA
 - b. CSEA
 4. Conference with labor negotiators for unrepresented employees:
 - a. Certificated and Classified Management, and Confidential.
 - b. Agency representative – Superintendent.
 - c. Superintendent. Agency representative – Board of Trustees
 5. Student disciplinary/expulsion matters.
 6. Conference with Legal Counsel: Anticipated Litigation Pursuant to California Government section 54956.9(d) (2).

RECONVENE TO PUBLIC SESSION 6:30 P.M.

- A. Public Report on Action Taken in Closed Session

- B. Adoption of June 10, 2020 Agenda

Moved _____ Second _____ Vote _____

C. **PUBLIC COMMENT ANNOUNCEMENT**

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

ITEMS SCHEDULED FOR INFORMATION/DISCUSSION

A. Superintendent's Report

None

C. Public Comment

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

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

Speakers are allowed a maximum of three (3) minutes to address the Board. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting. **Please make sure to join the meeting (see instructions on page 1), if you plan on making a public comment.**

D. Written Communication

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

CONSENT AGENDA ITEMS

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

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Regular Board Meeting, May 13, 2020
- E. BP 0420.4, Philosophy, Goals, Objectives and Comprehensive Plans for Second Reading
- F. BP 0420.41, Charter School Oversight for the Second Reading
- G. BP 0420.42, Charter School Renewal for the Second Reading
- H. BP 0420.43, Charter School Revocation for the Second Reading
- I. BP 3551, Food Service Operations/Cafeteria Fund for the Second Reading
- J. BP 4112.2, Certification for the Second Reading
- K. BP 4112.9 E, Personnel for the Second Reading
- L. BP 4113.5, Working Remotely for the Second Reading
- M. BP 5141.52, Suicide Prevention for the Second Reading
- N. BP 5144.1, Suspension and Expulsion/Due Process for the Second Reading
- O. BP 6157, Distance Learning for the Second Reading
- P. 2020-21 Dannis Woliver Kelley Attorneys at Law Agreement
- Q. Lozano Smith LLP Attorneys at Law Agreement

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

Moved _____ Second _____ Vote _____

ITEMS SCHEDULED FOR ACTION

A. BUSINESS SERVICES

Public Hearing – 2020-2021 Budget

The 2020-2021 Budget will be available for review on the district website, under Departments, Business Services, Financial Documents

1. 2020-2021 District Adopted Budget

It is recommended that the Board of Trustees adopt the proposed 2020-2021 Adopted budget, as presented.

Moved _____ Second _____ Vote _____

2. 2019/2020 Fund Balance GASB 54 Resolution No. 24

It is recommended the Board of Trustees approve the 2019/2020 Fund Balance GASB 54 Resolution No. 24, as submitted.

Moved _____ Second _____ Vote _____

3. Resolution No. 25, Orcutt Union School District Education Protection Account (EPA) Requirements

Staff recommends that the Board of Trustees adopt Resolution No. 25, Orcutt Union School District Education Protection Account (EPA), as submitted.

Moved _____ Second _____ Vote _____

4. Resolution No. 26 Commit and Uncommit the General Fund Balance

It is recommended that the Board of Trustees adopt Resolution No. 26 Commit and Uncommit the General Fund Balance, as submitted.

Moved _____ Second _____ Vote _____

5. Resolution No. 27 for California Energy Commission 0% Loan Application

It is recommended that the Board of Trustees adopt Resolution No. 27 California Energy Commission 0% Loan Application, as submitted.

Moved _____ Second _____ Vote _____

6. Approval of Proposed Change Order for American Modular System (AMS) for Patterson Road Full Day Kindergarten Project

It is recommended that the Board of Trustees approve the Proposed Change Order for American Modular System (AMS) for the Patterson Road Full Day Kindergarten Project, as submitted.

Moved _____ Second _____ Vote _____

7. Award of Bid for the Lakeview JHS Site Safety & Security Project Measure G Bond

It is recommended that the Board of Trustees award the Lakeview JHS Site Safety & Security Project to Vernon Edwards Contractors, as they were the lowest responsive and responsible bidder submitted.

Moved _____ Second _____ Vote _____

8. Approval of the Lakeview JHS Site Safety & Security Project Budget for the Measure G Bond

Staff recommends that the Board of Trustees approve the estimated budget for the Lakeview JHS Site Safety & Security Project, as submitted.

Moved _____ Second _____ Vote _____

9. Acceptance of Rosie Chavez Gift

Staff recommends that the Board of Trustees accept the Rosie Chavez gift, and that a letter of acceptance and appreciation be forwarded to Marysia Ochej and Thomas Beckenhaurer.

Moved _____ Second _____ Vote _____

10. Obsolete Dining Tables at Olga Reed

Staff recommends that the Board of Trustees declare (8) dining tables out dated and obsolete, and to authorize staff to dispose, as submitted.

Moved _____ Second _____ Vote _____

B. EDUCATIONAL SERVICES

1. Local Control Accountability Plan (LCAP) Operations Written Report and Annual Update for OUSD

Staff recommends the Board of Trustees approve the Local Control and Accountability COVID-19 Operations Written Report for Orcutt Union School District, as submitted.

Moved _____ Second _____ Vote _____

2. Local Control Accountability Plan (LCAP) Operations Written Report for Orcutt Academy Charter

Staff recommends the Board of Trustees approve the Local Control and Accountability COVID-19 Operations Written Report for Orcutt Union School District, as submitted.

Moved _____ Second _____ Vote _____

3. Board Policy 5125, Student Records

It is recommended that the Board of Trustees approve the revisions to Board Policy 5125, Student Records, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 6163.4, Student Use of Technology

It is recommended that the Board of Trustees approve the revisions to Board Policy 6163.4, Student Use of Technology, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

C. HUMAN RESOURCES

Public Hearing Initial Collective Bargaining Proposal with California School Employee Association Orcutt Chapter #255 for a 2020-2023 Successor Agreement

1. Adopt the District's Initial Collective Bargaining Proposal with California School Employee Association Orcutt Chapter #255 for a 2020-2023 Successor Agreement

It is recommended that the Board of Trustees adopt the District's Initial Collective Bargaining Proposal with the California School Employee Association Orcutt Chapter #255 for a 2020-2023 Successor Agreement, as submitted.

Moved _____ Second _____ Vote _____

Public Hearing Initial Collective Bargaining Proposal with Orcutt Educators Association (OEA) for 2020/2021

2. Adopt the District's Initial Collective Bargaining Proposal with Orcutt Educators Association for the 2020/2021 School Year

It is recommended that the Board of Trustees adopt the District's Initial Collective Bargaining Proposal with Orcutt Educators Association for the 2020/2021 School Year, as submitted.

Moved _____ Second _____ Vote _____

3. Brandman University Internship Contract Agreement

It is recommended that the Board of Trustees approve the Brandman University Internship Contract Agreement for the Multiple Subject, Single Subject and Education Specialist Internship Credential Programs with the Orcutt Union School District.

Moved _____ Second _____ Vote _____

4. Approval of Administrative Position: Interim Assistant Superintendent, Educational Services

It is recommended that the Board of Trustees approve the hiring of Janet Bertoldi as the Interim Assistant Superintendent, Educational Services, as submitted.

Moved _____ Second _____ Vote _____

D. GENERAL

1. 2019-2020 Resolution No. 22 Candidate's Statement

It is recommended that the Board of Trustees adopt 2019-2020 Resolution No.22, Candidate's Statement, as submitted.

Moved _____ Second _____ Vote _____

2. 2019/2020 Resolution No. 23, Recognition of Dr. Debbie Blow

It is recommended that the Board of Trustees adopt 2019/2020 Resolution No. 23, Recognition of Dr. Debbie Blow, as submitted.

Moved _____ Second _____ Vote _____

E. ITEMS FROM THE BOARD

A time for Board members to share reports or comments on items of special interest or importance.

GENERAL ANNOUNCEMENTS

- A. Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, August 12, 2020, beginning with Closed Session starting at 6:00 p.m., Public Session at 6:45 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN TO CLOSED SESSION (If Needed)

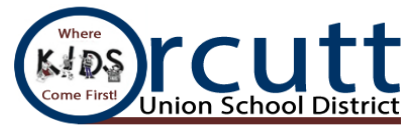
- A. Public Report on Action Taken in Closed Session

ADJOURN

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

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

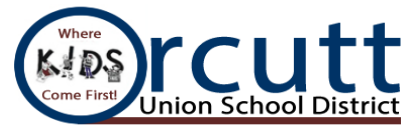
Classified Personnel Action Report
 Orcutt Union School District
 June 10, 2020



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

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Bower, Sheila	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8-7/7/2020	Summer position
Catron, Susan	Extended School Year	Occupational Therapist		Not to exceed 90	\$40.00 per hr.	6/8 – 7/7/2020	Summer position
Coll, Brenda	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8 – 7/7/2020	Summer position
Cuevas, Allison	Campus Connection,	Child Care Assistant	7/2	3.75	\$14.34 per hr.	6/5/2020	Lay Off
Diaz-Padilla, Mario	Maintenance	Maintenance Craftsperson	26/3	8.0	\$4,190.00 per mo.	6/8/2020	Permanent/Probationary
Diaz-Padilla, Mario	Maintenance	Maintenance Craftsperson	26/3	8.0	5% of salary	6/8/2020	Backflow Certification Stipend
Emery, Yvonne	Olga Reed	Instructional Assistant, I	11/6	3.92	\$1,715.00	6/30/2020	Classified Retirement Incentive
Flick, Megan	Pine Grove	Media Specialist	14/1	24 per wk.	\$16.24 per hr.	7/1/2020	Permanent/Probationary
Galvez-Dana, Angie	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8-7/7/2020	Summer position
Gauna, Kaylee	Child Nutrition/Orcutt JH	Child Nutrition Worker	7/6	2.0	\$17.44 per hr.	6/5/2020	Resignation
Gonzalez, Reyes	Olga Reed/Orcutt Academy K-8	Office Assistant	14/6	3.5	\$1,531.25	6/30/2020	Classified Retirement Incentive
Lara, Alisa	Campus Connection, Dunlap	Child Care Assistant	7/3	3.75	\$15.06 per hr.	6/5/2020	Lay Off
Lara, Charlene	Campus Connection, Patterson	Child Care Assistant	7/6	3.75	\$17.44 per hr.	6/5/2020	Lay Off
Lewis, Robin	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8-7/7/2020	Summer position
Locarnini, JoAnne	Nightingale	Office Assistant	14/6	7.0	\$2,187.50	6/30/2020	Classified Retirement Incentive
Logan, Ronald	Lakeview JH	Custodian, Head	18/6	8.0	\$2,500.00	6/30/2020	Classified Retirement Incentive
McGill, Joseph	Operations	Utility Worker	18/6	8.0	\$4,500.00	6/30/2020	Classified Retirement Incentive

Classified Personnel Action Report
 Orcutt Union School District
 June 10, 2020



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

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
McIntyre, Laura	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8-7/7/2020	Summer position
Montoya, Natalie	Alice Shaw	Office Manager	21/6	8.0	\$3,500.00	6/30/2020	Classified Retirement Incentive
Nance, Donna	Pine Grove	Media Specialist	14/6	5.0	\$2,812.50	6/30/2020	Classified Retirement Incentive
Nunez, Jessica	Campus Connection, Dunlap	Child Care Assistant	7/3	3.75	\$15.06 per hr.	6/5/2020	Lay Off
O'Leary, Jodi	Extended School Year	Instructional Assistant		Not to exceed 90	\$16.00 per hr.	6/8-7/7/2020	Summer position
Orahood, Mary	Campus Connection, Dunlap	Child Care Assistant	7/6	3.75	\$1,171.88	6/30/2020	Classified Retirement Incentive
Palin, Cheri	Alice Shaw	Office Manager	21/4	8.0	\$22.34 per hr.	7/1/2020	Promotion
Ridenour, Cynthia	Nightingale	Instructional Assistant, I	11/6	6.0	\$3,375.00	6/30/2020	Classified Retirement Incentive
Siemsen, Elena	Campus Connection, Dunlap	Child Care Assistant	7/2	3.75	\$14.34 per hr.	6/5/2020	Lay Off
Sniderhan, Brenda	Lakeview JH	Child Nutrition Cook, Senior	11/6	6.25	\$19.25 per hr.	7/31/2020	Request Early Retirement Incentive Program
Sniderhan, Brenda	Lakeview JH	Child Nutrition Cook, Senior	11/6	6.25	\$2,734.38	6/30/2020	Classified Retirement Incentive
Teniente, Jaime	Campus Connection, Patterson	Child Care Assistant	7/1	3.75	\$13.66 per hr.	6/5/2020	Lay Off
Teniente, McKenzie	Campus Connection, Alice Shaw	Child Care Assistant	7/1	3.75	\$13.66 per hr.	6/5/2020	Lay Off
Torres, Christopher	Nightingale	Instructional Assistant, I	11/3	6.0	\$16.63 per hr.	7/1/2020	Transfer sites
Wasylychyn, Stephanie	Nightingale	Instructional Assistant, I	11/6	6.0	\$19.25 per hr.	7/1/2020	New position/hours From IA II to IA I); increase in hours
Weddle, Rosemary	Campus Connection, Nightingale	Child Care Assistant	7/1	3.75	\$13.66 per hr.	6/5/2020	Lay Off
Weekley, Kimberly	Nightingale	Instructional Assistant, I	11/6	6.0	\$2,625.00	6/30/2020	Classified Retirement Incentive

Classified Personnel Action Report
 Orcutt Union School District
 June 10, 2020



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

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Werneburg, Rossana	Pine Grove/Lakeview JH	Noon Duty Supervisor	6/1	1.832	\$13.33 per hr.	6/5/2020	Resignation
Wright, Terry	Extended School Year	Office Clerk		Not to exceed 150	\$17.00 per hr.	6/1 – 7/8/2020	Summer position
Yolar- Groppetti, Madison	Instructional Assistant	Extended School Year		Not to exceed 90	\$16.00 per hr.	6/8- 7/7/2020	Summer position



Certificated Personnel Action Report
Orcutt Union School District
 June 10, 2020

TO: Dr. Deborah Blow, Superintendent
FROM: Susan Salucci, Assistant Superintendent / Human Resources
RE: Recommendations for Board Approval and Ratification

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Alter, Sara	Ralph Dunlap	Hourly	\$25	4/2-5/15/20	Intervention, 126 hrs
Alvarado, Patricia	Alice Shaw	IV-4	\$57,301 \$5,000	2020-21	Probationary Signing Bonus Paid over 2 Years
Baldwin, Beth	Lakeview JHS	Extra Duty	\$40/hr	2019-20	Locker Room Coverage, 30.5 hrs
Batchelor, Melanie	Pine Grove	Hourly	\$25	4/1-5/27/20	Art Enrichment, 128 hrs
Beal, Donna	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Blanchard, Kim	Joe Nightingale	Hourly	\$25	4/2-5/19/20	Intervention, 149.5 hrs
Bloom, Loren	District	Hourly	\$40	6/9-7/7/20	Extended School Year Teacher, 102.5 hrs
Bormes, Lori	Ralph Dunlap	Hourly	\$25	4/6-6/3/20	Art Enrichment, 122 hrs
Bornhoft, Kristin	Orcutt Academy HS	V-17	\$91,337*	2020-21	80% Contract
Widle, Tiffany	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 6 hrs
Buchanan, Sarah	Pine Grove	Hourly	\$25	4/2-5/28/20	Intervention, 114.75 hrs
Cantrell, Andrea	Ralph Dunlap	Hourly	\$25	4/2-6/5/20	Intervention, 120 hrs
Cave, Kelsey	Patterson Road	IV-6	\$61,213	2020-21	Completed units for movement
Cooper, Lisa	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Culbara, Sydney	Orcutt Academy HS	V-5	\$62,036	2020-21	Probationary
Ebner, Karen	Lakeview JHS District	VI-5 Hourly	\$64,979 \$40	2020-21 6/9-7/7/20	Completed MA and units for movement Extended School Year Teacher, 102.5 hrs
Elkin, Miranda	Patterson Road	VI-5	\$64,979	2020-21	Completed MA and units for movement

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Fargher, Meghan	Joe Nightingale Alice Shaw	III-1 Hourly	\$49,557 \$25	2020-21 3/10-3/12/20 3/6/20	Temporary IEP Meetings, 2 hrs Report Card Entry, 6 hrs
Feliz, Jessica	Patterson Road	Extra Duty	\$40/hr	5/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Fenske, Christina	Orcutt Academy K-8/ Olga Reed	Hourly	\$25	4/3-6/5/20	Garden Educator, 88 hrs
Freeland, Susan	Joe Nightingale	Hourly	\$25	4/2-5/11/20	Intervention, 117 hrs
Garcia, Deedra	Patterson Road	Hourly	\$25	4/2-5/21/20	Intervention, 144 hrs
Gonzalez, Susana	Orcutt Academy HS	VI-4	\$62,863 \$5,000	2020-21	Probationary Signing Bonus Paid over 2 Years
Hadley, Amanda	Patterson Road	Hourly	\$25	4/2-6/5/20	Intervention, 192 hrs
Harris, Steve	Lakeview JHS	VI-20	\$100,043	2020-21	Completed Masters
Hart, Debra	Olga Reed	Hourly	\$25	4/1-4/30/20	Intervention, 64 hrs
Henry, Kristi	District	Hourly	\$40	6/9-7/7/20	Extended School Year Teacher, 102.5 hrs
Hernandez, Selina	Lakeview JHS	VI-5	\$64,979	2020-21	Completed MA and units for movement
Humann, Patricia	Patterson Road	Hourly	\$25	4/2-5/26/20	Intervention, 156 hrs
Ibarra, Emily	Joe Nightingale	Hourly	\$25	4/1-6/3/20	Art Enrichment, 144 hrs
Jones, Cara	Joe Nightingale	Hourly	\$25	4/1-6/5/20 4/1-6/5/20	Overage Support, 82 hrs Title 1 Support, 82 hrs
Kantrowski, Jennifer	Olga Reed	Hourly	\$25	4/1-6/3/20	Intervention, 211.5 hrs
Lara, Nichol	Alice Shaw	Hourly	\$25	4/2-5/28/20	Intervention, 135 hrs
Larrabee, Jennifer	Patterson Road	Hourly	\$25	4/1-6/5/20	Art Enrichment, 138 hrs
Leach, Veronica	Olga Reed	Hourly	\$25	4/2-6/5/20	Title 1 Support, 184 hrs
Lew, Hannah	Ralph Dunlap	IV-1	\$51,906	2020-21	Temporary
Macdonald, Christa	Alice Shaw	VI-5	\$64,979	2020-21	Completed MA and units for movement
Majewski, Kaitlin	Pine Grove	Hourly	\$25	4/2-5/21/20	Intervention, 102 hrs
Matautia, Jewelee	Orcutt Academy K-8	Hourly	\$25	4/2-6/5/20	Intervention, 208 hrs
McKeone, Haylee	Patterson Road	VI-5	\$64,979	2020-21	Completed MA and units for movement
Milanesa, Kateri	Pine Grove	II-1	\$47,320	2020-21	Temporary
Millan, Laurie	Alice Shaw	Hourly	\$25	4/2-5/22/20	Intervention, 125 hrs
Nordwall, Jubilee	Orcutt JHS	VI-5	\$64,979	2020-21	Completed MA and units for movement

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Norling, Michaela	Pine Grove	VI-5	\$64,979	2020-21	Completed MA and units for movement
Meyer, Karen	Ralph Dunlap	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Miller, Ashley	District	Hourly	\$40	6/9-7/7/20	Extended School Year Teacher, 102.5 hrs
Murch, Tamara	Orcutt JHS	Hourly	\$25	4/1-4/24/20	ELD Support, 42 hrs
Mussell, Katelyn	Pine Grove	IV-2	\$53,644	2020-21	Temporary
Ortiz, Patricia	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Padilla, Valerie	District	Hourly	\$40	6/9-7/7/20	Extended School Year Teacher, 102.5 hrs
Parker, Elizabeth	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Parker, Jessica	District	Hourly	\$40	6/9-7/7/20	Extended School Year Teacher, 102.5 hrs
Pawley, Lise	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Perez, Cecilia	Orcutt JHS District	Extra Duty Hourly	\$48.32/hr \$40/hr \$40	5/22-5/25/20 6/2020 6/9-7/7/20	IEP Meetings, 6 hrs Packing up of classrooms in prep for modernization, 12 hrs Extended School Year Teacher, 102.5 hrs
Pimentel, Jade	Joe Nightingale	III-2 Extra Duty	\$51,220 \$40/hr	2020-21 3/9/20 6/2020	Temporary IEP Meeting, 1.5 hrs Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Ramirez, Amanda	Pine Grove	IV-1 Hourly	\$51,905 \$5,000 \$25	2020-21 3/2-3/6/20	Probationary Signing Bonus Paid over 2 Years IEP Meetings, 2 hrs
Ramirez, Nancy	Joe Nightingale	III-3 Extra Duty	\$52,937 \$40/hr	2020-21 3/2-3/9/20	Temporary Intervention, 3 hrs
Rianda, Terry	District	Hourly	\$50	4/1-4/23/20	Induction Mentor, 16 hrs
Richardson, Laura	Joe Nightingale	Hourly	\$25	4/2-5/11/20	Intervention, 117 hrs
Riggs, Isabel	Alice Shaw	VI-6	\$67,171	2020-21	Temporary
Rowland, JoAnne	Alice Shaw	Hourly	\$25	4/1-6/5/20	Art Enrichment, 138 hrs
Romo-Buenditempo, Sara	Alice Shaw	Hourly	\$25	4/2-6/5/20	Intervention, 160 hrs
Ryken, Austria	Pine Grove	III-2 Extra Duty	\$51,220 \$40/hr	2020-21 3/10/20	Temporary Collaboration Meeting, 2 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Sage, Addison	Orcutt Academy HS	IV-2	\$53,644*	2020-21	Temporary, 60%
Salvesen, Kris	Pine Grove	Hourly	\$25	4/2-6/5/20	Intervention, 128 hrs
Salinas, Janinne	District	Extra Duty	\$750 \$6,000	5/18-7/7/20	ESY Preparation ESY Administrator
Saylor, Jennifer	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Schmid, Renee	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Severance, Bob	Alice Shaw	Hourly	\$25	4/6-6/2/20	After School Computer, 90 hrs
Sharpe, Jeri	Pine Grove	VI-3	\$60,819	2020-21	Completed Units for Movement
Shuffield, Jamie	Patterson Road	IV-2 Extra Duty	\$53,644 \$40/hr	2020-21 3/4/20	Temporary Collaboration Meeting, 2 hrs
Snow, Cory	Lakeview JHS	IV-6	\$61,213	2020-21	Probationary
Stephenson, Leigh	Orcutt Academy HS	III-6	\$58,444*	2020-21	60% Contract
Taira, Myrna	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Trujillo, Liz	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Tuggle, Julianne	Orcutt JHS Pine Grove	VI-1 Daily	\$56,931 \$110	2020-21 2/26-2/28/20	Probationary Shadow for long term assign, 3 days
Tymn, Liz	Pine Grove	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 12 hrs
Van Allen, William	Lakeview JHS	Extra Duty	\$40/hr	2019-20	Locker Room Coverage, 30.5 hrs
Wagonseller, Jeff	District	Hourly	\$50	8/29-12/19/19	CASC Mentor, 54.5 hrs
Wellard, Amy	Alice Shaw	III-7 Extra Duty	\$60,408 \$40/hr	2020-21 3/2-3/10/20 3/5/20	Temporary After School Computer, 4 hrs Collaboration, 2 hrs
Westman, Kirstin	Alice Shaw / Pine Grove	IV	\$99,419	2020-21	Probationary
Whitted, Dana	Olga Reed	Hourly	\$25	4/2-6/5/20	Art Enrichment, 184 hrs
Widle, Tiffany	Joe Nightingale	Extra Duty	\$40/hr	6/2020	Packing up of classrooms in prep for modernization and all day kinder changes, 6 hrs
Winters, Gabrielle	Ralph Dunlap	IV-3	\$55,444	2020-21	Completed units for movement

*To be prorated

<i>NAME</i>	<i>SCHOOL</i>	<i>CLASS/ STEP</i>	<i>SALARY</i>	<i>EFFECTIVE DATE</i>	<i>ACTION INFORMATION</i>
Wogahn, Alyssa	Pine Grove	IV-2	\$53,644	2020-21	Temporary
Woodruff, Jenna	Ralph Dunlap	IV-2	\$53,644	2020-21	Temporary
Yamaichi, Anna	Pine Grove	Hourly	\$25	4/1-5/21/20	Overage Support, 172 hrs

*To be prorated

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
May 13, 2020**

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, May 13, 2020, in the District Board Room, beginning with Liz Phillips calling Public Session to order at 6:00 p.m. The Pledge of Allegiance was led by Alice Salazar. Members Present: Phillips, Waffle, Steller, Henderson, and Morinini. Administrators Present: Blow, Edds, Salucci, Young and Fell. The Board Meeting was closed to the Public due to the Covid 19 Pandemic. The Board Meeting was teleconferenced via "Go to Meeting" and streamed via "Webex".

CLOSED SESSION PUBLIC COMMENTS

None

ADJOURN TO CLOSED SESSION

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

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:30 p.m. Liz Phillips reported that the Board approved the Bargain Sale Agreement with Rice Ranch Ventures, LLC related to the district's acceptance of real property located adjacent to the Pine Grove Elementary School site, Assessor's Parcel Number 101-390-009. The material terms of the Sale Agreement provide: 1. The sale is in full satisfaction of the seller's obligations under the School Mitigation Agreement dated April 4, 2006. 2. The purchase price is Ten Dollars. The District will hold Seller harmless from any claim or other monetary costs incurred by or threatened against Seller resulting from the District's development or use of the Property. 4. The District and Seller will each pay ½ the escrow closing cost. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

RECONVENE TO PUBLIC SESSION

It was moved by Melanie Waffle seconded by Shaun Henderson to add Items from the Board prior to the public comment section, and to adopt the May 13, 2020 agenda.

ITEMS FROM THE BOARD

Melanie thanked Bethany Markee and the Child Nutrition Department on the great job they are doing on the lunch distribution. Shaun Henderson, Lisa Morinini and Liz Phillips thanked the teachers and staff for all of their hard work, moving of classrooms due to construction and distance learning during the Covid 19 Pandemic.

PUBLIC COMMENT

Phyllis Jackson, President of the Classified Staff Employee Association (CSEA) gave a CSEA update. Monique Segura, President of the Orcutt Educators Association (OEA), gave an OEA update

CONSENT AGENDA ITEMS

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Regular Board Meeting, April 8, 2020
- E. Minutes, Special Closed Session Board Meeting, April 18, 2020
- F. Minutes, Special Closed Session Board Meeting, April 19, 2020
- G. Minutes, Special Closed Session Board Meeting, April 29, 2020
- H. California Interscholastic Federation (CIF) Representatives League Form for 2020-2021
- I. Certification 5 SELPA Participating Local Educational Agency
- J. Williams/Valenzuela Uniform Complaints
- K. Early Learning Center Resolution No. 21
- L. Los Olivos Attendance Agreement

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

ACTION AGENDA ITEMS

Acceptance of Gifts

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve the gift from Altrusa Club of the Central Coast Foundation for Alice Shaw, and that a letter of acceptance and appreciation be forwarded to the Altrusa Club of the Central Coast Foundation. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Strategic Plan Targets for 2020-2021

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the Strategic Plan Targets for 2020-2021, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 0420.4, Charter Authorization

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 0420.4, Charter Authorization, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 0420.41 Charter Oversight

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 0420.41, Charter Oversight, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 0420.42, Charter School Renewal

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 0420.42, Charter School Renewal, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 0420.43, Charter School Revocation

It was moved by Mark Steller, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 0420.43, Charter School Revocation, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Proposed Cancellation of originally scheduled Regular Board Meeting on June 3, 2020

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve the Cancellation of the originally scheduled Regular Board Meeting on June 3, 2020, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Public Hearing – Developer Fee Increase

Resolution No. 20 School Developer Fee Increase

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the Resolution No. 20 School Developer Fee Increase, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Approval of Proposed Change Order for Orcutt Academy High School Restroom Project

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve the Proposed Change Order for Orcutt Academy High School Restroom Project, as submitted. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

Approval of Proposed Change Order for Olga Reed Cafeteria Modernization Project

It was moved by Shaun Henderson, seconded by Melanie Waffle, and carried to approve the Proposed Change Order for Olga Reed Cafeteria Modernization Project, as submitted. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

Board Policy 3551, Food Service Operation/Cafeteria Fund

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 3551, Food Service Operation/Cafeteria Fund, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

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

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the amendment to the Professional Services Agreement with PMSM/19six Architects Agreement, as submitted. Ayes: Phillips, Waffle, Henderson, and Morinini. Nay: Mark Steller

California Department of Education Library Survey

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to acknowledge the district's completion of the Library Survey for Alice Shaw, Joe Nightingale, Patterson Road, Pine Grove, Ralph Dunlap, Lakeview Jr. High School, Orcutt Jr. High School and Orcutt Academy Charter, as submitted. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

Board Policy 5141.52, Suicide Prevention

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the revisions made to Board Policy 5141.52, Suicide Prevention for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 5144.1, Suspension and Expulsion/Due Process

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the revisions made to Board Policy 5141.52, Suspension and Expulsion/Due Process, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 6157, Distance Learning

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the new Board Policy 6157, Distance Learning, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Ratification of Superintendent Contract

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to ratify the Employment Agreement with Dr. Holly Edds, for the position of Superintendent of the Orcutt Union School District, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Resolution No. 14, Declaration of Need

It was moved by Melanie Waffle, seconded by Lisa Morinini, and carried to approve Resolution No. 14, Declaration of Need, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

2019/2020 Resolution No. 21 Classified Lay-Offs as a Result of Lack of Work and/or Lack of Funds

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve Resolution No. 21, Classified Lay-Offs as a Result of Lack of Work and/or Lack of Funds, as submitted. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4112.2, Certification

It was moved by Melanie Waffle, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4112.2, Certification, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

Board Policy 4113.5/4213.5/4313.5, Working Remotely

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 4113.5/4213.5/4313.5, Working Remotely, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Phillips, Waffle, Steller, Henderson, and Morinini.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, June 10, 2020, with Closed Session starting at 6:00 p.m., Public Session at 6:45 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to adjourn the meeting at 7:47 PM.

Deborah L. Blow, Ed.D. Board Secretary

Melanie Waffle, Clerk, Board of Trustees

CHARTER SCHOOLS AUTHORIZATION

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

One or more persons may submit a petition **to the Board** for a ~~start-up~~ charter school to be established within the district or for the conversion of an existing district school to a charter school. (Education Code 47605)

Any petition for a ~~start-up~~ charter school ~~or conversion charter school~~ shall include all components, ~~and signatures~~ **and statements** required by law, **as specified in the accompanying administration regulation. The proposed charter shall be attached to the petition. (Education Code 47605)** ~~and shall be submitted to the Board.~~

The Superintendent or designee shall consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements.

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

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

Timelines for Board Action

Within ~~3~~ **60** days of receiving a petition, ~~to establish a charter school~~, the Board shall hold a public hearing **on the charter provisions, at which time the Board shall consider to determine** the level of support for the petition by teachers, other employees of the district, and parents/guardians. **A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.** (Education Code 47605)

(cf. 9320 - Meetings and Notices)

At least 15 days before the public hearing at which the Board will grant or deny the charter, the district shall publish all staff recommendations regarding the petition, including any recommended findings and, if applicable, certification from the County Superintendent of Schools regarding the potential fiscal impact of the charter school on the district. During the public hearing, the petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings. (Education Code 47605)

The Superintendent or designee shall maintain accurate records, in relation to each charter petition, of documents submitted, the Board's proceedings, and the findings upon which the Board's decision is made.

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

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

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

Approval of Petition

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

A charter petition shall be granted only if the Board is satisfied that doing so is consistent with sound educational practice and the interests of the community in which the school is proposing to locate. In granting charters, the Board shall consider the academic needs of the students the charter school proposes to serve and shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for students who are identified by the petitioner as academically low-achieving, based on standards established by California Department of Education (CDE). (Education Code 47605)

Prior to authorizing any charter, the Board shall verify that the charter includes adequate processes and measures for monitoring and holding the school accountable for fulfilling the terms of its charter and complying with all applicable laws, including Education Code 47604.1. Such processes and measures shall include, but are not limited to, fiscal accountability systems, multiple measures for evaluating the educational program, inspection and observations of any part of the charter school, and regular reports to the Board.

(cf. 0420.41 - Charter School Oversight)

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

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

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

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

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

Denial of Petition

The Board shall ~~deny any charter petition that~~ **summarily deny any charter petition that proposes to:**

1. ~~Proposes to~~ **Operate** a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
2. ~~Authorizes the conversion of~~ **Convert** a private school to a charter school (Education Code 47602)
3. ~~Proposes to~~ **Serve** students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district (Education Code 47605)
4. **Offer nonclassroom-based instruction (Education Code 47612.7)**

~~Any other~~ **Regarding all other** charter petitions, ~~the Board shall be denied~~ **deny a petition** only if the Board ~~presents~~ **makes** written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605; **5 CCR 11967.51**)

1. The charter school presents an unsound educational program **that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit,** for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain **a clear, unequivocal statement** ~~an affirmation of each of the conditions~~ described in Education Code 47605(d e), **including that the charter school will be nonsectarian and that the school shall not charge tuition or discriminate against any student based on the characteristics specified in Education Code 220**

5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
6. The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining pursuant to Government Code 3540-3549.3.
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding shall detail specific facts and circumstances regarding:
 - a. The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings
 - b. Whether the proposed charter school would duplicate a program currently offered within the district, when the existing program has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate
8. The district is not positioned to absorb the fiscal impact of the proposed charter school. The district meets this criterion if it has a negative interim certification, or has a qualified interim certification and the County Superintendent certifies that approving the charter school would result in the district having a negative interim certification.

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

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

Appeals

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

At the request of the petitioner, the Board shall prepare the documentary record, including a transcript of the public hearing at which the Board denied the charter, no later than 10 business days after the petitioner makes the request. (Education Code 47605)

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to SBE detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and grant shall or deny the petition within 30 days. (Education Code 47605)

Legal Reference:

EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

17078.52-17078.66 Charter school's facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

32282 Comprehensive safety plan

33126 School Accountability Report Card

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

49011 Student fees

51745-51749.3 Independent study

52060-52077 Local control and accountability plan

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

3540-3549.3 Educational Employment Relations Act

6250-6270 California Public Records Act

54950-54963 Ralph M. Brown Act

81000-91014 Political Reform Act of 1974

CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent study

11960-11969 Charter schools

UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

COURT DECISIONS

Ridgecrest Charter School V. Sierra Sands Unified School District, (2005) 130

Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

Management Resources:

CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018

Charter Schools in Focus, Issue 1: Managing the Petition Review Process, Governance Brief,

November 2016

Charter Schools and Board Member Responsibilities, Education Insights Legal Update Webcast, March 2016

Charter Schools: A Guide for Governance Teams, rev. February 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Dear Colleague Letter: Guidance Regarding the Oversight of Charter Schools Program and Regulatory Requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, August 2016

Charter Schools Program, Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014

Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools, December 2011

WEB SITES

CSBA: <http://csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://charterauthorizers.org>

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

Policy Adopted: ~~09/11/19~~ 08/12/20

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

CHARTER SCHOOL OVERSIGHT

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

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

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

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

Waivers

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

(cf. 1431 - Waivers)

Provision of District Services

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

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

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

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

CHARTER SCHOOL OVERSIGHT

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

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

Monitoring Charter School Performance

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

The Board shall monitor each charter school to determine whether it is achieving **the measurable student outcomes set forth in the charter**, ~~its academic goals~~, both school wide and for each numerically significant student subgroup served by the school, as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter ~~petition~~ and any applicable memorandum of understanding, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget; an annual update of the charter school's LCAP, first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

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

Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. **If the district is given responsibility for supervisory oversight of a charter school that was authorized by SBE on appeal, the district is not limited to these percentages and may charge for the actual costs of supervisory oversight and for the administrative costs necessary to secure charter school funding.** (Education Code 47613)

(cf. 7160 - Charter School Facilities)

**Philosophy, Goals, Objectives and Comprehensive Plans
CHARTER SCHOOL OVERSIGHT**

BP 0420.41(c)

Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent of Schools. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 45607.3)

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

1. ~~Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.~~
2. ~~Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, county office of education, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.~~
3. ~~Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in items #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.~~

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

1. ~~Shall provide technical assistance to the charter school based on the California School Dashboard~~

CHARTER SCHOOL OVERSIGHT

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

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

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

Complaints

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

School Closure

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

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

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

Legal Reference:
EDUCATION CODE

CHARTER SCHOOL OVERSIGHT

- 215 Suicide prevention policy
- 215.5 Suicide prevention hotline contact information on student identification cards
- 220 Nondiscrimination
- 221.61 Posting of Title IX information on web site
- 221.9 Sex equity in competitive athletics
- 222 Lactation accommodations for students
- 222.5 Pregnant and parenting students, notification of rights
- 234.4 Mandated policy on bullying prevention
- 234.6 Bullying and harassment prevention information**
- 234.7 Student protections relating to immigration and citizenship status
- 17070.10-17079.30 Leroy F. Greene School Facilities A
- 17280-17317 Field Act
- 17365-17374 Field Act, fitness for occupancy
- 32282 Comprehensive safety plan
- 32283.5 Online training on bullying prevention
- 33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
- 35179.4-35179.6 Interscholastic athletic programs, safety
- 35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
- 35330 Field trips and excursions; student fees
- 38080-38086 School meals
- 39831.3 Transportation safety plan
- 39843 Disciplinary action against bus driver; report to Department of Motor Vehicles
- 41024 Report of expenditure of state facility funds
- 42100 Annual statement of receipts and expenditures
- 44030.5 Reporting change in employment status due to alleged misconduct
- 44237 Criminal record summary
- 44691 Information on detection of child abuse
- 44830.1 Certificated employees, conviction of a violent or serious felony
- 45122.1 Classified employees, conviction of a violent or serious felony
- 45125.1 Fingerprinting; employees of contracting entity
- 46015 Accommodations for pregnant and parenting students; parental leave
- 47600-47616.7 Charter Schools Act of 1992
- 47634.2 No classroom-based instruction
- 47640-47647 Special education funding for charter schools
- 47651 Apportionment of funds, charter schools
- 48000 Minimum age of admission for kindergarten; transitional kindergarten
- 48010-48011 Minimum age of admission (first grade)
- 48206.3-48208 Students with temporary disabilities; individual instruction
- 48850-48859 Educational placement of foster youth and homeless students
- 48907 Students' exercise of free expression; rules and regulations
- 48913.5 Suspended students, homework assignments**

CHARTER SCHOOL OVERSIGHT

48950 Student speech and other communication
48985 Parental notifications,
49005-49006.4 Seclusion and restraint
49011 Student fees
49014 Public School Fair Debt Collection Act
49061 Student records
49062.5 Student records, name or gender changes
49070 Challenging student records
49073.2 Privacy of student and parent/guardian personal information
49076.7 Student records; data privacy; Social Security numbers
49110 Authority of issue work permits
49381 Human trafficking prevention
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:
49431.9 Advertisement of non-nutritious foods
49475 Health and safety, concussions and head injuries
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
49564 Meals for needy students
51224.7 Mathematics placement policy
51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework
51225.6 Instruction in cardiopulmonary resuscitation
51513 Diploma of graduation, without passage of high school exit examination
51745-51749.36 Independent study
51930-51939 California Healthy Youth Act
52052 Academic Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plans
52075 Uniform complaint procedures
56026 Special education
56040.3 Availability of assistive technology devices
56145-56146 Special education services in charter schools
56365-56366.12 Nonpublic, nonsectarian schools
60600-60649 Assessment of academic achievement
64000 Categorical programs included in consolidated application
64001 School plan for student achievement, consolidated application programs
65000-65001 School site councils
69432.9-69432.92 Cal Grant program; notification of grade point average and high school graduation
CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE

CHARTER SCHOOL OVERSIGHT

1090-1099 Prohibitions applicable to specified officers

3540-3549.3 Educational Employment Relations Act

6250-6270 California Public Records Act

54950-54963 The Ralph M. Brown Act

81000-91014 Political Reform Act of 1974

HEALTH AND SAFETY CODE

104420 Tobacco Use Prevention Education grant program

104559 Tobacco-free schools

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

VEHICLE CODE

28160 Child safety alert system

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex

6311 Adequate State plan

7221-7221j Charter schools

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective

CHARTER SCHOOL OVERSIGHT

Governance in California's Charter Schools, September 2018
Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
Charter Schools: A Guide for Governance Teams, rev. 2016
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
Sample Copy of a Memorandum of Understanding
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017
Special Education and Charter Schools: Questions and Answers, September 10, 2002
U.S. DEPARTMENT OF EDUCATION GUIDANCE
Charter Schools Program: Title V, Part B of the ESEA, January 2014
WEB SITES
CSBA: <http://www.csba.org>
California Charter Schools Association: <http://www.calcharters.org>
California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>
National Association of Charter School Authorizers: <http://www.qualitycharters.org>
U.S. Department of Education: <http://www.ed.gov>

Policy Adopted: ~~09/11/19~~ 08/12/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

CHARTER SCHOOL OVERSIGHT

REQUIREMENTS FOR CHARTER SCHOOLS

A charter school shall subject to the terms of its charter; any memorandum of understanding between the school and the district Governing Board; the state and federal constitutions; applicable federal laws; state laws that apply to the governmental agencies in general; and other legal requirements that are expressly applicable to charter schools, including, but not limited to, requirements that each charter school or the entity managing the charter school:

Governance

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)

Operations

3. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
4. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

Admission/Enrollment

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
7. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

REQUIREMENTS FOR CHARTER SCHOOLS

8. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

- b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)
 - c. Other admissions preferences may be permitted by the Governing Board of the district on an individual school basis as consistent with law. (Education Code 47605)
9. Not discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its web site the California Department of Education's (CDE) notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)
- 9.10 Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)
1011. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
142. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated. (Education Code 48207.3)

Nondiscrimination

123. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
134. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7
145. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school web site or on the web site of the charter operator (Education Code 221.61)
156. If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
167. Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other **needs related to breastfeeding**. **The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students.** (Education Code 222, 222.5, 46015)
178. If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)

Tuition and Fees

189. Not charge tuition (Education Code 47605)
1920. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
- 20.1 Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

School Plans

- 24.2 Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, **after holding a public hearing**, in consulting ~~on~~ with specified stakeholders and using the template adopted by the State Board of Education (SBE). ~~To the extent practicable, data shall be reported in a manner consistent with how information is reported on the California School Dashboard.~~ As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians, based on the template developed by the SBE, ~~which includes specified information relating to the school's budget.~~ (Education Code 47604.33, 47606.5, 52064, 52064.1)
223. If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)
234. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)
245. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 28160)

Curriculum and Instruction

256. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
267. If the charter school offers a kindergarten program, also offer a transitional kindergarten program to students whose fifth birthday is from September 2 through December 2 (Education Code 48000)
278. If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)
289. If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency virus (HIV) prevention education at least once in junior high or middle school and once in high school, beginning in the 2019-2020 school year (Education Code 51931, 51934)
2930. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources by ~~January 1, 2020~~ (Education Code 49381)

Philosophy, Goals, Objectives and Comprehensive Plans

E 0420.41(e)

301. If the charter school provides independent study, meet the requirements of Education Code 51745- 51749.6, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education
32. Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, homeless student, former juvenile court school student, child of a military family, migrant student, or a student participating in a newcomer program while attending another school (Education Code 51225.2)
343. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

Special Education

34. Provide assistive technology devices in a student's home or other settings if the individualized education program team determines that such access is necessary. The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first. (Education Code 56040.3)
35. If the charter school is an independent member of a special education local plan area and has a master contract with a nonpublic, nonsectarian school:
 - a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)
 - b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year (Education Code 56366.1)

High School Graduation

326. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer program for newly immigrant students in grades 11-12, from any graduation requirements established by the charter school that exceed state requirements, unless the school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)
337. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)
348. Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)

Student Expression

- 359. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

Staffing

- ~~3640.~~ Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) **as required for the teacher's certificated assignment. Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025 to obtain the required certificate required.** ~~equivalent to that which a teacher in other public schools would be required to hold~~ (Education Code 47605, **47605.4**)
- 3741. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and, if the charter school contracts with an entity for specified services, verify that any employee of that entity who will have contact with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)
- ~~38.42.~~ Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
- 43. If the charter school chooses to make the state teachers' retirement plan available to its employees, meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)**
- ~~39. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)~~
- 404. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

Parent/Guardian Involvement

- 415. On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)
- 426. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605) ~~Nutrition~~
- 47. If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements or records sent to parents/guardians in English and in the primary language. (Education Code 48985)**

Philosophy, Goals, Objectives and Comprehensive Plans

E 0420.41(g)

- 43.8. ~~Beginning with the 2019-2020 school year, p~~ Provide each eligible student with one nutritionally adequate free or reduced-price meal during each school day, except as provided for a charter school that offers nonclassroom-based instruction (Education Code 47613.5)
- 44.9. If the **charter** school participates in the National School Lunch and/or Breakfast program not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals. (Education Code 49431.9)
- 45.50 If the charter school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; **not take any action directed at a student to collect** ~~ensure that a student with unpaid school meal fees is not~~ **denied a meal of the student's choice**, shamed, treated differently; ~~or served a meal that differs from other students~~; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)
- 46.51. If the charter school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)

Student Health

52. **Adopt a policy on suicide prevention, intervention, and postvention for grades 7-12, and an age-appropriate policy for grades K-6, and review the policy at least every five years (Education Code 215)**
53. ~~If the charter school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention with specified components, review the policy at least every five years, and, if the school issues student identification cards, print the telephone number of the National Suicide Prevention Lifeline on those cards (Education Code 215, 215.5)~~
- 48.54. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)
- 49.55. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)
- 50.6. If the charter school offers an athletic program, annually provide information sheets about concussions/head injuries and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury,

Philosophy, Goals, Objectives and Comprehensive Plans

E 0420.41(h)

passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

- 51.7. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire at least one automated external defibrillator (AED) for the school, and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)
- 52.8. Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414 (Education Code 49414)
- 53.9. If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist

Student Conduct/Discipline

- 54.60. Adopt a policy on bullying and cyberbullying prevention, **post specified information on bullying and harassment prevention, by December 31, 2019**, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, **234.6, 32283.5**)
61. **Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy. (Education Code 231.5, 231.6)**
- 55.62. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
63. **Neither recommend for expulsion a student in grades K-12 nor suspend a student in grades K-8 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)**
64. **Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 48913.5)**

Student and Parent/Guardian Records

- 56.65. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)

Philosophy, Goals, Objectives and Comprehensive Plans

E 0420.41(i)

- ~~57.~~66. Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)
- ~~58.~~67. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
- ~~59.~~68. If the charter school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)
69. Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update and reissue a former student's records to include the student's updated legal name or gender (Education Code 49062.5, 49070)

Facilities

- ~~60.~~70. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
- a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
 - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

Finance

671. Promptly respond to all reasonable inquiries from the district, the county office of education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)
672. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
673. Identify and report to the SPI any portion of the charter school's average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

Philosophy, Goals, Objectives and Comprehensive Plans

E 0420.41(j)

674. Annually prepare and submit financial reports to the district Board and the County Superintendent of Schools in accordance with the following reporting cycle:
- a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
 - b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
 - c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
 - d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
 - e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the State Controller and CDE. (Education Code 47605)
675. If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

Accountability

676. Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

Exhibit Approved: ~~08/14/19~~ 08/12/20

Orcutt Union School District
Orcutt, CA

CHARTER SCHOOL RENEWAL

The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition in a thorough and timely manner. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or by the State Board of Education on appeal after initial denial by the Board.

(cf. 0420.4 - Charter School Authorization)
(cf. 0420.41 - Charter School Oversight)
(cf. 0420.43 - Charter School Revocation)
(cf. 0500 - Accountability)

The Board shall deny the renewal petition of any charter school operated as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revisions. (Education Code 47607)

~~No charter school that submits a renewal petition on or after July 1, 2019 shall be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)~~

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

~~Each renewal shall be for a period of five years. (Education Code 47607)~~

Criteria for Granting or Denying Renewals

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. ~~However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or finding that the charter school is unlikely to serve the interest of the entire community in which the school is located as described in Education Code 47605. except that the signature requirement for new petitions is not applicable to petitions for renewal. (Education Code 47607; 5 CCR 11966.4)~~

~~The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607)~~

~~The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)~~

In determining whether to grant a charter renewal, the Board shall ~~review both schoolwide consider the past academic, financial, and operational performance of the charter school in evaluating the likelihood of future success, along with any plans for improvement. Increases in academic achievement for all numerically significant student subgroups of on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. students served by the charter school, as defined in Education Code 52052, shall be the most important factor. (Education Code 47607; 5 CCR 11966.4)~~

~~Following the Board's review, a renewal of the charter petition may be granted in accordance with a three-tiered system based on school performance, as follows:~~

~~1. Renewal of Five to Seven Years~~

~~A renewal shall be granted for a period of five to seven years to a charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 and that, for two consecutive years immediately preceding the renewal, achieved either of the following: (Education Code 47607)~~

- ~~a. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels~~
- ~~b. For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average~~

Criteria for Granting or Denying Renewals

2. Renewal of Five Years

a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)

(1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school

(2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

b. For any such charter school, the Board may deny the renewal petition upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)

3. Denial with Option for Two-Year Renewal

a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, either of the following applies: (Education Code 47607.2)

(1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels.

(2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that:

(1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.

(2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

Criteria for Granting or Denying Renewals

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny renewal of a charter upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors or a finding that the school is not serving all students who wish to attend. When denying a charter renewal for either of these reasons, the Board shall provide the charter school at least 30 days' notice of the alleged violation and a reasonable opportunity to cure the violation, including the submission of a proposed corrective action plan. The renewal shall be denied if the Board finds either that the corrective action proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. Any finding that a school is not serving all students who wish to attend shall specifically identify the evidence supporting the finding. (Education Code 47607)

A charter school that is eligible for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served. The Board shall meet with the charter school during the first year of the charter school's term to mutually agree to discuss alternative metrics to be considered and shall notify the charter school of the alternative metrics to be used within 30 days of this meeting. The Board may deny a charter renewal only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of students. (Education Code 47607)

Timelines for Board Action

~~The Board shall deny a renewal petition only if it makes a written factual finding setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5-CCR 11966.4)~~

- ~~1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.~~
- ~~2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.~~
- ~~3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).~~
- ~~4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).~~

Criteria for Granting or Denying Renewals

- ~~5. The charter school has failed to meet at least one of the following criteria of academic performance:~~
- ~~a. Increase in academic achievement for all groups of student's school wide and among numerically significant student subgroups, as determined using measures identified pursuant to Education Code 52052.~~
 - ~~b. Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school~~

~~Such performance shall be determined based on a review of documented clear and convincing data; student achievement data from assessments, including, but not limited to, state academic achievement tests, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall not grant a renewal until at least 30 days after the submission of any such documentation by the charter school. The Superintendent or designee shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for the Board's determination.~~

~~(cf. 6162.51 – Standardized Testing and Reporting Program)~~

- ~~c. Qualification for an alternative accountability system pursuant to Education Code 52052(h)~~

~~Timelines for Board Action~~

~~Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.~~

~~If the charter school submits documentation pursuant to item #5d in the following section “Criteria for Granting or Denying Renewal,”~~

Timelines for Board Action

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605) or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.42 (f)

Criteria for Granting or Denying Renewals

The Board shall ~~either not grant or deny the charter a renewal within until at least 3-90 days of receiving the petition or within 120 days with consent of both the petitioner and the Board. after the submission of such documentation~~ (Education Code 47605 7).

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding pursuant to items #1-5 in the following section "Criteria for Granting or Denying Renewal" **above** within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. (Education Code 47605, 47607.5)

School Closure

If a charter is not renewed and the charter school ceases operation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Alternative accountability system

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools

UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

Management Resources:

CSBA PUBLICATIONS

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.42 (g)

Criteria for Granting or Denying Renewals

The Role of the Charter School Authorizer, Online Course
Charter Schools: A Manual for Governance Teams, rev. 2009

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

Policy Adopted: ~~03/11/20~~ 08/12/20

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

CHARTER SCHOOL REVOCATION

The **Governing** Board of Trustees expects any charter school it authorizes ~~ed by the Board~~ to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. However, when necessary, the Board may revoke a charter before the date it is due to expire.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.42 - Charter School Renewal)

(cf. 0500 - Accountability)

When the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students, the Board may immediately revoke the school's charter. When such a determination is made, the Board shall approve and deliver to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. (Education Code 47607; 5 CCR 11968.5.3)

In all other circumstances, the Board may revoke a charter after providing due process and using the procedures described below. The Board may revoke a charter if it makes a written factual finding specific to that charter school and supported by substantial evidence that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

The Board shall also consider revoking the charter of any charter school for which the California Collaborative for Educational Excellence (CCEE) has provided advice and assistance pursuant to Education Code 47607.3 if CCEE has issued either of the following findings: (Education Code 47607.3)

1. That the charter school has failed or is unable to implement the recommendations of the CCEE
2. That the inadequate performance of the charter school, as based on the California School Dashboard, is so persistent or acute as to require revocation of the charter

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.43 (b)

~~The Board may revoke a charter before the date it is due to expire whenever it makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)~~

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all “numerically significant” groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607, 47607.3)

Revocation Procedures

If the Board is considering a revocation of a charter school, it shall take action to approve and deliver a Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including, as applicable, a refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

At the conclusion of the remedy period specified in the Notice of Violation, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body

2. Continue revocation of the charter, by issuing a Notice of Intent to Revoke to the charter school's governing body within 60 calendar days of the conclusion of the remedy period, if there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction. All evidence relied upon by the Board for the decision shall be included in the Notice of Intent to Revoke.

~~If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)~~

~~Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)~~

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

~~The procedures specified above shall not be applicable when the Board determines that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)~~

Appeals

~~In the event that~~ If the Board revokes the a charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. ~~Either the charter school or the district may subsequently appeal t~~ The County Board's decision may subsequently be appealed to the State Board of Education by either the charter school or the district. However, a revocation based upon the findings of CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607; 47607.3; 5 CCR 11968.5.3-11968.5.5)

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.43 (d)

School Closure

If a charter school ceases operation due to revocation, the Board and/or the charter school shall implement the school closure procedures specified in the charter in accordance with Education Code 47605 and 5 CCR 11962. (Education Code 47603.32)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

47607 Charter renewals and revocations

52052 Accountability: numerically significant student subgroups; definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5-11968.5.5 Charter Revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2011) 197 Cal.App.4th 436

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizers.org>

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

Policy Adopted: ~~09/11/2013~~ **08/12/20**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Business and Noninstructional Operations

FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Governing Board intends that, school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee, shall centralize and direct the purchasing of foods and supplies, the planning of menus and the auditing of all food service accounts for the district.

- (cf. 3100 - Budget)
- (cf. 3300 - Expenditures and Purchases)
- (cf. 3311 - Bids)
- (cf. 3550 – Food Service/Child Nutrition Program)
- (cf. 3552 – Summer Meal Program)
- (cf. 5030 – Student Wellness)

The Superintendent or designee shall ensure that all food service director(s) possess the qualifications required by 7 CFR 210.030 and California Department of Education (CDE) standards.

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

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the CDE. (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees and Board members and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)
In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, student siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.

- (cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553 - Free and Reduced Price Meals, 2 CFR 200.426 and any applicable CDE

FOOD SERVICE OPERATIONS/CAFETERIA FUND

guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced-price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, **or denied a meal of the student's choice.** ~~served a meal that differs from the meal served to other students.~~ (Education Code **49557**, 49557.5)

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

(cf. 0415 - Equity)

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The wages, salaries, and benefits of food service employees shall be paid from the district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 – Federal Grand Funds)

(cf. 3400 – Management of District Assets/Accounts)

(cf. 3460 – Financial Reports and Accountability)

Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements. ~~related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.~~

(cf. 3555 - Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

38080-38085 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

49554 Contract services

49550-49562 Meals for needy students

49550.5 Universal breakfast

FOOD SERVICE OPERATIONS/CAFETERIA FUND

49580-49581 Food recovery program
FOOD AND AGRICULTURE CODE
58595 Preference for California-grown agricultural products
HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code
PUBLIC CONTRACT CODE
2000-2002 Responsive bidders
20111 Contracts
CODE OF REGULATIONS, TITLE 5
15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 42
1751-1769j School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program
CODE OF FEDERAL REGULATIONS, TITLE 2
200.56 Indirect costs, definition
200.318-200.326 Procurement standards
200.400-200.475 Cost principals
200 Appendix VII Indirect cost proposals
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
245.8 Nondiscrimination practices for students eligible for free and reduced price meals and free milk
250.1-250.70 USDA foods
Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
Food Distribution Program Administrative Manual
Professional Standards in the SNP and New Hiring Flexibility, NSD Management Bulletin, SNP-10-2019, April 2019
Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge Policy Requirements, NSD Management Bulletin, SNP-05-2018, January 2018
Paid Lunch Equity Requirement and Calculation Tool, NSD Management Bulletin, SNP-12-2018, May 2018
Storage and Inventory Management of U.S. Department of Agriculture Foods,
Management Bulletin, FDP-01-2018, January 2018
Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017
~~Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs,~~
~~Programs, and Additional Guidance on the Handling of Unpaid Meal Charges, NSD~~
Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013
~~Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012~~
Management Bulletin USDA-FDP-02-2010, August 2010
Adult and Sibling Meals in the National School Lunch and School Breakfast Programs,
Management Bulletin 00-111, July 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

School Meals - FAQs

~~FAQs About School Meals~~

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

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016,
September 2016

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools,
May 2017

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School
Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-
2014, January 2014

WEB SITES

California Department of Education, Nutrition Services Division:

<http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

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

Policy Adopted: ~~12/11/19~~ 6/10/20

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

CERTIFICATION

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill ~~in~~ positions requiring certification qualifications possess the appropriate credential, ~~permit~~ or other certification document ~~permit~~ from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position. ~~authorizing their employment in such positions.~~

(cf. 4111 - Recruitment and Selection)

(cf. 4112.21 - Interns)

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

(cf. 4112.23 - Special Education Staff)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4113 - Assignment)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4121 - Temporary/Substitute Personnel)

~~(cf. 4131.1 - Beginning Teacher Support/Induction)~~

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential

CERTIFICATION

2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

National Board for Professional Teaching Standards Certification

The Superintendent or designee shall promote a career continuum that includes participation of district teachers in professional learning that supports their completion of advanced certification awarded by the National Board for Professional Teaching Standards (NBPTS). The Superintendent or designee may coordinate a cohort of teachers through school or district programs or other available networks.

With Board approval and funding, and consistent with the collective bargaining agreement and applicable law, the Superintendent may provide an incentive program for teacher participation in NBPTS certification, which may include:

CERTIFICATION

1. Defraying, subsidizing, or reimbursing the registration, certification, or maintenance fees for NBPTS certification
2. Providing bonuses, step increases, or differential pay for teachers who maintain their certification and continue to teach in the district, with priority given to teachers at Title I schools and schools serving a majority of low-income students
3. Providing substitute teachers to provide release time for participating teachers
4. Providing stipends for teacher participation that match other professional development stipends
5. Compensating mentor teachers who support other teachers' professional learning aligned to NBPTS standards

(cf. 4161.3 - Professional Leaves)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall notify parents/guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

When a fully credentialed teacher is not available, the district may employ a person with a short-term staff permit or provisional internship permit under the conditions and limitations provided in state and federal law.

CERTIFICATION

As necessary, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)

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

Legal Reference:

EDUCATION CODE

~~8360-8370 Qualifications of child care personnel~~

~~32340-32341 Unlawful issuance of a credential~~

~~35186 Complaints regarding teacher vacancy or misassignment~~

~~41520-41522 Teacher Credentialing Block Grant~~

~~42647 Drawing of warrants~~

~~44066 Limitations on certification requirements~~

~~44200-44405 Teacher credentialing, especially:~~

~~44250-44277 Credential types; minimum requirements~~

~~44300-44302 Emergency permit~~

~~44325-44328 District interns~~

~~44330-44355 Certificates and credentials~~

~~44420-44440 Revocation and suspension of credentials~~

~~44450-44468 University intern program~~

~~44225.6 CTC annual report on availability of teachers~~

~~44251 Period of credentials~~

~~44252 Standards and procedures for issuance; proficiency testing of basic skills~~

~~44252.5 State basic skills assessment required for certificated personnel~~

~~44258.9 Monitoring of teacher assignments by county superintendent~~

~~44259 Minimum requirements for teaching credential~~

~~44259.5 Standards for teachers of all students, including English language learners~~

~~44270.3-44270.4 Out-of-state credentials, administrative services~~

~~44274.2-44275.4 Out-of-state credentials~~

~~44277 Requirements for maintaining valid credentials~~

~~44279.1-44279.7 Beginning Teacher Support and Assessment Program (BTSA)~~

~~44320.2 Teachers performance assessment~~

~~44325-44329 District interns~~

~~44330-44355 Certificates and credentials~~

~~44395-44399 National Board for Professional Teaching Standards~~

~~44464 Period of validity of internship credential~~

~~44468 Early completion of internship program~~

~~44500-44508 Peer Assistance and Review Program for Teachers~~

~~44662 Performance evaluation; Stull Act review~~

~~44735 Teaching as a priority block grant~~

~~44830-44929 Employment of certificated persons; requirement of proficiency in basic skills~~

CERTIFICATION

56060-56063 Substitute teachers in special education

~~90530 Recruitment Centers~~

CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act

80001-80674.6 Commission on Teacher Credentialing

UNITED STATES CODE, TITLE 20

~~6311 Parental notifications~~

6312 District Title I plan

~~6319 Highly qualified teachers~~

~~7801 Definitions, highly qualified teacher~~

CODE OF FEDERAL REGULATIONS, TITLE 34

200.48 Parent notification regarding teacher qualifications

~~200.55-200.57 Highly qualified teachers~~

~~200.61 Parent notification regarding teacher qualifications~~

COURT DECISIONS

Association of Mexican-American Educators et. al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

CSBA POLICY ADVISORIES

~~Teacher Credentialing Commission Eliminates Emergency Permits, August 2003~~

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

~~03-0021 Alignment of Emergency Permits and Credential Waivers with No Child Left Behind~~

CL-667 Basic Skills Requirement

CL-856 Provisional Internship Permit

CL 858 Short-Term Staff Permit

Credential Information Guide

Approved Addition and Amendments to Title 5 of the California Code of Regulations

Pertaining to Teaching Permit for Statutory Leave (TPSL), Coded Correspondence 16-10, August 23, 2016

Waiver Requests Guidebook, 2015

Hiring Hierarchy in Education Code 44225.7, Coded Correspondence 13-01, January 30, 2013

Subject Matter Authorization Guideline Book, 2012

Supplementary Authorization Guideline Book, 2012

California Standards for the Teaching Profession, 2009

The Administrator's Assignment Manual, rev. September 2007

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

~~Standards of Quality and Effectiveness for Professional Teacher Induction Programs, March 2002~~

~~Standards of Quality and Effectiveness for Professional Teacher Preparation Programs, September 2001~~

Personnel

BP 4112.2(f)

CERTIFICATION

~~California Standards for the Teaching Profession, July 1997~~

~~U.S. DEPARTMENT OF EDUCATION GUIDANCE~~

~~Improving Teacher Quality State Grants, December 19, 2002~~

**NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS
PUBLICATIONS**

Considerations for Using Federal Funds to Support National Board Certification, 2018

WEB SITES

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

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

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

Commission on Teacher Credentialing, Credential Information Guide (for employers' use only): <http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching Standards: <http://www.nbpts.org>

National Board Resource Center: nbc.alistrong.net

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

Policy Adopted: ~~10/15/08~~ **06/10/2020**

**ORCUTT UNION SCHOOL DISTRICT
Orcutt, California**

Personnel

E 4112.9
4212.9
4312.9

1. To All Employees

When/Whom to Notify: At the beginning of school year or upon employment

Education or Other Legal Code: Education Code 231.5, Government Code 12950.2 CCR ~~7288.01~~ 11024

Board Policy/Administrative Regulation #: AR 4119.11/4219.11/4319.11

Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually to all employees **and 72 hours before pesticide application**

Education or other Legal Code: Education Code 17612

Board Policy/Administrative Regulation #: AR 3514.2

Subject: Use of pesticide product, active ingredients, Internet address to access information

When/Whom to Notify: To all employees, prior to

Education or Other Legal Code: Education Code 37616

Board Policy/Administrative Regulation #: AR 6112

Subject: Public hearing on year-round implementing year-round program schedule

When/Whom to Notify: To all employees, prior to

Education or Other Legal Code: Education Code 46162

Board Policy/Administrative Regulation #: AR 6112

Subject: Public hearing on ~~block implementing block~~ **alternative** schedule

When/Whom to Notify: ~~Annually~~ **To all employees**

Education or Other Legal Code: Education Code 49013; 5 CCR 4622

Board Policy/Administrative Regulation #: AR 1312.3; **BP 0460**; BP 3260

Subject: Uniform complaint procedures, available appeals, civil law remedies, ~~identity of coordinator,~~ complaints about student fees **and local control accountability plan**

When/Whom to Notify: To all employees

Education or Other Legal Code: Education Code 49414

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Request for volunteers to be trained to administer epinephrine auto-injectors

When/Whom to Notify: At least once per year

Education or Other Legal Code: Education Code 49414.3

Board Policy/Administrative Regulation #: AR 5141.21

Subject: Request for volunteers to be trained to administer opioid antagonist

When/Whom to Notify: To all employees

Education or Other Legal Code: Government Code 1126

Board Policy/Administrative Regulation #: BP 4136/4236/4336

Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: Prior to beginning employment

Education or Other Legal Code: Government Code 3102

Board Policy/Administrative Regulation #: AR 4112.3/4212.3/4312.3

Subject: Oath or affirmation of allegiance required of **disaster service workers** ~~public employees~~

When/Whom to Notify: To all employees

Education or Other Legal Code: Government Code 8355; 41 USC 8102; **34 CFR 84.205, 84.210**

Board Policy/Administrative Regulation #: BP 4020, BP 4159/4259/4359

Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment

Education or Other Legal Code: Government Code 21029

Board Policy/Administrative Regulation #: None

Subject: Right to purchase PERS service credit for military service performed prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school and annually thereafter

Education or Other Legal Code: Health and Safety Code 1797, 196

Board Policy/Administrative Regulation AR 5141

Subject: Proper use of AED; location of all AEDs on campus; **sudden cardiac arrest, school's emergency response plan**

When/Whom to Notify: To all employees, if the district receives Tobacco-Use Prevention Education funds

Education or Other Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: AR 3513.3

Subject: District's tobacco-free schools policy and enforcement procedures

When/Whom to Notify: Annually to all employees

Education or Legal Code: Health and Safety Code 120875, 120880

Board Policy/Administrative Regulation #: AR 4119.43/4219.43/4319.43

Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To all employees, with each paycheck

Education or Other Legal Code: Labor Code 246

Board Policy/Administrative Regulation #: AR 4161.1/4261.1/4361.1

Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave

Education or Other Legal Code: Labor Code 1034

Board Policy/Administrative Regulation #: BP 4033

Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees

Education or Other Legal Code: Labor Code 2800.2

Board Policy/Administrative Regulation #: AR 4154/4254/4354

Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account
Education and Other Legal Code: Labor Code 2810.7
Board Policy/Administrative Regulation #: None
Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: Upon employment or by end of first pay period
Education and Other Legal Code: Labor Code 3551
Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1
Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify: Prior to beginning employment
Education and Other Legal Code: Penal Code 11165.7, 11166.5
Board Policy/Administrative Regulation #: AR 5141.4
Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment, and when employee goes on leave for specified reasons
Education and Other Legal Code: Unemployment Insurance Code 2613
Board Policy/Administrative Regulation #: AR 4154/4254/4354
Subject: Disability insurance rights and benefits

When/Whom to Notify: To all employees and job applicants
Education and Other Legal Code: 34 CFR 104.8, 106.
Board Policy/Administrative Regulation #: BP 0410, BP 4030
Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee
Education and Other Legal Code: 29 CFR 825.300
Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8
Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Annually to all employees
Education and Other Legal Code: 40 CFR 763.84, 763.93
Board Policy/Administrative Regulation #: AR3514
Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. To Certificated Employees

When/Whom to Notify: To eligible certificated employees in a timely manner and to part-time and substitute certificated employees within 30 days of hire
Education and Other Legal Code: Education Code 22455.5
Board Policy/Administrative Regulation #: AR 4121
Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual
Legal Code: Education Code 22461
Board Policy/Administrative Regulation #: AR 4117.14/4317.14
Subject: Postretirement **earnings** limitation **or employment restriction; monthly report of** compensation

When/Whom to Notify: To certificated employees
Education or Other Legal Code: Education Code 35171
Board Policy/Administrative Regulation #: AR 4115, BP 4315
Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated
Education and Other Legal Code: Education Code 44663
Board Policy/Administrative Regulation #: AR 4115
Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation, **once per year for probationary employee or at least once every other year for permanent employee**
Education or Other Legal Code: Education Code 44664
Board Policy/Administrative Regulation #: AR 4115
Subject: Notice and description of the unsatisfactory performance

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees
Education or Other Legal Code: Education Code 44842
Board Policy/Administrative Regulation #: AR 4112.1
Subject: Request to notify district of intent to remain in service for the following school year; copy of law

When/Whom to Notify: To certificated employees upon employment **and to nonpermanent employees in July of each school year**
Education or Other Legal Code: Education Code 44916
Board Policy/Administrative Regulation #: AR 4112.1, AR 4121
Subject: Employment status and salary

When/Whom to Notify: ~~To probationary employees in district with ADA of 250 or more, b~~By March 15 of employee's second consecutive year of employment, **in districts that grant permanent status after two years**
Education or Other Legal Code: Education Code 44929.21
Board Policy/Administrative Regulation #: AR 4117.6 **BP 4116**
Subject: Whether or not employee is reelected for next school year

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, **at any time of year or, for charge of unsatisfactory performance, during instructional year**
Education or Other Legal Code: Education Code 44934, 44934.1, 44936
Board Policy/Administrative Regulation #: AR 4117.4, AR 4118
Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice

When/Whom to Notify: To certificated employee charged with unprofessional conduct **at least 45 days prior to suspension/dismissal notice**

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with **unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year** ~~mandatory leave of absence offense, within 10 days of entry of judgment in proceedings~~

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4118

Subject: Notice of intent to dismiss 30 days from notice **unless employee demands hearing**

When/Whom to Notify: To probationary employees 30 days prior to dismissal **during school year, but not** later than March 15 for second- year probationary employees

Education or Other Legal Code: Education Code 44948.3

Board Policy/Administrative Regulation #: AR 4117.4 **4118**

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

When/Whom to Notify: To probationary employees **30 days prior to dismissal during school year, in** ~~districts with less than 250 ADA, before notice of nonreelection~~ but no later than March 15 **for second-year probationary employees, with final notice by May 15**

Education or Other Legal Code: Education Code 44948.5

Board Policy/Administrative Regulation #: AR 4117.4 **4118**

Subject: ~~Recommendation of nonreelection notice for reason other than personnel reduction; statement of reasons upon request~~ **Reasons for dismissal and opportunity to appeal**

When/Whom to Notify: By March 15 when necessary to reduce certificated personnel, with final notice by May 15

Education or Other Legal Code: Education Code 44949, 44955

Board Policy/Administrative Regulation #: BP 4117.3

Subject: Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination

When/Whom to Notify: On or before June 30, to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: To teacher, when student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: AR 4117.7/**4317.7**

Subject: Contents of state regulation re: report to Commission on Teacher Credentialing

III. To Classified Employees

When/Whom to Notify: To classified employee charged with mandatory leave of absence offense, in merit system district

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of intent to dismiss in 30 days

When/Whom to Notify: When classified employee is subject to disciplinary action for cause, in nonmerit district

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: AR 4218

Subject: Notice of charges, **right to hearing, timeline for requesting hearing procedures, and employee rights**

When/Whom to Notify: To classified employees, at least ~~45~~ **60** days prior to layoff or by April 29 if specially funded program is expiring at end of school year

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: AR 4217.3

Subject: Notice of layoff and reemployment rights

When/Whom to Notify: To classified employees upon employment and upon each change in classification

Education or Other Legal Code: Education Code 45169

Board Policy/Administrative Regulation #: AR 4212

Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To classified permanent employee whose leave is exhausted

Education or Other Legal Code: Education Code 45192, 45195

Board Policy/Administrative Regulation #: AR 4261.1, AR 4261.11

Subject: Exhaustion of leave, opportunity to request additional leave

When/Whom to Notify: To school bus drivers and school activity bus drivers prior to expiration of specified documents

Education or Other Legal Code: 13 CCR 1234

Board Policy/Administrative Regulation #: AR 3542

Subject: Expiration date of driver's license, driver's certificate and medical certificate; need to renew

When/Whom to Notify: To school bus and school activity bus drivers upon employment and at least once a year thereafter

Education or Other Legal Code: 13 CCR 2480

Board Policy/Administrative Regulation AR 3514

Subject: Limitation on vehicle idling; consequences of not complying

When/Whom to Notify: To school bus drivers, prior to district drug testing program and thereafter upon employment

Education or Other Legal Code: 49 CFR 382.601

Board Policy/Administrative Regulation #: BP 4112.42/4212.42/4312.42

Subject: Explanation of federal requirements for drug testing program and district's policy

IV. To Administrative/Supervisory Personnel

When/Whom to Notify: To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract

Education or Other Legal Code: Education Code 35031

Board Policy/Administrative Regulation #: BP 4312.1

Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position

Education or Other Legal Code: Education Code 44896

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Statement of the reasons for the release or reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year

Education or Other Legal Code: Education Code 44951

Board Policy/Administrative Regulation #: AR 4313.2

Subject: Notice that employee may be released or reassigned the following school year

V. To Individual Employees Under Special Circumstances

When/Whom to Notify: In the event of a breach of security of district records to affected employees

Education or Other Legal Code: Civil Code 1798.29

Board Policy/Administrative Regulation #: BP 3580

Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: Prior to placing derogatory information in personnel file

Education or Other Legal Code: Education Code 44031

Board Policy/Administrative Regulation #: AR 4112.6/4212.6/4312.6

Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer epinephrine auto-injector
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: AR 5141.21
Subject: Defense and indemnification from civil liability by the district

When/Whom to Notify: To employees returning from military leave of absence, within 30 days of return
Education or Other Legal Code: Government Code 20997
Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5
Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee
Education or Other Legal Code: Government Code 54957
Board Policy/Administrative Regulation #: BB 9321
Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: ~~When taking disciplinary action against employee for disclosure of~~ Notice or training to employee with access to confidential information
Education or Other Legal Code: Government Code 54963
Board Policy/Administrative Regulation #: BP 4119.23/4219.23/4319.23
Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: Within one working day of work-related injury or victimization of crime at workplace
Education or Other Legal Code: Labor Code 3553, 5401
Board Policy/Administrative Regulation #: BP 4157.1/4257.1/4357.1
Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification
Education or Other Legal Code: Penal Code 11105, 11105.2
Board Policy/Administrative Regulation #: AR 4112.5/4212.5/4312.5
Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter
Education or Other Legal Code: 8 CCR 3204, 5193
Board Policy/Administrative Regulation #: AR 4119.42/4219.42/4319.42
Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

When/Whom to Notify: To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation
Education or Other Legal Code: 8 CCR 5191
Board Policy/Administrative Regulation: AR 3514.1
Subject: Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Education or Other Legal Code: 8 CCR 5191

Board Policy/Administrative Regulation AR 3514.1

Subject: Any presence of hazardous substances in the work area, location and availability of hazard communication program, new safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Education or Other Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave

Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: ~~Whenever notice of eligibility for FMLA is provided to employee~~ ~~Within five days of employee's request for family care and medical leave~~

Education or Other Legal Code: 29 CFR 825.300

Board Policy/Administrative Regulation #: AR 4161.8/4261.8/4361.8

Subject: ~~Whether or not employee is eligible for FMLA leave, r~~ ~~obligations; consequences of failure to meet obligations~~ Rights and responsibilities re: use of FMLA;

5/24/2013 06/10/2020

Working Remotely

The Governing Board recognizes that working remotely at home or at another alternative location may be necessary at times when widespread illness, natural disaster, or other emergency condition makes the school or worksite unsafe or otherwise interrupts the district's ability to effectively conduct operations at the school or worksite. A full-time, part-time, or short-term remote work arrangement may also be granted by the Superintendent or designee to an individual employee, upon request, provided that the position is suitable for remote work, the employee has consistently demonstrated the ability to work independently and meet performance expectations, and the work arrangement does not hinder district operations.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.5 - Emergency Schedules)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4113 - Assignment)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 6157 - Distance Learning)

The opportunity to work remotely shall be entirely at the district's discretion, and no grievance or appeal right may arise from district denial of any employee request for remote work.

Employees approved for remote work shall comply with all district policies, administrative regulations, work schedules, and job assignments. Except when specifically agreed, approval of remote work shall not change the compensation, benefits, or other terms and conditions of employment of an employee.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4151/4251/4351 - Employee Compensation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Unless otherwise approved in advance by the Superintendent or designee, employees working remotely shall do so within regular work hours established for the position. Employees are entitled and expected to take appropriate, uninterrupted meal and rest breaks, and shall keep accurate records of the hours they work. Employees shall notify their supervisor when unable to perform work assignments due to illness, equipment failure, or other unforeseen circumstances.

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)

The district shall provide to employees who work remotely all supplies, materials, apparatus, and equipment reasonably necessary to perform their jobs, including, as necessary, a technology device. Employees shall use caution in accessing the Internet from public locations and in accessing information from networks outside of the district in order to safeguard confidential information. Employees shall be responsible for maintaining and protecting equipment on loan from the district and shall adhere to the district's Acceptable Use Agreement

Personnel

BP 4113.5 (b)

Working Remotely

(cf. 4040 - Employee Use of Technology)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

Work done at a remote work location is considered official public business. District records and communications shall be retained and safeguarded against damage or loss, and shall be kept confidential or made accessible to the public in accordance with law.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

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

(cf. 5125 - Student Records)

Any employee working remotely shall be available during work hours to the employee's supervisor and other staff, students, parents/guardians, and members of the public, as appropriate, via email, phone, or other means. Lack of responsiveness on the part of the employee may result in discipline and/or termination of remote work responsibilities. Employees shall be required to attend virtual or in-person meetings when directed by their supervisor.

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

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

Employee productivity shall be evaluated on the basis of time spent on tasks and projects, task completion, and quality of job performance in the same manner as all employees in the same position at the assigned school or office.

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

Remote work arrangements may be discontinued at any time at the discretion of the Superintendent or designee.

Legal Reference:

GOVERNMENT CODE

6250-6270 California Public Records Act

12900-12996 Fair Employment and Housing Act

LABOR CODE

226.7 Mandated meal, rest, or recovery periods

6400 Safe and healthful employment and place of employment

6401 Unsafe workplace

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

WEB SITES

California Department of Industrial Relations: <http://www.dir.ca.gov>

Policy adopted: 06/10/20

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Students

SUICIDE PREVENTION

The Governing Board recognizes that suicide is a leading cause of death among youth and that school personnel who regularly interact with students are often in a position to recognize the warning signs of suicide and to offer appropriate referral and/or assistance. In an effort to reduce suicidal behavior and its impact on students and families, the Superintendent or designee shall develop measures and strategies for suicide prevention, intervention, and postvention.

In developing ~~measures~~ **policy** and strategies for **suicide prevention and intervention** ~~use by the district~~, the Superintendent or designee ~~may~~ **shall** consult with **school and community stakeholders** such as school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, students, suicide prevention experts, local health agencies, mental health professionals, and community organizations, **law enforcement; and, in developing policy for grades K-6, the county mental health plan.** (Education Code 215).

(cf. 1220 - Citizen Advisory Committees)

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

The Board shall ensure that measures and strategies for students in grades K-6 are age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students. (Education Code 215)

Such measures and strategies **for suicide prevention, intervention, and postvention** shall include, but are not limited to:

1. Staff development on suicide awareness and prevention for teachers, school counselors, and other district employees who interact with students **as described in the accompanying administrative regulation**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

2. Instruction to students in problem-solving and coping skills to promote students' mental, emotional, and social health and well-being, as well as instruction in recognizing and appropriately responding to warning signs of suicidal intent in others

(cf. 6142.8 - Comprehensive Health Education)

3. Methods for promoting a positive school climate that enhances students' feelings of connectedness with the school and that is characterized by caring staff and harmonious interrelationships among students

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

4. The provision of information to parents/guardians regarding risk factors and warning signs of suicide, the severity of the suicide problem among youth, the district's suicide prevention curriculum, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis
5. Encouragement for students to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions
6. Crisis intervention procedures for addressing suicide threats or attempts
7. Counseling and other postvention strategies for helping students, staff, and others cope in the aftermath of a student's suicide

As appropriate, these measures and strategies shall specifically address the needs of students who are at high risk of suicide, including, but not limited to, students who are bereaved by suicide; students with disabilities, mental illness, or substance use disorders; students who are experiencing homelessness or who are in out-of-home settings such as foster care; and students who are lesbian, gay, bisexual, transgender, or questioning youth. (Education Code 215)

If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan. (Education Code 215)

(cf. 5141.6 - School Health Services)

District employees shall act only within the authorization and scope of their credential or license. Nothing in this policy shall be construed as authorizing or encouraging district employees to diagnose or treat mental illness unless they are specifically licensed and employed to do so. (Education Code 215)

The Board shall review, and update as necessary, this policy at least every five years. (Education Code 215)

The Superintendent or designee shall post this policy on the district's web site, in a prominent location and in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Legal Reference:

EDUCATION CODE

215 Student suicide prevention policies

215.5 Suicide prevention hotline contact information on student identification cards

216 Suicide prevention online training programs

234.6 Posting suicide prevention policy on web site

32280-32289.5 Comprehensive safety plan

49060-49079 Student records

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6 Government Claims Act

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

DOUBLE CHECK #S ON CSBA SAMPLE: 5850-5883 Mental Health Services Act

COURT DECISIONS

Corals v. Bennett (Ontario-Montclair School District), (2009) 567 F.3d 554

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade Twelve, 2008

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003
2019

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Connectedness: Strategies for Increasing Protective Factors Among Youth, 2009

NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS PUBLICATIONS

Preventing Suicide, Guidelines for Administrators and Crisis Teams, 2015

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Preventing Suicide: A Toolkit for High Schools, 2012

National Strategy for Suicide Prevention: Goals and Objectives for Action, rev. 2012

WEB SITES

American Association of Suicidology: <http://www.suicidology.org>

American Foundation for Suicide Prevention: <http://afsp.org>

American Psychological Association: <http://www.apa.org>

American School Counselor Association: <http://www.schoolcounselor.org>

California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>

California Department of Health Care Services, Mental Health Services Suicide Prevention Program: <http://www.dhcs.ca.gov/services/MH/Pages/SuicidePrevention.aspx>

Centers for Disease Control and Prevention, Mental Health: <http://www.cdc.gov/mentalhealth>

National Association of School Psychologists: <http://www.nasponline.org>

National Institute for Mental Health: <http://www.nimh.nih.gov>

Suicide Prevention Resource Center: <http://www.sprc.org/about-suicide>

Suicide Prevention Lifeline: <http://suicidepreventionlifeline.org>

Trevor Project: <http://thetrevorproject.org>

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration: <http://www.samhsa.gov>

Policy Adopted: ~~03/13/2019~~ 06/10/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

SUSPENSION AND EXPULSION/DUE PROCESS

The Board of Trustees desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when ~~his/her~~ **the** behavior is related to a school activity or school attendance occurring within any district school or other school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
(cf. 5112.5 - Open/Closed Campus)
4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student commits an act that violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when ~~his/her~~ **the student's** presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

No student in grades K-~~3~~8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)
2. Selling or otherwise furnishing a firearm
3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "~~Grounds for Suspension and Expulsion: Grades K-12~~" and "~~Additional Grounds for Suspension and Expulsion: Grades 4-12~~", the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled ~~solely~~ for disruption or willful defiance. (Education Code 48900)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall maintain outcome data related to student suspensions and expulsions in accordance with Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

8239.1 Prohibition against expulsion of preschool student

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline
48645.5 Readmission; contact with juvenile justice system
48660-48666 Community day schools
48853.5 Foster youth
48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
49073-49079 Privacy of student records
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
64000-64001 Consolidated application

CIVIL CODE

47 Privileged communication
48.8 Defamation liability
CODE OF CIVIL PROCEDURE
1985-1997 Subpoenas; means of production
GOVERNMENT CODE

11455.20 Contempt
54950-54963 Ralph M. Brown Act
HEALTH AND SAFETY CODE
11014.5 Drug paraphernalia
11053-11058 Standards and schedules

LABOR CODE

~~CONFIRM # ON CSBA WEBSITE 230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child~~ **CONFIRM # ON CSBA WEBSITE 230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child**

PENAL CODE

31 Principal of a crime, defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery on school property
243.4 Sexual battery
245 Assault with deadly weapon
245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.27 Laser pointers
422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling
UNITED STATES CODE, TITLE 18
921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7961 Gun free schools

UNITED STATES CODE, TITLE 42

11432-11435 Education of homeless children and youths

COURT DECISIONS

T.H. v. San Diego Unified School District (2004) 122 Cal. App. 4th 1267

Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321

Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen 146 (2001)

80 Ops.Cal.Atty.Gen 348 (1997)

80 Ops.Cal.Atty.Gen. 91 (1997)

80 Ops.Cal.Atty.Gen. 85 (1997)

Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

U.S. Department of Education, Office for Civil Rights: <http://ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www2.ed.gov/about/offices/list/oese/oshs>

Policy Adopted: ~~03/13/2019~~ 06/10/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Instruction

Distance Learning

The Governing Board recognizes that distance learning can be a viable alternative instructional strategy that supports student achievement of academic goals. Distance learning opportunities may be offered to students participating in independent study, credit recovery courses, enrichment courses, or other courses identified by the Superintendent or designee, or in the event that a school site is physically closed due to widespread illness, natural disaster, or other emergency.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.5 - Emergency Schedules)

(cf. 4113.5/4213.5/4313.5 - Working Remotely)

(cf. 6158 - Independent Study)

The district may offer distance learning through a variety of delivery methods as appropriate for the grade level and subject matter. Distance learning opportunities may include video, audio, and/or written instruction in which the primary mode of communication between the student and teacher is online interaction, instructional television, live or prerecorded video, telecourses, and other instruction that relies on computer or communications technology. They may also include the use of print materials with written or oral feedback.

The Superintendent or designee shall review and select distance learning courses, which may include those taught by district staff or others, that are of high academic quality and are aligned with district standards and curricula. As appropriate, courses may be self-directed to allow students to complete assignments at their own pace and/or may involve real-time interaction among the teacher and students.

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6143 - Courses of Study)

The Superintendent or designee shall, in collaboration with teachers, plan for schoolwide or long-term distance learning in the event of a school closure. In developing the plan, the Superintendent or designee shall analyze the course sequence, prioritize content and standards to be completed, and recommend the grading criteria. In such circumstances, students' social-emotional wellness shall be taken into account, and schedules and learning experiences shall be designed to build continuity, routine, and regular connections with students.

(cf. 5141.5 - Mental Health)

As needed, the Superintendent or designee shall provide teachers with training and ongoing support, including technological support and guidance, to effectively implement distance learning. The district shall also provide opportunities for teachers to

Instruction

BP 6157 (b)

Distance Learning

communicate and collaborate with each other to exchange information on effective practices.

(cf. 4131 - Staff Development)

Staff shall comply with all copyright regulations in developing materials to be used in distance education courses.

(cf. 6162.6 - Use of Copyrighted Materials)

The district shall take steps to ensure that distance learning opportunities are available to all students, including economically disadvantaged students, students with disabilities, and English learners. Teachers may use multiple methods of providing instruction to meet student needs. All online programming and Internet content shall meet accessibility standards for students with disabilities, including compatibility with commonly used assistive technologies.

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

(cf. 0415 - Equity)

(cf. 6159 - Individualized Education Program)

(cf. 6174 - Education for English Learners)

The Superintendent or designee shall assess students' access to technological devices and the Internet and, consistent with the district's budget and technology plan, may loan devices to students to use at home and/or assist families in identifying free service providers. Students are expected to use district technology responsibly in accordance with the district's Acceptable Use Agreement. To the extent possible, the district shall make technical and academic support available to students.

(cf. 0440 - District Technology Plan)

(cf. 3311.4 - Procurement of Technological Equipment)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 6163.4 - Student Use of Technology)

Teachers shall provide regular communications to students and parents/guardians about expectations, assignments, and available resources to assist the student in successful completion of distance learning coursework.

(cf. 6020 - Parent Involvement)

Grading of distance learning assignments and assessments of end-of-course knowledge and understanding of the subject matter shall be consistent with district policy on grading for equivalent courses.

Instruction

BP 6157 (c)

Distance Learning

(cf. 5121 - Grades/Evaluation of Student Achievement)

Legal Reference:

EDUCATION CODE

Contracts for electronic products or services; prohibitions

-51212 Course of study for grades 1-6

-51229 Course of study for grades 7-12

-51741 Authority to provide instruction by correspondence

-51749.3 Independent study

California distance learning policy

PUBLIC CONTRACT CODE

Contracting by school districts; technological equipment

UNITED STATES CODE, TITLE 20

Internet safety

UNITED STATES CODE, TITLE 47

Universal service discounts (E-rate); Internet safety

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

COVID-19 Guidance for K-12 Schools

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines

WEB SITES

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

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy Adopted: 6/10/2020

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is made and entered into on May 29, 2020, by and between the Orcutt Union School District, hereinafter referred to as District, and Dannis Woliver Kelley, a professional corporation, hereinafter referred to as Attorney.

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

SCOPE OF SERVICES. District appoints Attorney to represent, advise, and counsel it from July 1, 2020, through and including June 30, 2021, and continuing thereafter as approved. Any services performed during the period between the above commencement date and the date of Board action approving this Agreement are hereby ratified by said Board approval. Attorney agrees to prepare periodic reviews of relevant court decisions, legislation, and other legal issues. Attorney agrees to keep current and in force at all times a policy covering incidents of legal malpractice.

CLIENT DUTIES. District shall be truthful with Attorney, cooperate with Attorney, keep Attorney informed of developments, ensure access for Attorney to communicate with the District's governing board as appropriate, perform the obligations it has agreed to perform under this Agreement and pay Attorney bills in a timely manner.

FEES AND BILLING PRACTICES. Except as hereinafter provided, District agrees to pay Attorney two hundred sixty-five dollars (\$265) to three hundred sixty dollars (\$360) per hour for Shareholders and Of Counsel; two hundred forty-five dollars (\$245) to two hundred ninety-five dollars (\$295) for Special Counsel; one hundred ninety-five dollars (\$195) to two hundred sixty dollars (\$260) per hour for Associates; and one hundred thirty dollars (\$130) to one hundred eighty dollars (\$180) per hour for Paralegals and Law Clerks. The rate for Gregory J. Dannis will be four hundred dollars (\$400) per hour. Rates for individual attorneys may vary within the above ranges depending on the level of experience and qualifications and the nature of the legal services provided. Agreements for legal fees at other than the hourly rate set forth above may be made by mutual agreement for special projects, particular scopes of work, or for attorneys with specialized skills. The rates specified in this agreement are subject to change at any time by Attorney by written notice to Client and shall apply to all services rendered after such notice is given. Substantive communications advice (telephone, voice-mail, e-mail) is billed in a minimum increment of one-tenth (.1) of an hour, except for the first such advice in any business day, which is charged in a minimum of three-tenths (.3) of an hour. Actual travel time is charged at the rates above. In the course of travel it may be necessary for Attorney to work for and bill other clients while in transit. If, during the course of representation of District, an insurance or other entity assumes responsibility for payment of all or partial fees of Attorney on a particular case or matter, District shall remain responsible for the difference between fees paid by the other entity and Attorney's hourly rates as specified in this Agreement unless otherwise agreed by the parties.

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

District further agrees to pay third parties, directly or indirectly through Attorney, for major costs and expenses including, but not limited to, costs of serving pleadings, filing fees and other charges assessed by courts and other public agencies, arbitrators' fees, court reporters' fees, jury fees, witness fees, investigation expenses, consultants' fees, and expert witness fees. Upon mutual consent of District and Attorney, District may either advance or reimburse Attorney for such costs and expenses.

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

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

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

CONFLICT OF INTEREST. In some situations, where Attorney has relationships with other entities, the Rules of Professional Conduct may require Attorney to provide disclosure or to obtain informed written consent before it can provide legal services for a client. Attorney represents many school and community college districts, county offices of education, joint powers authorities, SELPAs and other entities throughout California. The statutory and regulatory structure of the provision of education services results in many ways in which these entities interact which could result in a conflict between the interests of more than one of Attorney's clients. If Attorney becomes aware of a specific conflict of interest involving District, Attorney will comply with the legal and ethical requirements to fulfill its duties of loyalty and confidentiality to District. If District has any question about whether Attorney has a conflict of interest in its representation of District in any matter, it may contact Attorney or other legal counsel for clarification.

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

COUNTERPARTS. This Agreement may be executed in duplicate originals, including facsimiles, each of which shall fully bind each party as if all had signed the same copy. Electronic copies of signatures shall be treated as originals for all purposes.

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

ORCUTT UNION SCHOOL DISTRICT

Dr. Deborah Blow
Superintendent

Date

DANNIS WOLIVER KELLEY

Date: May 29, 2020

Date: May 29, 2020



Christian M. Keiner
Attorney at Law



Candace M. Bandoian
Attorney at Law

At its public meeting of _____, 2020, the Board approved this Agreement and authorized the Board President, Superintendent or Designee to execute this Agreement.

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is effective _____, between the ORCUTT UNION ELEMENTARY SCHOOL DISTRICT (“Client”) and the law firm of LOZANO SMITH, LLP (“Attorney”) (each a “Party” and collectively the “Parties”). Attorney shall provide legal services as requested by Client on the following terms and conditions:

1. **ENGAGEMENT.** Client hires Attorney on an as-requested basis as its legal counsel with respect to matters the Client refers to Attorney. When Client refers a matter to Attorney, Attorney shall confirm availability and ability to perform legal services regarding the matter. After Attorney has completed services for the specific matter referred by Client, then no continuing attorney-client relationship exists until Client requests further services and Attorney accepts a new engagement. If Attorney undertakes to provide legal services to represent Client in such matters, Attorney shall keep Client informed of significant developments and respond to Client’s inquiries regarding those matters. Client understands that Attorney cannot guarantee any particular results, including the costs and expenses of representation. Client agrees to be forthcoming with Attorney, to cooperate with Attorney in protecting Client’s interests, to keep Attorney fully informed of developments material to Attorney’s representation of client, and to abide by this Agreement. Client is hereby advised of the right to seek independent legal advice regarding this Agreement.
2. **RATES TO BE CHARGED.** Client agrees to pay Attorney for services rendered based on the attached rate schedule. Agreements for legal fees on other-than-an-hourly basis may be made by mutual agreement for special projects (including as set forth in future addenda to this Agreement).
3. **REIMBURSEMENT.** Client agrees to reimburse Attorney for actual and necessary expenses and costs incurred in the course of providing legal services to Client, including but not limited to expert, consultant, mediation and arbitration fees. Attorney shall not be required to advance costs on behalf of Client over the amount of \$1,000 unless otherwise agreed to in writing by Attorney. Typical expenses advanced for Client, without prior authorization, include messenger fees, witness fees, expedited delivery charges, travel expenses, court reporter fees and transcript fees. Client authorizes Attorney to retain experts or consultants to perform services for Client in relation to litigation or Specialized Services.
4. **MONTHLY INVOICES.** Attorney shall send Client a statement for fees and costs incurred every calendar month (the “Statement”). Statements shall set forth the amount, rate and description of services provided. Client shall pay Attorney’s Statements within thirty (30) calendar days after receipt. An interest charge of one percent (1%) per month shall be assessed on balances that are more than thirty (30) calendar days past due, not to exceed 10% per annum.

5. COMMUNICATIONS BETWEEN ATTORNEY AND CLIENT. The Parties recognize that all legal advice provided by Attorney is protected by the Attorney-Client and Work Product Privileges. In addition to regular telephone, mail and other common business communication methods, Client hereby authorizes Attorney to use facsimile transmissions, cellular telephone calls and text, unencrypted email, and other electronic transmissions in communicating with Client. Unless otherwise instructed by Client, any such communications may include confidential information.

6. POTENTIAL AND ACTUAL CONFLICTS OF INTEREST. If Attorney becomes aware of any potential or actual conflict of interest between Client and one or more other clients represented by Attorney, Attorney will comply with applicable laws and rules of professional conduct.

7. INDEPENDENT CONTRACTOR. Attorney is an independent contractor and not an employee of Client.

8. TERMINATION.

a. Termination by Client. Client may discharge Attorney at any time, with or without cause, by written notice to Attorney.

b. Termination by Mutual Consent or by Attorney. Attorney may terminate its services at any time with Client's consent or for good cause. Good cause exists if (a) Client fails to pay Attorney's Statement within sixty (60) calendar days of its date, (b) Client fails to comply with other terms of this Agreement, including Client's duty to cooperate with Attorney in protecting Client's interests, (c) Client has failed to disclose material facts to Attorney or (d) any other circumstance exists that requires termination of this engagement under the ethical rules applicable to Attorney. Additionally, to the extent allowed by law, Attorney may decline to provide services on new matters or may terminate the Agreement without cause upon written notice to Client if Attorney is not then providing any legal services to Client. Even if this Agreement is not terminated, under paragraph 1 an attorney-client relationship exists only when Attorney is providing legal services to Client.

c. Following Termination. Upon termination by either Party: (i) Client shall promptly pay all unpaid fees and costs for services provided or costs incurred pursuant to this Agreement up to the date of termination; (ii) unless otherwise required by law or agreed to by the Parties, Attorney will provide no legal services following notice of termination; (iii) Client will cooperate with Attorney in facilitating the orderly transfer of any outstanding matters to new counsel, including promptly signing a substitution of counsel form at Attorney's request; and (iv) Client shall, upon request, be provided the Client's file maintained for the Client by Attorney and shall sign acknowledgment of receipt upon delivery of that file. For all Statements received by Client from Attorney prior to the date of termination, Client's failure to notify Attorney in writing of any disagreement with either the services performed or the charges for those services as shown in the Statement within thirty (30) calendar days of the date of termination shall be

deemed Client's acceptance of and agreement with the Statement. For any billing appearing for the first time on a Statement received by Client from Attorney after the date of termination, failure to notify Attorney in writing of any disagreement with either the services performed or the charges for those services within thirty (30) calendar days from receipt of the Statement shall be deemed to signify Client's acceptance of and agreement with the Statement.

9. MAINTENANCE OF INSURANCE. Attorney agrees that, during the term of this Agreement, Attorney shall maintain liability and errors and omissions insurance.

10. CONSULTANT SERVICES. Attorney works with professional consultants that provide services, including but not limited to investigations, public relations, educational consulting, leadership mentoring and development, financial, budgeting, management auditing, board/superintendent relations, administrator evaluation and best practices, and intergovernmental relations. Attorney does not share its legal fees with such consultants. Attorney may offer these services to Client upon request.

11. DISPUTE RESOLUTION.

a. Mediation. Except as otherwise set forth in this section, Client and Attorney agree to make a good faith effort to settle any dispute or claim that arises under this Agreement through discussions and negotiations and in compliance with applicable law. In the event of a claim or dispute, either Party may request, in writing to the other Party, to refer the dispute to mediation. This request shall be made within thirty (30) calendar days of the action giving rise to the dispute. Upon receipt of a request for mediation, both Parties shall make a good faith effort to select a mediator and complete the mediation process within sixty (60) calendar days. The mediator's fee shall be shared equally between Client and Attorney. Each Party shall bear its own attorney fees and costs. Whenever possible, any mediator selected shall have expertise in the area of the dispute and any selected mediator must be knowledgeable regarding the mediation process. No person shall serve as mediator in any dispute in which that person has any financial or personal interest in the outcome of the mediation. The mediator's recommendation for settlement, if any, is non-binding on the Parties. Mediation pursuant to this provision shall be private and confidential. Only the Parties and their representatives may attend any mediation session. Other persons may attend only with the written permission of both Parties. All persons who attend any mediation session shall be bound by the confidentiality requirements of California Evidence Code section 1115, et seq., and shall sign an agreement to that effect. Completion of mediation shall be a condition precedent to arbitration, unless the other Party refuses to cooperate in the setting of mediation.

b. Dispute Regarding Fees. Any dispute as to attorney fees and/or costs charged under this Agreement shall to the extent required by law be resolved under the California Mandatory Fee Arbitration Act (Bus. & Prof. Code §§ 6200, et seq.).

c. Binding Arbitration. Except as otherwise set forth in section (b) above, Client and Attorney agree to submit all disputes to final and binding arbitration, either following mediation which fails to resolve all disputes or in lieu of mediation as may be agreed by the Parties in writing. Either Party may make a written request to the other for arbitration. If made in lieu of mediation, the request must be made within sixty (60) calendar days of the action giving rise to the dispute. If the request for arbitration is made following an unsuccessful attempt to mediate the Parties' disputes, the request must be made within ten (10) calendar days of termination of the mediation. The Parties shall make a good faith attempt to select an arbitrator and complete the arbitration within ninety (90) calendar days. If there is no agreement on an arbitrator, the Parties shall use the Judicial Arbitration and Mediation Service (JAMS). The arbitrator's qualifications must meet the criteria set forth above for a mediator, except, in addition, the arbitrator shall be an attorney unless otherwise agreed by the Parties. The arbitrator's fee shall be shared equally by both Parties. Each Party shall bear its own attorney fees and other costs. The arbitrator shall render a written decision and provide it to both Parties. The arbitrator may award any remedy or relief otherwise available in court and the decision shall set forth the reasons for the award. The arbitrator shall not have any authority to amend or modify this agreement. Any arbitration conducted pursuant to this paragraph shall be governed by California Code of Civil Procedure sections 1281, et seq. By signing this Agreement, Client acknowledges that this agreement to arbitrate results in a waiver of Client's right to a court or jury trial for any fee dispute or malpractice claim. This also means that Client is giving up Client's right to discovery and appeal. If Client later refuses to submit to arbitration after agreeing to do so, Client maybe ordered to arbitrate pursuant to the provisions of California law. Client acknowledges that before signing this Agreement and agreeing to binding arbitration, Client is entitled, and has been given a reasonable opportunity, to seek the advice of independent counsel.

d. Effect of Termination. The terms of this section shall survive the termination of the Agreement.

12. **ENTIRE AGREEMENT.** This Agreement with its exhibit supersedes any and all other prior or contemporaneous oral or written agreements between the Parties. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. Furthermore, any modification of this Agreement shall only be effective if in writing signed by all Parties hereto.


13. **SEVERABILITY.** Should any provision of this Agreement be held by a court of competent jurisdiction to be invalid, void or unenforceable, but the remainder of the Agreement can be enforced without failure of material consideration to any Party, then this Agreement shall not be affected and it shall remain in full force and effect, unless amended or modified by mutual consent of the Parties; provided, however, that if the invalidity or unenforceability of any provision of this Agreement results in a material failure of consideration, then, to the extent allowed by law, the Party adversely affected thereby shall have the right in its sole discretion to terminate this Agreement upon providing written notice of such termination to the other Party.

14. NON-WAIVER. None of the provisions of this Agreement shall be considered waived by either Party unless such waiver is specified in writing.

15. NO THIRD PARTY RIGHTS. This Agreement shall not create any rights in, or inure to the benefit of, any third party.

16. ASSIGNMENT. The terms of this Agreement may not be assigned to any third party. Neither Party may assign any right of recovery under or related to the Agreement to any third party.

SO AGREED:

CLIENT SIGNATURE	ATTORNEY SIGNATURE
Orcutt Union Elementary School District	Lozano Smith, LLP
BY <i>(Authorized Signature)</i>	BY <i>(Authorized Signature)</i> 
PRINTED NAME AND TITLE OF PERSON SIGNING	PRINTED NAME AND TITLE OF PERSON SIGNING Karen M. Rezendes, Managing Partner
DATE EXECUTED	DATE EXECUTED 05/18/2020



PROFESSIONAL RATE SCHEDULE
FOR ORCUTT UNION ELEMENTARY SCHOOL DISTRICT

1. HOURLY PROFESSIONAL RATES

Client agrees to pay Attorney by the following standard hourly rate*:

Partner** / Senior Counsel / Of Counsel	\$ 275 - \$ 350 per hour
Associate	\$ 215 - \$ 285 per hour
Paralegal / Law Clerk	\$ 135 - \$ 195 per hour
Consultant	\$ 135 - \$ 195 per hour

* Rates for individual attorneys within each category above vary based upon years of experience. Specific rates for each attorney are available upon request.

** Rates for work performed by Senior Partners with 20 years of experience or more may range from \$350 - \$385 per hour.

2. BILLING PRACTICE

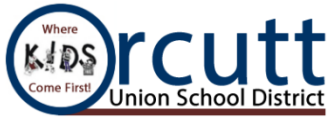
Lozano Smith will provide a monthly, itemized Statement for services rendered. Time billed is broken into 1/10 (.10) hour increments, allowing for maximum efficiency in the use of attorney time. Invoices will clearly indicate the department or individuals for whom services were rendered.

Written responses to audit letter inquiries will be charged to Client on an hourly basis, with the minimum charge for such responses equaling .5 hours. Travel time shall be prorated if the assigned attorney travels for two or more clients on the same trip.

3. COSTS AND EXPENSES

In-office copying/electronic communication printing	\$ 0.25 per page
Facsimile	\$ 0.25 per page
Postage	Actual Usage
Mileage	IRS Standard Rate

Other costs, such as messenger, meals, and lodging shall be charged on an actual and necessary basis.



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

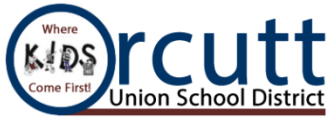
BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: 2020-2021 District Budget

BACKGROUND: Education Code Section 42127 requires public school districts to adopt a budget for the next fiscal year on or before July 1 of each calendar year. The proposed 2020-2021 budget has been made available for public review at the District Office.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the proposed 2020-2021 budget as presented.

FUNDING: All Funds



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Fund Balance GASB 54 Resolution No. 24

BACKGROUND: School districts are required to implement General Accounting Standards Board (GASB) Statement No. 54, which provides classification of fund balances and special revenue fund definitions. This action must be taken each year prior to June 30th.

Fund balances of the governmental funds are classified as follows:

Non-spendable – amounts that cannot be spent either because they are in non-spendable form or because they are legally or contractually required to be maintained intact.

Restricted – amounts that can be spent only for specific purposes because of constitutional provisions or enabling legislation or because of constraints that are externally imposed by creditors, grantors, contributors, or the laws or regulations of other governments.

Committed – amounts that can be used only for specific purpose determined by a formal action of the governing board. The governing board is the highest level of decision-making authority for the district. Commitments may be established, modified, or rescinded only through ordinances or resolutions approved by the governing board.

Assigned – amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes.

RECOMMENDATION: Staff recommends that the Board approves Resolution No. 24 as presented.

FUNDING: All Funds

ORCUTT UNION SCHOOL DISTRICT

RESOLUTION NO. 24 2020-2021

RESOLUTION FOR THE CLASSIFICATION OF

FUND BALANCES IN GOVERNEMENTAL ACCOUNTING STANDARDS BOARD (GASB 54)

ON MOTION of Member _____, seconded by Member _____, the following resolution is hereby adopted:

WHEREAS, the governing board of Orcutt Union School District will adhere to the reporting requirements as set forth by Governmental Accounting Standards Board (GASB) Statement 54 Fund Reporting and Governmental Fund Type Definitions; and

WHEREAS, the District will categorize according to the following components: Nonspendable (including but not limited to, inventory, prepaid), Restricted (external restrictions), Committed (imposed by resolution), Assigned (general intent for specific use) and Unassigned (residual); and

WHEREAS, the governing board further delegates authorization to the Superintendent and/or their designate to identify intended uses of assigned funds; and

WHEREAS, the governing board further establishes the order in which fund balances will be spent when multiple fund balance types are available for a specific purpose, committed, assigned, and lastly unassigned; and

WHEREAS, the governing board is committed to maintain a prudent level of financial resources to protect against the need to reduce services levels because of temporary revenue shortfalls or unpredicted one time expenditures. The District's minimum fund balance policy requires a Reserve for Economic Uncertainties, consisting of unassigned amounts, equal to no less than prescribed for fiscal solvency review purposes pursuant to Education Code Section 33127. In the event the balance drops below the established minimum level, the district's governing board will develop a plan to replenish the fund balance to the established minimum level within two years.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Orcutt Union School District, in accordance with the provisions of GASB 54 adopts the following authorization for fiscal year 2020-21 to comply with the categorization of fund balance as prescribed by GASB Statement 54 as approved by the Superintendent or their designee:

PASSED AND ADOPTED by the Governing Board on June 10, 2020, by the following vote:

AYES:

NOES:

ABSENT:

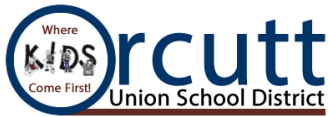
STATE OF CALIFORNIA

COUNTY OF SANTA BARBARA

I, Liz Phillips, President of the Governing Board, do hereby certify that the foregoing is a full, true, and correct copy of a resolution passed and adopted by the Board at a regularly called and conducted meeting held on said date.

WITNESSED my hand this 10th day of June, 2020.

President of the Governing Board



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Resolution No. 25 District and Charter Education Protection Account (EPA) Requirements

BACKGROUND: Proposition 30, The Schools and Local Public Safety Protection Act of 2012, approved by the voters on November 6, 2012, temporarily increases the State's sales tax rate for all taxpayers and the personal income tax rates for upper-income taxpayers. Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012. The provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account (EPA) to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f).

Local Education Agencies (LEAs) such as school districts, county offices of education, and charter schools will receive funds from the EPA based on their proportionate share of the statewide LCFF amount. A corresponding reduction is made to a LEAs LCFF state aid equal to the amount of their EPA entitlement. LEAs will receive EPA payments quarterly in the 2020-21 Fiscal Year. This allocation may also be subject to cash deferrals and/or state budget reductions.

Nearly all of the increased revenue generated from Proposition 30 is used to pay K-14 expenses from the prior year and reduce delays in payments due to schools. Therefore, districts throughout California are estimating deferral payback funding which will allow for restoration of previous cuts imposed during the recession.

2020-21 Education Protection Act

The Proposition 30 initiative was intended to minimize deeper cuts to school agencies and other state-supported programs in California. In addition, Proposition 30 prohibits the Initiative's tax revenues allocated to K-12 agencies from being used for administrative costs. While all revenues raised by Proposition 30 are distributed to school districts, a

significant share of those resources simply reduce the amount of other state funding that schools receive. This allocation may also be subject to cash deferrals and/or state budget reductions.

Before June 30 of each year, the State Director of Finance is required to estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year. The General Fund portion of that amount is estimated to be:

Education Protection Account	
Estimated Funds	
Calculation:	\$5,175,883 (District, Fund 01) \$1,095,739 (Charter, Fund 09)
Estimated Expenditures	
<i>instruction, instructional library, media, and technology, guidance and counseling services, psychological services, attendance and social work services, health services, speech pathology, and audiology services, custodians, plant services, and, pupil testing services.</i>	\$5,175,883 (District, Fund 01) \$1,095,739 (Charter, Fund 09)
<p>Note: As per Article XIII, Section 36 of the California Constitution, the district will post an accounting of the actual money received from the EPA and accounts where the money was allocated when we receive the funds.</p>	

RECOMMENDATION:

Staff recommends that the Board adopt Resolution No. 25, The Education Protection Accounts 2020-21, as presented above.

FUNDING:

District Fund (01) and Charter Fund (09) as presented.

**ORCUTT UNION SCHOOL DISTRICT
REGULAR BOARD MEETING
June 10, 2020**

**RESOLUTION NO. 25
THE EDUCATION PROTECTION ACCOUNT (EPA) 2020-2021**

WHEREAS, the voters approved Proposition 30 on November 6, 2012;

WHEREAS, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

WHEREAS, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

WHEREAS, before June 30 of each year, the State Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

WHEREAS, all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts;

WHEREAS, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government;



BUSINESS SERVICES MEMORANDUM

TO: Board of Trustees
Dr. Debbie Blow, Superintendent

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Resolution No. 26, to Commit and Uncommit the General Fund Balance

BACKGROUND: Board Policy 3100 allows the Board of Trustees to classify funds balances within five categories: 1.) Nonspendable, 2.) Restricted, 3.) Committed, 4.) Assigned, and 5.) Unassigned. The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the Board of Trustees. The committed fund balance cannot be used for any other purpose unless the Board of Trustees removes or changes the specified use by taking the same type of action (for example, resolution) it employed to previously commit those amounts. The attached Resolution Recommends \$8,214,597.18 be designated as committed funds in the 2020-2021 General Fund ending balance and at the same time uncommits \$6,988,024 from the 2019-2020 General Fund ending balance and re-designates the amount as a 2020-21 committed Reserve for Cashflow/COVID Crisis and budgets \$300,000 in 2020-21 for Technology Updates.

RECOMMENDATION: Staff recommends that the Board of Trustees approves Resolution No. 26, to Commit and Uncommit the General Fund Balance as presented.

FUNDING: N/A

ORCUTT UNION SCHOOL DISTRICT

Resolution No. 26

IN THE MATTER OF: COMMIT/UNCOMMIT GENERAL FUND BALANCE, 2020-21 ADOPTED BUDGET

The following RESOLUTION was duly passed by the Board of Trustees of the Orcutt Union School District, at a regular meeting held on the 10th of June 2020, by the following roll call vote:

Shaun Henderson	_____
Lisa Morinini	_____
Liz Phillips	_____
Mark Stellar	_____
Melanie Waffle	_____

Signed and approved by me after its passage:

Liz Phillips, President

Attest:

Melanie Waffle, Clerk

WHEREAS, school district governing boards are responsible for maintaining the fiscal solvency of the schools they govern;

WHEREAS, the Governing Board of the Orcutt Union School District has adopted budget criteria and standards as outlined in Board Policy 3100;

WHEREAS, the Governing Board of the Orcutt Union School District wishes to establish a committed fund balance in the general fund in conformance with the standards and criteria established by the state board of education pursuant to Education Code section 33127;

WHEREAS, the California Department of Education urges school districts to commit to maintaining a prudent level of financial resources to protect against the need to reduce services because of temporary revenue shortfalls or unpredicted expenditures;

WHEREAS, the California Department of Education and the Government Finance Officers Association recommend that school districts maintain committed, assigned, and unassigned reserves of at least two months of operating expenditures or approximately 17 percent reserve to mitigate revenue shortfalls and unanticipated expenditures;

WHEREAS, the Governing Board of the Orcutt Union School District wishes to commit funds in the general fund for emergency facility repairs, major textbook adoptions, unexpected costs, management of cash flow, mitigation of volatility in funding or expenditures, unexpected costs for special education students with highly specialized needs, a natural disaster that reduces student attendance and associated state funding, deferred maintenance, or a lawsuit that results in a costly judgment or settlement against the district;

WHEREAS, maintaining positive cash flow will diminish the need for borrowing and its associated costs;

WHEREAS, California's tax system relies heavily on income taxes paid by individuals and businesses, which are volatile revenue sources;

WHEREAS, certain district expenditures such as pension costs can be difficult to predict precisely and are anticipated to increase in costs;

WHEREAS, healthy reserves can address these cost increases rather than immediately reducing spending, staffing, and other areas of the budget;

WHEREAS, the district can experience unexpected costs for special education students with highly specialized needs, emergency facility repairs, natural disasters that reduce school attendance, and associated school funding for lawsuits that result in costly settlements or judgments against the district;

WHEREAS, the district is in need of replacing textbooks and related curriculum, computers, school buses and equipment and facility components that have reached the end of their useful lives such as flooring, or heating and cooling systems;

WHEREAS, the district may need to finance the construction of school buildings and other capital projects and cannot rely completely on bond measures or state funding;

WHEREAS, in the event that the school district needs to borrow money, healthy reserves will provide the district with a higher rating from the credit rating agencies and lower interest rates;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

- 1) It is hereby determined that the amount of \$8,214,597.18 is hereby committed from the 2020-2021 General Fund ending balance for the following purposes:
 - a) Other Commitments: \$8,214,597.18
 - i) Technology Update - \$ 700,000
 - ii) Textbook Adoption - \$1,000,000
 - iii) Cash Flow / COVID Crisis - \$6,514,597.18
- 2) The governing board of the school district, reserves the right to modify these committed funds in the future as the need arises through a similar resolution.

WHEREAS, on December 11, 2019, the Governing Board took action to commit \$3,788,024 for the stabilization arrangements, \$1,000,000 for Technology Update, \$1,000,000 for Textbook Adoption, and \$2,500,000 for the Strategic Plan;

WHEREAS, \$3,788,024 committed for the 2019-2020 stabilization arrangements will be uncommitted and recommitted in the 2020-21 Budget as Reserve for Cashflow/COVID Crisis, \$300,000 of the \$1,000,000 committed for the 2019-2020 Technology Update will be uncommitted and budgeted for the 2020-21 Budget, and \$2,500,000 committed for the 2019-2020 Strategic Plan will be uncommitted and recommitted in the 2020-21 Budget as Reserve for Cashflow/COVID Crisis;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS: It is hereby determined that the amount of \$6,988,024 is hereby uncommitted from the 2020-21 General Fund ending balance and committed as noted above in section 1.

WHEREAS, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

WHEREAS, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

WHEREAS, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

WHEREAS, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

WHEREAS, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Governing Board of the Orcutt Union School District that:

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of Orcutt Union School District;
2. In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the Orcutt Union School District has determined to spend the monies received from the Education Protection Act on:
 - instruction,
 - instructional library, media, and technology,
 - guidance and counseling services,
 - psychological services,
 - attendance and social work services,
 - health services,
 - speech pathology and audiology services,
 - custodians,
 - plant services, and
 - pupil testing services.

PASSED AND ADOPTED this 10th day of June 2020.

I, Deborah L. Blow Secretary of the Board of Trustees of Orcutt Union School District hereby certify that Resolution No. 25 was duly passed and adopted by the Board of Trustees of Orcutt Union School District at a regular meeting thereof assembled this 10th day of June 2020 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Secretary of the Board of Education of the
Orcutt Union School District



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Resolution No. 27 for the California Energy Commission 0% Loan Application

BACKGROUND: The California Energy Commission provides 0% interest loans to schools, hospitals, local governments, special districts, and public care institutions to finance energy efficiency improvements. This resolution will permit the Superintendent or designee to apply for a 0% energy efficiency loan from the California Energy Commission to implement energy efficiency measures in alignment with the District's Strategic Plan. If a loan is approved, it may be used within a three-year period for designated projects such as solar panels and LED lighting upgrades. The loan is paid back through the project energy savings.

RECOMMENDATION: Staff recommends that the Board approves Resolution No. 27 as presented.

FUNDING: N/A

**ORCUTT UNION SCHOOL DISTRICT
REGULAR BOARD MEETING
June 10, 2020**

**RESOLUTION NO. 27
CALIFORNIA ENERGY COMMISSION 0% LOAN APPLICATION**

WHEREAS, the California Energy Commission provides loans to schools, hospitals, local governments, special districts, and public care institutions to finance energy efficiency improvements;

NOW THEREFORE, BE IT RESOLVED, that Orcutt Union School District Board of Trustees authorizes Orcutt Union School District to apply for the 0% energy efficiency loan from the California Energy Commission to implement energy efficiency measures.

BE IT ALSO RESOLVED, that in compliance with the California Environmental Quality Act (CEQA), Orcutt Union School District Board of Trustees finds that the activity funded by the loan is not a project because LED lighting retrofits and computer plug load management do not require CEQA review.

Additionally, the solar PV portion of the loan application is statutorily exempt as an installation of a solar energy system at an existing parking lot. The solar PV project is also categorically exempt under CEQA Guidelines section 15301 as construction of new, small structures and exempt under section 15311 as construction of minor structures appurtenant to existing facilities.

BE IT ALSO RESOLVED, that if recommended for funding by the California Energy Commission, Orcutt Union School District Board of Trustees authorizes Orcutt Union School District to accept a loan up to \$3,000,000.

BE IT ALSO RESOLVED, that the amount of the loan will be paid in full, under the terms and conditions of the Loan Agreement, Promissory Note and Tax Certificate of the California Energy Commission.

BE IT FURTHER RESOLVED, that the Superintendent or designee is hereby authorized and empowered to execute in the name of Orcutt Union School District all necessary documents to implement and carry out the purpose of this resolution.

PASSED AND ADOPTED this 10th day of June 2020.

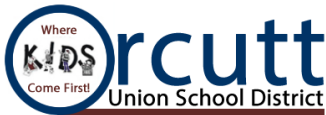
I, Deborah L. Blow Secretary of the Board of Trustees of Orcutt Union School District hereby certify that Resolution No. 27 was duly passed and adopted by the Board of Trustees of Orcutt Union School District at a regular meeting thereof assembled this 10th day of June 2020 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

Secretary of the Board of Education of the
Orcutt Union School District



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Change Order for American Modular Systems (AMS) Patterson Road Full Day Kindergarten Modular

BACKGROUND: On February 12, 2020, the Board of Trustees approved the piggyback bid for the purchase and installation of twelve modular classrooms from America Modular Systems (AMS). The preliminary budget estimate for twelve (12) DSA approved classrooms was \$4,408,164. Due to the lack of access for the crane to the building pad at Patterson Road, the crane will need to be upsized and an additional relief truck with extra weights will be required.

Change Order	Amount
Additional cost for crane at Patterson Road	\$2242.50

RECOMMENDATION: Staff recommends that the Board of Trustees ratify the Change Order for AMS, in the amount of \$2,242.50 with the final contract total of \$5,098,363.50

FUNDING: Potentially one or more of the following funds: General Fund (01) | Deferred Maintenance Fund (14); Building Fund (21); Capital Facilities Fund (25); and County Schools Facilities Fund (35).



May 20, 2020

Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455
Attn: Bill Young, Assistant Superintendent Business Services

Proposed Change Order (PCO)

RE: (2) 36x40 High Pitch Classrooms – Patterson Rd. Elementary Sch – Purchase Order NO. PO20-01447

Please review the following proposed changes to the contract:

- 1. Upgrade crane size to better reach the pad due to lack of access.
Review attached Additional Work Authorization:

Larger crane	\$1,950.00	
15% OH	\$ 292.50	
Total Change	\$2,242.50	\$2,242.50

The contract sum will be increased by: \$2,242,500

The contract time will be increased by: TBD

New project completion date: TBD

Contractor:
American Modular Systems, Inc.

Owner:
Orcutt Union School District

Representative:

Authorized by:


Jim Wallace


Bill Young (May 21, 2020 16:06 PDT)
Bill Young, Assistant Supt. Business Services

Please sign and return via email: jim.w@americanmodular.com or FAX 909 981 4257

If you have any question please call 818 339 1413 cell

cc/orcutt/patterson/filePCO

ADDITIONAL WORK AUTHORIZATION



American Modular Systems
787 Spreckels Ave. • Manteca, CA 95336
(209) 825-1921 • Fax (209) 825-7018

No. 0640

OWNER'S NAME ORUTT USD		PHONE	DATE 5.15.20
STREET		JOB NAME PATTERSON E.S.	JOB NUMBER
CITY	STATE	STREET 400 E. PATTERSON	
EXISTING CONTRACT NO	DATE OF EXISTING CONTRACT	CITY SANTA MARIA	STATE CA 93458

You are hereby authorized to perform the following specifically described additional work:

Due To THE LACK OF ACCESS FOR THE CRANE TO THE BUILDING PAD, THE CRANE WILL NEED TO BE UPSIZED FROM 110T TO 140T. AN ADDITIONAL RELIEF TRUCK WITH EXTRA WEIGHTS.

Additional cost for up size of crane \$ 1950.00

15% \$ 292.50

Total = \$ 2242.50

ADDITIONAL CHARGE FOR ABOVE WORK IS: \$ 2242.50

Above additional work to be performed under same conditions as specified in original contract unless otherwise stipulated.

Date May 21, 2020 20 _____ Authorizing Signature 
(OWNER SIGNS HERE)

We hereby agree to furnish labor and materials complete in accordance with the above specifications, at above stated price.

Authorized Signature _____ Date _____ 20 _____
(CONTRACTOR SIGNS HERE)

NOTE: This Revision becomes part of and in accordance with the existing contract.

WHITE - File

YELLOW - Field

PINK - Client



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Award Bid for the Lakeview JHS Site Safety & Security

BACKGROUND: As required, per BP 3311 Bids, and Public Contract Code 20111, bids were requested for the Lakeview JHS Site Safety & Security Project. The total **estimated** cost for this project; including the soft cost is \$1,000,000, and a proposed budget will be submitted to the Board for approval on a separate action item.

We received four bids and they are as follow:

Company	Location	Total Bid
Vernon Edwards, Contractors, Inc.	Santa Maria	\$350,000
RDZ Contractors	Nipomo	\$477,577
Pre-Con Industries, Inc.	Santa Maria	\$418,700
Spiess Construction	Santa Maria	\$498,900

RECOMMENDATION: Staff recommends that the Board of Trustees award the Lakeview JHS Site Safety and Security Project bid to Vernon Edwards, Contractors, Inc. for \$350,000, as they were the lowest, responsive, and responsible bidder.

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



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Lakeview JHS Site Safety & Security Project Budget for Measure G Bond

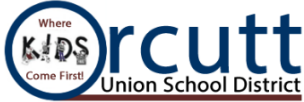
BACKGROUND: According to the Local School Construction Bonds Act of 2000 (15264-15288), vigorous efforts are undertaken to ensure that the expenditures of bond measures, are in strict conformity with the law.

The governing board of Orcutt Union School District shall have oversight, and approve all bond projects and expenditures. Below is the *estimated* Lakeview JHS Site Safety and Security Budget:

Lakeview JHS Site Safety & Security	Total
Construction	\$350,000
10% Contingency	\$35,000
Total Hard Costs	\$385,000
Architect Fees	\$110,000
Construction Manager Fees	\$35,000
DSA Plan/Field Review Fee/Testing	\$20,000
DSA Inspection and Testing	\$50,000
Furniture	\$30,000
Subtotal Soft Costs	\$245,000
10% Contingency	\$24,500
Total Soft Costs	\$269,500
Total Budget	\$654,500

RECOMMENDATION: I recommend that the Board of Trustees approve the estimated budget of \$654,500 for the Lakeview JHS Site Safety & Security Project, as submitted.

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



ORCUTT UNION SCHOOL DISTRICT REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Rosie Chavez Memorial Scholarship - OUSD Date: May 27, 2020

DONOR: Name: Marysia Ochej and Thomas Beckenhauer
Address: 1500 Rocky Oak Ln. Nipomo, CA 93444
Phone No. 805-489-5062

GIFT: Item Donated _____ or Cash Donation \$ 200.00
(Fill in if money is donated)
Designated for: Rosie Chavez Memorial Scholarship
General Description: _____
Model No.: _____ Condition: New Used
Value (estimated): _____
Purpose of Gift: Donation to the Rosie Chavez Memorial Scholarship
Will gift be purchased through Business Services Office? Yes No
Donor Conditions of Acceptance: _____

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

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

Acceptance Requested By (OUSD Staff Member): Julie Payne
Acceptance Approved By (Administrator): Bill Young

RECOMMENDATIONS: Principal or District Representative _____

BOARD ACTION: Date Accepted: _____ Date Denied: _____

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



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: June 10, 2020

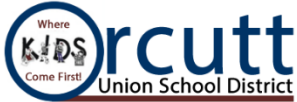
BOARD AGENDA ITEM: Obsolete Dining Tables at Olga Reed School

BACKGROUND: In accordance with Education Code Sections 39520- 39530 and BP 3260; staff has inspected the following dining tables and recommends that they be declared obsolete and unusable property:

Quantity	Item
8	Dining Tables, outdated and obsolete

RECOMMENDATION: Staff recommends that the Board of Trustees declare these dining tables to be obsolete and authorize staff to dispose of the above mentioned tables.

FUNDING: N/A



EDUCATIONAL SERVICES MEMORANDUM

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

From: Dr. Holly Edds, Assistant Superintendent, Educational Services

Board Meeting Date: June 10, 2020

Board Agenda Item: Local Control Accountability Plan (LCAP) Operations Written Report and Annual Update for OUSD

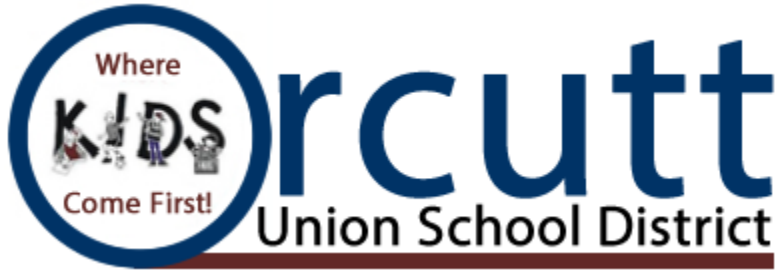
Background: Governor Gavin Newsom signed Executive Order (EO) N-56-20 on April 22, 2020 to address the impact of continued school closures in response to the COVID-19 pandemic and the local educational agencies' ability to conduct meaningful annual planning and the ability to meaningfully engage stakeholders in these processes.

EO N-56-20 issued timeline and approval waivers for the Local Control and Accountability Plan and Budget Overview for Parents as well as having certain budgetary requirements. The Executive Order also established the requirement that a local educational agency (LEA) adopt a written report (COVID-19 Operations Written Report) explaining to its community the changes to program offerings the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of such closures on students and families.

The COVID-19 Operations Written Report must be adopted by the local governing board or body in conjunction with the adopted annual budget by July 1, 2020.

Recommendation: Staff recommends the Board of Trustees approve the Local Control and Accountability COVID-19 Operations Written Report as submitted.

Funding: No funding implications



COVID-19 Operations Written Report for Orcutt Union School District

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone	Date of Adoption
Orcutt Union School District	Dr. Holly Edds Assistant Superintendent	hedds@orcutt-schools.net 805-938-8929	June 10, 2020

Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broader understanding of the changes your LEA has put in place. LEAs are strongly encouraged to provide descriptions that do not exceed 300 words.

Provide an overview explaining the changes to program offerings that the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of the closures on students and families.

The Orcutt Union School District (OUSD) leadership took decisive and immediate action to position the district to best meet the needs of our students and staff during the COVID-19 pandemic. Those actions included:

- Campuses were closed in alignment with the Santa Barbara County Department of Public Health, the Santa Barbara County Office of Education, and the guidelines provided by the Centers for Disease Control and Prevention’s Coronavirus Disease 2019 (COVID-19)
- The OUSD’s top priority was to protect the safety of all of the district’s students and staff.
- The first significant change that took place was the planning and immediate implementation of a meal program that served thousands of meals per week.
- OUSD’s leadership, including teachers, collaborated to develop a three phase instructional delivery program which started with paper and pencil packets and ended with online digital remote learning.
- The OUSD’s maintenance, operations, and transportation department developed and implemented a program to deep clean and disinfect the schools and maintain grounds in a minimal condition to reduce or eliminate additional expense to the district in the future.
- OUSD leadership is working diligently to plan for school reopening and operations for the 2020-2021 school year. Planning includes strategies to address the anticipated increased academic learning loss among individual groups of students.

Provide a description of how the LEA is meeting the needs of its English learners, foster youth and low-income students.

English learners, foster youth, and low-income students make up approximately 40% of all students at the Orcutt Union School District (OUSD). As a result of community input during the Local Control and Accountability Plan (LCAP) process, all students in the district are provided with equitable opportunities. Additions or prioritization of these opportunities, highlighted in part of this “Operations Written Report”, and below include:

- English learner students receive remote learning instruction from teachers that have discussed and collaborated on their specific needs during professional development with the support of a designated Teacher on Special Assignment (TOSA). That professional development included supports for designated and integrated English language development using the district adopted English language arts program as well as available online language development resources. The families of English learners have also received support from our bilingual community liaisons on accessing instructional content as well as community and internet resources. When possible, district staff has made Spanish-language translations and instructional materials available.
- Foster youth have been provided personal contact by their teachers. In addition, school psychologists and counselors have performed multiple outreach efforts to gauge and address the social emotional needs of foster youth students.
- Low-income students have benefited additionally from the distribution of computers to all families within the OUSD that need them. That, and information provided by the OUSD on how to receive free internet service allows students to access live and recorded instruction, along with the ability to access OUSD provided links to online instructional resources.

Provide a description of the steps that have been taken by the LEA to continue delivering high-quality distance learning opportunities.

Consistent with stakeholder input through LCAP development, it was a high priority of the Orcutt Union School District (OUSD), with only student and staff safety being greater, to deliver high-quality distance learning opportunities for students in an equitable manner. With that in mind, the OUSD quickly developed, in collaboration with teachers and district leadership, a three phase plan that was immediately implemented.

- Phase I included paper and pencil enrichment packets that were made available for pickup on multiple days and uploaded to the school district website. The packets included at least three weeks of academic review materials. This provided equitable access to educational opportunities for all students while the district continued to plan and react to the developments of COVID-19.
- Phase II provided additional paper and pencil enrichment packets with academic review materials for an additional three weeks or more. During this time teachers and district leadership identified a learning management system platform, web conferencing tools, and digital tools within district adopted curriculum that the district would support and began training the teachers to use. All teachers in the district received remote training on each of the common programs. In addition, Teachers on Special Assignment (TOSAs) and classroom teachers that volunteered to serve as a resource were organized to provide assistance when needed by any OUSD teacher. During this time, the OUSD distributed nearly 1,900 student computers to families within our district. Every family in the district was surveyed about their technology and device needs, and all families with a need were provided with a computer. Families with three or more students were also provided with a second computer. In addition, families were provided with information on how to obtain free internet access if they needed it. Families residing in rural areas without reliable internet were provided with hotspots or access to a community hotspot.

- Phase III was the full implementation of Distance Learning by all teachers in the district beginning April 20, 2020 when students and teachers returned from Spring Break. Instruction included multiple English language arts and math lessons weekly, along with all other subject areas. Teachers engaged with their students weekly through a variety of formats, and students not actively participating were contacted by the teacher and if needed school counselor, administrator or other support agency.

To encourage the continuation of learning, students will retain their technology over the summer months. Academic and social-emotional instructional resources and online learning programs will be shared in English and Spanish through multiple communication platforms.

Provide a description of the steps that have been taken by the LEA to provide school meals while maintaining social distancing practices.

As soon as the closure went into effect on Monday March 16, 2020, the Child Nutrition Department provided opportunities for families to pick up, at no cost, breakfast and lunch meals in a walk-up or drive-thru pick up service at four strategic school locations for children 18 and under, regardless of what school they attend or if they are on the meal program. The meal service, serving on average 1,600 meals a day, was offered Monday through Friday and included Spring Break. Information about meal distribution was communicated in English and Spanish through multiple avenues. Social distancing protocols and county health department food service protocols were immediately implemented. This support continues through Friday June 5, 2020, after which, the Santa Barbara County Food Bank will continue to provide similar meal services to the community during the summer months.

Provide a description of the steps that have been taken by the LEA to arrange for supervision of students during ordinary school hours.

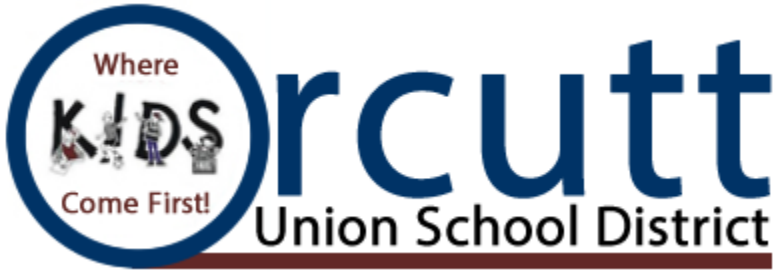
The Orcutt Union School District explored several options as ways to offer childcare during the school closures. Our superintendent participated in the Santa Barbra County Superintendent's conference call meetings where childcare needs were discussed. Due to this, she also worked with contacts from various county agencies to offer Orcutt schools as potential sites for childcare offerings if needed.

Additionally, discussions were held during Cabinet meetings that included childcare needs and ways to provide childcare, particularly for parents who work in the medical field, and first responders. Our Chief Technology ran a query of our parents' employment information to determine how many families attend Orcutt schools who work in the medical and first responder fields, and could potentially need childcare.

OUSD serves as a resource hub for parents, including childcare resources. Contact numbers are posted on our website and sent with communications for parents to seek support. OUSD staff continues to deliver distance learning in our Phase III stage of our instructional delivery program as a means to engage students during ordinary school hours.

2019-20 LCAP Annual Update

2019-20 Annual Update



LEA Name

Orcutt Union School District

Contact Name and Title

Dr. Holly Edds
Assistant Superintendent

Email and Phone

hedds@orcutt-schools.net
805-938-8929

Annual Update for the 2019–20 Local Control and Accountability Plan Year

Complete a copy of the following table for each of the local educational agency’s (LEA’s) goals from the prior year Local Control and Accountability Plan (LCAP). Duplicate the table as needed.

Goal 1

Provide and support engaging, high quality instruction, which promotes active learning and maximizes student achievement

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 2: State Standards (Conditions of Learning)
 Priority 4: Pupil Achievement (Pupil Outcomes)
 Local Priorities: OUSD Strategic Plan

Annual Measurable Outcomes

Expected

Metric/Indicator

CAASPP – ELA
 % Students met/ exceeded standard

19-20

Increase student performance for all students and each subgroup by 5 points each year in the area of ELA as measured by the CAASPP and reported on the California Dashboard

Actual

Data is reported on the California Dashboard in terms of "Distance from Level 3" or minimum proficiency standards. Performance on the CAASPP - ELA for each student group is reported below:

All Students - increased 3.3 points, 1.9 points above Level 3
 English Learner - increased 6 points, 25.5 points below Level 3
 Low SES - increased 4.2 points, 21.7 points below Level 3
 Foster Youth - increased 13.5 points, 40.9 points below Level 3
 Students with Disabilities - increased 8.7 points, 77.5 points below Level 3

Expected

Actual

Baseline

2016 CAASPP Results

(as related to Level 3)

- 2.3 All Students
- 32 English Learner
- 26.4 Low SES

NA Foster Youth

- 76.1 SPED

Metric/Indicator

CAASPP – Math

% Students met/ exceeded standard

19-20

Increase student performance for all students and each subgroup by 5 points each year in the area of Mathematics as measured by the CAASPP and reported on the California Dashboard

Baseline

2016 CAASPP Results

(as related to Level 3)

- 18.7 All Students
- 44.7 English Learner
- 41.8 Low SES

NA Foster Youth

- 98.8 SPED

Metric/Indicator

Re-designation Rate for English Learners (EL to RFEP)

19-20

2% of English learners will be re-designated each year

Baseline

4.3% of English learners were re-designated during the 2016-17 school year

Data is reported on the California Dashboard in terms of "Distance from Level 3" or minimum proficiency standards. Performance on the CAASPP - Mathematics for each student group is reported below:

All Students - decreased 1.9 points, 20.1 points below Level 3

English Learner - decreased 1.6 points, 49.6 points below Level 3

Low SES - increased 0.1 points, 43.1 points below Level 3

Foster Youth - increased 2.8 points, 62.8 points below Level 3

Students with Disabilities - increased 1.6 points, 110.5 points below Level 3

11% of English learners were re-designated in the 2019-20 school year.

Expected

Actual

Metric/Indicator

English Learner Progress

19-20

75% of English Learners will make progress toward English proficiency

Baseline

CA Dashboard

79.5% of English Learners made progress toward English proficiency (High), an increase of 8.4%

Data is reported on the California Dashboard as determined by student performance on the ELPAC. The ELPAC has 4 levels to report English Language Proficiency. For accountability purposes, the 4 ELPAC levels were divided into 6 ELPI levels to determine whether English learners made progress toward English language proficiency.

Number of EL students: 456

53.7% are making progress towards English language proficiency

Performance level: Medium

Metric/Indicator

English Learner access to Core Instruction and English Language Development (ELD)

19-20

100% of students will receive access to Core instruction and ELD

Baseline

100% of students received access to Core instruction and ELD

100% of students received access to Core instruction and instruction in English Language Development (ELD)

Metric/Indicator

% of Highly Qualified Teachers that are Appropriately Assigned

19-20

100% of Orcutt Union School District teachers will be highly qualified and appropriately assigned

Baseline

2016-17 99.9% (208/214) of teachers are highly qualified and appropriately assigned

For the 2019-20 school year, all teachers are properly assigned with seven teachers utilizing emergency credentials allowing them to teach in an area of need. Two teachers are on a STSP in the elementary setting (Olga Reed and Patterson); four are on a University Intern Credential, two teaching PE at the elementary level (Dunlap and Joe Nightingale); and two teachers in special ed (Dunlap and Olga Reed/Charter K-8).

The percent of teachers that were appropriately assigned is 96%. (176 total teachers, 7 of whom are not appropriately assigned according to the California Commission on Teacher Credentialing because they are on emergency credentials)

Metric/Indicator

% of schools meeting all FIT requirements

19-20

100% of Orcutt Union School District schools will meet FIT requirements

Baseline

2016-17 100% of schools met FIT requirements

All schools met FIT requirements for the 2019-20 school year with at least on overall "good" rating with the exception of the campus that houses Olga Reed/OAK-8. While the school was found to be in the "good" range for systems, cleanliness, electrical, safety, structural, and external analysis, it fell into the "fair" rating for restrooms/fountains and "poor" for interior surfaces. This campus, along with several of our other campuses, are currently experiencing upgrades using Measure G funds.

Metric/Indicator

% of students with access to instructional materials

19-20

For the 2019-20 school year, 100% of students had access to standards aligned instructional materials.

Expected

100% of Orcutt Union School District students will have access to standards aligned materials

Baseline

2016-17 100% of students had access to OUSD adopted materials that are standards aligned

Metric/Indicator

100% of students with access to required course of study

19-20

100% of Orcutt Union School District students will have access to required course of study

Baseline

2016-17 100% of students had access to required course of study

Actual

For the 2019-20 school year, 100% of students had access to the required course of study.

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>All teachers will be supported in implementing and teaching the new California State Content and Performance Standards, including the integration of technology to ensure all students have access to the curriculum and technology necessary to be successful, through the support of Teachers on Special Assignment (TOSA).</p>	<p>The Teachers on Special Assignment (TOSA) focused on building the professional capacity of our teachers and administrators this year, including targeting the specific needs of at-risk students. This year they were again site-based which enabled them to model and support effective instructional strategies, support the implementation of intervention,</p>	<p>budget increased to align with estimated actuals from 2018-19 and realignment of services for 2019-20 Certificated Salary/ Benefits Supplemental \$306,623</p>	<p>Certificated Salary/ Benefits Supplemental \$252,000</p>
<p>The TOSAs will support school sites with the implementation of RTI, targeted intervention, and best practices in effective instructional strategies for Tier 1 and 2.</p>	<p>assist with using data to target instruction, provide professional development and support Professional Learning Community meetings. They continued to act as a valued member of the</p>	<p>budget decreased to align with realignment of services for 2019-20 Certificated Salary/ Benefits Title II \$0</p>	<p>Certificated Salary/ Benefits Title II \$0</p>
		<p>budget included in LCAP for transparency purposes and to reflect realignment of services for 2019-20 Certificated Salary/ Benefits Title I \$265,261</p>	<p>Certificated Salary/ Benefits Title I \$305,916</p>

TOSAs will provide support for identification of and training in effective, research-based interventions for at-risk students, especially English learners, foster youth, low-income students.

Leadership Team at each of the school sites they supported.

The TOSAs provided training and assisted in district-wide assessments, including early literacy skills using the Acadience (formerly DIBELS) assessment to all students in grades 1-3 and at-risk students in other grades.

Action 2

Planned Actions/Services

Standards-based materials will be available to all students. Science materials will be evaluated and possibly piloted/purchased

Actual Actions/Services

Standards-based materials were available to all students.

Science materials were piloted for grades K-8 during the school year. A committee consisting of teachers and administrators made recommendation on multiple programs with K-6 selecting the program they felt would best support students and grades 7-8 requesting to pilot a third program. This process was stalled by school closures due to COVID-19 and will be revisited when available resources are determined.

Budgeted Expenditures

Materials/Supplies Base \$1,000,000

Estimated Actual Expenditures

Materials/Supplies Base \$32,400

Action 3

Planned Actions/Services

Universal screening, formative assessments and Multi-Tiered System of Support (MTSS) progress monitoring assessments

Actual Actions/Services

NWEA was administered in the fall and winter terms, however the spring administration was not executed due to school closures

Budgeted Expenditures

Increased to match unaudited actuals for 2018-19 Certificated Salary/ Benefits Supplemental \$60,000

Estimated Actual Expenditures

Certificated Salary/ Benefits Supplemental \$66,156

will be administered to students to identify areas of need, effectiveness of program, and monitor student progress. Data will be analyzed specific to English learners, foster youth, and low-income students, to determine if instructional strategies are effective, use in placement for intervention/enrichment groups, and to monitor student progress. Data will also be utilized to communicate information on student progress with parents and students. (NWEA/DIBELS)

related to COVID-19. Acadience (formerly DIBELS) was administered to every student in grades K-3 and identified students in grades 4-8. The data from both assessments was used to place students in targeted instruction groups and to monitor their progress in order to inform the teacher of each students' instructional progress. Funds expended for this Action for Certificated Salary/Benefits were used to hire additional staff to proctor and administer student assessments.

Decreased to match estimated expenses for 2018-19 Professional/ Consulting Services Supplemental \$57,000

Professional/ Consulting Services Lottery \$45,165

Action 4

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Professional Learning Community (PLC)/Leadership Team Members will receive a stipend in exchange for attending leadership team meetings, facilitating weekly leadership/PLC team meetings, making regular reports to administration, communicating leadership team decisions to the grade level/department PLC team, and other negotiated duties. The focus of the PLC team and Leadership Team meetings will be on student achievement and meeting the needs of at-risk students.</p>	<p>Professional Learning Community (PLC)/Leadership Team Members received a stipend in exchange for attending leadership team meetings during the school day and after school), facilitating weekly leadership/PLC team meetings, the completion of regular reports to their site administrator, and communicating information shared at leadership team meetings with the appropriate grade level/PLC team. The focus of each of these meetings was on student learning, the selection of essential standards, development of common formative assessments, implementation of Multi-Tiered Systems of Support (MTSS) and the use of data to inform</p>	<p>Certificated Salary/ Benefits Supplemental \$95,481</p>	<p>Certificated Salary/ Benefits Supplemental \$78,000</p>

instruction. The 90 minute PLC meetings at elementary school sites were focused on Tier 1 instruction (whole class by the classroom teacher). The 60 minute PLC meetings at elementary were focused on Tier 2 instruction (targeted instruction - intervention/enrichment). PLC meetings at junior high school sites were held before school one day per week (late start for students) and this time was focused on student learning, data, and instruction (Tier 1 and Tier 2).

Action 5

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
The MTSS task force will continue to develop and refine an implementation plan for Multi-Tiered Systems of Support including clearly identified tiers for intervention, targeted intervention, assessment, and data-driven decision making	Implementation of the Multi-Tiered Systems of Support in the district continued this year through the support of the state-wide MTSS grant. A dedicated implementation coordinator was identified and the MTSS master plan is currently under development, documenting the existing academic and behavioral support structures. Staff were able to participate in additional training in the development of support systems and training was also provided to certificated and classified staff to further develop the structures offered to students.	Expenditure funding source changed due to MTSS SUMS Initiative funding. Res. 9550 Certificated Salary/ Benefits Other \$4,000	MTSS Grant Funds Certificated Salary/ Benefits Other \$263
		Expenditure funding source changed due to MTSS SUMS Initiative funding Res. 9550 Travel/Conference Other \$1,000	MTSS Grant Funds Travel/Conference Other \$1904
			MTSS Grant Funds Materials/Supplies Other \$4815
			MTSS Grant Funds Professional/ Consulting Services Other \$6124

Action 6

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
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Identified students will receive targeted support through on-site interventions provided by the classroom teacher and the grade level team (Tier 1 and 2)

TOSAs will provide support for identification of and training in effective, research-based interventions for at risk youth (English learners, foster youth, low-income)

Identified students received targeted support through on-site interventions provided by the classroom teacher and the grade level team (Tier 1 and 2) through the use of certificated hourly teachers to reduce class size, provide additional materials necessary to target intervention and professional development as determined through the analysis of site, grade level, and individual student data. Each site had a designated intervention time daily when identified students received instruction. Intervention remains an area for continued development to ensure resources are maximized, learning targets are clear, and targeted instruction occurs. Funds for the Action were spent on certificated hourly intervention teachers and on technology for use with intervention programs. Classified staff are also utilized.

TOSAs are continuing to identify and provide training in effective, research-based interventions for at-risk youth in both English Language Arts and Math, including interventions utilizing technology.

Certificated Salary/ Benefits Supplemental \$316,000

Moved to Certificated Salary/Benefits Non-Capitalized Equipment Supplemental \$0

Decreased to match unaudited actuals for 2018-19 Classified Salaries/ Benefits Supplemental \$10,000

Certificated Salary/ Benefits Supplemental \$180,000

Non-Capitalized Equipment Supplemental \$53,000

Classified Salaries/ Benefits Supplemental \$11,855

Action 7

Planned Actions/Services

A variety of online learning programs will be utilized for targeted instruction, especially for English learners, foster youth, and

Actual Actions/Services

Compass Learning Pathblazer was utilized at all district schools in multiple ways, including targeted intervention for struggling students.

Budgeted Expenditures

Professional/ Consulting Services Supplemental \$50,000

Estimated Actual Expenditures

Professional/ Consulting Services Supplemental \$40,350

low-income pupils based on their individual achievement data. Programs will be used to double and triple-dose students in need of additional instruction and practice and also provide instruction during non-school hours and during breaks in school.

Students participating regularly in the program showed increased achievement in classwork and on the state assessment. Staff worked with the parents of targeted students to share their login and password information, and how to navigate the program at home. The program remains available to students 24 hours a day, 7 days a week year round. Fund for this Action were used to purchase online computer programs for student utilization. Imagine Learning was utilized for identified English learner students that would benefit from the language development program and program usage was monitored by the ELD TOSA.

Action 8

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Provide designated and integrated ELD in the regular classroom setting for grades K-6 utilizing the district adopted curriculum. Students in grades 7-8 will receive designated and integrated ELD in their regular classroom settings utilizing push-in support as needed. Provide translation support and access to community/school/district resources through bilingual community liaisons and bilingual staff. Monitor student data and instructional practices. Provide support to classroom teachers through designated ELA/ELD</p>	<p>English Language Development (ELD) was provided by classroom teachers during a 30 minute block of designated time daily. Integrated ELD was taught by all teachers. Hourly support teachers were available in grades 7-8 for additional support in English language arts and Mathematics.</p> <p>Funds for this Action were spent hiring certificated and classified staff, including hourly certificated teachers, bilingual community liaisons, staff to provide translation services, professional development support, and staff to</p>	<p>ELD TOSA partially funded through Title III; remainder of salary included under TOSA above Certificated Salary/ Benefits Supplemental \$0</p> <p>budget increased to align with estimated actuals from 2018-19 Classified Salaries/ Benefits Supplemental \$175,000</p> <p>add ELD TOSAs (90%) Certificated Salary/ Benefits Title III \$118,968</p> <p>budget decreased to align with estimated actuals from 2017-18</p>	<p>Certificated Salary/ Benefits Supplemental \$0</p> <p>2000-2999: Classified Personnel Salaries Supplemental \$155,116</p> <p>1000-1999: Certificated Personnel Salaries Title III \$90,558</p> <p>Professional/ Consulting Services Title III \$0</p>

TOSAs to coach teachers for integrated ELD and provide resources and support to classroom teachers for Newcomer and LTEL students.

coordinate services for English learners.

Professional/ Consulting Services
Title III \$0

Action 9

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Small Group and Individual Tutoring will be made available for at-risk foster and homeless youth. Scholarships to participate in enrichment activities will be made available to foster and homeless youth.</p>	<p>Families/guardians of Foster Youth in the district are contacted by the Foster Youth Coordinator and are offered the opportunity to participate in individual and small group tutoring. Support is provided by the regular classroom teacher through additional hours of instruction outside of the regular classroom day whenever possible. Services were offered and paid from other funding sources this year.</p>	<p>Increase in funds to expand opportunities available for tutoring and enrichment for foster youth Certificated Salary/ Benefits Supplemental \$10,000</p>	<p>Certificated Salary/ Benefits Supplemental \$0</p>

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the Local Control Funding Formula (LCFF) Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

Each of the above Actions/Services were successfully implemented for the 2019-20 school year. District staff continue to work to implement initiatives that were implemented over the past few years including new curriculum adoptions in ELA/ELD, Mathematics, and Social Studies/History, new assessment and accountability measures with the California Dashboard, implementation of a Master Schedule for elementary school sites to allow for expanded Professional Learning Communities (PLC)s and music, art, and PE instruction to occur, and continued targeted instruction for students.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

The goal to provide and support engaging, high quality instruction, which promotes active learning and maximizes student achievement was a priority once again for the 2019-20 school year. The actions and services supported achievement of that goal, most especially the Teacher on Special Assignment (TOSA) positions, targeted intervention programs, English learning support, and

the use of universal screening data to inform and drive instruction. Each of these actions/services are complimentary to the others and were effective as measured by stakeholder input and student achievement data. We saw gains across the board for English language arts and some gains in Mathematics as well as measured by statewide accountability measures (CAASPP). We remain committed to implementing the new curriculum and providing high quality professional development. We have been concentrating our efforts with literacy on the early years of schooling which will continue. As we see positive results from targeted literacy instruction, additional professional development will be needed in the intermediate and middle grades to address the needs of students functioning at higher academic levels. There was also a concentrated effort to provide specific support and strategies to English learners classified as newcomers and/or Long Term English Learners.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

The material differences between Budgeted Expenditures and Estimated Actual Expenditures for this goal were due to several factors. The TOSA positions were charged to funds slightly differently based on the supports provided and which funding source they more closely aligned to. MTSS expenditures were allocated based on the priorities identified in the developing MTSS plan. Differences in expenditures for intervention services and support were lower due to school closures as a result of COVID-19. Differences in standards based materials were due to the adoption of science materials, which will be continued into the 2020-21 school year due to school closures and the inability to fully pilot all of the materials for grades 7-8.

Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2020–23 LCAP, as applicable.

This goal continues to be a focus area for the District and remains as one of the goals articulated in the district's Strategic Plan. The District continues to make progress in the areas of English language arts and Mathematics as demonstrated by state testing results. This is the result of a continued investment in building the capacity of teachers and through providing targeted instruction and intervention for students. Each of these will be continued in the development of new goals for the 2020-23 LCAP.

Annual Update for the 2019–20 Local Control and Accountability Plan Year

Complete a copy of the following table for each of the local educational agency’s (LEA’s) goals from the prior year Local Control and Accountability Plan (LCAP). Duplicate the table as needed.

Goal 2

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

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 2: State Standards (Conditions of Learning)
 Priority 4: Pupil Achievement (Pupil Outcomes)
 Priority 7: Course Access (Conditions of Learning)

Local Priorities: OUSD Strategic Plan

Annual Measurable Outcomes

Expected

Actual

Metric/Indicator

Completion of technology integration academy (Digital Media, iPad, Chromebook)

19-20

The number of teachers successfully completing training in the use of technology in their classrooms will increase by 30.

Baseline

2014-15 18% of District Teachers (30/164)
 2015-16 22% of District Teachers (44/200)
 2016-17 20% of District Teachers (43/212)

The number of teachers that participated in a technology integration academy is as follows:

Digital Media Academy - 4
 iPad Academy - 11
 Chromebook Academy - 9

The District also offered a STEAM Academy which has 22 teachers currently enrolled.

140 teachers have participated in academies since the 2014-15 school year, two of those teachers are now administrators and 28 have retired or left the district. The total percent of current teachers that have participated in an academy over the past four years is 53% (134/250)

Metric/Indicator

Student:Computer Ratio

19-20

When asked through the data confirmation process at the beginning of the school year, 94.5% of students reported having internet access, and 93% reported access to a device in the home.

Expected

The Student-Computer Ratio will be maintained/increased each year toward 1:1.

Baseline

2016-17 1:2 Districtwide
(0.8 to 2:0 by site)

Metric/Indicator

SAMR Rating

19-20

Using the SAMR model during classroom walkthroughs, a decrease of 5% of classrooms not utilizing and/or using the Substitution model will be observed each year.

Evidence of the transformational use of technology in classrooms will increase by 5% each year.

Baseline

2016-17
1.20% Redefinition
19.28% Modification
20.72% Augmentation

Actual

As a result of the COVID-19 school closures, additional requests for access and devices were received. This is due in part to device and access needs for distance learning. As a result, over 1700 devices were checked out and over 80 households assisted with regards to internet access (requested a hotspot).

For the Device-Student Ratio, the following information was collected by school site:

School	# Devices	Enrollment	Student Per Device
Alice Shaw Elementary	796	567	1.4
Orcutt Academy IS	65	58	1.1
Joe Nightingale Elementary	765	750	1.0
Lakeview Junior High	764	490	1.6
Orcutt Academy High	703	595	1.2
Orcutt Academy K-8	190	136	1.4
Orcutt Junior High	647	516	1.3
Patterson Road Elementary	731	638	1.1
Pine Grove Elementary	523	538	1.0
Ralph Dunlap Elementary	599	581	1.0
Total	5783	4869	1.2

Due to COVID-19 school closures, data was not able to be collected for the 2019-2020 school year.

Expected

21.69% Substitution
27.11% Not using technology

50.91% of classrooms were using technology with a connection to the lesson as measured by classroom walkthrough

Actual

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
Increased opportunities to incorporate 21st Century Learning Skills as an integral part of high quality instruction and to increase student engagement (Critical Thinking, Collaboration, Creativity, Communication)	21st Century Learning Skills were integrated into district, site, department, and grade level meetings as an integral part of high quality instruction and to increase student engagement (Critical Thinking, Collaboration, Creativity, Communication).The Educational Services Team presented multiple professional development opportunities, especially during the transition to Distance Learning as a result of school closures due to the COVID-19 pandemic. Training included implementation of a learning management system (Google Classroom and Seesaw), use of web conferencing tools (Zoom and Google Meet), web apps and tools, and the use of digital tools within our district adopted materials.	\$0	\$0

Action 2

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Increased access to technology for English learners, foster youth, and low-income students in the classroom, before and after school, (staffed computer labs) and in the home through devices available for eligible (unduplicated) student check out and use outside of the school day.</p>	<p>Prior to school closures in response to the COVID-19 pandemic, schools had their computer labs open outside of the school day to increase access to technology for students. During the school closures, every student that needed a device was issued one, and assistance was provided to ensure access to internet service. Teachers, principals, TOSAs, and district staff supported families in accessing digital resources and the learning management system throughout the school closure period.</p> <p>Funds expended for this Action were used to pay teachers outside of their regular day to provide access to the computer labs at school sites prior to the closure. Less resources were ultimately utilized due to school closures.</p>	<p>Certificated Salary/ Benefits Supplemental \$35,500</p> <p>Non-Capitalized Equipment Supplemental \$11,208.62</p> <p>Classified staff support may be utilized at Olga Reed School as part of the ASES program. Classified Salaries/ Benefits Supplemental \$4,500</p>	<p>Certificated Salary/ Benefits Supplemental \$18,000</p> <p>Non-Capitalized Equipment Supplemental \$0</p> <p>Classified Salaries/ Benefits Supplemental \$0</p>

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the Local Control Funding Formula (LCFF) Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

Increased access to a 21st Century Curriculum and instructional design was the result of professional development throughout the school year and during the school closures due to the COVID-19 pandemic. At the beginning of the school closures, a total of nine days were dedicated to professional development and the implementation of distance learning to build capacity in teachers and administrators. This followed multiple professional development opportunities during the school year designed to successfully incorporate technology into instruction along with infusion of the 4 C's into teaching and learning practices.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Student access to devices and internet was increased significantly through the distribution of devices as part of the implementation of distance learning. The use of computer labs prior to the school closures was lower than prior years, partially due to increased access to devices and internet. As our district continues to progress toward becoming a 1:1 district, the need for after school computer lab access will need to be revisited.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

Any material difference between budgeted expenditures and estimated actual expenditures is due to school closures and the decision to freeze spending at that time.

Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2020–23 LCAP, as applicable.

As the District continues to progress in preparing students, teachers, and staff for teaching and learning in the future, fully implementing a 1:1 model becomes even more vital to its success. Increasing teacher capacity has been a focus as shown by the increase in the number of teachers participating in professional development prior to school closures. The District's new Strategic Plan which was adopted by the Board in April, 2020 revised this goal to include preparing students to be "Future Ready" in all aspects. This goal will be incorporated into the 2020-23 LCAP.

Annual Update for the 2019–20 Local Control and Accountability Plan Year

Complete a copy of the following table for each of the local educational agency’s (LEA’s) goals from the prior year Local Control and Accountability Plan (LCAP). Duplicate the table as needed.

Goal 3

Create flexible learning environments that will encourage new delivery models and expand students’ opportunities for learning

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 1: Basic (Conditions of Learning)
 Priority 4: Pupil Achievement (Pupil Outcomes)
 Priority 7: Course Access (Conditions of Learning)

Local Priorities: OUSD Strategic Plan

Annual Measurable Outcomes

Expected

Metric/Indicator

Teachers will meet weekly in Professional Learning Communities focused the following topics:
 Essential Standards
 PLC Teams
 Use of Data
 Use of Common Formative Assessments (CFA)
 Response to Intervention (Rtl)

19-20

Self-reported scores will increase in at least 4/5 category each year

Baseline

Self Rating Score as recorded by each grade level team/school site in the spring, 2017:

Actual

Time was built into the school day for all teachers to meet twice weekly. A 90 minute block was dedicated to Tier 1 instruction (essential learning targets, student achievement data, teacher observations, best practices in instruction, etc.) while students participated in PE, Music, and Art instruction at elementary school sites. A second 60 minute block was dedicated to Tier 2 instruction at elementary school sites, targeted instruction, and intervention for low-achieving students. At junior high school sites, weekly PLC meetings were held before school (late start for students) which centered around effective instruction, student data, and results from common formative and benchmark assessments.

Due to COVID-19 school closures, self-assessment data was not able to be collected for the 2019-2020 school year.

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
Provide opportunities for restructuring instructional time during the day including weekly Professional Learning Community meeting time with coordinated support	Time was built into the school day for all teachers to meet weekly for at least 60 minutes. In addition, elementary school sites had a 90 minute weekly block of time to meet. This time for Professional Learning Communities (PLC)s was spent on discussing essential learning targets, student achievement data, teacher observations, best practices in instruction, and the use of intervention time to target instruction. Monthly reports to site administrators and TOSAs reported increased teacher effectiveness with the implementation of curriculum, use of student data, and monitoring student progress. Funds for this Action were used to compensate teachers for increasing their work day.	(Banking Minutes) budget increased to align with estimated actuals from 2017-18 and include statutory benefits Certificated Salary/ Benefits Supplemental \$623,150	Certificated Salary/ Benefits Supplemental \$623,150

Action 2

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
Investigate alternatives for creative learning environments, including furniture, technology, the physical space, and tools to improve student engagement and learning	Flexible furniture was distributed to all elementary school classrooms during the 2018-19 school year using school bond funds. The increased availability of technology and devices along with flexible	\$0	\$0

furniture allowed for creative learning environments and different teaching models which impacts student engagement.

Action 3

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Provide professional development on research-based teaching and learning strategies such as Problem-Based Learning, Document-Based Questioning, Blended Learning, Literature Circles, Center-Based Learning, and others that support students from identified subgroups in achieving at high levels</p>	<p>Research-based teaching and learning strategies continue to be examined and piloted in classrooms throughout the district. Tina Pelletier met with individual grade levels, departments, and site leadership teams throughout the year with a focus on literacy and research-based strategies in English language arts. Michele Douglass met with individual grade levels and provided site coaching throughout the year with a focus on mathematics instruction using research-based strategies.</p>	<p>Certificated Salary/ Benefits Title II \$5,000</p>	<p>Certificated Salary/ Benefits Title II \$5,000</p>

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the Local Control Funding Formula (LCFF) Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

See analysis for Goal #2 for information related to professional development that was provided to teachers and staff, including the integration of technology and distance learning. Tina Pelletier continued to work with teachers on the implementation of the district's adopted ELA/ELD curriculum. Michele Douglass worked with teachers on the implementation of the district's adopted mathematics curriculum.

Flexible furniture was purchased and installed in elementary classrooms during the fall of 2018. Teachers continue to find effective ways to utilize the furniture which provides for a multitude of learning environments.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Time built into the school day for professional learning community meetings continues to have a positive impact due to conversations and collaboration around student learning. Requests had been made in prior years for additional time to implement new district-wide initiatives and the result was a second block of time for elementary teachers while students attended music, PE, and art instruction.

The additional time has given teachers an opportunity to have deeper conversations about student learning, work collaboratively to improve instruction, and implementation of district adopted curriculum, and have continued conversations about student learning. This is an ongoing process, continuing to learn as we improve practice. Teachers will continue to meet weekly to discuss student progress, examine results from formative assessments, and collaborate on successful strategies for teaching/learning.

Teachers have shared the use of flexible furniture has improved the learning environment in their classroom as they are able to quickly transition from one activity to the next, and the use of technology/devices has increased student engagement. Technology/devices will continue to be purchased for students as funds become available.

The continued work with Tina Pelletier for our elementary school sites (regular and special education), specifically literacy and reading, has been very well received. Data is currently being analyzed to determine impact, but most of the impact will be seen in future years as K-3 students advance through the grades. During the 2019-20 school year, there was an increased focus on effective instructional practices for intermediate and middle grades teachers so they are ready to receive students learning at higher levels. Due to success with this model of professional development, a focus on mathematics was started with Michele Douglass, a math specialist that met with all elementary grade level teachers to discuss math instruction. The focus for the 2019-20 school year was on essential standards, or "hinge" standards, and the focus on coaching our teachers with instruction of mathematical concepts will continue into the 2020-21 school year.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

There were no material differences between Budgeted Expenditures and Estimated Actual Expenditures.

Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2020–23 LCAP, as applicable.

This goal has been revised as a result of the Strategic Planning process and in addition to addressing the need for flexible learning environments, will now include multiple pathways for student learning and a focus on cultural understanding. Professional development and Professional Learning Communities will continue to be an integral part of implementing flexible learning environments for students.

Annual Update for the 2019–20 Local Control and Accountability Plan Year

Complete a copy of the following table for each of the local educational agency’s (LEA’s) goals from the prior year Local Control and Accountability Plan (LCAP). Duplicate the table as needed.

Goal 4

Provide a rich and diverse curriculum in a positive and safe atmosphere to address the needs of the whole child

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 3: Parental Involvement (Engagement)
 Priority 5: Pupil Engagement (Engagement)
 Priority 6: School Climate (Engagement)

Local Priorities: OUSD Strategic Plan

Annual Measurable Outcomes

Expected

Actual

Metric/Indicator

Attendance Rate

19-20

Increase attendance rate to 96% for “All” students and each subgroup

Baseline

2015-16 95.98%

The district-wide attendance rate for the 2018-19 school year was 95.33%, a change of -0.45% from the 2017-18 rate of 95.78%.

Metric/Indicator

Suspension/Expulsion Rate

19-20

Maintain/decrease current suspension/expulsion rates for students and each subgroup students and for each subgroup.

Baseline

2014-15 2.4% Suspension Rate
 5.0% African American
 2.5% American Indian/Alaska Native
 1.7% Asian
 2.2% Hispanic/Latino
 2.3% White

The Suspension Rate for the 2018-19 school year was 4% for "All" students, an increase of 1.1%.

Student group suspension information as reported by the California Dashboard is:

4% All Students
 3% African American
 2.9% American Indian
 0% Asian
 4.1% Hispanic
 4.1% White
 4.3% Two or More Races

Expected

3.6% Two or more races
1.5% English Learners
3.5% Socioeconomically Disadvantaged
25.0% Foster Youth
2.2% Homeless Youth
N/A Special Education

2014-15 0.1% Expulsion

Metric/Indicator

Parent Survey

19-20

Increase % of parents reporting communication they received from their child's school was Good/Excellent will increase by 2% each year

Baseline

2017

School Communication Level

40% Excellent

44% Good

14% Fair

3% Poor

Metric/Indicator

Middle School Dropout Rate

19-20

Maintain current middle school dropout rate of 0%

Baseline

0

Metric/Indicator

% schools implementing PBIS

19-20

By June 30, 2020 all school sites will have completed Year 1 of PBIS implementation, 7 schools will have completed Year 2, and 4 schools will have completed Year 3.

Baseline

0

Actual

2.8% English learners
5.4% Socioeconomically Disadvantaged
24.3% Foster Youth
4.8% Homeless
7.3% Students with Disabilities

2018-19 Expulsion Rate 0%

Due to COVID-19 school closures, data was not able to be collected for the 2019-2020 school year.

The most recent data available for middle school drop out rate (2016-17 as reported by the California Department of Education on DataQuest) reported no dropouts in the district for grades 7-8 (0%)

All schools in the district have implemented PBIS.

Expected

Metric/Indicator

% students scoring in Healthy Fitness Zone (HFZ) on Physical Fitness Test

19-20

By June 30, 2020, the percent of students scoring in the Healthy Fitness Zone (HFZ) will increase by 2% for all areas below 80%

Baseline

2015-16

Grade 5

88.4% Abdominal Strength

89.6% Trunk Extension Strength

76.1% Upper Body Strength

65% Aerobic Capacity

59% Body Composition

43.8% Flexibility

Grade 7

82.9% Abdominal Strength

73.0% Trunk Extension Strength

57.8% Upper Body Strength

67.3% Aerobic Capacity

61.2% Body Composition

64.7% Flexibility

Actual

Due to COVID-19 school closures, data was not able to be collected for the 2019-2020 school year.

Metric/Indicator

Chronic Absenteeism Rate

19-20

Decrease Chronic Absenteeism by 2% for "All" students and each subgroup

Baseline

2016-17

7.68% "All" Students

0.5% English Learner

5.0% Low Income

0.2% Foster Youth

According to the California Dashboard, 9.5% of students were chronically absent in 2018-19, an increase of 1.1% from the prior year.

Student Group data for Chronic Absenteeism is reported below:

9.5% All Students

6.5% English Learner

13.5% Socioeconomically Disadvantaged

22.2% Foster Youth

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Provide opportunities within the visual and performing arts (VAPA) for all students</p> <p>Implement weekly classroom music instruction for students in grades TK-6 to provide additional time for professional development, professional learning communities, and teacher collaboration, especially focused on meeting the needs of English learners, foster youth, and low-income students in grades TK-6</p>	<p>The District's partnership with the Orcutt Children's Arts Foundation has resulted in the following services for the 2019-20 school year:</p> <ul style="list-style-type: none"> • Teacher Art Grants Program • Continued training with elementary Physical Education teachers in dance to integrate elements into their lessons <p>Every student in grades 1-6 received weekly classroom music instruction with a credentialed music teacher. This time was coordinated with visual arts instruction and physical education to allow teachers to meet in Professional Learning Communities to focus on student learning.</p>	<p>budget decreased to align with estimated actuals from 2017-18</p> <p>Certificated Salary/ Benefits Supplemental \$223,510</p> <p>Materials/Supplies Supplemental \$5,000</p>	<p>Certificated Salary/ Benefits Supplemental \$241,000</p> <p>Materials/Supplies Supplemental \$5,000</p>

Action 2

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Continue counseling services at all District schools with credentialed counselors hired directly by the District. Priority for services to target the needs of English learners, foster youth, and low-income students</p>	<p>Expansion of the counselors at the junior high schools enabled each junior high site to have their own counselor. As of March, 2020, a total of 510 students were seen either individually or in a group setting for counseling this school year. Many students received</p>	<p>Certificated Salary/ Benefits Supplemental \$330,282</p>	<p>Certificated Salary/ Benefits Supplemental \$325,450</p>

As identified through the Differentiated Assistance Process, counseling support will be enlisted for students needing targeted or strategic support

academic and personal-social intervention. There were 551 instances of student contact for academic issues and 451 instances of student contact for personal/social concerns.

In addition to providing individual and small group counseling, the team is also able to respond to students in crisis much more quickly to determine their risk. A total of 43 risk assessments for self-harm were conducted at OJHS and Lakeview this school year as of March, 2020.

Action 3

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Implement PBIS for Cohort 2 (Orcutt Junior High School, Pine Grove School, Ralph Dunlap School, Olga Reed) (Year 2)</p> <p>Support and continue implementation for Cohort 1 (Lakeview Junior High School, Joe Nightingale School, Patterson Road School, Alice Shaw School) (Year 3)</p> <p>As identified through the Differentiated Assistance Process, school-wide behavioral expectations will be identified through the PBIS implementation process and those expectations will be taught to students at all school sites</p>	<p>PBIS training for all schools has taken place for both Tier 1 and Tier 2. Training continues as program implementation continues and practices are refined. The District continues to build capacity with a Trainer of Trainers model. Funds for this Action were used to pay for substitute teachers and attendance at PBIS training as well as the contract with Cal Tac to provide PBIS training.</p>	<p>Professional/ Consulting Services Supplemental \$40,000</p> <p>Budget increased to match 2018-19 estimated actuals Certificated Salary/ Benefits Supplemental \$25,000</p> <p>Budget decreased as signage has been purchased 4000-4999: Books And Supplies Supplemental \$2,000</p> <p>Budget increased to match need for staff to attend required and recommended training Travel/Conference Supplemental \$12,000</p>	<p>Professional/ Consulting Services Supplemental \$29,500</p> <p>Certificated Salary/ Benefits Supplemental \$13,455</p> <p>4000-4999: Books And Supplies Supplemental \$2,000</p> <p>Travel/Conference Supplemental \$14,500</p>

Action 4

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Improve the attendance rate and decrease chronic absenteeism for English learners, foster youth, and low-income students through the School Attendance Review Board process and through the use of Check, Connect, Respect program</p>	<p>Truancy prevention support continued this year through a partnership and contract with Fighting Back Santa Maria Valley using the Check, Connect, Respect program. The program worked with 61 families this year, targeting habitual attendance problems and involving the District Attorney when other measures failed. Over the past few years, the program has had mixed results. This year a renewed and redefined service delivery model was identified and began in December of 2020. Unfortunately, due to school closures, evaluation of the new model is a challenge. The results for the year are not a large change over prior years, with an average of 42% of families that participated in the program showing a positive change in attendance rate and 58% showing a decline in attendance rates. This mirrors results from prior years. The program will be evaluated to determine whether it will continue into the 2020-21 school year and this decision may also be affected by available fiscal resources.</p>	<p>Increased to reflect cost increase in contracted services Professional/ Consulting Services Supplemental \$55,000</p>	<p>Professional/ Consulting Services Supplemental \$46,420</p>

Action 5

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
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Provide additional time for targeted instruction and Professional Learning Communities, especially for English learners, foster youth, homeless youth, and low-income students, through the implementation of bi-weekly physical education instruction with credentialed physical education teachers in grades TK-6. Class sizes larger than 50 students will receive support from a PE Classified Instructional Assistant.

Provide materials/equipment for physical education to support equal access to PE standards and program

Targeted instruction occurred at all elementary school sites with the implementation of a school-wide master schedule. Teachers continue to work in Professional Learning Communities to address student needs as identified through universal screening tools and common formative assessments.

Students receive two periods of PE instruction at the elementary level, one that is part of a music/art/PE rotation when teachers meet in Professional Learning Communities and another period when part of the class is attending PE and the other students are taught in small group instruction by classroom teachers.

Certificated Salary/ Benefits Supplemental \$438,043

Decreased to match unaudited actuals for 2018-19 Classified Salaries/ Benefits Supplemental \$5,000

Materials/Supplies Supplemental \$5,000

Non-Capitalized Equipment Supplemental \$10,000

Certificated Salary/ Benefits Supplemental \$454,300

Classified Salaries/ Benefits Supplemental \$10,600

Materials/Supplies Supplemental \$800

Non-Capitalized Equipment Supplemental \$0

Action 6

Planned Actions/Services

Increase support services and resources for English Learners, foster youth, and low-income students through a designated coordinator

Actual Actions/Services

Three assistant principal positions were combined with coordinator of student services duties in the 2017-18 school year and these individuals had designated time away from their sites to coordinate support services for students. These services included coordination of English learner services and support, parent education, school attendance support (School Attendance Review Board (SARB), Check, Connect Respect, and Safe School Plans), student discipline (Positive Behavior Intervention Support

Budgeted Expenditures

Certificated Salary/ Benefits Supplemental \$116,596

Estimated Actual Expenditures

Certificated Salary/ Benefits Supplemental \$110,860

(PBIS), Suspension/Expulsion data and hearings), homeless/foster youth support and services.

Action 7

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Implement a 21st Century School-Home Communication Platform to facilitate everyday communication, meaningful interaction and encourage participation in decision making with stakeholders</p>	<p>Parent Square was implemented at the beginning of the 2017-18 school year. Every school site in the district uses this platform as the primary mode to communicate with parents and stakeholders in multiple languages. The ability for two-way communication and message preferences has resulted in increased engagement of families.</p>	<p>budget decreased to align with estimated cost (eliminate ongoing setup fee from year 1) Professional/ Consulting Services Supplemental \$18,500</p>	<p>Professional/ Consulting Services Supplemental \$15,173</p>

Action 8

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Provide enrichment opportunities for all students</p> <p>Implement weekly enrichment instruction for students which could include visual arts, makerspace, STEAM, or other activities encouraging innovation through creativity, critical thinking, collaboration and communication in grades TK-6 to provide additional time for professional development, Professional Learning Communities, and teacher collaboration, especially focused on meeting the needs of English learners, foster youth, and</p>	<p>Beginning in the 2018-19 school year, visual arts instruction was implemented in the elementary schools for grade 1-6 students as part of the music and PE rotations. This enabled teachers to meet in Professional Learning Communities (PLCs) for 90 minutes during the school day to focus on student learning while students received instruction in physical education and the arts.</p> <p>Certificated hourly teachers have been trained and contracted to provide instruction to students. Each student receives 30 minutes of instruction per week.</p>	<p>Decreased to match unaudited actuals for 2018-19 Certificated Salary/ Benefits Supplemental \$90,000</p>	<p>Certificated Salary/ Benefits Supplemental \$90,000</p>

low-income students in grades TK-6

Action 9

Planned Actions/Services	Actual Actions/Services	Budgeted Expenditures	Estimated Actual Expenditures
<p>Students Leading Education (SLED) chapters were started in the 2018-19 school year using one-time carryover funds. This program specifically targets English learners, foster/homeless youth, and low income students, engaging them in the school setting and empowering them to take control of their own education. Students identify issues on their campus they wish to see addressed, formulate a plan, and execute it with the support of the program advisor. This program utilizes a trainer of trainers model with the goal of creating a self-sufficient program within 2-3 years.</p>	<p>Students from each school site participated in the SLED program this year and student advisors identified to serve as future trainers within the district. Some of the student projects that were developed included increasing pride on the school campus, diversity awareness, support for teachers on the use of technology in their classrooms, student wellness centers, and other student identified projects.</p>	<p>Certificated Salary/ Benefits Supplemental \$10,000</p> <p>Professional/ Consulting Services Supplemental \$65,000</p>	<p>Certificated Salary/ Benefits Supplemental \$5,000</p> <p>Professional/ Consulting Services Supplemental \$64,850</p>

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the Local Control Funding Formula (LCFF) Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

All elementary school sites successfully implemented a master schedule that allowed for all students to receive thirty minutes of visual art and classroom music instruction and 75 minutes of physical education instruction per week. This schedule also allows for ELD instruction and targeted intervention for identified students, and enrichment for other students. Schools are still working out scheduling issues but are finding success with this approach as it allows for protection of key blocks of time for instruction and the ability to coordinate pull out services school-wide. The Teachers on Special Assignment (TOSAs) worked closely with the school principals to assist with the development of the schedule and with teachers on effective research-based practices for targeting instruction. This was

the fourth year of having counselors that are employees of the district (rather than contracting with another agency). Building capacity at every school in the district with the Positive Behavior Intervention Support (PBIS) remains a priority and every school has received Tier 1 and Tier 2 training. Parent Square continues to be well received as a tool to communicate with parents and stakeholders, particularly with the implementation of distance learning. Services for English learners, foster youth, homeless youth, and socio-economically disadvantaged students were coordinated by student services coordinators with specific, specialized duties.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Truancy continues to be an area of need. The percent of students identified as "chronically truant" increased by 1.1% overall and there were two groups in the "red" category, both with significant increases and small "n" or group size. Twenty-two percent of Foster Youth were chronically absent, an increase of 10.2% (n=36) and twenty-five percent of Homeless students were chronically absent, an increase of 4.6% (n=40). Six student groups were in the "orange" category, one of those was "all students". The other student groups in the "orange" category were Asian (10.2% chronically absent, an increase of 8.1%), Students with Disabilities (14.1% chronically absent, an increase of .9%), English learners (6.5% chronically absent, an increase of .9%), Hispanic (9.5% chronically absent, an increase of 1%), Socioeconomically disadvantaged (13.5% chronically absent, an increase of 1.2%), and White (10% chronically absent, an increase of 2%).

Communication with parents and stakeholders has become much more frequent and easier to access with the implementation of Parent Square. Parents can select how they would like to receive information, and in what language.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

There were no significant material differences between Budgeted Expenditures and Estimated Actual Expenditures with the exception of certificated salary amounts due to an increase in compensation that was agreed upon through the collective bargaining process.

Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2020–23 LCAP, as applicable.

An analysis of the data indicates a continued need for targeted strategies to increase student attendance and decrease chronic absenteeism. The Check, Connect, Respect Program will be evaluated for effectiveness and alternatives will be investigated. Student suspension/expulsion rates are expected to decrease in the 2019-20 school year partially due to school closures, but also mitigation efforts with student vaping on campus with tobacco and controlled substances which was partially responsible for an increase in suspensions in the 2018-19 school year. The district has employed a Behavior Specialist who has been working directly with special and regular education teachers and developing teacher's knowledge of successful behavior management strategies. This goal has been slightly revised in the district's Strategic Plan to also include social emotional learning, mindfulness, and school safety. The inclusion of physical education along with visual and performing arts will be moved to Goal 1 as the Strategic Planning Team identified those areas a part of high quality instruction.

Instructions:

Annual Update

The planned goals, expected outcomes, actions/services, and budgeted expenditures must be copied verbatim from the previous year's approved LCAP; in addition, list the state and/or local priorities addressed by the planned goals. Minor typographical errors may be corrected.

Annual Measurable Outcomes

For each goal in the prior year, identify and review the actual measurable outcomes as compared to the expected annual measurable outcomes identified in the prior year for the goal.

Actions/Services

Identify the planned Actions/Services and the budgeted expenditures to implement these actions toward achieving the described goal. Identify the **actual** actions/services implemented to meet the described goal and the estimated actual annual expenditures to implement the actions/services. As applicable, identify any changes to the students or student groups served, or to the planned location of the actions/services provided.

Analysis

Using actual annual measurable outcome data, including data from the California School Dashboard, analyze whether the planned actions/services were effective in achieving the goal. Respond to the prompts as instructed.

- Describe the overall implementation of the actions/services to achieve the articulated goal. Include a discussion of relevant challenges and successes experienced with the implementation process.
- Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.
- Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures. Minor variances in expenditures or a dollar-for-dollar accounting is not required.
- Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2020–23 LCAP, as applicable.

2019-20 LCAP Annual Update Expenditure Summary

Total Expenditures by Funding Source		
Funding Source	2019-20 Annual Update Budgeted	2019-20 Annual Update Actual
All Funding Sources	4,599,622.62	3,398,680.00
	0.00	0.00
Base	1,000,000.00	32,400.00
Lottery	0.00	45,165.00
Other	5,000.00	13,106.00
Supplemental	3,205,393.62	2,906,535.00
Title I	265,261.00	305,916.00
Title II	5,000.00	5,000.00
Title III	118,968.00	90,558.00

* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Object Type		
Object Type	2019-20 Annual Update Budgeted	2019-20 Annual Update Actual
All Expenditure Types	4,599,622.62	3,398,680.00
	0.00	0.00
1000-1999: Certificated Personnel Salaries	0.00	90,558.00
2000-2999: Classified Personnel Salaries	0.00	155,116.00
4000-4999: Books And Supplies	2,000.00	2,000.00
Certificated Salary/ Benefits	3,073,414.00	2,768,550.00
Classified Salaries/ Benefits	194,500.00	22,455.00
Materials/Supplies	1,010,000.00	43,015.00
Non-Capitalized Equipment	21,208.62	53,000.00
Professional/ Consulting Services	285,500.00	247,582.00
Travel/Conference	13,000.00	16,404.00

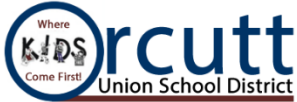
* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Object Type and Funding Source			
Object Type	Funding Source	2019-20 Annual Update Budgeted	2019-20 Annual Update Actual
All Expenditure Types	All Funding Sources	4,599,622.62	3,398,680.00
		0.00	0.00
1000-1999: Certificated Personnel Salaries	Title III	0.00	90,558.00
2000-2999: Classified Personnel Salaries	Supplemental	0.00	155,116.00
4000-4999: Books And Supplies	Supplemental	2,000.00	2,000.00
Certificated Salary/ Benefits	Other	4,000.00	263.00
Certificated Salary/ Benefits	Supplemental	2,680,185.00	2,457,371.00
Certificated Salary/ Benefits	Title I	265,261.00	305,916.00
Certificated Salary/ Benefits	Title II	5,000.00	5,000.00
Certificated Salary/ Benefits	Title III	118,968.00	0.00
Classified Salaries/ Benefits	Supplemental	194,500.00	22,455.00
Materials/Supplies	Base	1,000,000.00	32,400.00
Materials/Supplies	Other	0.00	4,815.00
Materials/Supplies	Supplemental	10,000.00	5,800.00
Non-Capitalized Equipment	Supplemental	21,208.62	53,000.00
Professional/ Consulting Services	Lottery	0.00	45,165.00
Professional/ Consulting Services	Other	0.00	6,124.00
Professional/ Consulting Services	Supplemental	285,500.00	196,293.00
Professional/ Consulting Services	Title III	0.00	0.00
Travel/Conference	Other	1,000.00	1,904.00
Travel/Conference	Supplemental	12,000.00	14,500.00

* Totals based on expenditure amounts in goal and annual update sections.

Total Expenditures by Goal		
Goal	2019-20 Annual Update Budgeted	2019-20 Annual Update Actual
Goal 1	2,469,333.00	1,323,622.00
Goal 2	51,208.62	18,000.00
Goal 3	628,150.00	628,150.00
Goal 4	1,450,931.00	1,428,908.00

* Totals based on expenditure amounts in goal and annual update sections.



EDUCATIONAL SERVICES MEMORANDUM

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

From: Dr. Holly Edds, Assistant Superintendent, Educational Services

Board Meeting Date: June 10, 2020

Board Agenda Item: Local Control Accountability Plan (LCAP) Operations Written Report for Orcutt Academy Charter

Background: Governor Gavin Newsom signed Executive Order (EO) N-56-20 on April 22, 2020 to address the impact of continued school closures in response to the COVID-19 pandemic and the local educational agencies' ability to conduct meaningful annual planning and the ability to meaningfully engage stakeholders in these processes.

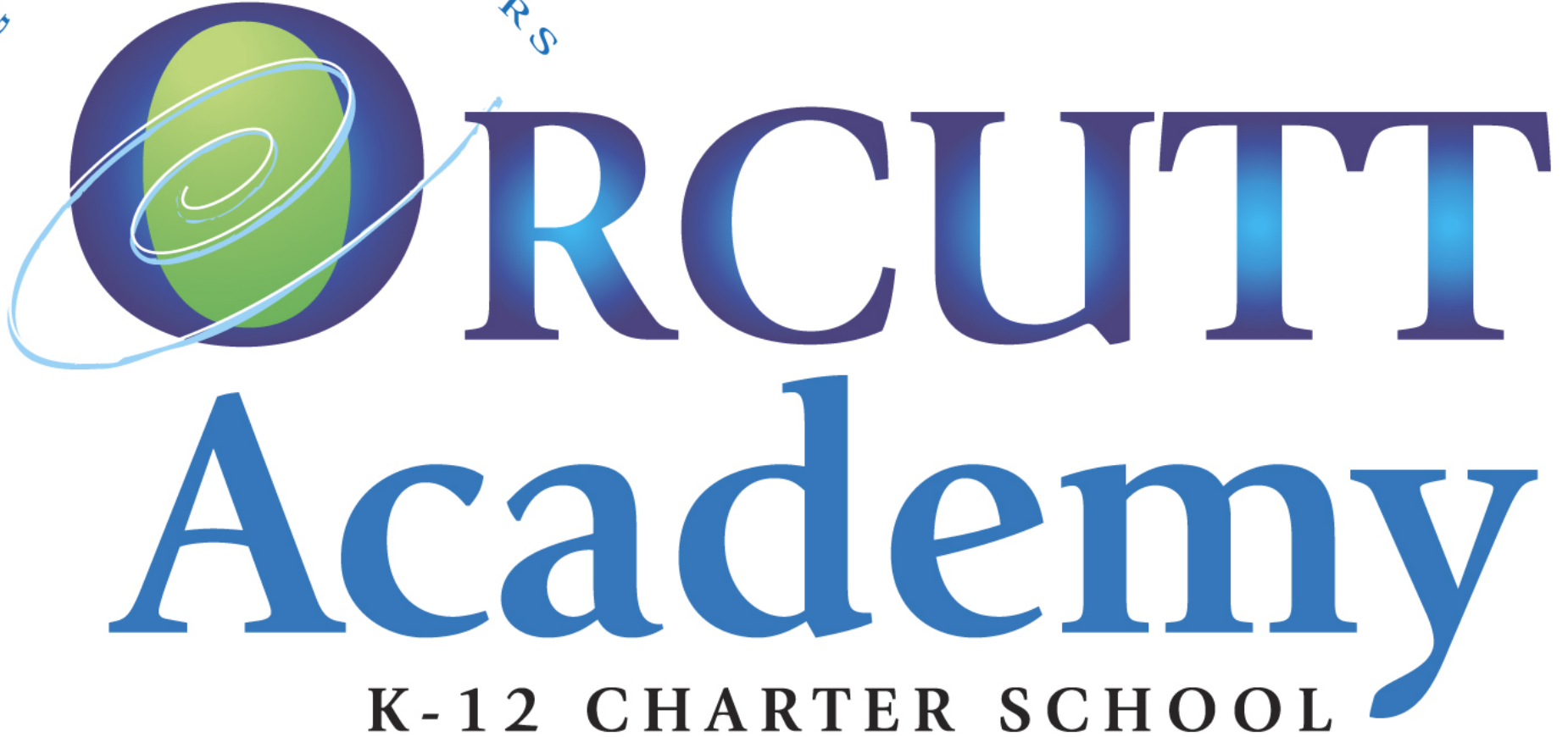
EO N-56-20 issued timeline and approval waivers for the Local Control and Accountability Plan and Budget Overview for Parents as well as having certain budgetary requirements. The Executive Order also established the requirement that a local educational agency (LEA) adopt a written report (COVID-19 Operations Written Report) explaining to its community the changes to program offerings the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of such closures on students and families.

The COVID-19 Operations Written Report must be adopted by the local governing board or body in conjunction with the adopted annual budget by July 1, 2020.

Recommendation: Staff recommends the Board of Trustees approve the Local Control and Accountability COVID-19 Operations Written Report as submitted.

Funding: No funding implications

EDUCATING LIFELONG LEARNERS



COVID-19 Operations Written Report for Orcutt Academy Charter School

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone	Date of Adoption
Orcutt Academy Charter School	Joseph Dana Director of Charter Programs	jdana@orcutt-schools.net 805-938-8934	June 10, 2020

Descriptions provided should include sufficient detail yet be sufficiently succinct to promote a broader understanding of the changes your LEA has put in place. LEAs are strongly encouraged to provide descriptions that do not exceed 300 words.

Provide an overview explaining the changes to program offerings that the LEA has made in response to school closures to address the COVID-19 emergency and the major impacts of the closures on students and families.

The Orcutt Academy Charter School and other schools in the Orcutt Union School District closed effective Monday, March 16, 2020, in alignment with the Santa Barbara County Department of Public Health, the Santa Barbara County Education Office, and guidelines provided by the Centers for Disease Control and Prevention. Program changes at each Orcutt Academy site are detailed as follows:

Orcutt Academy K-8 (OAK-8) campus: From March 16 until the beginning of Spring Break on April 10, students had access to enrichment learning packets and online enrichment activities developed by the district's Educational Services Department. Following Spring Break on April 20, teachers implemented online instruction, with all students expected to participate. Teachers utilized platforms such as Seesaw, Google Classroom, and Zoom to assign and collect work and to meet virtually with their students. This continued through the end of the school year on June 5.

Orcutt Academy Independent Study (OAIS) campus: From March 16 through the end of the year, OAIS teachers switched the format of instruction to exclusively home study. Teachers assigned work via email and families emailed back scans or PDFs of student work. Teachers met and communicated with students and parents via Zoom, Parent Square, and email.

Orcutt Academy High School (OAHS): Upon school closure eight courses (History 102, History 108, and PROD 301) offering concurrent enrollment through Allan Hancock Community College immediately transitioned to online instruction relying on Google Classroom. All other classes offered enrichment and supplementary activities until April 20, at which time teachers implemented online instruction, with all students expected to participate. Teachers assigned work via Google Classroom and met virtually with students via Zoom. This continued through the end of the school year.

As with schools around the nation, Orcutt Academy's students and families have been significantly impacted by school closure. Our school has faced challenges with implementing online learning, ensuring that students and families have devices and Internet access, eliciting full participation in online learning, providing nutritious meals for students, meeting students' social/emotional and mental health needs, and planning alternate activities for graduating high school seniors. Additionally, we have needed to be sensitive to the challenges faced by parents/guardians, many of whom have been working full-time while trying to support their children in online learning.

Provide a description of how the LEA is meeting the needs of its English learners, foster youth and low-income students.

For English Learners, the Orcutt Academy has transitioned English Language Development (ELD) to online learning. The district's Educational Services Department has provided teacher training on online tools for integrated and designated ELD. OAK-8 and OAIS have embedded ELD within online English/language arts instruction; in the case of OAHS, ELD has become a separate online activity for English Learners. Bilingual community liaisons have connected families of English Learners to needed resources, including district-provided breakfasts and lunches, community-provided dinners, technology devices, WiFi hot spots, and more. The community liaisons also have engaged with students and families so as to ensure participation in online learning.

Foster youth continue to receive support from site administrators, school counselors, and classroom teachers. Each site is aware of foster youth who are enrolled and has prioritized personal contact for these students. Counselors periodically touch base with foster parents to ensure that foster youth have the support they need.

Low-income students receive support in many ways, as the district has made available nutritious meals, technology devices, WiFi hot spots, and counseling as needed by students. Site administrators have promoted the availability of these supports in school-home communication such as newsletters, ParentSquare postings, and social media postings.

For all three groups, teachers and administrators have worked to elicit full participation in online learning. Teachers reach out to all students who are not actively engaged via Parent Square, email, phone call, or text message. When students are not participating teachers fill out a form to notify site administrators. Site administrators then reach out to families to discern why their student is not participating and to collaborate on corrective actions.

Provide a description of the steps that have been taken by the LEA to continue delivering high-quality distance learning opportunities.

During the two weeks prior to Spring Break (March 30-April 9), the district's Educational Services Department offered teachers and administrators a host of online courses in online learning. Courses were taught largely by district educators and topics included online learning management systems (Seesaw and Google Classroom), online web conferencing tools (Zoom), online tools from district-adopted curricula, and selected applications that enhance online learning (Flipgrid, Screencastify, Edpuzzle, etc.).

The week of April 20 was a "soft launch" that gave teachers, students, and parents permission to make mistakes and learn as they adjusted to online learning. Full implementation was put in place on April 27.

Each teacher has been asked to do the following:

- Communicate. Post at least one announcement or communication with their class on a daily basis; check email at least twice a day.
- Teach. Provide at least an average of 120 minutes/day (TK-6) or 20 minutes/day per subject area (7-12) of instruction
- Connect. Provide at least two opportunities per week for students to interact through assignments, discussions, or Q & A
- Feedback/Assessment. At least weekly, gather assessment data points on student learning.
- Intervene. Communicate weekly with site administrators regarding students not participating in online learning.
- Professional responsibilities. Participate in weekly Professional Learning Community (PLC) meeting, staff meetings, and other calendared meetings such as IEPs.

Principals enrolled as co-teachers of teachers' classes in Seesaw and Google Classroom and thus were able to monitor instruction and participation. Principals also engaged staff in discussion and sharing of best practices for online learning at both staff and PLC meetings. District Teachers on Special Assignment (TOSAs) also were able to support the implementation of online learning.

Technology access is an integral aspect of high-quality online learning. The district has distributed nearly 1,900 computers and devices and approximately 80 WiFi hot spots to families, including many Orcutt Academy families, who indicated they had issues with access. Families with three or more students were provided with a second computer.

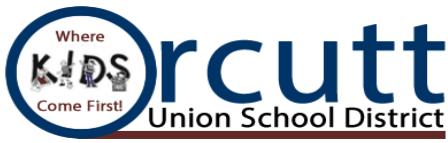
Provide a description of the steps that have been taken by the LEA to provide school meals while maintaining social distancing practices.

As soon as school closure took effect, the district Child Nutrition Department provided breakfast and lunch meals, at no cost, to children 18 and under regardless of what school they attend or if they participate in free or reduced-price meals. Meal distribution was done on a walk-up or drive-through basis at four locations in the district, including Los Alamos, on all weekdays, including during Spring Break. Social distancing protocols and County Health Department food service protocols were followed. This support continues through the last day of school on June 5, after which the Santa Barbara County Foodbank will provide similar meal service to the community during the summer months. Additionally, a restaurant in Los Alamos (the location of OAK-8) has provided free dinners twice a week to families in need, including some OAK-8 families. Dinners were distributed on the Los Alamos campus with the help of the OAK-8 principal.

Provide a description of the steps that have been taken by the LEA to arrange for supervision of students during ordinary school hours.

The Orcutt Union School District explored several options as ways to offer childcare for essential workers during the school closure period. The district superintendent participated in county-level dialogue on childcare needs. She worked with contacts from various county agencies to offer Orcutt schools as potential sites for childcare offerings if needed. The district ultimately was not asked to provide childcare, as childcare was made available through the Santa Maria Valley YMCA, Santa Maria-Bonita School District, and Allan Hancock Community College.

The district serves as a resource hub for parents, including childcare resources. Contact numbers are posted on the district website and sent with communications for parents in need of support. District staff continued to provide online learning as a means to engage students during regular school hours.



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Assistant Superintendent
KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Dr. Deborah Blow, Superintendent
FROM: Dr. Holly Edds, Asst. Superintendent, Educational Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Board Policy 5125 – Student Records

BACKGROUND: Policy updated to reflect the California Attorney General's model policy, developed pursuant to new law (AB 699), which (1) prohibits districts from collecting information regarding students' citizenship or immigration status, and (2) requires district staff to receive training in the gathering and handling of sensitive student information. Policy also reflects state law limiting the collection of students' social security numbers or the last four digits of the social security numbers, and new law (SB 31) which prohibits districts from assisting in the compilation of a list, registry, or database based on students' national origin, ethnicity, or religion.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revisions of BP and AR 5125.

FUNDING: There are no funding implications.

Students

STUDENT RECORDS

The Board of Trustees recognizes the importance of keeping accurate, comprehensive student records as required by law. The Superintendent or designee shall establish administrative regulations governing the identification, collection, retention, and security of student records. These regulations shall ensure the rights of authorized persons to have timely access to student records while maintaining the confidentiality of student records consistent with state and federal law.

(cf. 3580 - District Records)
(cf. 4040 - Employee Use of Technology)
(cf. 5125.1 - Release of Directory Information)
(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

All appropriate personnel shall receive training regarding district policies and procedures for gathering and handling sensitive student information.

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

The district shall not collect or solicit social security numbers or the last four digits of social security numbers of students or their parents/guardians, unless otherwise required to do so by state or federal law. (Education Code 49076.7)

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. The Superintendent or designee shall not disclose student records to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or a judicial subpoena. If a district employee receives such a request, he/she shall immediately report the request to the Superintendent. The Superintendent shall report the request to the Board in a timely manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

(cf. 5145.13 - Response to Immigration Enforcement)

STUDENT RECORDS

The Superintendent or designee shall not compile a list, registry, or database based on students' national origin, ethnicity, or religious belief, practice, or affiliation, nor shall he/she disclose student information to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. Such information may only be compiled or exchanged with other local, state, or federal agencies if the information is aggregated and is not personally identifiable. (Government Code 8310.3)

Student Records from Social Media

The Superintendent or designee may gather and maintain information from the social media of any district student, provided that the district first notifies students and parents/guardians about the proposed program, offers an opportunity for public comment at a regularly scheduled Board meeting, and gathers only information that directly pertains to school safety or student safety. (Education Code 49073.6)

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 5131.2 - Bullying)
- (cf. 5145.6 - Parental Notifications)
- (cf. 9322 - Agenda/Meeting Materials)
- (cf. 9323 - Meeting Conduct)

Contract for Digital Storage, Management, and Retrieval of Student Records

The Superintendent or designee may enter into a contract with a third party for the digital storage, management, and retrieval of student records and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

- (cf. 3312 - Contracts)

Legal Reference:

EDUCATION CODE

- 234.7 Student protections relating to immigration and citizenship status
- 17604 Contracts
- 48201 Student records for transfer students who have been suspended/expelled
- 48853.5 Foster youth; placement, immunizations
- 48902 Notification of law enforcement of specified violations
- 48904-48904.3 Withholding grades, diplomas, or transcripts
- 48918 Rules governing expulsion procedures
- 48980 Parental notifications
- 48985 Notices in parent/guardian's primary language
- 49060-49079 Student records
- 49091.14 Parental review of curriculum
- 51747 Independent study

STUDENT RECORDS

56041.5 Rights of students with disabilities

56050 Surrogate parents

56055 Foster parents

69432.9 Cal Grant program; notification of grade point average

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy

22584-22585 Student Online Personal Information Protection Act

22586-22587 Early Learning Personal Information Protection Act

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

FAMILY CODE

3025 Access to records by noncustodial parents

6552 Caregiver's authorization affidavit

GOVERNMENT CODE

6252-6260 Inspection of public records

HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

PENAL CODE

245 Assault with deadly weapon

WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

701 Juvenile court law

16010 Health and education records of a minor

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

16020-16027 Destruction of records of school districts

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of Pupil Rights Amendment

UNITED STATES CODE, TITLE 26

152 Definition of dependent child

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

CODE OF FEDERAL REGULATIONS, TITLE 16

Part 312 Children's Online Privacy Protection Rule

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

300.501 Opportunity to examine records for parents of student with disability

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FEDERAL REGISTER

Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

STUDENT RECORDS

IDEA and FERPA Confidentiality Provisions, 2014

Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to Student Health Records, 2008

Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, October 2007

WEB SITES

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

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

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/gen/guid/fpco>

Policy Adopted: ~~08/08/2018~~ **08/12/2020** ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Dr. Deborah Blow, Superintendent

FROM: Dr. Holly Edds, Asst. Superintendent, Educational Services

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Board Policy 6163.4 – Student Use of Technology

BACKGROUND: Policy updated to include references to monitoring student use of technology and social media.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revision of BP 6163.4.

FUNDING: There are no funding implications.

STUDENT USE OF TECHNOLOGY

~~The Board of Trustees recognizes that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. Every effort shall be made to provide equal access to technology throughout the district's schools and classes. The Board of Trustees intends that technological resources provided by the district be used in a safe, responsible and proper manner in support of the instructional program and for the advancement of student learning.~~ **All students using these resources shall receive instruction in their proper and appropriate use.**

(cf. 0440 - District Technology Plan)
(cf. 1113 - District and School Websites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4040 - Employee Use of Technology)
~~(cf. 5131 - Conduct)~~
(cf. 6163.1 - Library Media Centers)

On-Line Services

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

~~To discourage access to adult content on on-line electronic services and preclude other misuses of the system, the Superintendent or designee shall establish age/grade level qualifications and shall ensure that students receive training in user obligations and responsibilities.~~

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district ~~computers~~ **technology**, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with ~~district regulations~~ **this Board policy** and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

~~(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)~~

STUDENT USE OF TECHNOLOGY

~~(cf. 5144 - Discipline)~~

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

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

~~(cf. 5145.12 - Search and Seizure)~~

Before a student is authorized to use the district's ~~technological resources~~ **technology**, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement ~~specifying user obligations and responsibilities~~. In that agreement, the ~~student and his/her~~ parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures, ~~violations of copyright restrictions~~, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

(cf. 5125 - Student Records)

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

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

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

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students

STUDENT USE OF TECHNOLOGY

using district technology and to help ensure that the district adapts to changing technologies and circumstances.

Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that ~~blocks or filters Internet~~ **protects against** access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC ~~6777~~ **7131**, 47 USC 254; **47 CFR 54.520**)

~~The Superintendent or designee shall establish administrative regulations governing the use of the district's on-line services. He/She shall ensure that user have no expectation of privacy and understand that district staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by these regulations shall be subject to disciplinary action, revocation of the user account, and legal action as appropriate.~~

The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. ~~Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.~~

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

- (cf. 5131 - Conduct)
- (cf. 5131.2 - Bullying)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)

STUDENT USE OF TECHNOLOGY

Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking".

Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Legal Reference:

EDUCATION CODE

~~49073.6 Student records; social media~~

51006 Computer education and resources

51007 Programs to strengthen technological skills

~~51870-51874 Education technology~~

60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

~~7101-7122 Student Support and Academic Enrichment Grants~~

~~6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:~~

~~6777~~ 7131 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

COURT DECISIONS

New Jersey v. T.L.O., (1985) 469 U.S. 325

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

FEDERAL TRADE COMMISSION PUBLICATIONS

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

MY SPACE.COM PUBLICATIONS

STUDENT USE OF TECHNOLOGY

~~The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues~~

WEB SITES

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

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:

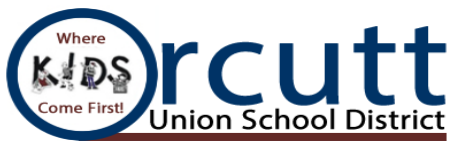
<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

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

~~Web Wise Kids: <http://www.webwisekids.org>~~

Policy Adopted: ~~11/18/09~~ **08/12/2020**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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Assistant Superintendent
KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees
Dr. Deborah Blow, Superintendent

FROM: Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Adopt Initial Collective Bargaining Proposal with California School Employee Association Orcutt Chapter #255 for a 2020-2021 Successor Agreement

BACKGROUND: In accordance with law, the District’s initial “sunshine” proposal for negotiations must be adopted by the Board at a public meeting. The proposal is available for review at the District Office and to allow the public opportunity to comment on the District’s proposal a public hearing will be held this evening. Following the public hearing and Board ratification of this proposal, negotiations may commence.

FINANCIAL CONSIDERATIONS: The financial impact will be determined by the final agreement reached between the District and California School Employee Association Orcutt Chapter #255.

RECOMMENDATION: It is recommended that the Board of Trustees adopt the District’s initial proposal for negotiations with California School Employee Association Orcutt Chapter #255 for a 2020-2023 Successor Agreement.

ATTACHMENT: Initial Proposal

Orcutt Union School District

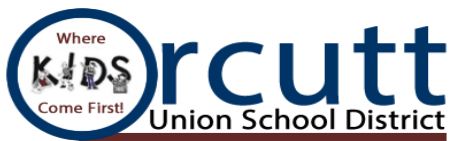
Governing Board Initial Collective Bargaining Proposal To California School Employees Association (CSEA) Orcutt Chapter 2020 - 2021

The Orcutt Union School District Governing Board presents its initial proposal for 2020 – 2021 reopens for a successor 2020 – 2021 collective bargaining agreement between the District and the California School Employees Association (CSEA) Orcutt Chapter #255.

The Board presents this initial proposal to enable members of the public to be informed about the issues that will be negotiated and to have an opportunity to express their views on the issues to the District Governing Board.

The District proposes to negotiate the following articles to address current operations and expected needs of the District due to budget and funding concerns:

1. Article 15 – Compensation
2. Article 9 – Involuntary Transfers, Temporary Assignments, Job Openings
3. Appendix C – Assignment of Bus Routes
4. Article 13 – Hours and Overtime



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Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees
Dr. Deborah Blow, Superintendent

FROM: Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Adopt Initial Collective Bargaining Proposal with Orcutt Educators Association for the 2020/2021 School Year

BACKGROUND: In accordance with law, the District’s initial “sunshine” proposal for negotiations must be adopted by the Board at a public meeting. The proposal is available for review at the District Office and to allow the public opportunity to comment on the District’s proposal a public hearing will be held this evening. Following the public hearing and Board ratification of this proposal, negotiations may commence.

FINANCIAL CONSIDERATIONS: The financial impact will be determined by the final agreement reached between the District and Orcutt Educators Association.

RECOMMENDATION: It is recommended that the Board of Trustees adopt the District’s initial proposal for negotiations with Orcutt Educators Association for the 2020/2021 school year.

ATTACHMENT: Initial Proposal

Orcutt Union School District

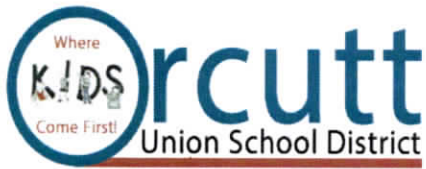
Governing Board Initial Collective Bargaining Proposal To Orcutt Educators Association (OEA) 2020-2021 Reopener Negotiations

The Orcutt Union School District Governing Board presents its initial proposal for reopener negotiations between the District and the Orcutt Educators Association (OEA). Pursuant to the current collective bargaining agreement, the District and OEA may each open two articles and Article X, Compensation, is automatically reopened.

The Board presents this initial proposal to enable members of the public to be informed about the issues that will be negotiated and to have an opportunity to express their views on the issues to the District Governing Board.

The District seeks modifications and changes addressing the following articles and issues to reflect current operations and expected needs of the District in the context of significant and increasing economic uncertainty.

1. Article VIII-Class Size: Orcutt USD seeks to address impacts of the Local Control Funding Formula on the terms of the class size article.
2. Article IX – Working Days and Hours: Orcutt USD seeks to review terms of the current work year, work day and hours of employees.
3. Article X – Compensation: Orcutt USD seeks to maintain fiscal solvency and ensuring that the District will provide a comprehensive educational program.



HUMAN RESOURCES MEMORANDUM

TO: Dr. Deborah Blow
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: June 10, 2020

RE: Brandman University Internship Contract Agreement

BACKGROUND: Brandman University is requesting approval of the Internship Contract Agreement with the Orcutt Union School District for Multiple and Single Subject and Education Specialist Internship Credentials.

RECOMMENDATION: It is recommended that the Board of Trustees approve the Brandman University Internship Contract Agreement for the Multiple Subject, Single Subject and Education Specialist Internship Credential Programs with the Orcutt Union School District.

FUNDING: N/A



INTERNSHIP CONTRACT AGREEMENT

by and between

BRANDMAN UNIVERSITY

and

Orcutt Union School District

- **Multiple Subject Internship Credential**
- **Single Subject Internship Credential**
- **Education Specialist Internship Credential**

An Internship Credential authorizes the same service at the same level as the Preliminary Credential with some exceptions. The Internship Credential is only valid in one school district or consortium under the preconditions established by State law (see Appendix A).

For this reason, interns must have a contract before a credential can be issued. Each intern candidate is to work under the direct and continuing supervision of a Brandman University Supervisor, from the Santa Maria Campus, and District Mentor who provides general support at the classroom level of the cooperating school. Also, the Internship Credential shall be issued initially for a two-year period. (Education Code Section 44455).

I. General Provisions

a. The UNIVERSITY agrees and verifies that:

- i. Each Intern Teacher shall have met the requirements for enrollment in its Credential Programs
- ii. Each Intern Teacher must have completed the minimum number of preservice hours of University Credential Program course work, as required by the CCTC for issuance of the Intern Credential.
- iii. Each Intern Teacher shall apply for the Internship Credential through the Teacher Accreditation Department at Brandman University, upon verification of employment from the School District.

b. The DISTRICT agrees and verifies that:

- i. The intern assumes full teaching and legal responsibility for their classroom from the first day of the teaching assignment as a paid employee of the District for at least one academic year, subject to the District's personnel policies and State law(s).

- ii. The intern will attend department and faculty meetings and parent-teacher conferences when appropriate. No intern may coach extracurricular activities nor be required to attend meetings that present a conflict with his/her internship responsibilities at Brandman University.
- iii. The intern is expected to attend all school and district in-service training sessions whenever possible. The intern will also attend assigned District and School orientations that occur prior to the start of the school. If there is a conflict between University and District training, University meetings shall take priority during the Internship period.

II. Support and Supervision Requirements

Pursuant to California Education Code §44321, the supervision and support of interns is the responsibility of both the Commission-approved teacher preparation program and the employer. The Commission requires that each approved intern program must have a signed Memorandum of Understanding (MOU) outlining the respective responsibilities of the program and of the employer.

a. General Support and Supervision Provided to All Interns

The UNIVERSITY and DISTRICT together shall provide a minimum of 144 hours of support/mentoring and supervision to each intern teacher per school year including coaching, modeling, and demonstrating within the classroom, assistance with course planning and problem-solving regarding students, curriculum, and development of effective teaching methodologies. The minimum support, mentoring and supervision provided to an intern teacher who assumes daily teaching responsibilities after the beginning of a school year shall be equal to four hours times the number of instructional weeks remaining in the school year. A minimum of two hours of support/mentoring and supervision must be provided to an intern teacher every five instructional days.

- i. The UNIVERSITY shall select supervisors that have current knowledge in their subject matter area; understand the context of public schooling; ability to model best professional practices in teaching and learning, scholarship and service; knowledge about diverse abilities, cultural, language, ethnic and gender diversity; and understanding of academic standards, frameworks, and accountability systems that drive the curriculum of public schools.
- ii. The UNIVERSITY shall provide supervision and ongoing support for a minimum of 72 hours per school year. University supervisors will conduct classroom observations a minimum of four times each term that include pre and post observation discussions. Supervisors will maintain weekly

contact with the intern to provide support related to planning, curriculum, and instruction in addition to problem solving regarding students.

- iii. The DISTRICT shall select mentor teachers who meet the following qualifications:
 - (1) valid corresponding Clear or Life credential,
 - (2) three years successful teaching experience, and
 - (3) the English Learner (EL) Authorization (if responsible for providing specified EL support).

If the mentor does not hold an EL Authorization, the district must identify an individual who does have a valid EL authorization and who is immediately available to assist the intern with planning lessons that are appropriately designed and differentiated for English learners, for assessing language needs and progress, and to support language accessible instruction, through in-classroom modeling and coaching as needed.

- iv. The DISTRICT shall provide supervision and ongoing support for a minimum of 72 hours per school year with a minimum of two hours of support/mentoring and supervision per week. The mentor(s) role is to provide support specifically addressing issues in the intern's classroom (See Appendix B for examples of support/supervision activities). Interns without an English Language Authorization must also receive focused English Language instruction support.
- v. The UNIVERSITY shall provide orientation and training for the district mentors and university supervisors.
- vi. The UNIVERSITY provides the 10 hour CTC mandatory mentor training.
- vii. The DISTRICT requires mentors complete the CTC mandatory 10 hour training.
- viii. The University Supervisor and District Mentor shall meet together regularly with the intern to ensure the intern is following the California Teaching Performance Expectations.
- ix. The UNIVERSITY shall monitor the completion of university and employer-provided support/mentoring to ensure that interns teachers are receiving the minimum 144 hours of mentoring via forms submitted by the interns in LiveText.
- x. The District Mentor and site administrator shall participate in surveys that provide feedback to the university regarding the internship experience.

b. Support and Supervision Specific to Teaching English Learners

The following additional support/mentoring and supervision shall be provided to an intern teacher who enters the program without a valid English learner authorization listed on a previously issued multiple subject, single subject, or education specialist instruction teaching credential; a valid English learner or Cross-cultural, Language and Academic Development (CLAD) authorization:

- i. The UNIVERSITY shall provide 45 hours of support/mentoring and supervision per school year, including in-classroom coaching, specific to the needs of English learners. The minimum support/mentoring and supervision provided to an intern teacher who assumes daily teaching responsibilities after the beginning of a school year shall be equal to five hours times the number of months remaining in the school year. The support/mentoring and supervision should be distributed in a manner that sufficiently supports the intern teacher's development of knowledge and skills in the instruction of English learners.
- ii. The DISTRICT shall identify an individual who will be immediately available to assist the intern teacher with planning lessons that are appropriately designed and differentiated for English learners, for assessing language needs and progress, and for support of language accessible instruction through in-classroom modeling and coaching as needed. The identified individual may be the same mentor assigned pursuant to section I above provided the individual possesses an English learner authorization and will be immediately available to assist the intern teacher. (See Appendix B for examples of support/supervision activities).
- iii. An individual who passes the California Teaching of English Learner (CTEL) examinations prior or subsequent to the issuance of the intern credential may be exempted from the additional 45 hours of support/mentoring and supervision specific to the needs of English learners.
- iv. The UNIVERSITY shall monitor the completion of university and employer-provided support/mentoring to ensure that interns teachers are receiving the minimum 45 hours of support/mentoring specific to the needs of English learners via forms submitted by the interns in LiveText.

III. THE PARTIES MUTUALLY AGREE

- A. The parties mutually agree each shall provide and maintain commercial general liability insurance or self-insurance acceptable to both parties in the minimum amounts of \$1,000,000 per occurrence, \$3,000,000 general aggregate and upon request shall furnish proof thereof in the form of a certificate of insurance within 30 days of the effective date of this Agreement. Each Certificate of Insurance shall specify that should any above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

- B. The UNIVERSITY agrees to indemnify, hold harmless, and defend the DISTRICT, its agents and employees from and against all loss or expense (including costs and attorney fees) resulting from liability imposed by law upon the DISTRICT because of bodily injury to or death of any person or on account of damages to property, including loss of use thereof, arising out of or in connection with this Agreement and due or claimed to be due to the negligence of the UNIVERSITY, its agents or employees.

The DISTRICT agrees to indemnify, hold harmless, and at the University's request, defend the UNIVERSITY, its agents and employees from and against all loss or expenses (including costs and attorney fees) resulting from liability imposed by law upon the University because of bodily injury to or death of any person or on account of damages to property, including loss of use thereof, arising out of or in connection with the Agreement, and due or claimed to be due to the negligence of the DISTRICT, its agents or employees.

- C. Both parties acknowledge they are independent contractors, and nothing contained in this Agreement shall be deemed to create an agency, joint venture, franchise or partnership relation between the parties and neither party shall so hold itself out. Neither party shall have the right to obligate or bind the other party in any manner whatsoever, and nothing contained in this Agreement shall give or is intended to give any right of any kind to third persons.
- D. Any failure of a party to enforce that party's right under any provision of this Agreement shall not be construed or act as a waiver of said party's subsequent right to enforce any provisions contained herein.
- E. Notices required or permitted to be provided under this Agreement shall be in writing and shall be deemed to have been duly given if mailed first class to the parties that signed this agreement and to the addresses below.

FIELDWORK SITE CONTACT
INFORMATION:

Orcutt Union School District
500 Dyer Street
Orcutt, CA 93455
Attn: MaryJane Dywer
Phone: 805-938-8900

UNIVERSITY CONTACT
INFORMATION:

Brandman University
16355 Laguna Canyon Road
Irvine, CA 92618
Attn: School of Education, Dean
Fax: (800) 775-0128

- F. If any term or provision of this Agreement is for any reason held to be invalid, such invalidity shall not affect any other term or provision, and this Agreement shall be interpreted as if such term or provision had never been contained in this Agreement.

- G. In the event of any material default under this Agreement, which default remains uncured for a period of twenty-one (21) days after receipt of written notice of such default, or in the event of the loss of WASC accreditation by the UNIVERSITY, this Agreement may be immediately terminated by the non-defaulting party.
- H. This Agreement fully supersedes any and all prior agreements or understandings between the parties or any of their respective affiliates with respect to the subject matter hereof. No change, modification, addition, amendment, or supplement to this Agreement shall be valid unless set forth in writing and signed and dated by both parties hereto subsequent to the execution of this Agreement.
- I. This Agreement shall be construed in accordance with the laws of the State of California in effect at the time of the execution of this Agreement. Should either party institute legal action to enforce any obligation contained herein, it is agreed that the proper venue of such suit or action shall be Orange County, California.


IV. TERM AND TERMINATION OF AGREEMENT

Brandman University and the Orcutt Union School District, agree to all the conditions of this Internship Contract Agreement as outlined above, to be effective on 6/30/2020, and continuing until 6/30/2023 (3-year maximum). This agreement may be terminated and the provisions of this agreement may be altered, changed or amended by mutual consent of both parties upon sixty (60) days written notice.

SIGNATURES:

DISTRICT
REPRESENTATIVES:

Signature: _____
Name: Dr. Holly Edds
Title: Superintendent
Date: June 10, 2020

Signature: 
Name: Susan Salucci
Title: Assistant Superintendent, Human Resources
Date: June 10, 2020

UNIVERSITY:

Signature: _____
Name: Phillip L. Doolittle
Title: Executive Vice Chancellor of Finance and
Administration and Chief Financial Officer
Date: _____

APPENDIX A

Preconditions Established for Internship Programs

For initial program accreditation and continuing accreditation by the Committee on Accreditation, participating districts and universities must adhere to the following requirements of state law or Commission policy.

- (1) **Bachelor's Degree Requirement.** Candidates admitted to internship programs must hold baccalaureate degrees or higher from a regionally accredited institution of higher education. Reference: Education Code §§44325, 44326, 44453.
- (2) **Subject Matter Requirement.** Each Multiple Subject intern admitted into the program has passed the Commission-approved subject matter examinations(s) for the subject area(s) in which the Intern is authorized to teach, and each Single Subject intern admitted into the program has passed the Commission-approved subject matter examination(s) or completed the subject matter program for the subject areas(s) in which the Intern is authorized to teach. Reference: Education Code § 44325(c) (3).
- (3) **Pre-Service Requirement.**
 - (a) Each Multiple and Single Subject Internship program must include a minimum of 120 clock hour (or the semester or quarter unit equivalent) pre-service component which includes foundational preparation in general pedagogy including classroom management and planning, reading/language arts, subject specific pedagogy, human development, and teaching English Learners.
 - (b) Each Education Specialist Internship program includes a minimum of 120 clock hour (or the semester or quarter unit equivalent) pre-service component which includes foundational preparation in pedagogy including classroom management and planning, reading/language arts, specialty specific pedagogy, human development, and teaching English Learners.
- (4) **Professional Development Plan.** The employing district has developed and implemented a Professional Development Plan for interns in consultation with a Commission-approved program of teacher preparation. The plan shall include all of the following:
 - (a) Provisions for an annual evaluation of the intern.
 - (b) A description of the courses to be completed by the intern, if any, and a plan for the completion of preservice or other clinical training, if any, including student teaching.
 - (c) Additional instruction during the first semester of service, for interns teaching in kindergarten or grades 1 to 6 inclusive, in child development and teaching methods, and special education programs for pupils with mild and moderate disabilities.

- (d) Instruction, during the first year of service, for interns teaching children in bilingual classes in the culture and methods of teaching bilingual children, and instruction in the etiology and methods of teaching children with mild and moderate disabilities.
- (5) **Supervision of Interns.**
- (a) In all internship programs, the participating institutions shall provide supervision of all interns.
- (b) University Intern Programs only: No intern's salary may be reduced by more than 1/8 of its total to pay for supervision, and the salary of the intern shall not be less than the minimum base salary paid to a regularly certificated person. If the intern salary is reduced, no more than eight interns may be advised by one district support person. Reference: Education Code § 44462. Institutions will describe the procedures used in assigning supervisors and, where applicable, the system used to pay for supervision.
- (6) **Assignment and Authorization.** To receive program approval, the participating institution authorizes the candidates in an internship program to assume the functions that are authorized by the regular standard credential. Reference: Education Code § 44454. The institution stipulates that the interns' services meet the instructional or service needs of the participating district(s). Reference: Education Code § 44458.
- (7) **Participating Districts.** Participating districts are public school districts or county offices of education. Submissions for approval must identify the specific districts involved and the specific credential(s) involved. Reference: Education Code §§ 44321 and 44452.
- (8) **Early Program Completion Option.** Each intern program must make available to candidates who qualify for the option the opportunity to choose an early program completion option, culminating in a five year preliminary teaching credential. This option must be made available to interns who meet the following requirements:
- (a) Pass a written assessment adopted by the commission that assesses knowledge of teaching foundations as well as all of the following:
- Human development as it relates to teaching and learning aligned with the state content and performance standards for K-12 students
 - Techniques to address learning differences, including working with students with special needs
 - Techniques to address working with English learners to provide access to the curriculum
 - Reading instruction in accordance with state standards
 - Assessment of student progress based on the state content and performance standards
 - Classroom management techniques
 - Methods of teaching the subject fields

- (b) Pass the teaching performance assessment. This assessment may be taken only one time by an intern participating in the early completion option.
- (c) Pass the Reading Instruction Competence Assessment (RICA) (Multiple Subject Credential only).
- (d) Meet the requirements for teacher fitness.

An intern who chooses the early completion option but is not successful in passing the assessment may complete his or her full internship program. (Reference: Education Code § 44468).

- (9) **Length of Validity of the Intern Certificate.** Each intern certificate will be valid for a period of two years. However, a certificate may be valid for three years if the intern is participating in a program leading to the attainment of a specialist credential to teach students, or for four years if the intern is participating in a district intern program leading to the attainment of both a multiple subject or a single subject teaching credential and a specialist credential to teach students with mild/moderate disabilities. Reference: Education Code § 44325 (b).
- (10) **Non-Displacement of Certificated Employees.** The institution and participating districts must certify that interns do not displace certificated employees in participating districts.
- (11) **Justification of Internship Program.** When an institution submits a program for initial or continuing accreditation, the institution must explain why the internship is being implemented. Programs that are developed to meet employment shortages must include a statement from the participating district(s) about the availability of qualified certificated persons holding the credential. The exclusive representative of certificated employees in the credential area (when applicable) is encouraged to submit a written statement to the Committee on Accreditation agreeing or disagreeing with the justification that is submitted.
- (12) **Bilingual Language Proficiency.** Each intern who is authorized to teach in bilingual classrooms has passed the language proficiency subtest of the Commission-approved assessment program leading to the Bilingual Crosscultural Language and Academic Development Certificate. Reference: Education Code Section 44325 (c).

APPENDIX B
Support and Supervision Activities

Potential Support & Supervision Activities to be Provided by the District
Demonstration Lessons and/or Co-teaching activities with mentor
Classroom Observations and Coaching*
Content Specific Coaching (for example: math coaches, reading coaches, EL coaches*)
Grade Level or Department Meetings related to curriculum, planning, and/or instruction
New Teacher Orientation
Coaching (not evaluation) from Administrator
Co-planning with Special Educator or EL expert to address included special needs students and/or English learners*
Logistical help before and during school year (bulletin boards, seating arrangements, materials acquisition, parent conferences, etc.)
Review/discuss test results with colleagues (CELDT and standardized tests)*
Activities/workshops specifically addressing issues in the intern's classroom—co-attended by intern and mentor(s)
Intern Observations of other teachers and classrooms including observations of SDAIE/ELD lessons*
Support & Supervision Activities Provided through the University
Classroom Observations and Coaching*
Weekly Online Seminars (problem solving issues with students, curriculum, instruction, TPEs, etc.) including EL support*
Weekly Contact with Supervisors via email, phone (voice, text), and/or video conferencing
Intern Observations of other teachers and classrooms including observations of SDAIE/ELD lessons*

**May also be used towards the 45-hour EL Support & Supervision Requirement.*



Orcutt Union School District Human Resources

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

TO: Board of Trustees

FROM: Susan Salucci, Assistant Superintendent/Human Resources

BOARD MEETING DATE: June 10, 2020

BOARD AGENDA ITEM: Ratification of Interim Assistant Superintendent, Educational Services Contract

BACKGROUND: Janet Bertoldi has been working in Educational Services for the past two years as a Director of Educational Services and a Student Intervention Coordinator. She is an excellent candidate to serve in this interim position.

FINANCIAL CONSIDERATIONS:

The decision to fill this vacancy with an Interim meets the current needs of the district in these uncertain financial times and gives future flexibility. The position currently held by Janet Bertoldi, Student Intervention Coordinator, will remain unfilled.

The Interim Assistant Superintendent will be appropriately placed on the Senior Management salary schedule with a salary of \$140,834. All other compensation including health and life insurance benefits will be consistent as those granted to similarly situated senior management personnel.

RECOMMENDATION: It is recommended that the Board of Trustees ratify the Employment Agreement with Janet Bertoldi, Interim Assistant Superintendent of the Orcutt Union School District.

**ORCUTT UNION SCHOOL DISTRICT
CONTRACT OF EMPLOYMENT FOR
INTERIM ASSISTANT SUPERINTENDENT OF EDUCATIONAL SERVICES**

This Agreement is entered into agreement between the Governing Board of the Orcutt Union School District, hereinafter referred to as "Governing Board," and Janet Bertoldi hereinafter referred to as "Interim Assistant Superintendent."

I. TERM OF AGREEMENT

The term of this Agreement shall commence on July 1, 2020, subject to the terms and conditions hereinafter set forth. The Agreement shall be in effect for one (1) year, or until June 30, 2021.

The purpose of this one-year interim Agreement is to facilitate the District's appointment of a long-term replacement Assistant Superintendent of Educational Services after appropriate considerations of qualified candidates and other organizational considerations.

II. SALARY AND WORK YEAR

Interim Assistant Superintendent Salary shall be \$140,834.00. This salary is based upon her appropriate placement at Step 1, Column B of the 2019-2020 Cabinet Salary Schedule based upon the Interim Assistant Superintendent's level of education.

The work year of the Interim Assistant Superintendent shall be 223 days, commencing July 1, 2020 and terminating June 30, 2021. The interim Assistant Superintendent's work year is a positive work year and she shall not accrue and will not be paid additional paid vacation days. The Interim Assistant Superintendent shall submit a work calendar to the Superintendent by July 1, 2020.

Consistent with other certificated management employees, the Interim Assistant Superintendent shall be entitled to longevity increases consistent with certificated management employees. After 16 years of service, \$3200 annual salary increase; after 19 years of service, \$4600 annual salary increase; after 22 years of service, \$6000 annual salary increase; after 24 years of service, \$7400 annual salary increase.

III. DUTIES

The Interim Assistant Superintendent duties shall be those of the Assistant Superintendent for Educational Services as prescribed by this Agreement, the laws of the State of California, Board Policy, and the job description for the position. Assistant Superintendent shall be under the direction of the Superintendent. In accordance with the policies adopted by the Board and subject to the Board and Superintendent's approval, the Assistant Superintendent shall lead educational services for the school District. The Assistant Superintendent shall generally be expected to attend all meetings of the Board of Education. She shall perform these and such other duties as may be prescribed by the Superintendent and the Board of Education in a competent, honest, and good faith manner.

IV. SICK LEAVE

The Interim Assistant Superintendent shall earn twelve (12) sick days per year (one (1) day per month). Sick leave shall not be paid out at the end of the term of this Agreement, but may be used for retirement purposes or rolled over if the term is extended or the Assistant Interim Superintended does not retire according to applicable law or policy.

V. FRINGE BENEFITS

1) Health Benefits for the Interim Assistant Superintendent shall be the same as those granted to other District senior management personnel.

2) The District shall reimburse the Interim Assistant Superintendent for all actual and necessary expenses incurred by the Interim Assistant Superintendent within the scope of employment and while representing the District. The Interim Assistant Superintendent shall submit original receipts and/or billing slips for all expenses.

3) The District shall provide Term Life Insurance of not less than \$150,000 for a beneficiary of the Interim Assistant Superintendent's choice. .

4) CalSTRS: The District shall pay the employer share of the Interim Assistant Superintendent's CalSTRS contributions and deduct the employees share from the Interim Assistant Superintendent's regular payroll.

VI. TERMINATION OF AGREEMENT

The Board may terminate this Agreement at its discretion at any time during its term without cause, upon 90 days prior written notice. In no case, upon termination of this Agreement, shall the maximum cash settlement exceed an amount equal to the monthly salary of the Interim Assistant Superintendent multiplied by the number of months left on the unexpired term of this Agreement.

Notwithstanding any other provisions of this Agreement the Interim Assistant Superintendent shall have the option to terminate this Agreement during the term hereof by providing the Board with a written notice of intent to terminate. This notice shall be provided no less than ninety (90) days prior to the proposed termination date.

The Interim Assistant Superintendent and Board may mutually agree to a termination notice of less than ninety (90) days.

The Board may terminate the Interim Assistant Superintendent for cause for: (1) refusals or failures to act in accordance with specific provisions of this Agreement or Board directives; (2) breach of this Agreement; (3) unsatisfactory performance as established by at least two consecutive written evaluations conducted at least 180 days apart; (4) dishonest behavior; or (5) conviction of a crime involving dishonesty, moral turpitude, or physical harm to any person.

Notwithstanding Labor Code section 2924, the parties agree that the determination of cause shall be based upon the Board's reasonable belief in the existence of good cause for termination. The existence of such good cause belief shall authorize the termination of this Agreement and shall extinguish all rights and duties of the parties under this Agreement. If such good cause belief exists, the Board shall meet with the Interim Assistant Superintendent and shall submit a written statement of the grounds for termination and copies of written documents the Board believes support the termination. If the Interim Assistant Superintendent disputes the charges, the Interim Assistant Superintendent shall then be entitled to a conference before the Board in a closed session meeting. The Interim Assistant Superintendent and the Board shall each have the right to be represented by counsel at their own expense. The Interim Assistant Superintendent shall have a reasonable opportunity to respond to all matters raised in the charges. The conference with the Board shall not be an evidentiary hearing and neither party shall have the opportunity to call witnesses. If the Board, after considering all evidence presented, decide to terminate this Agreement, they shall provide the Interim Assistant Superintendent with a written decision. The decision of the Board shall be final. The Interim Assistant Superintendent's conference before the Board shall be deemed to satisfy the Interim Assistant Superintendent's entitlement to due process of law and shall be the Interim Assistant Superintendent's exclusive right to any conference or hearing otherwise required by law. The Interim Assistant Superintendent waives any other rights that may be applicable to this termination for cause proceeding with the understanding that completion of this hearing exhausts the Interim Assistant Superintendent's administrative remedies and then authorizes the Interim Assistant Superintendent to contest the Board's determination in a court of competent jurisdiction.

VII. COMPLETE AGREEMENT

This Agreement constitutes and contains the entire agreement and understanding between the parties concerning the Interim Assistant Superintendent's employment with the District. This Agreement supersedes and replaces all prior negotiations and all employment agreements proposed or otherwise, whether written or oral.

VIII. GOVERNING LAW

This Agreement has been executed and delivered within the State of California, and rights and obligations of the parties shall be construed and enforced in accordance with, and governed by, the laws of the State of California.

IX. CONSTRUCTION

Each party has cooperated in the drafting and preparation of this Agreement. Hence, in any construction to be made of this Agreement, the same shall not be construed against any party on the basis that the party was the drafter. The captions of this Agreement are not part of the provisions of this Agreement and shall have no force or effect.

X. EXECUTION

This Agreement may be executed in one or more counterparts, each of which shall be

deemed an original, but all of which together shall constitute one and the same Agreement. Photocopies of such signed counterparts may be used in lieu of the originals for any purpose.

XI. NO ASSIGNMENT

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

XII. MODIFICATION.

This Agreement cannot be changed or supplemented orally. It may be modified or superseded only by a written instrument executed by both parties.

XIII. EXCLUSIVITY

To the extent permitted by law, the employment relationship between the District and the Interim Assistant Superintendent shall be governed exclusively by the provisions of this Agreement and not by board policies, administrative regulations, the Management Handbook or similar documents.

XIV. BOARD APPROVAL

The Parties acknowledge that this Agreement is contingent upon approval by the Governing Board at a lawfully called regular Board meeting as required by law.

XV. INDEMNITY

The District agrees to indemnify the Interim Assistant Superintendent to the extent required by law under Government Code sections 825, 995 and other applicable provisions of law.

Dated: June 10, 2020.

GOVERNING BOARD OF THE ORCUTT UNION SCHOOL DISTRICT

Liz Phillips
President, Board of Trustees

Date

Melanie Waffle
Clerk, Board of Trustees

Date



Santa Barbara County Education Office

4400 Cathedral Oaks Rd, PO Box 6307, Santa Barbara, CA 93160-6307

Telephone: (805) 964-4711 • FAX: (805) 964-4712 • sbceo.org


Susan C. Salcido, Superintendent of Schools

May 8, 2020

SBAS-9339

TO: K-12 School Districts
Community Colleges

ATTENTION: Presidents/Superintendents

FROM: Denice Cora, Administrator 
School Business Advisory Services

SUBJECT: **Governing Board Member General Election 2020**

**Action due:
Wednesday, July 1**

The statewide general election will be held on Tuesday, Nov. 3, to elect district governing board members to fill terms that will expire on Dec. 11 (second Friday in December). Attached is an Order of Election for your board to adopt. Please return one copy to this office and one copy to the Elections Office by no later than Wednesday, July 1 before 5 p.m. (If you are required to consolidate the Election with San Luis Obispo or Ventura Counties, you must provide a separate resolution for each County Elections Office.)

Also enclosed are the following informational items:

1. **Notification to Consolidate Governing Board Member Elections**
Education Code Section 5340 states the county superintendent of schools shall notify districts that a consolidated election must be held.
2. **Governing Board Members - Terms Expiring December 2020**
A list, by school district, of board members whose terms expire on the second Friday in December.
4. **General Election Calendar – Nov 3, 2020**
A reference on election timelines.

This year, to protect the health and safety of candidates and the Election Office staff, candidate filing will be available by **appointment only** at the Santa Barbara Elections Main Office and Santa Maria Elections Branch office. Candidates may obtain nomination documents between July 13 and Aug. 7 (5 p.m.). If the incumbent or any one of the incumbents (for districts with boards elected at-large), has not filed by Aug. 7, 2020 (5 p.m.) the filing period is extended to Aug. 12, 2020 (5 p.m.) at the county clerk-recorder office locations:

Santa Barbara Elections Office
4400-A Calle Real
Santa Barbara 93110
Phone: 805-696-8957

Santa Maria Elections Office
511 East Lakeside Parkway, Suite 115
Santa Maria 93455
Phone: 805-346-8374

If you have questions, please contact me at (805) 964-4711, ext. 5237 or dcora@sbceo.org

ORDER OF ELECTION

(Education Code Sections 5000, 5018, 5304, 5322)

RESOLUTION ORDERING GOVERNING BOARD MEMBER ELECTION & NOTICE TO CONSOLIDATE

WHEREAS, the regular biennial election of governing board members is ordered by law pursuant to section 5000 of the Education Code to fill offices of members of the governing board of _____ School/Community College District of Santa Barbara County; and

WHEREAS, pursuant to Section 5340 of the Education Code, said election must be consolidated with any other school or community college district governing board elections in the same area on the same day; and

WHEREAS, pursuant to section 10400 of the Elections Code, said election may be consolidated with other elections to be held on the same day;

NOW, THEREFORE, BE IT RESOLVED that Dr. Susan Salcido, Santa Barbara County Superintendent of Schools, call the election as ORDERED and in accordance with the designations contained in the following Specifications of the Election Order made under the authority of Education Code Sections 5304 and 5322.

SPECIFICATIONS OF THE ELECTION ORDER

The election shall be held on Tuesday, November 3, 2020

The purpose of the election¹ is to elect _____ members of the governing board of _____ School/Community College District.

² Indicate if any offices are for two-year terms: _____

IT IS FURTHER ORDERED that the clerk or secretary of the district shall deliver, not less than 123 days prior to the date set for the election, two copies of this Resolution and Order to the county superintendent of schools, and one copy to the officer conducting the election.³

THE FOREGOING RESOLUTION AND ORDER was adopted by a formal vote of the governing board of the _____ School/Community College District of Santa Barbara County, being the board authorized by law to make the designations therein contained, on _____, 2020.

(Signed) _____
Clerk/Secretary of the Governing Board

Instructions

¹ If election is called under ECS 5018, insert:

Another purpose is whether the number of members of the governing board of _____ District shall be increased from three to five.

Another purpose of the election shall be to elect two additional members of the governing board of _____ District to serve if the above measure is approved.

² Indicate if any offices are for two-year terms (as opposed to four-year terms)

³ After the Order of Election is adopted by the board, the clerk or secretary should sign the Order and deliver two copies to the county superintendent of schools and one to the officer conducting the election not less than 123 days prior to the date set for the election (ECS 5322). One of these copies is to be delivered by the county superintendent to the county clerk or registrar of voters, with a copy of the Notice of Election, at least 124 days prior to the date of election (ECS 5324).

NOTICE OF ELECTIVE OFFICES TO BE FILLED IN THE

DISTRICT NAME

TO: Joseph E. Holland, County Clerk, Recorder and Assessor & Registrar of Voters, County of Santa Barbara

You are hereby notified that at the **Presidential General Election** to be held in the above district on **November 3, 2020**, the elective office(s) listed below are to be filled.

OFFICE OF DISTRICT DIRECTOR, TRUSTEE, OR GOVERNING BOARD MEMBER			
HOW ELECTED	NUMBER TO BE ELECTED		
Please specify in the box below how the district directors, trustees, or board members are elected. i.e. At Large / By Division /By Trustee Area	Please specify in the space below the number of district directors, trustees, or board members to be elected in this election.		
	Number to be Elected: _____		
OFFICIAL TITLE OF ELECTED OFFICE			
DISTRICT INCUMBENTS COMING UP FOR ELECTION (Please attach a sheet if more space is needed):			
INCUMBENT'S NAME	RESIDENCE ADDRESS	TERM OF OFFICE	
Please print incumbents' names and Division or TA number if applicable. <i>i.e. John Doe – TA #2; Jane Doe – Div. 5</i>	(NO PO Boxes)	Check One Below	
		Full (4 yrs)	Short (2 yrs)
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

You are further notified that if a candidate files a **candidate statement of qualifications** pursuant to Elections Code Section 13307, the **cost of printing and handling** of the statement shall be **paid by** the:

PRINT "CANDIDATE" OR "DISTRICT"

Executed on: _____

District Seal

SIGNATURE OF DISTRICT SECRETARY

QUALIFICATIONS TO RUN AND HOLD OFFICE FOR THE

DISTRICT NAME

GENERAL QUALIFICATIONS E.C. § 20; G.C. §§ 1020, 1021, 24001:

- Must at least 18 years old and a citizen of the state at the time of his or her election;
- Must be a registered voter of the district in which the duties of the office are to be exercised at the time that nomination papers are issued to the person or at the time of the appointment of the person;
- Cannot be convicted of designated crimes as specified in the Constitution and laws of the State; and,
- Cannot be convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury or conspiracy to commit any of these crimes.

In addition to the general qualifications outlined above, candidates for the district must also meet the qualifications to run and hold office identified in the ADDITIONAL QUALIFICATIONS section below.

ADDITIONAL QUALIFICATIONS (Please include reference to, or attach copies, of the applicable legal code section(s) and/or principal act. If there are no additional qualifications, please print "N/A" in the space provided below and date and sign below):

Executed on: _____, 20____

District Seal

SIGNATURE OF DISTRICT SECRETARY

RESOLUTION NO. _____

DISTRICT NAME

CANDIDATE'S STATEMENTS OF QUALIFICATIONS

WHEREAS, Section 13307 of the Elections Code of the State of California requires this board to adopt certain policies in regard to statements of candidates who run for office as members of the governing board of the district;

NOW, THEREFORE, BE IT RESOLVED that this governing board does hereby determine:

1. That the cost of printing, handling, and mailing candidates' statements of qualifications shall be charged to the:

CANDIDATE OR DISTRICT

2. That the candidates' statement of qualifications shall not exceed:

"200" OR "400" WORDS

3. That the candidates not be permitted to submit additional materials to be sent to the voter with the County Voter Information Guide.

4. That the County of Santa Barbara Registrar of Voters be directed to give a copy of these regulations to each candidate, or his or her representative, at the time that nomination documents are received.

BE IT FURTHER RESOLVED that these policies shall remain in full force and effect until rescinded by this Board.

PASSED AND ADOPTED by the Governing Board of the _____
DISTRICT NAME

this _____ day of _____, 20__.

Ayes:

Noes:

Absent:

SIGNATURE OF DISTRICT SECRETARY

DISTRICT AND ELECTED OFFICIALS INFORMATION

DISTRICT CONTACT INFORMATION

DISTRICT NAME: _____

STREET ADDRESS: _____

MAILING ADDRESS: (If different than above) _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

DISTRICT SECRETARY

NAME: _____

DISTRICT SUPERINTENDENT/MANAGER

NAME: _____

TITLE: _____

DISTRICT CONTACT FOR THIS ELECTION

NAME: _____

TITLE: _____

TELEPHONE NUMBER: _____

EMAIL: _____

ELECTED OFFICIAL'S SALARY REPORT

(Please Check One)

Elected officials of this district receive a salary of **less than \$200.00 per month** and therefore are not required to file semi-annual campaign disclosure reports, unless they receive or make any contributions, or make any expenditures pursuant to Government Code Section 84200(2).

Elected officials of this district receive a salary of **\$200.00 or more per month** and therefore must file semi-annual campaign expenditure reports in compliance with the reporting requirements of Government Code Section 84200(a).