

ORCUTT UNION SCHOOL DISTRICT
Regular Meeting of the Board of Trustees
Wednesday, November 13, 2019
Closed Session – 6:00 P.M.
Public Session – 6:30 P.M.
District Office Board Room
500 Dyer Street, Orcutt, CA 93455

CALL TO ORDER 6:00 P.M.

- A. Pledge of Allegiance

CLOSED SESSION PUBLIC COMMENTS

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

ADJOURN TO CLOSED SESSION

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

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

RECONVENE TO PUBLIC SESSION 6:30 P.M.

- B. Public Report on Action Taken in Closed Session

- C. Adoption of November 13, 2019 Agenda

Moved _____ Second _____ Vote _____

PUBLIC COMMENT ANNOUNCEMENT

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

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

- D. Superintendent's Report

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

1. OAHS ASB update
2. OCAF update
3. Joe Nightingale School Presentation
4. Crisis Go

E. ITEMS SCHEDULED FOR INFORMATION/DISCUSSION

- 1. Items from the Board

F. Public Comment

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

G. Written Communication

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

CONSENT AGENDA ITEMS

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

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Hiring of Additional Coaches at Orcutt Academy Charter High School
- D. Hiring of Additional Coaches at Orcutt Union School District
- E. Approval of Warrants
- F. Board Meeting Minutes, October 9, 2019
- G. CALM Memorandum of Understanding (MOU)
- H. OAHS Boys Soccer Team Overnight Trip
- I. OAHS Girls Varsity Soccer Team Overnight Trip
- J. OAHS Cross Country Team Overnight Trip
- K. OAHS Girls Golf Team Overnight Trip
- L. OAHS Girls Tennis Team Overnight Trip
- M. OAHS Football Team Overnight Trip
- N. OAHS Cheer Team Overnight Trip
- O. Board Policy 1112, Release of Directory Information for second reading
- P. Board Policy 5123, Promotion/Acceleration/Retention for second reading
- Q. Board Policy 5136, Gangs for second reading
- R. Board Policy 6145.6, International Exchange for second reading
- S. Board Policy 6174, Education for English Learners for second reading
- T. Board Policy 6179, Supplemental Instruction for second reading

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

Moved _____

Second _____

Vote _____

ITEMS SCHEDULED FOR ACTION

A. GENERAL

1. Set Annual Organizational Meeting

It is recommended that the Board of Trustees set its Annual Organizational Meeting for December 16, 2019, with Public Session beginning at 5:00 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA. This will be an additional Board Meeting for December.

Moved _____ Second _____ Vote _____

2. Acceptance of Gifts

Olga Reed received a cash donation of \$400 from Los Alamos Valley Men’s Club. The funds will be used to support the expenses of the Robotics Team.

Patterson Road received a cash donation of \$305 from Diana Peinado. The funds will be used for a starter kit, and for registration for the Robotics Team to First Lego League.

Orcutt Academy HS County Pre-School received a new bench from Central Coast Playground, Steve Strachan.

Orcutt Academy HS also received Weight Room Supplies, six large cones, two Plyo boxes and six pads from Michael Wagner (Parent).

It is recommended that the Board of Trustees accept these gifts and request that a letter of acceptance and appreciation be forwarded to Los Alamos Valley Men’s Club, Diana Peinado, Central Coast Playground, Steve Strachan and parent Michael Wagner.

Moved _____ Second _____ Vote _____

3. Board Policy 0460, Local Control and Accountability Plan

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 0460, Local Control and Accountability Plan, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 1431, Waivers

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 1431, Waivers, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

5. Board Bylaw 9323, Meeting Conduct

It is recommended that the Board of Trustees adopt the revisions made to Board Bylaw 9323, Meeting Conduct, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

B. BUSINESS SERVICES

1. Board Policy 3510, Green School Operation

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 3510, Green School Operations, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

2. Board Policy 3511, Energy Management

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 3511, Energy Management, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

3. Board Policy 3515, Campus Security

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 3515, Campus Security, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

4. Board Policy 3540, Transportation

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 3540, Transportation, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

5. Board Policy 3551, Food Service Operations/Cafeteria Fund

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 3551, Food Service Operations/Cafeteria Fund, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

6. Board Policy 3555, Nutrition Program Compliance

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

Moved _____ Second _____ Vote _____

7. Board Policy 7140, Architectural and Engineering Services

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 7140, Architectural and Engineering Services, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

8. Youth Leagues Facility Use Agreement

It is recommended that the Board of Trustees approve the facility use agreements with, Orcutt American Little League and Orcutt National Little League, as submitted.

Moved _____ Second _____ Vote _____

9. Change Order for Bid Package No. 1 RDZ Contractors, Site Work and Asphalt Paving

It is recommended that the Board of Trustees ratify the Change Order for Bid Package No. 1 RDZ Contractors, Site Work and Asphalt Paving, as submitted.

Moved _____ Second _____ Vote _____

10. Deductive Change Order – Quincon, Inc. and RDZ Contractors for the Patterson Road and Ralph Dunlap Site Safety and Security Project

It is recommended that the Board of Trustees ratify the Change Order for Bid Package No. 1 RDZ Contractors, Site Work and Asphalt Paving, as submitted.

Moved _____ Second _____ Vote _____

C. EDUCATIONAL SERVICES

1. Board Policy 5131, Conduct

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 5131, Conduct, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

2. Board Policy 5132, Dress and Grooming

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

Moved _____ Second _____ Vote _____

D. HUMAN RESOURCES

1. Board Policy 4116, Probationary/Permanent Status

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 4116, Probationary/Permanent Status, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

2. Board Policy 4119.22/4219.22/4319.22, Dress and Grooming

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 4119.22/4219.22,4319.22, Dress and Grooming, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

3. Board Policy 4216, Probationary/Permanent Status

It is recommended that the Board of Trustees adopt the revisions made to Board Policy 4216, Probationary/Permanent Status, for first reading and that it be placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, December 11, 2019, beginning with Closed Session starting at 6:00 p.m., Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA. There will be a Special Annual Organizational Board Meeting on December 16, 2019, starting at 5:00 PM in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

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

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

Classified Personnel Action Report
 Orcutt Union School District
 November 13, 2019



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

Name	Site/Dept.	Classification	Step/Range	Hours	Rate of Pay	Effective	Action/Information
Agayoff, Debbie	District	Office Manager, Retired Substitute	21/6		\$23.64 per hr.	9/19/19	Retired Substitute
Alvarado, Emily	Orcutt Academy HS	Drama Assistant			\$500.00	10/20/19	Stipend
Baker, Desirae	Pine Grove	Noon Duty Supervisor	6/1		\$13.00 per hr.	10/3/19	Permanent/Probationary
Ballard, Chris	Orcutt JHS	Custodian, Night	17/6	8.00	\$3,729 per mo.	10/25/19	Resignation
Carey, Dalila	Pine Grove	Instructional Assistant, I	11/2	3.5	\$1,000 per yr. prorated	10/1/19	Educational Stipend - Bachelors
Carlson, Anastasia	District	Noon Duty Supervisor, Substitute	6		\$12.35 per hr.	10/3/19	Substitute
Carlson, Anastasia	Dunlap	Instructional Assistant I	11/1	3.5	\$14.48 per hr.	10/14/19	Permanent/Probationary
Dwyer, Mary Jane	Human Resources	Administrative Assistant, Confidential	2/6	8.0	\$200.00 per mo.	1/1/20	Longevity – 25 years
Lara, Charlene	Patterson, Campus Connection	Child Care Assistant	6/6	3.75	\$16.33 per hr.	11/11/19	Permanent/Probationary
Lara, Charlene	Transportation	Bus Attendant	11/6		\$18.48 per hr.	11/8/19	Resignation
McIntyre, Laura	Dunlap	Instructional Assistant I	11/6	6.0	\$18.48 per hr.	10/4/19	Increase in hours
McLean, Jennefer	Nutrition	Child Nutrition Worker & Cashier, Substitute	7		\$12.47 per hr.	10/1/19	Substitute
McLean, Jennefer	Pupil Services	Instructional Assistant I & II, Substitute	11 & 12		\$13.76 & \$14.10 per hr.	10/1/19	Substitute
McLean, Jennefer	District	Noon Duty Supervisor, Substitute	6		\$12.35 per hr.	10/1/19	Substitute
Perea, Nancy	Patterson	Instructional Assistant, PE	11/3	5.5 per wk.	\$15.96 per hr.	10/1/19	Reinstate from layoff
Perea, Nancy	Pine Grove	Instructional Assistant, PE	11/3	3.16 per wk.	\$15.96 per hr.	10/1/19	Reinstate from layoff
Ramirez, Danielle	District	Instructional Assistant I & II, Substitute	11 & 12		\$13.76 & \$14.10 per hr.	10/17/19	Substitute

Classified Personnel Action Report
 Orcutt Union School District
 November 13, 2019



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

Name	Site/Dept.	Classification	Step/Range	Hours	Rate of Pay	Effective	Action/Information
Ramos-Razo, Erik	Patterson	Instructional Assistant PE	11/2	3.0 per wk.	\$15.20 per hr.	10/22/19	Permanent/Probationary
Ramos-Razo, Erik	Pine Grove	Instructional Assistant PE	11/2	3.0 per wk.	\$15.20 per hr.	10/22/19	Permanent/Probationary
Rowe, Summer	Nightingale	Child Nutrition Cook	9/6	3.75	\$17.59 per hr.	10/21/19	Voluntary change in site
Sampson, Yolanda	District	Instructional Assistant I & II, Substitute	11/6 & 12/6		\$18.48 & \$18.94 per hr.	9/19/19	Substitute
Schmitt, Molly	District	Office Manager, Retired Substitute	21/6		\$23.64 per hr.	2019/2020 fiscal yr.	Retired Substitute
Schmitt, Molly	District Office	Receptionist, Retired Substitute	19/6		\$22.52 per hr.	11/1/19	Retired Substitute
Stanley, Meghann	Dunlap	Instructional Assistant I	11/6	6.0	\$150.00 per mo.	10/1/19	Professional Growth (3) increments
Thompson, Shannon	Central Kitchen & Dunlap	Child Nutrition Cook	9/6	6.25	\$17.59 per hr.	10/21/19	Voluntary change in sites
Vader Kidd, Leanne	Nightingale	Instructional Assistant, PE	11/3	6.0 per wk.	\$15.96 per hr.	10/1/19	Reinstate from layoff
Welbaum, Lindsey	Patterson	Noon Duty Supervisor	6/1		\$13.00 per hr.	10/7/19	Permanent/Probationary



Certificated Personnel Action Report
 Orcutt Union School District
 November 13, 2019

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

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Aldrich, Rebecca	District	Hourly	\$25	9/17-9/18/19	Assessments, 10 hrs
Alter, Sara	Ralph Dunlap	Hourly	\$25	9/5-9/30/19	Intervention, 90 hrs
Baldwin, Beth	Lakeview JHS	Extra Duty	\$40/hr	9/27/19	Worked Prep, 1 hr
Barba, Patricia	District	Extra Duty	\$40/hr	8/27/19 9/9-9/17/19	Science Pilot, 2 hrs Assessment Training, 3 hrs
Batchelor, Melanie	Pine Grove	Hourly	\$25	9/2-9/30/19	Art Enrichment, 59.5 hrs
Belanger, Rebecca	Pine Grove	Extra Duty	\$40/hr	8/26-9/11/19 8/27/19	IEP Meetings, 2.5 hrs Science Pilot, 2 hrs
Benedict, Patricia	Patterson Road	Hourly	\$25	9/5-9/16/19	Intervention, 42 hrs wk
Birdsall, Neeta	Orcutt Academy K-8	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Blanchard, Kimberly	Joe Nightingale	Hourly	\$25	9/2-9/30/19	Intervention, 90.5 hrs
Bloom, Loren	District	Extra Duty	\$47.10/hr	9/11-9/12/19	IEP Meetings, 2.25 hrs
Bormes, Lori	Ralph Dunlap	Hourly	\$25	9/4-9/30/19	Art Enrichment, 56.5 hrs
Brandt, Micaela	Patterson Road	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Brickey, Patrick	Lakeview JHS	Extra Duty	\$40/hr	9/4-9/25/19	After School Computer, 5 hrs
Buchanan, Sally	Pine Grove	Hourly	\$25	9/4-9/30/19	Speech Support Teacher, 114 hrs
Buchanan, Sarah	Pine Grove	Hourly	\$25	9/16-9/27/19 9/5-9/27/19	After School Computer Lab, 4 hrs Intervention, 59.5 hrs
Cain, Kelli	Patterson Road	Extra Duty	\$1000	2019-20	Combo Class
Callis, Wendy	Patterson	Extra Duty	\$500	2019-20	Combo Class (job share)
Campbell, Kaitlin	District	Hourly	\$25	9/4-9/13/19	ELPAC, 39 hrs
Cantrell, Andrea	Ralph Dunlap	Hourly	\$25	9/3-9/30/19	Intervention, 96 hrs
Cave, Kelsey	Patterson Road	Extra Duty	\$47.10/hr	8/5-8/6/19 8/12-9/13/19	SIRAS Training, 6 hrs IEP Meetings, 3 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Cedillo, Monica	Orcutt Academy HS	Extra Duty	\$40/hr	9/10-9/24/19 9/4-9/19/19	Parent Information Nights, 3.5 hrs IEP Meetings, 3 hrs
Cleveland, Paul	Lakeview JHS	Extra Duty	\$40/hr	9/4-9/27/19	Sysop, 5 hrs
Coburn, Josie	Orcutt Academy HS / Orcutt JHS / Joe Nightingale / Patterson Rd	Extra Duty	\$40/hr	8/22-8/28/19 9/6-9/13/19 9/17-9/30/19	Back to School Nights, Secondary Sites Football Games, 10.5 hrs Before/After School Band, 12.5 hrs
Cole, Chris	Orcutt Academy K-8	Hourly	\$50/ea	9/16/19	JH Sport Supervisor, 1 game
Cole, Cristy	Orcutt Academy K-8	Extra Duty	\$50/ea \$40/hr	9/16/19 8/27/19	JH Sport Supervisor, 1 game Science Pilot, 2 hrs
Collison, Deirdre	Alice Shaw / District	Extra Duty	\$40/hr	8/27/19 9/24/19 9/17/19	Science Pilot, 2 hrs IEP Meeting, .83 hr Assessment Training, 1.5 hrs
Columnas, Stacy	Alice Shaw	Daily	\$110	9/18-9/19/19	Shadow for long term sub coverage, 2 days
Culbara, Graham	Orcutt Academy HS	Extra Duty	\$40/hr	9/9/19	Worked Prep, 1 hr
Dacus, Cody	Patterson Road District	Hourly	\$25	9/4-9/30/19 9/4-9/6/19	Intervention, 73.25 hrs NWEA, 9 hrs
Dahl, Cheryl	Joe Nightingale	Extra Duty	\$40/hr	9/12/19	IEP Meeting, 1.75 hrs
Day, Michelle	Olga Reed	Extra Duty	\$47.10/hr	9/11/19	IEP Meeting, 1 hr
Decker, Bri	Orcutt Academy HS	Stipend	\$1400*	2019-20	Girls Varsity Volleyball (shared)
DelCarmen, Maria	Lakeview JHS	Extra Duty	\$40/hr	9/12/19	Worked Prep, 1 hr
Dell'Armo, John	Orcutt Academy HS	Extra Duty	\$40/hr	9/9-9/30/19 9/4-9/18/19	Intervention, 9 hrs IEP Meetings, 2 hrs
Dell'Armo, Rosie	Orcutt JHS	Extra Duty	\$40/hr	9/24/19	Worked Prep, 1.5 hrs
Devereaux, Bill	Patterson Road	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Doerksen, Allie	Pine Grove	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Espinoza, Gabriel	Orcutt JHS	Extra Duty	\$40/hr	9/19-9/26/19	Worked Prep, 4.33 hrs
Felix, Danielle	Patterson	Extra Duty	\$500	2019-20	Combo Class (job share)
Fenske, Christina	Olga Reed / Orcutt Academy K-8	Hourly	\$25	9/3-9/24/19 9/6-9/27/19	Garden Educator, 11.25 hrs Garden Educator, 21 hrs
Fichter, Megan	Lakeview JHS	Extra Duty	\$40/hr	9/9-9/12/19 9/10-9/26/19	Worked Prep, 2 hrs Detention, 4 hrs
Francisco, Mary	Ralph Dunlap	Extra Duty	\$40/hr	8/27/19 9/9/19	Science Pilot, 2 hrs Workshop, 1.5 hrs
Fraser, Jamie	Pine Grove	Extra Duty	\$47.10/hr	9/6-9/17/19	IEP Meetings, 3 hrs
Fredriks, Tymen	Orcutt Academy HS	Extra Duty	\$40/hr	9/9-9/30/19 9/24/19	Intervention, 4 hrs IEP Meeting, 1 hr
Freeland, Susan	Joe Nightingale	Hourly	\$25	9/3-9/30/19	Intervention, 110 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Freitas, Jennifer	Joe Nightingale	Hourly	\$25	9/5/19	Long Term Sub After School Duties 1.45 hrs
Furst, Elaine	Alice Shaw / Olga Reed	Extra Duty	\$40/hr	6/3-6/5/19	IEP Meetings / Transportation, 7 hrs
Garcia, Deedra	Patterson	Hourly	\$25	9/5-9/30/19	Intervention, 69 hrs
Gelotti, Scott	Orcutt Academy HS	Extra Duty	\$40/hr	9/9-9/30/19 9/9/19	Detention, 7 hrs Worked Prep, 1 hr
Gitchell, Brad	Lakeview JHS	Stipend	\$1513	2019-20	8 th Grade Boys Basketball Coach
Golden, Cassandra	District	Hourly	\$25	9/24-9/30/19	Dibels, 14.5 hrs
Grennan-Slider, Julie	Joe Nightingale	Extra Duty	\$40/hr	8/27/19 9/10/19	Science Pilot, 2 hrs IEP Meeting, 1 hr
Guerrero, Angeli	Joe Nightingale	Extra Duty	\$47.10/hr	8/4-8/29/19	IEP Meetings, 5.25 hrs
Hadley, Amanda	Patterson	Hourly	\$25	9/16-9/30/19	Intervention, 39.5 hrs
Harlow, Kayla	Ralph Dunlap	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Hart, Debra	Olga Reed	Hourly	\$25	9/5-9/30/19	Intervention, 74.25 hrs
Henry, Kristi	Joe Nightingale	Extra Duty	\$47.10/hr	9/12/19	IEP Meeting, 1 hr
Hernandez, Carly	Orcutt JHS	Stipend	\$1000	2019-20	SLED Advisor
Hernandez, Selina	Lakeview JHS	Extra Duty	\$40/hr \$50/ea	9/13/19 9/19/19	Worked Prep, 1 hr JH Sports Supervisor, 1 game
Hinden, Susan	Patterson Road	Extra Duty	\$1000 \$40/hr	2019-20 9/19/19 8/27/19	Combo Class Workshop, 1.5 hrs Science Pilot, 2 hrs
Holladay, Brittany	District	Hourly	\$25	9/14-9/18/19	Assessment, 7.5 hrs
Hopkins, Tiffany	District	Hourly	\$25	9/4-9/12/19	Dibels, 29.5 hrs
Horton, Troy	Alice Shaw	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Hughes, Michelle	District	Hourly	\$25	9/4-9/6/19	ELPAC, 8 hrs
Ibarra, Emily	Joe Nightingale	Hourly	\$25	2019-20	Art Enrichment, 18 hrs wk
Jackson, Kacie	Orcutt JHS	Extra Duty	\$40/hr	9/30/19	Worked Prep, 2 hrs
Johnson, Alicia	Ralph Dunlap	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Johnson, Melissa	Ralph Dunlap	Hourly	\$25	9/3-9/20/19	Long Term Sub After School Duties, 10.5 hrs
Kantorowski, Jennifer	Olga Reed	Hourly	\$25	9/6-9/27/19	Intervention, 69.25 hrs
Kirkland, Keri	Lakeview JHS	Extra Duty	\$40/hr	9/12/19 9/10-9/24/19	Worked Prep, 1 hr After School Computer Lab, 3 hrs
Krausse, Sheila	District	Hourly	\$25	9/4/19	ELPAC, 3 hrs
Kuykendall, Colleen	District	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Lake, Cathy	District	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Lara, Nichol	Alice Shaw	Hourly	\$25	9/5-9/30/19	Intervention, 75.5 hrs
Larrabee, Jennifer	Patterson Road	Hourly	\$25	9/4-9/27/19	Art Enrichment, 69 hrs
Leach, Veronica	Olga Reed	Hourly	\$25	9/5-9/24/19 9/13/19	Intervention, 53.5 hrs Art Enrichment, 2.25 hrs
Lee, Mary	Ralph Dunlap	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Leyden, Candance	District	Hourly	\$25	9/4-9/11/19	Assessments, 22.25 hrs
Lindemulder, Gerald	Orcutt JHS	Extra Duty	\$40/hr	9/5-9/26/19	Detention, 7 hrs
Lopez, Desiree	Orcutt Academy HS	Extra Duty	\$40/hr	9/9-9/30/19 9/17-9/26/19	Intervention, 3 hrs IEP Meetings, 1.5 hrs
Lopez, Shannon	Joe Nightingale	Extra Duty	\$47.10/hr	9/19/19	IEP Meeting, .5 hr
Luis, Michael	Olga Reed	Extra Duty	\$40/hr	9/12/19	IEP Meeting, 1.75 hrs
Mahoney, Gloria	Patterson Road	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Majewski, Katlin	Pine Grove	Hourly	\$25	9/16-9/30/19 9/5-9/30/19	After School Computer Lab, 4.5 hrs Intervention, 63.75 hrs
Manfredi, Patricia	District	Extra Duty	\$40/hr	9/22-10/3/19	Home and Hospital, 4 hrs
Manich, Cher	District	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Mason, Caryn	Orcutt Academy I/S	Hourly	\$30	9/4-9/26/19	Support Teacher, 104 hrs
Mason, Josh	Orcutt Academy HS	Extra Duty	\$40/hr	9/5-9/26/19	Intervention, 3 hrs
Matautia, Jewelee	Orcutt Academy K-8	Hourly	\$25	9/5-9/27/19 9/5-9/27/19	Intervention, 81 hrs Art Enrichment, 3.5 hrs
May, Dawn	Pine Grove	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
McKee, Vada	Orcutt JHS	Extra Duty	\$40/hr	9/9/19	Worked Prep, 1 hr
Meertens, Karen	Patterson Road	Extra Duty	\$40/hr	9/12/19	IEP Meeting, .5 hr
Mier, Karen	Patterson Road	Extra Duty	\$1000	2019-20	Combo Class
Miller, Ashley	Alice Shaw	Extra Duty	\$47.10/hr	9/10-9/11/19	IEP Meetings, 3 hrs
Morris, Sheri	Ralph Dunlap	Extra Duty	\$40/hr	9/9/19 9/17/19	Workshop, 1.5 hrs Assessment Training, 1.75 hrs
Murch, Tami	Orcutt JHS	Extra Duty Hourly	\$40/hr \$25	9/9-9/27/19 9/4-9/27/19	Worked Prep, 9 hrs ELD Support Teacher, 36.08 hrs
Musumeci, Tracie	Pine Grove	VI-20 Hourly	\$97,755* \$25	2019-20 9/4-9/30/19	Temporary, 20% Assessments, 44 hrs
Naess, Jennifer	Patterson Road / Pine Grove	Extra Duty	\$47.10/hr \$40/hr	8/19-9/30/19 8/15-8/28/19	IEP Meetings, 7 hrs Set Up Tele-Therapist Schedule, 20 hrs
Nye, Judy	Olga Reed	Extra Duty	\$47.10/hr	9/11-9/26/19	IEP Meetings, 4.5 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Olson-Sanchez, Alysha	Orcutt Academy HS	Extra Duty	\$40/hr	9/26/19 9/9-9/17/19	IEP Meeting, 1.5 hrs Intervention, 3 hrs
Papworth, Lara	District	Hourly	\$25	9/6/19	ELAPC, 2.5 hrs
Parker, Jessica	Joe Nightingale	Extra Duty	\$47.10/hr	9/10-9/12/19	IEP Meetings, 1.25 hrs
Pawley, Lise	Joe Nightingale	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Pay, Eimile	District	Hourly Daily	\$25 \$110	9/30/19 9/24-9/26/19	Music Support Teacher, 4.5 hrs Shadow for long term sub assignment, 3 days
Penk, Heather	Orcutt Academy HS	Extra Duty	\$40/hr	9/4-9/30/19 9/10-9/24/19	Library Support, 9.5 hrs Intervention, 3 hrs
Perales, Anita	Joe Nightingale	Extra Duty	\$47.10/hr	9/5-9/26/19	IEP Meetings, 4.5 hrs
Perez, Anayeli	Orcutt Academy HS	Extra Duty	\$40/hr	9/10-9/24/19 9/5-9/23/19	Parent Information Nights, 3.5 hrs IEP Meetings, 2 hrs
Perez, Cecilia	Orcutt JHS	Extra Duty	\$47.10/hr	8/29-9/17/19	IEP Meetings, 6.75 hrs
Peterson, Mary Jane	Orcutt JHS	V-20	\$93,119	2019-20	Completed units for movement
Pugh, Caline	Pine Grove	Extra Duty	\$40/hr	9/17/19	Assessment Training, 1.5 hrs
Ramin, Ginger	Orcutt JHS	Extra Duty	\$47.10/hr	9/4-9/24/19	IEP Meetings, 2.75 hrs
Ramirez, Amanda	Pine Grove	Hourly	\$25	9/18/19	IEP Meeting, 1.5 hrs
Ramirez, Nancy	Joe Nightingale	III-1 Extra Duty	\$48,325 \$40/hr	2019-20 9/23/19 9/9/19	Temporary IEP Meeting, .5 hr Assessment Training, 1.5 hrs
Ramos, Lynn	Joe Nightingale	Extra Duty	\$40/hr	9/12-9/26/19	IEP Meetings, 2.5 hrs
Reinartz, Mary	Patterson Road	VI-16	\$89,248	10/14/19	Retirement
Rhyne, Suzi	Joe Nightingale	Extra Duty	\$40/hr	9/9/19	IEP Meeting, 1 hr
Rianda, Terry	District	Hourly	\$50	9/24-9/25/19	Induction Mentor, 16 hrs
Richardson, Laura	Joe Nightingale	Hourly	\$25	9/4-9/30/19	Intervention, 102.5 hrs
Riede, Kirsten	Alice Shaw	Extra Duty	\$40/hr	9/9/19 9/14/19	Workshop, 1.5 hrs Workshop, 4.5 hrs
Robertson, Donald	Pine Grove	Extra Duty	\$40/hr	9/27/19	After School Band, 1 hr
Romo-Buentiempo, Sara	Alice Shaw	Hourly	\$25	9/16-9/30/19	Intervention, 29 hrs
Rowland, JoAnn	Alice Shaw	Hourly	\$25	9/4-9/27/19	Art Enrichment, 64 hrs
Ruth, Amy	Alice Shaw	Extra Duty	\$40/hr	9/9/19 9/17/19	Workshop, 1.5 hrs Assessment Training, 1.5 hrs
Sage, Addison	Orcutt Academy HS	IV-1	\$50,614	2019-20	Completed MA and units for movement
Saleen, Julie	Patterson Road	Extra Duty	\$40/hr	9/6/19	IEP Meeting, .5 hr
Salinas, Ernest	Orcutt JHS	Extra Duty	\$40/hr	9/24/19	Worked Prep, 2 hrs

*To be prorated

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Salvesen, Kris	Pine Grove	Hourly	\$25	9/4-9/30/19	Intervention, 66 hrs
Sanders, Gregory	Lakeview JHS	Extra Duty	\$40/hr	9/9/19 9/5-9/26/19	Worked Prep, 1 hr After School Computer Lab, 2 hrs
Savaso, Lisa	Joe Nightingale	Extra Duty	\$40/hr	9/9/19 8/29/19	Workshop, 1.5 hrs IEP Meeting, 1 hr
Saylor, Garry	Patterson Road	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Segura, Monique	Alice Shaw	Extra Duty	\$40/hr	9/11/19	IEP Meeting, 2 hrs
Severance, Robert	Alice Shaw District	Hourly	\$25	2019-20 9/9-9/10/19	After School Compass Learning, 2 hrs wk NWEA, 10 hrs
Sharp, Augusta	Orcutt JHS	Extra Duty	\$47.10/hr	8/29-9/17/19	IEP Meetings, 3.75 hrs
Sheahan, Jonathan	Lakeview JHS	Extra Duty	\$40/hr	9/12-9/27/19	Worked Prep, 2 hrs
Sherer, Diana	Orcutt Academy I/S	Hourly	\$30	9/4-9/26/19	Support Teacher, 112 hrs
Shuffield, Jamie	Patterson Road	Extra Duty	\$40/hr	9/12/19 9/9/19	IEP Meeting, .5 hr Workshop, 1.5 hrs
Slezak, Sarah	Joe Nightingale / Patterson Road/ Orcutt / Lakeview JHS	Extra Duty	\$40/hr	9/4-9/25/19	PLC, Music, 4 hrs
Smith, April	Lakeview JHS	Hourly	\$25	9/9-9/27/19	ELD Support Teacher, 52.25 hrs
Smith, Timothy	Lakeview JHS	Extra Duty	\$40/hr	9/27/19	Worked Prep, 1 hr
Stapp, Haylee	Patterson Road	Extra Duty	\$47.10/hr	9/6-9/12/19	IEP Meetings, 1 hr
Stein, Megan	Joe Nightingale	Extra Duty	\$40/hr	8/27/19	Science Pilot, 2 hrs
Stevenson, Kathleen	Olga Reed Orcutt Academy K-8	Stipend	\$1000	2019-20	SLED Advisor
Taira, Myrna	Joe Nightingale	Extra Duty	\$40/hr	9/18/19	IEP Meeting, .5 hr
Trenev, Valerie	Alice Shaw	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Tullis, Polly	Lakeview JHS	Extra Duty	\$40/hr	9/12/19	Worked Prep, 1 hr
Turner, Kathryn	District	Hourly	\$25	9/4-9/12/19	Dibels, 37.25 hrs
Valdovinos, Mariana	Orcutt JHS	V-2	\$54,786	2019-20	Completed MA and units for movement
Verch, Gregory	Orcutt Academy HS	Extra Duty	\$40/hr	9/5-9/10/19	IEP Meeting, 2 hrs
Vertrees, Katie	Lakeview JHS	Extra Duty	\$40/hr	8/26-9/27/19 9/12/19	IEP Meetings, 1.5 hrs Worked Prep, 1 hr
Wellard, Amy	Alice Shaw	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Westhoff, Kazan	Joe Nightingale	Extra Duty	\$47.10/hr	9/11-9/27/19	IEP Meetings, 5.75 hrs
Whitted, Dana	Olga Reed	Hourly	\$25	9/5-9/27/19 9/10-9/26/19	Intervention, 68.75 hrs Art Enrichment, 8.5 hrs

*To be prorated

NAME	SCHOOL	CLASS/ STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Wilkanoski, Lisa	Olga Reed	Extra Duty	\$40/hr	9/11/19	IEP Meetings, 2 hrs
Wilson, Shauna	Orcutt Academy K-8	Extra Duty	\$47.10/hr	8/27/19	IEP Meeting, 1 hr
Winkelpleck, Dustin	Patterson Road	Extra Duty	\$40/hr	9/9/19 9/17/19	Workshop, 1.5 hrs Assessment Training, 1.5 hrs
Winters, Nicole	Joe Nightingale	Hourly	\$25	9/9-9/30/19	Art Enrichment, 60 hrs
Wogahn, Alyssa	Pine Grove	Extra Duty	\$40/hr	9/9/19	Workshop, 1.5 hrs
Yamaichi, Anna	Pine Grove	Hourly	\$25	9/16-9/27/19	Overage Teacher, 57 hrs
Yamamoto, Alana	Orcutt Academy HS	Extra Duty	\$47.10/hr	9/4-9/27/19	IEP Meetings, 8.42 hrs
York, Sarah	Patterson Road	Daily	\$140	9/19/19	Long Term Sub Attending Workshop, 1 day
Zamudio, Kelli	Orcutt JHS	Extra Duty	\$40/hr	9/1-9/30/19	Sysop, 2.5 hrs
Zimmerman, Liz	Pine Grove	Extra Duty	\$40/hr	8/26-9/11/19	IEP Meetings, 2.5 hrs
Zucker, Anna	Orcutt JHS	Extra Duty	\$40/hr	9/24/19	Worked Prep, 1 hr

*To be prorated

ORCUTT ACADEMY CHARTER SCHOOL

ORCUTT UNION SCHOOL DISTRICT

TO: Dr. Deborah Blow
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: November 13, 2019

***RE: NOTIFICATION TO BOARD – HIRING OF ADDITIONAL CHARTER
HIGH SCHOOL COACHES FOR 2019-20 SCHOOL YEAR***

Orcutt Academy Charter HS:

John Wells

Boys Junior Varsity Basketball

Unpaid Volunteers:

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

ORCUTT UNION SCHOOL DISTRICT

TO: Dr. Deborah Blow
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: November 13, 2019

RE: ***NOTIFICATION TO BOARD – HIRING OF ADDITIONAL ORCUTT
UNION SCHOOL COACHES FOR 2019-20 SCHOOL YEAR***

Lakeview JH:

Brad Gitchell 8th Grade Girls Basketball Coach

Volunteers:

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

Warrants

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

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

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
October 9, 2019**

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, October 9, 2019, beginning with Lisa Morinini calling Public Session to order at 6:01 p.m. The Pledge of Allegiance was led by Dr. Debbie Blow. Members Present: Morinini, Phillips, Waffle, Steller and Henderson. Administrators Present: Blow, Edds, Salucci, Fell and Young.

ADJOURN TO CLOSED SESSION

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

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:43 p.m. Lisa Morinini reported that the Board voted unanimously to approve a stipulated expulsion agreement that was brought to the board in closed session. It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the October 9, 2019, agenda as presented. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

SUPERINTENDENT'S REPORT

OAHS ASB officers, Haley Parker, Vice-President, Jack Hinkle, Secretary, and Raphael Relyea, Treasurer gave ASB updates. LeeAnn Luongo gave an OCAF update. Ginger Fredriks, introduced the Orcutt JHS Robotics Team, and they gave a presentation to the board. Dr. Holly Edd's presented an LCAP Local Indicator Data update.

ITEMS FROM THE BOARD

Liz Phillips commented on her visit to a kindergarten class with Julie Kozel at Patterson Road. Mark Steller commented on the school facility tour of Patterson Road, Ralph Dunlap and Los Alamos schools and seeing the recent completion of the School Site and Security Projects.

PUBLIC COMMENT

Karen Cook, Liaison for Vandenberg AFB introduced herself to the Board. Elizabeth Parker, Monique Segura and Beth Karamitsos, commented on Full Day Kindergarten. Anna Zucker commented on site issues at Orcutt JHS.

CONSENT AGENDA ITEMS

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Hiring of Additional Coaches at Orcutt Academy Charter High School
- D. Approval of Warrants
- E. Minutes, Board Meeting, September 9, 2019
- F. Minutes, Board Meeting, September 11, 2019
- G. Minutes, Special Board Meeting, September 24, 2019
- H. OAHS Northern California College Overnight Trip in November 2019
- I. OAHS Dance Team Overnight Trip in March 2020
- J. OAHS Varsity Girls Basketball Team Overnight Trip in December 2019
- K. OAHS Barbershop Quartet Overnight Trip in November 2019
- L. Williams/Valenzuela Uniform Complaints

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

ACTION AGENDA ITEMS

Acceptance of Gifts

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the acceptance of gifts, and that a letter of acceptance and appreciation be sent to Air Control Heating and Air Conditioning, Inc. Companion Hospitality LLC, DBA Bell's Restaurant and Danielle West. Ayes: Morinini, Phillips, Waffle, Steller and Henderson.

Board Policy 1112, Release of Directory Information

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the revisions to Board Policy 1112, Release of Directory Information, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Notice of Completion of the Ralph Dunlap School Site Safety and Security Project

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to approve the Notice of Completion of the Ralph Dunlap School Site Safety and Security Project, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Notice of Completion of the Patterson Road School Site Safety and Security Project

It was moved by Melanie Waffle, seconded by Liz Phillips and carried to approve the Notice of Completion of the Patterson Road School Site Safety and Security Project, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Notice of Completion of the Olga Reed School Site Safety and Security Project

It was moved by Shaun Henderson, seconded by Mark Steller and carried to approve the Notice of Completion of the Olga Reed School Site Safety and Security Project, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Resolution No. 7 to Award the Lease and Development of Key Site 17

TAIT & Associates introduced themselves to the Board and did a brief presentation on their firm. It was moved by Liz Phillips, seconded by Melanie Waffle, and carried to adopt Resolution No. 7 to Award the Lease and Development of Key Site 17, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Resolution No. 8 California Uniform Public Construction Cost Accounting Act (CUPCCAA)

It was moved by Melanie Waffle, seconded by Liz Phillips, and carried to adopt Resolution No. 8 California Uniform Public Construction Cost Accounting Act (CUPCCAA) as submitted. Rollcall vote was taken: Shaun Henderson: Aye; Lisa Morinini: Aye; Liz Phillips: Aye; Mark Stellar: Aye; Melanie Waffle: Aye

Resolution No. 9 SIPE JPA

It was moved by Liz Phillips, seconded by Melanie Waffle, and carried to adopt Resolution No. 9 SIPE JPA, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Board Policy 5123, Promotion/Acceleration/Retention

It was moved by Melanie Waffle, seconded by Mark Steller and carried to adopt the revisions to Board Policy 5123, Promotion/Acceleration/Retention, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Board Policy 5136, Gangs

It was moved by Shaun Henderson, seconded by Liz Phillips and carried to adopt the revisions to Board Policy 5136, Gangs, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Board Policy 6145.6, International Exchange

It was moved by Liz Phillips, seconded by Mark Steller and carried to adopt the revisions to Board Policy 6145. International Exchange, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Board Policy 6174, Education for English Learners

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the revisions to Board Policy 6174, Education for English Learners, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Board Policy 6179, Supplemental Instruction

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to adopt the revisions to Board Policy 6179, Supplemental Instruction, for the first reading and that it be placed on the next Consent Agenda for the second reading. Ayes: Morinini, Phillips, Steller, Waffle and Henderson

Resolution No. 6 2019-2020 Full Day Kindergarten

It was moved by Melanie Waffle, seconded by Mark Steller and carried to adopt Resolution No. 6 2019-2020 Full-Day Kindergarten. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Approval of 2020-2021 School Calendar

It was moved by Liz Phillips, seconded by Mark Steller, and carried to approve the revised 2020-2021 School Calendar, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

Educational Technology Academy Purchases

It was moved by Shaun Henderson, seconded by Melanie Waffle, and carried to approve the Educational Technology Academy Purchases, as submitted. Ayes: Morinini, Phillips, Steller, Waffle and Henderson.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, November 13, 2019, beginning with Closed Session starting at 6:00 p.m., Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA. There will be a **Special Curriculum Board Meeting on Wednesday, October 23, 2019**, in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

Reconvene to Closed Session

It was moved by Mark Steller, seconded by Shaun Henderson and carried to reconvene to closed session at 8:09 p.m.

Reconvene to Open Session

It was moved by Liz Phillips, seconded by Melanie Waffle and carried to reconvene to open session at 9:33 PM, Lisa Morinini reported that in closed session, the Board voted to approve a settlement agreement case by a vote 4-1, Board member Phillips voting no.

ADJOURN

It was moved by Melanie Waffle, seconded by Shaun Henderson and carried to adjourn the meeting at 9:34 p.m.

Deborah L. Blow, Ed.D. Board Secretary

Liz Phillips, Clerk, Board of Trustees

AGREEMENT BETWEEN
ORCUTT UNION SCHOOL DISTRICT
AND
CHILD ABUSE LISTENING MEDIATION

FOR 2019-20 SCHOOL-BASED MENTAL HEALTH SERVICES

This Agreement is entered into between Orcutt Union School District, hereinafter referred to as **OUSD** in this Agreement, and Child Abuse Listening Mediation, hereinafter referred to as **CALM** in this Agreement. OUSD and CALM may each be referred to as a “Party” in this Agreement or, collectively, the “Parties.”

1. SERVICES

During the term of this Agreement, CALM shall deliver a model of trauma-informed mental health services and evidence-based interventions to OUSD students at the State Preschool (Early Learning Center) as well as Transitional Kindergarten and Kindergarten classrooms at Joe Nightingale Elementary School. CALM will engage students, families, teachers, administrators and school staff to build trauma-informed classrooms and school communities to create learning environments supportive of the social-emotional needs of all children. CALM will support teachers to better understand the meaning of children’s challenging behaviors so appropriate supports are implemented. CALM will also provide education and support to families, so they can properly engage with their child to reduce risk, increase student attendance, and support academic achievement.

CALM will engage OUSD staff and administration in a needs assessment process to determine the district’s mental health needs and teacher/staff capacity. Based on feedback, CALM will work with OUSD in a holistic, comprehensive fashion using a trauma-informed school-based model that addresses the needs of students, families and school personnel.

During the term of this Agreement, CALM will commit 1.0 FTE School-Based Therapist to OUSD, as well as appropriate administrative and clinical supervision in support of direct service. CALM will provide an array of mental health consultation services, which may include the following:

- Crisis Management and Support Services to Students
- Training and Support Services to Teachers and School Administrators on topics such as emotion regulation, enhancing social emotional learning, advocacy/linkage to services, trauma/grief, building attachment/relationships, staff wellness, safety planning, aggression/bullying, and family stressors.
- Skills Groups for Students on topics such as social skills, self-regulation, self-esteem, building empathy, anger management, resiliency, friendship, coping skills, healthy choices, grief, executive functioning, and empowerment.
- Outreach and Support to Parents and Guardians
- Prevention presentations to promote body safety, child abuse prevention, and bullying
- Attendance at SST and IEP meetings, as requested
- Classroom Skills lessons
- Restorative Conferencing

CALM's services benefit individual students, student groups, families, and the school community as a whole as follows: (1) Increasing protective factors; (2) Providing education to students and families about mental health issues and how to prevent and/or treat them; (3) Identifying students who need referral to higher levels of mental health care as well as other community resources; (4) Increasing appropriate family involvement in a student's life; (5) Preventing or reducing use of drugs and/or alcohol; (6) Increasing the use of community resources; (7) Promoting pro-social interactions through positive behavior support planning; (8) Increasing understanding of trauma for teachers and faculty/staff; (9) Increasing student attendance and decreasing truancy; (10) Providing group support so students can practice social skills; (11) Supporting students in conflict resolution and collaborative problem-solving; and (12) Improving mental health outcomes to support affect regulation, task persistence, self-discipline, and self-efficacy which all contribute to optimal academic outcomes.

2. EVALUATION

The Mental Health Consultation model is designed to foster the social-emotional resilience of the students served, while also supporting teachers in responding to student needs. Towards that end, CALM evaluates individual student social-emotional outcomes, as well as teacher experience of support and efficacy in working with their students. CALM also works in partnership with OUSD to measure improvement in academic/school-based outcomes, including reading levels, math skills, report card outcomes, and student attendance.

The Devereaux Student Strengths Assessment (DESSA), a standardized strength-based screening scale used to measure social-emotional competence in children grades K-8 will be administered in the elementary school at two time points over the course of the 2019-20 school year. TK and Kindergarten teachers will complete the DESSA on students receiving group support—at the start of the group skills class and upon completion. In addition, Kindergarten teachers from a 'control group' school will each complete the DESSA on two students they would consider referring in for group support if it were available. Preschool teachers will complete the E-DECA.

In addition, CALM will administer the Inventory of Teacher Stress three times over the course of the 2019-20 school year with teachers in the preschools, Nightingale Elementary School and at the control group school. This inventory measures teachers' sense of competence, loss of satisfaction, disruption of teaching process, and frustration working with parents.

CALM will contract a third-party evaluator to study implementation processes, fidelity to the MHC model, as well as academic outcomes, student attendance, counseling referrals, and student's emotional well-being. The third-party evaluation plan includes a logic model describing the inputs, activities, outputs and outcomes of the program. The 4 main outputs are:

- Reflective practice
- Coaching - helping teachers create/implement interventions and behavior support plans
- Student skills training and support, such as social skills or grief groups, teaching restorative approaches, etc.
- Family outreach - providing education on child development, discussing behavioral supports, providing referrals, etc.

The evaluators will assess students and teachers using normed and standardized assessment measures to determine the anticipated outcomes of reducing teacher stress and increasing student social emotional learning competency.

3. TERM OF AGREEMENT

The term of this Agreement is for the period July 1, 2019 to June 30, 2020, unless terminated as provided hereinafter or extended by mutual agreement.

4. COMPENSATION

In consideration for services rendered by CALM, OUSD shall pay a total of \$85,000 to CALM for the 2019-20 school year as follows:

\$42,500 by October 31, 2019

\$42,500 by March 31, 2020

5. EXPECTATIONS OF CHILD ABUSE LISTENING MEDIATION (CALM)

- A. CALM shall keep and maintain accurate records pertaining to services outlined and approved under this Agreement and provide to OUSD additional data that may be required to complete required State of California or other evaluation reports.
- B. CALM is an independent "Contractor" under this Agreement who will hire project staff as well as subcontract with the listed project partners in order to provide the services of this Agreement.
- C. CALM staff will have a completed background check and will have been fingerprinted by the Department of Justice. In addition, they will maintain compliance with the Education Code.
- D. CALM agrees to indemnify, defend and hold harmless individual OUSD officers, employees, and agents from and against all claims, demands, costs, liability, and actions arising out of the activities of the project staff.
- E. CALM shall maintain, during the entire term of this Agreement, comprehensive general liability and comprehensive non-owned automobile liability insurance. Such insurance shall be in an amount not less than \$1,000,000 per occurrence combined single limit and name the Orcutt Union School District as additional insured. Proof of insurance will be delivered to OUSD by October 15, 2019.
- F. CALM will not discriminate against any applicant or employee employed in the performance of this Agreement on the basis of any unlawful classification or characteristic under state and/or federal laws.
- G. CALM will include OUSD as an additional insured on the CALM general liability and professional liability insurance policies for the term of this Agreement.

6. EXPECTATIONS OF ORCUTT UNION SCHOOL DISTRICT

- A. OUSD agrees to payments to CALM for services rendered according to the schedule and amounts presented in this Agreement under Section 4: Compensation.
- B. OUSD will provide adequate, confidential meeting space at participating schools or the district office for meetings with staff and/or parents, as needed.

- C. OUSD will provide safety training and access to safety protocols/procedures to CALM staff working on school campuses.
- D. OUSD, in partnership with CALM, will provide the administration of the Agreement.
- E. OUSD will work with CALM in the provision of data needed for the evaluation, including the administration of evaluation tools.
- F. OUSD will include CALM as an additional insured on the OUSD general liability, professional liability, auto & property insurance policies for the term of this Agreement.

7. CONFIDENTIALITY

Except for purposes directly connected with the administration of this Agreement, no person will publish or disclose, or use or permit or cause to be published or disclosed or use any confidential information pertaining to any beneficiary of services rendered under this Agreement.

8. TERMINATION OF AGREEMENT

This Agreement may be terminated by the OUSD and/or CALM, by giving thirty (30) days advance written notice of intention to terminate. Additionally, in the event compensation is not set forth as listed in Section 4 of this Agreement, CALM may immediately discontinue providing Services, and will be excused from further performing any obligation, under this Agreement.

Unless so terminated, this Agreement shall remain in full force and effect for the full term. If terminated prior to the end of the full term of this Agreement, payment to CALM will be made on a pro-rata basis, according to the services provided up to the date of termination.

9. AMENDMENTS

This Agreement may be amended only by the written agreement of the parties.

10. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the Parties regarding its subject matter and may be modified only as provided herein. No representations or oral or implied agreements have been made by any Party hereto or its agent, and no Party to this Agreement relies upon any representation or agreement not set forth in it. This Agreement supersedes any and all other agreements, either oral or written, by and among the parties.

11. COUNTERPARTS

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which shall constitute one instrument.

12. GOVERNING LAW

This Agreement shall be governed by, and interpreted, construed, and enforced in accordance with, the laws of the state of California.

CHILD ABUSE LISTENING MEDIATION

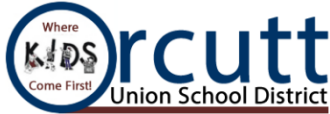
Alana Walczak
Alana Walczak
President and Chief Executive Officer

10-4-19
Date

ORCUTT UNION SCHOOL DISTRICT

Deborah L. Blow
Deborah Blow
Superintendent

10-04-19
Date



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

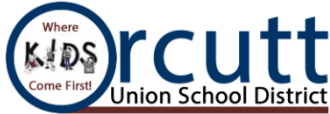
BOARD AGENDA ITEM: OAHS Boys Varsity Soccer

BACKGROUND: Orcutt Academy High School Boys Varsity Soccer Team will be participating in the Garces Holiday Tournament in Bakersfield, CA. This tournament will be an overnight trip with reservations at La Quinta Inn & Suites North Bakersfield for 1 night. Our team will depart from OAHS on the morning of Friday, December 13, 2019 and return on the evening of Saturday, December 14, 2019. Coach Mark McLoughlin and his assistant coach will be accompanying our soccer team to this tournament.

Transportation will be provided by coaches and parent drivers. All costs will be paid for out of the boys' soccer fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

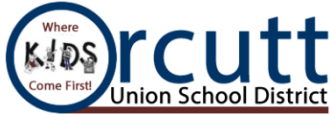
BOARD AGENDA ITEM: OAHS Girls Varsity Soccer

BACKGROUND: Orcutt Academy High School Girls Varsity Soccer Team will be participating in the Garces Holiday Tournament in Bakersfield, CA. This tournament will be an overnight trip with reservations in the Bakersfield area for 1 night. Our team will depart from OAHS on the morning of Friday, December 13, 2019 and return on the evening of Saturday, December 14, 2019. Coach Brian Speer and his assistant coach will be accompanying our soccer team to this tournament.

Transportation will be provided by coaches and parent drivers. All costs will be paid for out of the girls' soccer fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

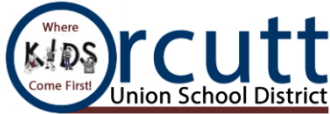
BOARD AGENDA ITEM: OAHS Cross Country Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Boys/Girls Cross Country Team may compete in the CIF-CS playoffs that take place at Woodward Park in Fresno, CA. The playoffs will take place during the dates of November 21-30, 2019. This may require an overnight stay with reservations needed in the Fresno, CA area. Our team will depart from OAHS on the morning of the competition and return either the same day or the following morning depending on how our competition goes. Coach Frank Mata and his assistant coach will be accompanying our cross country teams to this event.

Transportation will be provided by coaches and parent drivers. All costs will be paid for out of the cross country fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip (if needed) be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

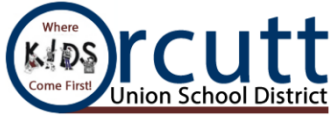
BOARD AGENDA ITEM: OAHS Girls Golf Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Girls Golf Team may compete in the CIF-CS team, or individual games. Location TBD. The playoffs will take place during the following dates October 28 & November 4, 14, & 19, 2019. This may require an overnight trip with reservations TBD (if needed). Our team will depart from OAHS on the morning of the competition and return either the same day or the following morning depending on the location. Coach Jim McManus and his assistant coach will be accompanying our golf team to this event.

Transportation will be provided by coaches and parent drivers. All costs will be paid for out of the girls' golf fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip (if needed) be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

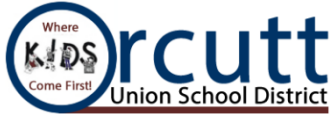
BOARD AGENDA ITEM: OAHS Girls Tennis Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Girls Tennis Team may compete in the CIF-CS team or individual games. Location TBD. The playoffs will take place during the following dates (Team) October 30 & November 5, 7 & 12, 2019 (Individual) November 1, 2, 8, 9, 22 & 23, 2019. This may require an overnight stay with reservations TBD (if needed). Our team will depart from OAHS on the morning of the competition and return either the same day or the following morning depending on the location. Coach Art Lopez and his assistant coach will be accompanying our tennis team to this event.

Transportation will be provided by coaches and parent drivers. All costs will be paid for out of the girls' tennis fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip (if needed) be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

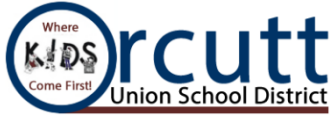
BOARD AGENDA ITEM: OAHS Football Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Football Team may compete in the CIF-CS state regional games. Location TBD. The playoffs will take place during the dates of November 8, 15, 22 & 29, 2019. This may require an overnight stay with reservations TBD (if needed). Our team will depart from OAHS on the morning of the competition and return either the same day or the following morning depending on the location of the event. Coach Gabe Espinoza and his assistant coaches will be accompanying our football team to this event.

Transportation will be provided by a school bus or charter bus (due to the size of the team). All costs will be paid for out of the football gate or fundraising account.

RECOMMENDATION: Staff recommends that this overnight trip (if needed) be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy High School
Administration Office

TO: Dr. Deborah Blow, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: OAHS Cheer Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Cheer Team may be invited to the Nationals Competition held at the New Orleans Arena, in Las Vegas, NV. This event will take place February 20-23, 2020. Coach Megan Moore and Assistant Coach Omi Miller will be traveling with our Cheer Team to this event.

This may require an overnight stay Las Vegas. Our team will be departing from OAHS on Thursday, February 20, 2020 and returning on Sunday, February 23, 2020. Transportation will be provided by Coach Megan Moore, Assistant Coach Omi Miller and approved parent drivers. The cost of this camp will be paid through fundraising events.

RECOMMENDATION: Staff recommends that this overnight trip (if needed) be approved as submitted.

FUNDING: No Impact on General Fund

Community Relations

MEDIA RELATIONS

The ~~Board of Trustees~~ **Governing Board** respects the public's **desire for and** right to information and recognizes that the media significantly influence the community's understanding of school programs, **student achievement, and school safety**. In order to develop and maintain positive media relations, the Board and the Superintendent desire to reasonably accommodate media requests for information and to provide accurate, reliable and timely information.

In conjunction with the Superintendent or designee, the Board shall periodically establish priorities and key messages for proactively communicating with the media regarding current district issues, activities, or needs.

- (cf. 0400 - Comprehensive Plans)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 0460 - Local Control and Accountability Plan)
- (cf. 0510 - School Accountability Report Card)
- (cf. 1100 - Communication with the Public)
- (cf. 1160 - Political Processes)

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request **in accordance with Board policy**.

- (cf. 9321 - Closed Session)
- (cf. 9322 - Agenda/Meeting Materials)

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

- (cf. 1250 - Visitors/Outsiders)
- (cf. 3515.2 - Disruptions)

Staff may provide the media with student directory information, **as identified in AR 5125.1 Release of Directory Information**, ~~including, but not limited to, the name of a student, school of attendance, grade level, honors, and activities,~~ unless the student's parent/guardian has submitted a written request that such information not be disclosed. The district shall not release ~~information that is private or confidential as required by law, Board policy or administrative regulation.~~ **No other access to student records or personally identifiable student information that is private or confidential as required by law, Board policy, or administrative regulation. may be provided without written parent/guardian permission.**

- (cf. 1340 - Access to District Records)
- (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
- (cf. 5125 - Student Records)

Community Relations

MEDIA RELATIONS

(cf. 5125.1 - Release of Directory Information)
(cf. 9010 - Public Statements)
(cf. 9321.1 - Closed Session Actions and Reports)
(cf. 9324 - Minutes and Recordings)

Interviewing and Photographing Students

The district shall not impose restraints on students' right to speak freely with media representatives. ~~at those times which do not disrupt students' educational program.~~ However, **interviewings and photographing** of students **may shall** not create substantial disorder or ~~impinge on the rights of others.~~ Therefore, in order to minimize possible disruption **to the orderly operation of the,** ~~media representatives who wish to interview students at school or impinge on the rights of students.~~ **Therefore, the district shall** ~~are strongly encouraged~~ **media representatives who wish to interview or photograph students at school** to make prior arrangements with the principal. ~~At their discretion, parents/guardians may instruct their children not to communicate with media representatives.~~

(cf. 5145.2 - Freedom of Speech/Expression)

~~In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the principal or designee.~~

~~When interviewing or photographing a special education student, he/she shall not be identified as a special education student without prior, written parent/guardian permission.~~

Media Communications Plan

In order to help develop strong relations with the media, the Superintendent or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to district programs and needs, student awards, school accomplishments and events of special interest.

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)
(cf. 1160 - Political Processes)

The plan shall specify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent and public information officer. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

Community Relations

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

(cf. 9240 - Board Development)

~~During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to parents/guardians and the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and district work together effectively, the Superintendent or designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis.~~

The Superintendent or designee shall develop strategies for working with the media to provide timely and accurate information to students, parents/guardians, and the community during a crisis or natural disaster. The crisis communications plan may include, but not be limited to, identification of a media center, strategies for press conference logistics, and development and integration of both internal and external notification systems, including public address systems, social media, web site postings, and text alerts.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

~~The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.~~

The Superintendent or designee shall include local law enforcement and media representatives in the crisis planning process.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance of public school or meeting

35144 Special meetings

35145 Public meetings

35160 Authority of governing boards

35172 Promotional activities

48907 Freedom of speech and press

48950 Prohibition against disciplinary action for first amendment speech

Crisis Communications Plan

BP 1112 (d)

Community Relations

49061 Definition of directory information

49073 Directory information

EVIDENCE CODE

1070 Refusal to disclose news source

PENAL CODE

627-627.10 Access to school premises

UNITED STATES CODE, TITLE 20

1232g Family educational and privacy rights

CODE OF FEDERAL REGULATIONS, TITLE 34

99.3 Definition of directory information

COURT DECISIONS

Lopez v. Tulare Joint Union High School District, (1995) 34 Cal.App.4th 1302

ATTORNEY GENERAL OPINIONS

95 79 Ops.Cal.Atty.Gen. 58 509 (1996)

Management Resources:

CSBA PUBLICATIONS

911: A Manual for Schools and the Media During a Campus Crisis, 2001

WEB SITES

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

Policy Adopted: ~~11/8/06~~ 11/13/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Students

PROMOTION/ACCELERATION/RETENTION

The Board of Trustees expects students to progress through each grade level within one school year. To accomplish this, instruction ~~should~~ shall be designed to accommodate the variety of ways that students learn and include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

(cf. 6011 - Academic Standards)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6146.5 - Elementary/Middle School Graduation Requirements)
(~~cf. 6162.52 - High School Exit Examination~~)
(cf. 6170.1 - Transitional Kindergarten)

When high academic achievement is evident, the ~~Superintendent or designee~~ teacher may recommend a student for acceleration into a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between grades 6 and 7
5. Between grades 8 and 9

Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by grades and the following additional indicators of academic achievement:

- Student achievement of school site results-based targets and/or
- Norm-referenced test results (State Achievement Test) results and/or,
- Other individualized or group assessments a needed including the district/s Northwest Evaluation Association Assessment Program

Students

(cf. 5121 - Grades/Evaluation of Student Achievement)
(~~cf. 5149 - At-Risk Students~~)

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts, and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

If a student does not have a single regular classroom teacher, the Superintendent or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The teacher's decision to promote or retain a student may be appealed in accordance with AR 5123 - Promotion/Acceleration/Retention.

When any student in grades 2-9 is ~~retained or~~ recommended for retention **or is identified as being at risk for retention**, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. ~~The district also may offer supplemental instruction to a student in grades 2-6 who is identified as being at risk for retention.~~ (Education Code ~~37252.2, 37252.8,~~ 48070.5)

(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

Legal Reference:

EDUCATION CODE

Promotion/retention following one year of kindergarten

~~37252-37254.1 Supplemental instruction~~

~~41505-41508 Pupil Retention Block Grant~~

46300 Method of computing average daily attendance

48010 Admittance to first grade

48011 Promotion/retention following one year of kindergarten

48070-48070.5 Promotion and retention

56345 Elements of individualized education plan

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

200-202 Admission and exclusion of students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Students

FAQs Promotion, Retention, and Grading (students with disabilities)

FAQs Pupil Promotion and Retention

Kindergarten Continuance Form

WEB SITES

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

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

Policy Adopted: ~~10/10/2018~~ 11/13/2019 ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Students

GANGS

The Board of Trustees desires to keep district schools free from the threats or harmful influence of any groups or gangs which exhibit ~~drug use, violence or disruptive behavior~~ disruptive to the school environment and/or the safety and well-being of students. The Board additionally desires to provide support and intervention to students who are members of gangs to enable them to successfully disengage from gang involvement and be successful in school. ~~The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.~~

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3513.4 - Drug and Alcohol Free Schools)
- (cf. 5131.4 - Student Disturbances)
- (cf. 5131.6 - Alcohol and Other Drugs)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5137 - Positive School Climate)

Gang violence prevention shall start as early as possible and include, but not be limited to, age-appropriate education that focuses on developing emotional and social competence, increasing prosocial peer bonds, strengthening attachment and commitment to school, and enhancing cooperative learning skills. Prevention shall also include improving parent/guardian involvement in and support for their children's academic progress, as well as ongoing gang awareness education for parents/guardians, including gang identifiers.

- (cf. 5020 - Parent Involvement)
- (cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall take steps to deter gang activity on school campuses, including threats and intimidation of students and staff, recruitment or intimidation of students to join gangs, bullying, fighting, criminal activities, and confrontations between members of different gangs.

- (cf. 5131.2 - Bullying)

The Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the principal or designee and the student's parent/guardian.

- (cf. 5132 - Dress and Grooming)

GANGS

The Superintendent or designee shall provide periodic inservice training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources. **The Superintendent or designee shall also provide staff development on social and emotional learning, classroom management, interactive teaching, and cooperative learning skills.**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee may consider gang activity prevention and intervention when developing programs outside of the school day.

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Preschool/Early Childhood Education)

(cf. 5148.3 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall collaborate with child welfare services, mental health agencies, social services, and local law enforcement authorities in the prevention and intervention of gang activity.

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

~~The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.~~

~~To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.~~

~~(cf. 0450 - Comprehensive Safety Plan)~~

~~(cf. 5132 - Dress and Grooming)~~

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

Students

BP 5136(c)

GANGS

Legal Reference:

EDUCATION CODE

32282 School safety plans

35183 Gang-related apparel

~~41510-41514 School Safety Consolidated Competitive Grant~~

48907 Student exercise of free expression

48950 Student freedom of speech

51264 Educational inservice training; CDE guidelines

51265 Gang violence and drug and alcohol abuse prevention inservice training

51266-51266.5 Model gang and substance abuse prevention curriculum

PENAL CODE

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

UNITED STATES CODE, TITLE 20

7101-7122 Safe and Drug-Free Schools and Communities Act

Management Resources:

~~CDE PUBLICATIONS~~

~~On Alert: Gang Prevention in School and Inservice Guidelines, January 1994~~

~~CSBA PUBLICATIONS~~

~~Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995~~

LOS ANGELES POLICE DEPARTMENT PUBLICATIONS

Why Young People Join Gangs

NATIONAL GANG CENTER PUBLICATIONS

Strategic Planning Tool

Gangs in Schools, March 2019

Parents' Guide to Gangs, July 2015

WEB SITES

California Cities Gang Prevention Network: <http://www.ccgpn.org>

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

Gang Resistance Education and Training: <http://www.great-online.org/GREAT-Home>

Los Angeles Police Department, Gangs:

http://www.lapdonline.org/get_informed/content_basic_view/1396

Homeboy Industries: <http://homeboyindustries.org>

National Gang Center: <http://www.nationalgangcenter.gov>

Policy Adopted: ~~10/15/08~~ **11/13/2019**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

INTERNATIONAL EXCHANGE

The Board of Trustees recognizes ~~that personal contact~~ **the value of interactions** between students of different countries and cultures **in** promoting global awareness and international understanding **in an increasingly globalized and interconnected world**. To that end, the Board welcomes the enrollment of international exchange students and further encourages district students to take any opportunities that they may have to participate in such programs and study in another country.

With Board approval, a district school may establish a sister-school relationship with a school in another country.

District Students Studying in Another Country

School counselors may provide information regarding international exchange programs and academic counseling to district students who wish to study in a foreign country. Such counseling shall include a review of the student's completed coursework, academic achievement, and personal goals, and shall advise the student regarding requirements that the student must meet during attendance in the foreign school in order to maintain progress toward meeting district graduation requirements.

(cf. 6146.1 - High School Graduation Requirements)
(cf. 6164.2 - Guidance/Counseling Services)

Credit for courses successfully completed in the foreign country shall be granted in accordance with Board policy and administrative regulation.

(cf. 6146.11 - Alternative Credits Toward Graduation)

~~**International Student Exchange Programs**~~

International Exchange Students in District Schools

~~The district shall not incur any financial obligations when sending and/or receiving international exchange students. Program sponsors shall provide assurance of their responsibility for health/accident/liability insurance, the student's home placement, and the resolution of any related personal difficulties which may arise.~~

The Superintendent or designee shall establish district criteria for issuing regular or honorary diplomas to international exchange students. The principal or designee shall refer to these criteria when assisting international exchange students in selecting classes and cocurricular activities based on the student's individual qualifications, needs and interests.

(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 6146.1 - High School Graduation Requirements)

INTERNATIONAL EXCHANGE

(cf. 6146.3 - Reciprocity of Academic Credit)

~~District staff shall provide relevant counseling to district students who wish to study in a foreign country. District credit for courses successfully completed in the foreign country shall be granted in accordance with Board policy and administrative regulation.~~

~~(cf. 6146.11—Alternative Credits Toward Graduation)~~

Legal Reference:

EDUCATION CODE

35160 Authority of Board of Trustees

35160.1 Broad authority of school districts

~~35185 Miscellaneous administrative authority~~

~~48052 Nonresidents~~

~~48204.4 Evidence of residency for school enrollment~~

51225.5 Honorary diplomas; foreign exchange students

GOVERNMENT CODE

12620-12630 International Student Exchange Visitor Placement Organizations

~~87100 General prohibition, conflict of interest~~

CALIFORNIA CODE OF REGULATIONS, TITLE 11

~~350-384 California Uniform Supervision of International Student Exchange Visitor Placement Organizations~~

CODE OF FEDERAL REGULATIONS, TITLE 8

~~214.2 Students in academic high schools~~

CODE OF FEDERAL REGULATIONS, TITLE 22

62.25 Secondary school students, exchange visitor program

Management Resources:

CSBA PUBLICATIONS

~~Legal Guidance Regarding International Student Exchange Placement Organizations, 2014~~

WEB SITES

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

California Office of the Attorney General, ISEPO: <http://oag.ca.gov/exchangestudents>

California Interscholastic Federation: <http://www.cifstate.org>

Council on Standards for International Educational Travel: <http://www.csiet.org>

U.S. Department of State, Bureau of Educational and Cultural Affairs:

<http://exchanges.state.gov>

U.S. Department of State, Exchange Visitor Program:

<http://j1visa.state.gov/programs/secondary-school-student>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

Policy Adopted: ~~12/13/06~~ 11/13/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Board of Trustees intends to provide English language learners with challenging curriculum and instruction that maximize the attainment of high levels of proficiency in English, advance multilingual capabilities, and facilitate student achievement in the district's regular course of study.

English learners shall be provided differentiated English language development instruction which is targeted to their English proficiency level. Such instruction shall be based on sound instructional theory, be aligned with state content standards, emphasize inquiry-based learning and critical thinking skills, and be integrated across all subject areas.

- (cf. 6011 - Academic Standards)
- (cf. 6141 - Curriculum Development and Evaluation)
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
- (cf. 6161.11 - Supplementary Instructional Materials)
- (cf. 6171 - Title I Programs)

No middle or high school student who is an English learner shall be denied enrollment in any of the following: (Education Code 60811.8)

1. Courses in the core curriculum areas of reading/language arts, mathematics, science, and history-social science, courses required to meet state and local high school graduation requirements, or courses required for middle school grade promotion

However, an English learner may be denied participation in any such course if the student has been enrolled in a school in the United States for less than 12 months or is enrolled in a program designed to develop the basic English skills of newly arrived immigrant students, and the course of study provided to the student is designed to remedy academic deficits incurred during participation and to enable the student to attain parity of participation in the standard instructional program within a reasonable length of time after the student enters the school system.

2. A full course load of courses specified in item #1 above
3. Other courses that meet the "a-g" course requirements for college admission or are advanced courses such as honors or Advanced Placement courses, on the sole basis of the student's classification as an English learner

- (cf. 0415 - Equity)
- (cf. 6141.4 - International Baccalaureate Program)
- (cf. 6141.5 - Advanced Placement)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The district shall identify in its local control and accountability plan (LCAP) goals and specific actions and services to enhance student engagement, academic achievement, and other outcomes for English learners.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

The Superintendent or designee shall encourage parent/guardian and community involvement in the development and evaluation of programs for English learners.

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

~~English learners shall be provided differentiated English language development instruction targeted to their English proficiency level, integrated across all subject areas, and aligned with state content standards. The district's program shall be based on sound instructional theory, use standards-aligned instructional materials, emphasize inquiry-based learning and critical thinking skills, and provide students with access to the full educational program.~~

~~(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6171 - Title I Programs)~~

Staff Qualifications and Training

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Language Learners)

The district shall provide effective professional development to teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), administrators, and other school or community-based organization personnel to improve the instruction and assessment of English learners and enhance staff's ability to understand and use curricula, assessment, and instructional strategies for English learners. Such professional development shall be of sufficient intensity and duration to produce a positive and lasting impact on teachers' performance in the classroom. (20 USC 6825)

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

Staff development shall also address the sociocultural needs of English learners and

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

provide opportunities for teachers to engage in supportive, collaborative learning communities.

~~To support students' English language development, the Superintendent or designee may provide an adult literacy training program that leads to English fluency for parents/guardians and community members.~~

Identification and Assessment

The Superintendent or designee shall maintain procedures for the early identification of English learners and an assessment of their proficiency ~~and needs in the areas of listening, speaking, reading, and writing in English.~~ **using the state's English Language Proficiency Assessments for California (ELPAC). To oversee test administration, the Superintendent or designee shall annually designate a district ELPAC coordinator and a site coordinator for each test site in accordance with 5 CCR 11518.40-11518.45.**

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in the accompanying administrative regulation.

English learners' academic achievement in English language arts, mathematics, science, and any additional subject required by law shall be assessed using the California Assessment of Student Performance and Progress. As necessary, the test shall be administered with allowable testing variations in accordance with 5 CCR 853.5 and 853.7. English learners who are in their first 12 months of attending a school in the United States shall be exempted from taking the English language arts assessment to the extent allowed by federal law. (Education Code 60603, 60640; 5 CCR 853.5, 853.7)

(cf. 6162.51 - State Academic Achievement Tests)

Formative assessments may be utilized to analyze student performance and appropriately adapt teaching methodologies and instructions.

(cf. 6162.5 - Student Assessment)

Language Acquisition Programs

The district shall offer research-based language acquisition programs that are designed to ensure English acquisition as rapidly and as effectively as possible and that provide instruction to students on the state-adopted academic content standards, including the English language development standards. (Education Code 306; 5 CCR 11300)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

At a minimum, the district shall offer a structured English immersion program which includes designated and integrated English language development. In the structured English immersion program, nearly all of the classroom instruction shall be provided in English, but with the curriculum and presentation designed for students who are learning English. (Education Code 305-306; 5 CCR 11309)

For the purpose of determining the amount of instruction to be conducted in English in the structured English immersion program, "nearly all" means that all classroom instruction shall be conducted in English except for clarification, explanation, and support as needed.

The district's language acquisition programs for grades K-3 shall comply with class size requirements specified in Education Code 42238.02. (Education Code 310)

(cf. 6151 - Class Size)

In establishing the district's language acquisition programs, the Superintendent or designee shall consult with parents/guardians and the community during the LCAP development process. The Superintendent or designee shall also consult with administrators, teachers, and other personnel with appropriate authorizations and experience in establishing a language acquisition program. (Education Code 305)

At the beginning of each school year or upon a student's enrollment, parents/guardians shall be provided information on the types of language acquisition programs available to students enrolled in the district, including, but not limited to, a description of each program, the process to be followed in making a program selection, identification of any language to be taught in addition to English when the program includes instruction in another language, and the process to request establishment of a language acquisition program. (Education Code 310; 5 CCR 11310)

(cf. 5145.6 - Parental Notifications)

Whenever a student is identified as an English learner based on the results of the ELPAC, the student's parents/guardians ~~of English learners~~ may choose a language acquisition program that best suits their child. To the extent possible, any language acquisition program requested by the parents/guardians of 30 or more students at the school or by the parents/guardians of 20 or more students at any grade level shall be offered by the school. (Education Code 310; 5 CCR 11311)

Reclassification

When an English learner is determined pursuant to state and district reclassification criteria to have ~~met the requirements for reclassification as a Reclassified Fluent English Proficient (RFEP) student, the student shall be redesignated and their progress monitored for four years~~

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

~~from their reclassification date~~ acquired a reasonable level of English proficiency pursuant to Education Code 313 and 52164.6, or upon request by the student's parent/guardian, the student shall be transferred from a language acquisition program into an English language mainstream classroom.

Program Evaluation

To evaluate the effectiveness of the district's educational program for English learners, the Superintendent or designee shall report to the Board, at least annually, regarding:

1. Progress of English learners towards proficiency in English
2. The number and percentage of English learners reclassified as fluent English proficient
3. The number and percentage of English learners who are or are at risk of being classified as long-term English learners in accordance with Education Code 313.1
4. The achievement of English learners on standards-based tests in core curricular areas
5. For any language acquisition program that includes instruction in a language other than English, student achievement in the non-English language in accordance with 5 CCR 11309
6. Progress toward any other goals for English learners identified in the district's LCAP
7. A comparison of current data with data from at least the previous year in regards to items #1-6 above
8. A comparison of data between the different language acquisition programs offered by the district

The Superintendent or designee also shall provide the Board with regular reports from any district or school wide English learner advisory committees.

Legal Reference:

EDUCATION CODE

300-340 English language education, especially:

305-310 Language acquisition programs

313-313.5 Assessment of English proficiency

430-446 English Learner and Immigrant Pupil Federal Conformity Act

33050 State Board of Education waiver authority

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

42238.02-42238.03 Local control funding formula
44253.1-44253.11 Qualifications for teaching English learners
48980 Parental notifications
48985 Notices to parents in language other than English
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
52160-52178 Bilingual Bicultural Act

56305 CDE manual on English learners with disabilities
60603 Definition, recently arrived English learner
60640 California Assessment of Student Performance and Progress
60811-60812 Assessment of language development
62005.5 Continuation of advisory committee after program sunsets

CODE OF REGULATIONS, TITLE 5

854.1-854.3 CAASPP and universal tools, designated supports, and accommodations
854.9 CAASPP and unlisted resources for students with disabilities
11300-11316 English Language Learner Education
11517.6-11519.5 English Language Proficiency Assessments for California

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act; state eligibility
1701-1705 Equal Educational Opportunities Act
6311 Title I state plan
6312 Title I Local education agency plans
6801-7014 Title III, Language instruction for English learners and immigrant students
7801 Definitions

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Discrimination prohibited
200.16 Assessment of English learners

COURT DECISIONS

Valeria O. v. Davis, (2002) 307 F.3d 1036

California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001)
271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CSBA PUBLICATIONS

English Learners in Focus: The English Learner Roadmap: Providing Direction for English Learner Success, Governance Brief, February 2018

English Learners in Focus, Issue 4: Expanding Bilingual Education in California after Proposition 58, Governance Brief, March 2017

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

English Learners in Focus, Issue 1: Updated Demographic and Achievement Profile of California's English Learners, Governance Brief, rev. September 2016

English Learners in Focus, Issue 3: Ensuring High-Quality Staff for English Learners, Governance Brief, July 2016

English Learners in Focus, Issue 2: The Promise of Two-Way Immersion Programs, Governance Brief, September 2014

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Practitioners' Guide for Educating English Learners with Disabilities, 2019

California English Learner Roadmap: Strengthening Comprehensive Educational Policies, Programs and Practices for English Learners, 2018

Matrix One: Universal Tools, Designated Supports, and Accommodations for the California Assessment of Student Performance and Progress for 2017-18, rev. August 2017

Reclassification Guidance for 2017-18, CDE Correspondence, April 28, 2017

Integrating the CA ELD Standards into K-12 Mathematics and Science Teaching and Learning, December 2015

Next Generation Science Standards for California Public Schools, Kindergarten through Grade Twelve, rev. March 2015

English Language Arts/English Language Development Framework for California Public Schools: Transitional Kindergarten Through Grade Twelve, 2014

Common Core State Standards for Mathematics, rev. 2013

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

THE EDUCATION TRUST- WEST PUBLICATIONS

Unlocking Learning II: Math as a Lever for English Learner Equity, March 2018

Unlocking Learning: Science as a Lever for English Learner Equity, January 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Accountability for English Learners Under the ESEA, Non-Regulatory Guidance, January 2017

Innovative Solutions for Including Recently Arrived English Learners in State

Accountability Systems: A Guide for States, January 2017

English Learner Tool Kit for State and Local Educational Agencies (SEAs and LEAs), rev. November 2016

English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by every Student Succeeds Act (ESSA), Non-Regulatory Guidance, September 23, 2016

Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015

WEB SITES

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

California Association for Bilingual Education: <http://www.gocabe.org>

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

National Clearinghouse for English Language Acquisition: <http://www.ncela.us>

Instruction

BP 6174(h)

EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Education Trust-West: <http://west.edtrust.org>

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

Policy Adopted: ~~08/08/2018~~ 11/13/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

SUPPLEMENTAL INSTRUCTION

The Board of Trustees recognizes that high-quality supplemental instructional programs can motivate and support students to attain grade-level academic standards, overcome academic deficiencies, and/or acquire critical skills. The district shall offer programs of direct, systematic, and intensive supplemental instruction to meet student needs. Supplemental instruction shall be offered in accordance with law and may be used to assist the district in meeting its goals for student achievement.

- (cf. 0460 - Local Control and Accountability Plan)
- (cf. 5113.1 – Chronic Absence and Truancy)
- (cf. 5147 - Dropout Prevention)
- (cf. 6011 - Academic Standards)
- (cf. 6146.1 - High School Graduation Requirements)
- (cf. 6146.5 - Elementary/Middle School Graduation Requirements)
- (cf. 6164.5 - Student Success Teams)

Supplemental instructional programs may be offered outside the regular school day. Such programs may be offered during the summer, before school, after school, on Saturday, and/or during intersessions. When supplemental instruction is offered during the regular school day, it shall not supplant the student's instruction in the core curriculum areas or physical education.

- (cf. 5148.2 - Before/After School Programs)
- (cf. 6111 - School Calendar)
- (cf. 6112 - School Day)
- (cf. 6142.7 - Physical Education and Activity)
- (cf. 6176 - Weekend/Saturday Classes)
- (cf. 6177 - Summer School Learning Programs)

As appropriate, supplemental instruction may be provided through a classroom setting, individual or small group instruction, technology-based instruction, and/or an arrangement with a community or other external service provider.

When determined to be necessary by the principal or designee **and when written parent/guardian consent is obtained for the student's participation**, a student may be required to participate in supplemental instruction outside the regular school day. ~~In such cases, written parent/guardian consent shall be obtained for the student's participation.~~

Supplemental instruction shall be offered to **students who are recommended for retention, or are identified as being at risk for retention, at their current grade level. (Education Code 48070.5).**

- (cf. 5121 - Grades/Evaluation of Student Achievement)
- (cf. 5123 - Promotion/Acceleration/Retention)
- (cf. 6162.51 - State Academic Achievement Tests)

SUPPLEMENTAL INSTRUCTION

In addition, supplemental instruction may be offered to:

Students who demonstrate academic deficiencies that may jeopardize their attainment of academic standards

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

High school students who need support to successfully complete courses required for graduation

~~1. Students in grades 2-9 who have been retained or recommended for retention at their current grade level (Education Code 37252.2, 48070.5)~~

~~(cf. 5123 - Promotion/Acceleration/Retention)~~

~~2. Eligible students from low-income families whenever the district or a district school receiving federal Title I funds has been identified by the California Department of Education for program improvement for two or more consecutive years (20 USC 6316)~~

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

~~(cf. 0520.3 - Title I Program Improvement Districts)~~

Legal Reference:

EDUCATION CODE

37200-37202 School calendar

37223 Weekend classes

42238.01-42238.5 Local control funding formula

46100 Length of school day

48070-48070.6 Promotion and retention

48200 Compulsory education

48985 Translation of notices

51210-51212 Courses of study, elementary schools

51220-51228 Courses of study, secondary schools

52060-52077 Local control and accountability plan

60603 Definitions, core curriculum areas

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

11470-11472 Summer school

UNITED STATES CODE, TITLE 20

6311 State plan

Instruction

BP 6179(c)

SUPPLEMENTAL INSTRUCTION

Management Resources:

WEB SITES

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

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

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

Regulation Approved: ~~05/11/2016~~ 11/13/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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

October 29, 2019

SBAS-9294

TO: Community Colleges
K-12 School Districts

ATTENTION: Presidents/Superintendents
Chief Business Officials

FROM: Denice Cora, Administrator *DC*
School Business Advisory Services

SUBJECT: **Annual Governing Board Organizational Meeting &
Authorized Signature Forms, Board Resolutions**

Action Required

Education Code Sections 35143 and 72000 require the governing board of each school district and community college district to hold an annual organizational meeting within 15 days of the second Friday in December 2019*. At that meeting, the board schedules next year's regular meetings, selects officers, and adopts board authorized signatures. The steps listed below outline what is necessary to meet requirements. **Please note the timing change this year — previously this was the first Friday of December.*

Please complete all documents and return to our office by the due dates shown below:

1. Select the day and time of the annual organizational meeting – Attachment A

Please advise when the annual organizational meeting will be held. This year, the annual organizational meeting must be scheduled between Dec. 13 and Dec. 27, and in an election year each newly elected governing board member shall hold office commencing on the second Friday in December (Education Code Section 5017).

Due Date:
Fri., Nov. 22
Attachment A

2. Governing Board Meeting Schedule – Attachment B

One function of the annual organizational meeting is to set the date, time, and place for all regular board meetings in the upcoming year. After the organizational meeting, please complete the schedule and return.



SELECTION OF DATE AND TIME FOR THE ANNUAL GOVERNING BOARD ORGANIZATIONAL MEETING

Today's date: 11/13/19

District: Orcutt Union School District

Completed by: Alice Salazar

Title: Administrative Assistant, Superintendent

Annual Governing Board Organization Meeting

- Date of meeting: 12/16/19
- Time of meeting: 5:00 PM

Note: Meeting must be scheduled between Dec. 13-27

Return completed form to:

School Business Advisory Services
Santa Barbara County Education Office

REFERENCE:
EC§35143; 72000(B)(5)(C)(2)A,B,C

ATTACHMENT A



ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Olga Reed School Date: 10/7/19

DONOR: Name: Los Alamos Valley Mens Club
Address: PO Box 13, Los Alamos, CA 93440
Phone No. 805-344-3500

GIFT: Item Donated _____ or Cash Donation \$ 400.00
(Fill in if money is donated)

Designated for: The purchase of Robotic's Team t-shirts and remaining fund to offset any additional cost related to a successful run.

General Description: _____

Model No.: _____ Condition: New Used

Value (estimated): _____

Purpose of Gift: _____

Will gift be purchased through Business Services Office? Yes No

Donor Conditions of Acceptance: The LAVMC asks that the shirts be printed with Los Alamos Valley Mens Club as sponsors and that the shirts be given to the team members to keep.

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

A. Will gift require installation? Yes No

B. What type of installation is required? _____

C. Will donor pay installation costs? Yes No

D. Will there be operating costs? Yes No
If yes, what type? _____

Acceptance Requested By (OUSD Staff Member): Kathleen Stevenson

Acceptance Approved By (Administrator): _____

RECOMMENDATIONS: Principal or District Representative _____

BOARD ACTION: Date Accepted: _____ Date Denied: _____

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



ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Patterson Road School Date: October 15, 2019

DONOR: Name: Diana Peinado
Address: 381 Clubhouse Drive Santa Maria, CA 93455
Phone No. (805) 714-7380

GIFT: Item Donated _____ or Cash Donation \$ 305.00
(Fill in if money is donated)
Designated for: Robotics Team
General Description: _____
Model No.: _____ Condition: New Used
Value (estimated): _____
Purpose of Gift: Registration of Panthertroniks and Starter Kit
Will gift be purchased through Business Services Office? Yes No
Donor Conditions of Acceptance: _____

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

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

Acceptance Requested By (OUSD Staff Member): _____
Acceptance Approved By (Administrator): _____
RECOMMENDATIONS: Principal or District Representative *[Signature]*

BOARD ACTION: Date Accepted: _____ Date Denied: _____
Please submit request to the Superintendent's Office. (If denied, explanation is on reverse side of this form.)



ORCUTT UNION SCHOOL DISTRICT REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Orcutt Academy High School Date: 10/17/2019

DONOR: Name: Central Coast Playground - Steve Strachan
Address: 715 Pinal Ave. Orcutt, CA 93455
Phone No. (805) 934-1814

GIFT: Item Donated New Bench or Cash Donation \$ _____
(Fill in if money is donated)
Designated for: OAHS - County Pre School
General Description: See attached pictures
Model No.: _____ Condition: "X" New "X" Used
Value (estimated): _____
Purpose of Gift: Donation
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? Donor installed the bench and landscaping supplies.
- C. Will donor pay installation costs? Yes No
- D. Will there be operating costs? Yes No
If yes, what type?

Acceptance Requested By (OUSD Staff Member): Kim Domingues
Acceptance Approved By (Administrator): Rhett Carter Rhett Carter/OAHS Principal
RECOMMENDATIONS: Principal or District Representative Send thank you to company.

BOARD ACTION: Date Accepted: _____ Date Denied: _____

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

CENTRAL COAST PLAYGROUNDS





ORCUTT UNION SCHOOL DISTRICT

REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: OAHS Date: 10/21/2019

DONOR: Name: Michael Wagner (Parent)
Address: 4458 Old Mill Ct. Santa Maria, CA 93455
Phone No. _____

GIFT: Item Donated Weight Room Supplies or Cash Donation \$ _____
(Fill in if money is donated)
Designated for: _____
General Description: 6 large cones, 2 Plyo boxes and 6 pads
Model No.: _____ Condition: "X" New "X" Used
Value (estimated): _____
Purpose of Gift: Donation for weight room & PE
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): Bridgette DePalma-Steed
Acceptance Approved By (Administrator): Rhett Carter Rhett Carter/OAHS Principal
RECOMMENDATIONS: Principal or District Representative Send a thank you to Mr. Wagner

BOARD ACTION: Date Accepted: _____ Date Denied: _____

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



BOARD OF TRUSTEES

SHAUN HENDERSON
LISA MORININI
LIZ PHILLIPS
MARK STELLER
MELANIE WAFFLE

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

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: BP 0460 Local Control and Accountability Plan

BACKGROUND: Policy updated to delete the section on "Technical Assistance/Intervention," as that material is now addressed in BP 0520 - Intervention for Underperforming Schools. Paragraph added to generally address actions that may be taken whenever a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the local control and accountability plan (LCAP). Regulation updated to reflect NEW LAW (AB 1240) which adds, as a measure of student achievement, the percentage of students who have successfully completed both college entrance courses and career technical education courses.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 0460.

FUNDING: No funding implications

Students

LOCAL CONTROL AND ACCOUNTABILITY PLAN

The ~~Board of Trustees~~ **Governing Board** desires to ensure the most effective use of available state funding to improve outcomes for all students. A ~~community-based~~, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

(cf. 0000 - Mission)

(cf. 0200 - Goals for the School District)

(cf. 0415 – Equity)

The Board shall adopt a districtwide local control and accountability plan (LCAP), ~~using based on~~ the template **adopted by the State Board of Education (SBE), that addresses the state priorities in** ~~provided in 5 CCR 15497.5 that addresses the state priorities in~~ Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060, **52064; 5 CCR 15494-15497**)

(cf. 3100 – Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" ~~and~~ **or are part of any numerically significant student subgroup that is at risk of or is** ~~either~~ underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth **as defined in Education Code 42238.01** ~~and are counted only once~~ for purposes of the local control funding formula (LCFF). (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Language Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, or as otherwise defined by the Superintendent of Public Instruction (SPI). (Education Code 52052)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

The LCAP shall also be aligned with other district and school plans **to the extent possible** in order to minimize duplication of effort and provide clear direction for program implementation.

- (cf. 0400 - Comprehensive Plans)
- (cf. 0440 District Technology Plan)
- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 5030 - Student Wellness)
- (cf. 6171 - Title I Programs)
- (cf. 7110 - Facilities Master Plan)

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

- (cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in ~~various~~ student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 4140/4240/4340 - Bargaining Units)
- (cf. 6020 - Parent Involvement)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be ~~comprised~~ **composed** of a majority of parents/guardians and shall include at least one parent/guardians of unduplicated students as defined above. (Education Code 52063, 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners and at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee ~~comprised~~ **composed** of a majority of parents/guardians of English Learners. (Education Code 52063, 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP ~~or the annual update~~ shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 – Parental Notifications)

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

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

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, **the district budget, and the budget overview for parents/guardoams**, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP ~~or the annual update~~, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation shall include, but not be limited to, an assessment of district and school performance **reported on the California School Dashboard.** ~~based on evaluation rubrics adopted by the State Board of Education pursuant to Education Code 52064.5.~~ Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code 52071 or 52072 or 20 USC 6311 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - Comprehensive and Targeted Support and Improvement)

LOCAL CONTROL AND ACCOUNTABILITY PLAN**Technical Assistance/Intervention**

~~When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)~~

- ~~1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals~~
- ~~2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups~~
- ~~3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074~~

~~In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062~~

~~If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:~~

~~If the SPI identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:~~

- ~~1. Revision of the district's LCAP~~
- ~~2. Revision of the district's budget in accordance with changes in the LCAP~~
- ~~3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement~~

Legal Reference:**EDUCATION CODE**

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

41320-41322 Emergency apportionments

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

LOCAL CONTROL AND ACCOUNTABILITY PLAN

44258.9 County superintendent review of teacher assignment
47604.33 **Submission of reports by charter schools**
47606.5 **Charter schools, local control and accountability plan**
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 **Numerically significant student subgroups**
52059.5 **Statewide system of support**
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 ~~Assessment of language development~~
64001 Single plan for student achievement
99300-99301 Early Assessment Program
WELFARE AND INSTITUTIONS CODE
300 Dependent child of the court
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
15494-15497.5 Local control and accountability plan and spending requirements
UNITED STATES CODE, TITLE 20
6311 State plan
6312 Local educational agency plan
6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

The California School Dashboard and Small Districts, October 2018

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

California School Dashboard

~~Every Student Succeeds Act—Update #6, January 18, 2017~~

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Family Engagement Framework: A Tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Students

BP 0460(g)

LOCAL CONTROL AND ACCOUNTABILITY PLAN

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

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

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

California School Dashboard: <http://www.caschooldashboard.org>

Policy Adopted: ~~06/07/2017~~ 12/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



Where a Dedicated Staff Means
KIDS COME FIRST

BOARD OF TRUSTEES

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Assistant Superintendent
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Assistant Superintendent
KIRBY FELL
Chief Technology Officer

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: BP 1431 Waivers

BACKGROUND: Policy updated to add the requirement, that when submitting a general waiver request to the State Board of Education, that it is to include a written summary of any objections to the request by school site councils or other advisory committees, as applicable. Policy adds the requirement that a request pertaining to a regional occupational center or program operated by a joint powers agency be submitted as a joint waiver request with other participating districts. Policy also reflects guidance in CDE's General Waiver Instructions regarding proper notice for a public hearing on a waiver request proposal.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BP 1431.

FUNDING: No funding implications

Community Relations

WAIVERS

~~The Board of Trustees may request that the State Board of Education waive certain provisions of the Education Code, Title 5 regulations, or the federal law when such provisions prevent the district from offering its students the best possible educational program. The Superintendent or designee, advisory committees, or site councils shall identify the need for the Board to submit waiver requests and shall provide the Board with the necessary information to analyze the need for the waiver.~~

~~The Board shall hold a properly noticed public hearing on all waiver requests. (Education Code 33050)~~

~~(cf. 9320 - Meetings and Notices)~~

~~The Board shall include the exclusive employee representative in the development of the waiver.~~

~~(cf. 4140/4240 - Bargaining Units)~~

The Governing Board recognizes that circumstances may arise in the operation of the district that require a waiver from state law or regulation. When it is in the interest of district students, the Board may request that the State Board of Education (SBE) waive any provision of state law or regulation which SBE has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes all information necessary for the Board to analyze the need for the waiver and make an informed decision.

If the proposed waiver request affects a program that requires the existence of a school site council, ~~the school site council~~ the Superintendent or designee shall obtain the school site council's approval of the request before presenting it to the Board. As appropriate, other councils or advisory committees, including bilingual advisory committees, shall be provided adequate opportunity to review a proposed waiver request, and the request shall include a written summary of an objections to the request by the councils or advisory committees. (Education Code 33051) ~~first approve the request.~~

(cf. 0420 - School Plans/Site Councils)

~~(cf. 0420.1 - School Based Program Coordination)~~

(cf. 1220 - Citizen Advisory Committees)

In addition, the Superintendent or designee shall consult with the exclusive representative of district employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver. (Education Code 33050, 33051)

(cf. 4140/4240/4340 - Bargaining Units)

Community Relations

A request for a waiver related to a regional occupational center or program operated by a joint powers agency shall be submitted as a joint waiver request with other participating school districts upon approval of a unanimous vote of the governing board of the joint powers agency. (Education Code 33050)

(cf. 6178.2 - Regional Occupational Center/Program)

To receive public testimony on each proposal for a waiver request, the Board shall hold a properly noticed public hearing during a Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing and invite public testimony, may be printed in a newspaper of general circulation and/or posted at each school and three public places in the district.

(cf. 9320 - Meetings and Notices)

If the district determines that a ~~For general~~ waiver, is needed for more than one year, the Board shall reapply the request to the State Board of Education (SBE). When the Board has requested and received the same general waiver from SBE for two consecutive years, the Board does not subsequently need to reapply annually provided that the information contained on the request remains current, except that the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051). ~~shall include a statement as to whether the exclusive employee representative participated in the development of the waiver and the exclusive employee representative's position on the waiver. General waiver requests shall include a written summary of any objections to the request by the councils or advisory committees.~~ (Education Code 33050)

Legal Reference:

EDUCATION CODE

~~5000-5033~~ Governing board elections

~~8750-8754~~ Grants for conservation education

~~10400-10407~~ Cooperative improvement programs

~~17047.5~~ Facilities used by special education students

~~17291~~ Portable school buildings

33050-33053 General waiver authority

~~37202~~ Equity length of time

~~41000-41360~~ School finance

~~41381~~ Minimum school day

~~41600-41854~~ Computation of allowances

~~41920-42842~~ Budget requirements; local taxation by school districts

~~44520-44534~~ New program for careers

~~44666-44669~~ School-Based Management and Advanced Career Opportunities

~~44681-44689~~ Administrator Training and Evaluation

~~45108.7~~ Maximum number of senior management positions

~~48660-48666~~ Community day schools

48800 Attendance at Community College

Community Relations

~~49550-49560 Meals for needy students~~
~~51224.5 Algebra instruction~~
51747.3 Charter school independent study funding
~~51745.6 Charter school independent study ratio~~
~~51870-51874 Educational technology~~
~~52053-52055.55 Immediate Intervention for Underperforming Schools Program~~
~~52055.600-52055.662 High Priority Schools Grant Program~~
~~52080-52090 Class size reduction grade 9~~
~~52122.6-52122.8 Class size reduction impacted school sites~~
~~52160-52178 Bilingual Bicultural Education Act of 1976~~
~~52180-52186 Bilingual teacher waiver~~
~~52200-52212 Gifted and Talented Pupils Program~~
~~52340-52346 Career Guidance Centers~~
~~52522 Plans for adult education~~
~~52850-52863 School Based Coordinated Program~~
~~54000-54028 Disadvantaged Youth Program~~
~~54100-54145 Miller-Unruh Basic Reading Program~~
~~54407 Waiver for compensatory education programs~~
~~56000-56867 Special education programs~~
65001 School site councils
~~58407 Waiver related to individualized instruction program~~
~~58900-58928 Restructuring demonstration programs~~
~~60119 Public hearing on sufficiency of instructional materials~~
~~60422 Instructional materials funding realignment program~~
~~CODE OF REGULATIONS, TITLE 5~~
~~1032 Academic Performance Index~~
~~3100 Resource specialist caseload waivers~~
~~3945 Cooperative programs~~
~~9531 Instructional materials funding~~
~~11960 Charter school attendance~~
~~11963.4 Charter school percentage funding~~
~~13017 Waivers~~
~~13044 Waivers~~
~~UNITED STATES CODE, TITLE 20~~
~~1400-1482 Individuals with Disabilities Education Act~~
~~7115 Safe and Drug Free Schools, authorized activities~~
Management Resources:
WEB SITES
California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>
Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy Adopted: ~~11/8/06~~ **12/11/19**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BOARD OF TRUSTEES

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Assistant Superintendent
KIRBY FELL
Chief Technology Officer

Where a Dedicated Staff Means
KIDS COME FIRST

TO: Board of Trustees

FROM: Deborah Blow, Ed.D.
Superintendent

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: BB 9323 Meeting Conduct

BACKGROUND: Bylaw updated to reflect the Board's intention to not have meetings go late into the evening, outline the proper use of abstentions for voting, and determination of a quorum, as well as updating language around public comment.

RECOMMENDATION: It is recommended that the Board of Trustees accept the revisions to BB 9323, as submitted.

FUNDING: No funding implications

Board Bylaws

MEETING CONDUCT

BB 9323 (a)

Meeting Procedures

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

(cf. 9322 - Agenda/Meeting Materials)

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

(cf. 9121 - President)

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

(cf. 9320 - Meetings and Notices)

Quorum and Abstentions

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

(cf. 9323.2 - Actions by the Board)

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

(cf. 9270 - Conflict of Interest)

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

Board Bylaws

MEETING CONDUCT

BB 9323 (b)

Public Participation

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

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

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)
3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

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

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

(cf. 9130 - Board Committees)

Board Bylaws

MEETING CONDUCT

BB 9323 (c)

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

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

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

6. The Board president may rule on the appropriateness of a topic, **subject to the following conditions:**
 - a. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.
 - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
 - c. In addition, the Board may not prohibit public criticism of district employees. **However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.**

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session Purposes and Agendas)

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

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

Board Bylaws

MEETING CONDUCT

BB 9323 (d)

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

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

Recording by the Public

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

(cf. 9324 - Board Minutes and Recordings)

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

Legal Reference:

EDUCATION CODE

5095 Powers of remaining board members and new appointees

32210 Willful disturbance of public school or meeting a misdemeanor

35010 Prescription and enforcement of rules

35145.5 Agenda; public participation; regulations

35163 Official actions, minutes and journal

35164 Vote requirements

35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

527.8 Workplace Violence Safety Act

GOVERNMENT CODE

54953.5 Audio or video tape recording of proceedings

54953.6 Broadcasting of proceedings

54954.2 Agenda; posting; action on other matters

54954.3 Opportunity for public to address legislative body; regulations

54957 Closed sessions

54957.9 Disorderly conduct of general public during meeting; clearing of room

Board Bylaws

MEETING CONDUCT

BB 9323 (e)

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

City of San Jose v. Garbett, (2010) 190 Cal.App.4th 526

Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275

Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194

Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

90 Ops.Cal.Atty.Gen. 47 (2007)

76 Ops.Cal.Atty.Gen. 281 (1993)

66 Ops.Cal.Atty.Gen. 336 (1983)

63 Ops.Cal.Atty.Gen. 215 (1980)

61 Ops.Cal.Atty.Gen. 243, 253 (1978)

55 Ops.Cal.Atty.Gen. 26 (1972)

59 Ops.Cal.Atty.Gen. 532 (1976)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

The Brown Act: School Boards and Open Meeting Laws, rev. 2005~~14~~

Board Presidents' Handbook, rev. 2002

Maximizing School Board Governance: Boardsmanship

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

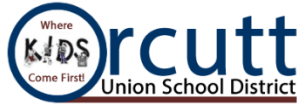
WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Bylaw Approved: ~~11/08/06~~ 12/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3510, Green School Operations

BACKGROUND: New policy for best practices pertaining to environmental accountability in district programs and operations, including involvement of staff at all levels, use of least toxic pest management practices, compliance with green building standards in any new construction, acquisition of reduced or zero emission school buses, limitation of unnecessary idling of school buses or personal vehicles, implementation of green practices in the district's food services program, and use of green school activities as tools for student learning.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 3510, Green School Operations, as presented for first reading.

FUNDING. N/A

Green School Operations

The Governing Board believes everyone has a responsibility to be a steward of the environment and desires to integrate environmental accountability into all district programs and operations. The Superintendent or designee shall develop strategies to promote district use of "green" school principles and practices in order to conserve natural resources, reduce the impact of district operations on the environment, and protect the health of students, staff, and the community.

In developing such strategies and assessing the environmental conditions in district facilities and operations, the Superintendent or designee shall involve staff at all levels and with varying job responsibilities, including administrators, certificated staff, and classified staff. As appropriate, the Superintendent or designee may also consult with health professionals; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; and/or others with expertise.

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

In selecting and prioritizing strategies, the Superintendent or designee shall give consideration to long-term potential cost savings, initial costs, feasibility of implementation, quality and performance of the product or service, health impacts, environmental considerations, and potential educational value.

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)

District strategies may include, but are not limited to:

1. Reducing energy and water consumption, and using renewable and clean energy technologies and alternatives when available

(cf. 3511 - Energy and Water Management)

2. Establishing recycling programs in district facilities

(cf. 3511.1 - Integrated Waste Management)

3. Reducing the consumption of disposable materials by reusing materials and by using electronic rather than paper communications when feasible

4. Using environmentally preferable products and services whenever practical, including, but not limited to, products that:

Green School Operations

- a. Minimize environmental impacts, toxins, pollutants, odors, and hazards
- b. Contain postconsumer recycled content
- c. Are durable and long-lasting
- d. Conserve energy and water
- e. Reduce waste

(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 5141.23 - Asthma Management)

5. Using least toxic, independently certified green cleaning products when feasible, as well as high-efficiency cleaning equipment that reduces the need to use chemicals

6. Providing professional development to maintenance staff in the proper use, storage, and disposal of cleaning supplies

(cf. 4231 - Staff Development)

7. Using effective, least toxic pest management practices for the control and management of pests

(cf. 3514.2 - Integrated Pest Management)

8. Ensuring that any construction of new facilities complies with green building standards pursuant to 24 CCR 101.1-703.1, and focusing on sustainability and student health in the design and implementation of facilities modernization projects

(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7150 - Site Selection and Development)

9. Reducing vehicle emissions by:

a. Encouraging students to walk or bicycle to school or to use district or public transportation

(cf. 5142.2 - Safe Routes to School Program)

b. Using reduced or zero emission school buses and vehicles and providing accompanying infrastructure such as charging stations

Green School Operations

(cf. 3540 - Transportation)

- c. Limiting unnecessary idling of school buses in accordance with 13 CCR 2480
 - d. Limiting unnecessary idling of personal vehicles by encouraging parents/guardians, through signage or other means of communication, to turn off their vehicles when parked on and around school grounds
10. Implementing green school practices in the district's food service programs by:
- a. Providing fresh, locally sourced, unprocessed, organic food, including plant-based options, when available
 - b. Reducing food packaging and using packaging that is recyclable and/or biodegradable
 - c. Utilizing reusable products
 - d. Encouraging zero-waste lunches when food is brought from home
 - e. Maintaining a system for food waste, such as composting
 - f. Providing sharing tables where unused cafeteria food items may, in accordance with Health and Safety Code 114079, be returned for student use or donated to a food bank or other nonprofit charitable organization

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)

11. Integrating green school practices and activities into the educational program by providing instruction to students on the importance of the environment, involving students in the implementation and evaluation of green school activities and projects as appropriate, and utilizing green school activities and projects as learning tools

(cf. 6142.5 - Environmental Education)

Legal Reference:

EDUCATION CODE

8700-8707 Environmental education

17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards

17072.35 New construction grants; use for designs and materials for high performance schools

17608-17614 Healthy Schools Act of 2000

Green School Operations

32370-32376 Recycling paper
33541 Environmental education
101012 Kindergarten through 12th grade school facilities program
FOOD AND AGRICULTURAL CODE
13180-13188 Healthy Schools Act of 2000
HEALTH AND SAFETY CODE
114079 General food safety requirements; unused or returned food
PUBLIC CONTRACT CODE
12400-12404 Environmentally preferable purchasing
PUBLIC RESOURCES CODE
25410-25422 Energy conservation assistance
40050-40063 Integrated waste management act
42630-42647 Schoolsite source reduction and recycling assistance program
CODE OF REGULATIONS, TITLE 2
1859.70.4 Funding for high performance incentive grants
1859.71.6 Additional grant for high performance incentive, new construction
1859.77.4 Additional grants for high performance incentive, site and modernization
CODE OF REGULATIONS, TITLE 5
14010 Standards for school site selection
CODE OF REGULATIONS, TITLE 13
2480 Limitation to school bus idling and idling at schools
CODE OF REGULATIONS, TITLE 24
101.1-703.1 Green building standards

Management Resources:

CALIFORNIA AIR RESOURCES BOARD PUBLICATIONS
School Bus Fleet Webinar, April 20, 2018
COLLABORATIVE FOR HIGH PERFORMING SCHOOLS PUBLICATIONS
CHPS Best Practices Manual
GLOBAL GREEN USA PUBLICATIONS
Healthier, Wealthier, Wiser: A Report on National Green Schools
GREEN SCHOOLS INITIATIVE PUBLICATIONS
Green Schools Buying Guide
HEALTHY SCHOOLS CAMPAIGN PUBLICATIONS
The Quick and Easy Guide to Green Cleaning in Schools, 2nd ed., 2008
WEB SITES
CSBA: <http://www.csba.org>
California Air Resources Board: <http://www.arb.ca.gov>
California Department of General Services, Green California: <http://www.green.ca.gov>
California Energy Commission: <http://www.energy.ca.gov>
Collaborative for High Performance Schools: <http://www.chps.net>
Global Green USA: <http://www.globalgreen.org>
Green Schools Initiative: <http://www.greenschools.net>
Healthy Schools Campaign: <http://www.healthyschoolscampaign.org/programs/gcs>
U.S. Environmental Protection Agency: <http://www.epa.gov>
U.S. Green Building Council, LEED Green Building Rating System: <http://www.usgbc.org>



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3511, Energy Management

BACKGROUND: Policy and regulation updated to reflect recommendations in NEW STATE GUIDANCE from CDE, the Division of the State Architect in the Department of General Services, and the State Water Resources Control Board. Policy also deletes green school strategies duplicated in other policies, and adds coordination with local and regional entities to share expertise and resources. Section on "Storm Water Management" deletes specific requirements for "nontraditional MS4 entities" that are subject to the General Permit for Storm Water Discharges to Small Municipal Separate Storm Sewer Systems, and clarifies that districts may also be subject to the Construction General Permit and the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Industrial Activities. Section on "Emergency Interruption of Services" contains material formerly in AR. Regulation expands components of the district's resource management program to include strategies related to outdoor spaces, drought-tolerant habitats, and equipment maintenance and repair. Regulation also adds new section on "Storm Water Management" with examples of best practices and adds new material related to the emergency interruption of services.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 3511, Energy Management, as presented for first reading.

FUNDING: N/A

ENERGY MANAGEMENT

The ~~Governing Board~~ ~~Board of Trustees~~ recognizes the environmental and financial benefits that can be derived from conserving energy, water, and other natural resources, preparing for extreme weather and other natural events, and providing an environment that promotes the health and well-being of students and staff. To support district goals for energy and water management, the importance of minimizing the district's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively managing the district's fiscal resources. To that end, the Superintendent or designee shall develop a resource management program which may include strategies for implementing effective and sustainable resource practices, exploring the use of renewable and clean energy technology and or sources, reducing energy and water consumption, and promoting conservation principles in the educational program. ~~minimizing utility costs, reducing the amount of waste of consumable materials, encouraging recycling and green procurement practices, and promoting conservation principles.~~

- (cf. 0200 - Goals for the School District)*
- (cf. 3100 - Budget)*
- (cf. 3300 - Expenditures and Purchases)*
- (cf. 3510 - Green School Operations)*
- (cf. 3511.1 - Integrated Waste Management)*
- (cf. 3512 - Equipment)*
- (cf. 6142.5 - Environmental Education)*

The Superintendent or designee may solicit input from staff, students, and parents/guardians regarding the district's resource management program. The Superintendent or designee shall provide staff and students with training and guidance on best practices to achieve the district's goals, and may establish a reward program to recognize outstanding accomplishments.

- (cf. 1150 - Commendation and Awards)*

The Superintendent or designee shall regularly inspect district facilities and operations and make recommendations for maintenance and repairs which may help the district reach its conservation and management goals and improve efficiency. ~~capital expenditures which may help the district reach its conservation and management goals.~~

- (cf. 7110 - Facilities Master Plan)*
- (cf. 7111 - Evaluating Existing Buildings)*

The Superintendent or designee shall make every effort to identify funding opportunities and cost-reducing incentive programs to help the district achieve its conservation and management goals. The district may coordinate with other local or regional entities to capitalize on their expertise and maximize the efficient use of resources, such as through joint or shared use agreements.

- (cf. 1330.1 - Joint Use Agreements)*
- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

The Superintendent or designee shall regularly ~~periodically~~ report to the Board on the district's progress in meeting its conservation and resource management goals.

Storm Water Management

To the maximum extent practicable, the district shall reduce the discharge of pollutants into the water system in order to minimize the threat to water quality from storm water runoff.

The Superintendent or designee shall ensure that the district complies with storm water discharge standards specified by any applicable General Permit coverage required by law, including all requirements of the Construction General Permit issued by the State Water Resources Control Board for any project that disturbs one acre or more of soil. (40 CFR 122.34).

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Integrated Pest Management)

The Superintendent or designee shall develop a storm water management plan that complies with the provisions of the applicable permit and describes best management practices, design strategies, measurable goals, and timetables for implementation. The plan and a resolution authorizing its implementation shall be submitted to the Board for approval. (40 CFR 122.34)

For all projects, the district shall comply with any city or county ordinance that regulates drainage improvements and conditions. (Government Code 53097)

Emergency Interruption of Services

The Superintendent or designee shall develop a plan to minimize disruption to the educational program in the event of power outages or other emergency interruption of utility services. The plan shall include actions to be taken to facilitate student and staff safety, administrative control of operations, protection of equipment, effective communications, and coordination with local fire, police, and emergency personnel and utility service providers.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.5 - Emergency Schedules)

Legal Reference:

EDUCATION CODE

17213.1 School sites

17280 Construction of school buildings

35275 Coordination of new facilities with recreation and park authorities

41422 School term or session length, failure to comply due to disaster

46392 Emergency conditions; ADA estimate

GOVERNMENT CODE

53097 Local agencies

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

WATER CODE

189.3 Recommendations for best design and use practices

13383 Compliance with the federal Water Pollution Control Act

13383.5 Storm water discharge monitoring requirements

CODE OF REGULATIONS, TITLE 23

490-495 Model Water Efficient Landscape Ordinance

2200 Discharge permit fees

UNITED STATES CODE, TITLE 33

1342 National pollutant discharge elimination system

CODE OF FEDERAL REGULATIONS, TITLE 40

122.1-122.64 National pollutant discharge elimination system

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance for Stormwater and Dry Weather Runoff CAPTURE (California Practices to Use Runoff Effectively) at Schools, December 2018

A Blueprint for Environmental Literacy: Educating Every Student In, About, and For the Environment, 2015

Average Daily Attendance Credit During Periods of Emergency, Management Advisory 90-01, rev. February 10, 2005

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLICATIONS

Guidance for Design and Construction of Vegetated Low Impact Development Projects, 2016

U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS

National Management Measures to Control Nonpoint Source Pollution from Urban Areas, 2005

~~CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES~~

~~0118.01 California's Energy Challenge~~

~~0706.90 Water Conservation Advisory, 90-09~~

~~0222.90 Average Daily Attendance Credit During Periods of Emergency 90-01~~

WEB SITES

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

Alliance to Save Energy: <http://www.ase.org>

California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>

California Department of Water Resources: <http://water.ca.gov>

California Division of State Architect: <http://www.dgs.ca.gov/DSA>

California Energy Commission: <http://www.energy.ca.gov>

California State Water Resources Control Board: <http://www.swrcb.ca.gov>

California Stormwater Quality Association: <http://www.casqa.org/resources>

Collaborative for High Performance Schools (CHPS): <http://chps.net>

Green School Yards America: <http://www.greenschoolyards.org>

U.S. Environmental Protection Agency: <http://www.epa.gov>

~~Department of General Resources, Green California, Sustainable Schools:~~

~~<http://www.green.ca.gov/GreenBuildings/schools>~~

Policy Adopted: 4/21/10 12-11-19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3515, Campus Security

BACKGROUND: Policy to clarify that audio capability of surveillance equipment should be disabled in accordance with state law prohibiting the recording of conversations unless the parties to the conversation may reasonably expect that the communication may be overheard or recorded, and to reflect a National Institute of Justice recommendation that signage state that the district's surveillance system may or may not be actively monitored. Regulation adds section on "Locks" reflecting requirement for state-funded new construction projects, as well as certain modernization projects, to include locks that allow classroom doors to be locked from the inside. Regulation also adds strategies to increase adult presence and supervision on campus and to provide staff training in emergency response.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 3515, Campus Security, as presented for first reading.

FUNDING: N/A

Campus Security

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

(cf. 4158/4258/4358 - Employee Security)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5142 - Safety)

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. 0450 - Comprehensive Safety Plan)

Surveillance Systems

In consultation with the district's safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled, with the exception of the districts school busses, so that sounds are not recorded.

(cf. 5131.1 - Bus Conduct)
(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

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

Business and Noninstructional Operations

BP 3515 (b)

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act, especially:

17075.50 Classroom security locks, new construction projects

17583 Classroom security locks, modernization projects

32020 Access gates

32211 Threatened disruption or interference with classes

32280-32289 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

38000-38005 Security departments

49050-49051 Searches by school employees

49060-49079 Student records

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building

626-626.11 Disruption of schools

CALIFORNIA CODE OF REGULATIONS, TITLE 24

1010.1.9 Door operations

1010.1.11 Lockable doors from the inside

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.3 Definition of education records

COURT DECISIONS

Brannum v. Overton County School Board (2008) 516 F. 3d 489

New Jersey v. T.L.O. (1985) 469 U.S. 325

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2000)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law

Enforcement Agencies, rev. 2005

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

FAQs on Photos and Videos under FERPA

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/l/s/ss>

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Protecting Student Privacy: <http://studentprivacy.ed.gov>

Policy Adopted: 12/11/19

Orcutt Union School District
Orcutt, CA



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3540, Transportation

BACKGROUND: Policy updated to include material formerly in AR regarding the means of transportation and contracts for transportation services. Policy also addresses the district's authority to transport students without parent/guardian permission when evacuation of students is necessary for their safety and the installation of a global positioning system on school buses to enhance safety and provide real-time location data.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 3540, Transportation, as presented for first reading.

FUNDING: N/A

Business and Noninstructional Operations

TRANSPORTATION

The **Governing** Board of Trustees desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance and reduce tardiness. **In determining** the extent to which the district provides for transportation services **the Board shall weigh depend upon** student and community needs **against the cost of providing such services.** ~~and a continuing assessment of financial resources.~~

(cf. 3100 - Budget)
~~(cf. 3250 - Transportation Fees)~~
(cf. 3541 - Transportation Routes and Services)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Agreements)
(cf. 6178.2 - Regional Occupational Center/Program)

The Superintendent or designee shall recommend to the Board the most economical, **environmentally sustainable**, and appropriate means of providing transportation services.

(cf. 3510 - Green School Operations)

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

(cf. 3543 - Transportation Safety and Emergencies)
(cf. 5131.1 - Bus Conduct)

The district may install a global positioning system (GPS) on school buses, district owned vehicles, and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators and parents/guardians.

The Superintendent or designee shall ensure the qualifications of bus drivers and related staff employed by the district, provide for the maintenance and operation of district-owned school buses and other equipment, and ensure adequate facilities for equipment

Business and Noninstructional Operations

BP 3540 (b)

storage and maintenance.

(cf. 3542 - School Bus Drivers)

Legal Reference:

EDUCATION CODE

35330 Excursions and field trips

35350 Authority to transport pupils

39800-39860 Transportation, especially:

39800 Powers of governing board to provide transportation for pupils to and from school; definition of "municipally owned transit system"

39801 Contract with County Superintendent of Schools to provide transportation

39802-39803 Bids and contracts for transportation services

39806 Payments to parents in lieu of transportation

39807 Food and lodging payments in lieu of transportation

39807.5 Transportation fees

39808 District transportation of private school students

41850-41854 Allowances for transportation

41860-41862 Supplemental allowances for transportation

45125.1 Criminal background checks for contractors

52311 Regional occupational centers, transportation

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

PENAL CODE

637.7 Electronic tracking devices

CODE OF REGULATIONS, TITLE 5

14100-14103 Use of school buses and school pupil activity buses

15240-15343 Allowances for student transportation, especially:

15253-15272 District records related to transportation

VEHICLE CODE

2807 School bus inspection

CODE OF REGULATIONS, TITLE 13

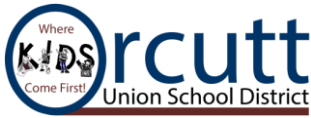
2025 Retrofitting of diesel school buses

COURT DECISIONS

Arcadia Unified School District et. al. v. State Department of Education, 2 Cal. 4th 251 (1992)

Policy Adopted: ~~2/15/07~~ **14/31-19**

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3551, Food Service Operation/Cafeteria Fund

BACKGROUND: Policy updated to ensure that all food service directors possess appropriate qualifications. Policy consolidates material on nondiscrimination toward students who have unpaid meal fees and those who participate in the free and reduced-price meal program.

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 3551, Food Service Operation/Cafeteria Fund, as presented for first reading.

FUNDING: N/A

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) ~~personnel~~ possess the ~~required~~ qualifications **required by 7 CFR 210.030 and California Department of Education (CDE) standards**, and ~~receive ongoing professional development related to the effective management and implementation of the district's food service program in accordance with law.~~

(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 ~~California Department of Education (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 served a meal that differs from the meal served to other students. (Education Code 49557.5)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)

~~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. Such students shall not be overtly identified or treated differently from other students.~~

~~(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3553 - Free and Reduced Price Meals)~~

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)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

(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)

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)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

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

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

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

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,

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, ~~Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA SNP-06-2015, May 2015~~

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

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

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, ~~September 2016~~
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

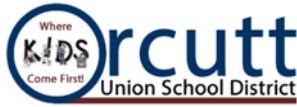
California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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: ~~05-09-18~~ 3411/19

ORCUTT UNION SCHOOL DISTRICT
"Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 3555, Nutrition Program Compliance

BACKGROUND: Policy updated to clarify that, although state and federal law prohibit discrimination in child nutrition programs for all protected categories, the CDE and U.S. Department of Agriculture (USDA) only investigate complaints of discrimination based on race, color, national origin, sex, age, and disability. Policy also reorganizes and expands the responsibilities of the district's civil rights coordinator to reflect CDE's guidebook as updated in November 2015, and updates the addresses where complaints may be submitted. Nondiscrimination statement that is required to be printed on program documents, pamphlets, brochures, and other materials updated to reflect the USDA's 2015 statement.

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

FUNDING: N/A

Nutrition Program Compliance

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

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

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Coordinator

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

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

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

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

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

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

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

(cf. 6159 - Individualized Education Program)

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

Nutrition Program Compliance

5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below
 6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
 7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
 8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet
- (cf. 5141.27 - Food Allergies/Special Dietary Needs)
9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log and working with the appropriate person to resolve any complaint
 10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

(cf. 5022 - Students and Family Privacy Rights)
(cf. 5125 - Student Records)

Notifications

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

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

(cf. 5145.6 - Parental Notifications)

In addition, all forms of communication available to the public regarding program availability shall contain, in a prominent location, the following statement:

Nutrition Program Compliance

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

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

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
2. fax: (202) 690-7442; or
3. email: program.intake@usda.gov.

This institution is an equal opportunity provider."

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

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

Nutrition Program Compliance

Complaints

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

Nutrition Program Compliance

225.3 Summer Food Service Program, administration
225.7 Summer Food Service Program, program monitoring
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services
CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:
106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

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

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

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

Notice of Non-Discrimination, August 2010

WEB SITES

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

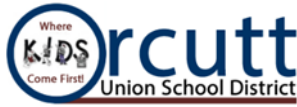
U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

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

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

Regulation Approved 34111139

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 7140, Architectural and Engineering Services

BACKGROUND: Policy updated to clarify the district's responsibility to select a licensed architect and/or structural engineer as required by law when professional design services are used for construction or modernization of school facilities and to address the need to comply with state safety and design standards. Policy adds the general duties of the architect and/or structural engineer and the circumstances under which design specifications must be submitted to CDE and the Division of the State Architect. Regulation updates the components of the selection process to more directly reflect law and adds the district's authority, if negotiations with the most qualified firm are unsuccessful, to negotiate a contract with the second most qualified firm and then the third most qualified firm. Regulation also includes the option to award a contract to a single entity for both the design and construction of a school facility in excess of \$1 million ("design build" contract).

RECOMMENDATION: Staff recommends that the Board of Trustees adopt the new Board Policy 7140, Architectural and Engineering Services, as presented for first reading.

FUNDING: N/A

Facilities

ARCHITECTURAL AND ENGINEERING SERVICES

BP 7140 (a)

The Governing Board desires to provide school facilities that support the educational program and meet all applicable safety and design standards. When required by law, the Board shall employ or contract with a licensed and certified architect and/or structural engineer to design and supervise the construction of district schools and other facilities.

(cf. 7110 - Facilities Master Plan)

The architect and/or structural engineer shall be responsible for preparing all construction plans, specifications, and estimates and for the observation of the work of construction. (Education Code 17302)

To ensure compliance with state design and safety standards, preliminary and final plans for any state-funded school facility project, including Board-approved educational specifications for school design when necessary, shall be submitted to the California Department of Education and the Department of General Services, Division of the State Architect. (Education Code 17267; 5 CCR 14030-14032)

~~In order to ensure safe construction and protect the investment of public funds, the Governing Board requires that a licensed and certified architect or structural engineer be employed to design and supervise the construction of district schools and other facilities.~~

The Superintendent or designee shall devise a competitive process for the selection of architects and structural engineers, **and other design professionals** that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, ~~he/she~~ the **Superintendent or designee** shall recommend ~~specific~~ architectural and engineering firms to the Board **for approval**. The Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. The Board need not select the lowest responsible bidder.

(cf. 3311 - Bids)

(cf. 3311.3 - Design-Build Contracts)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act, especially:

17070.50 Conditions for apportionment

17250.10-17250.55 Design-build contracts

17251 School construction; duties of the California Department of Education

17262-17268 School construction plans

17280-17316 Approvals, especially:

17302 Persons qualified to prepare plans, specifications and estimates and supervise construction

17316 Contract provision re school district property

17371 Limitation on liability of governing board

BUSINESS AND PROFESSIONS CODE

5500-5502 Architecture

ARCHITECTURAL AND ENGINEERING SERVICES

BP 7140 (b)

5550-5558 Architects, licensure

6700-6706.3 Engineers

6750-6766 Engineers, licensure

GOVERNMENT CODE

4525-4529.5 *Contracts with private architects, engineering, land surveying, and construction project management firms*

14837 *Definition of small business*

87100 *Public officials; financial interest*

PUBLIC CONTRACT CODE

20111 *School district contracts*

CODE OF REGULATIONS, TITLE 5

14001 *Minimum standards for school facilities*

14030-14036 *Standards, planning, and approval of school facilities*

CODE OF REGULATIONS, TITLE 24

101 et seq. *California Building Standards Code*

CALIFORNIA CONSTITUTION

Article 22 *Architectural and engineering services*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Plan Submission Requirements for Modernization Projects, Form SFPD 4.08

Plan Submission Requirements for New Construction, Form SFPD 4.07

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

School Facility Program Handbook, January 2019

WEB SITES

American Institute of Architects California Council: <http://aiacalifornia.org>

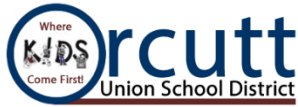
California Department of Education, Facilities: <http://www.cde.ca.gov/lr/fa>

Department of General Services, Division of the State Architect: <http://www.dgs.ca.gov/DSA>

Department of General Services, Office of Public School Construction: <http://www.dgs.ca.gov/OPSC>

Policy Adopted: ~~6/7/06~~ 12-11-19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Youth League Facility Use Agreements

BACKGROUND: Several years ago district counsel recommended that we enter into annual facility use agreements with three local youth groups. The Facility Use Agreements for the 19-20 school year between Orcutt Union School District and Orcutt National Little League and Orcutt American Little League respectively, are included for your review and approval.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the facility use agreements with the Orcutt American Little League and Orcutt National Little League as submitted.

FUNDING: N/A

ORCUTT UNION SCHOOL DISTRICT

Facilities Use Agreement with Orcutt National Little League

1. This Agreement is entered into pursuant to the provisions of Article 2 (commencing with Section 38130) of Chapter 4 of Part 23 of Division 2 of Title 2 of the California Education Code known as the Civic Center Act.
2. The parties to this Agreement are the Orcutt Union School District, a public school district organized and operating under the laws of the State of California (hereinafter referred to as "District"), and **Orcutt National Little League**, a nonprofit unincorporated community association (hereinafter referred to as "Association").
3. The term of this Agreement shall be one (1) year commencing upon its execution by both parties. It may be extended or renewed upon written agreement by both parties.
4. The District hereby agrees that except as otherwise provided for in this Agreement, the Association shall have (during non-school hours) access to and full use of the baseball complex at **Orcutt Academy High School**, provided, however, that the District shall retain full access rights at all times. The District will not permit any use that is incompatible with the Little League's use of the complex.
5. The Association hereby agrees to assume full responsibility for maintenance of the complex, including, but not limited to mowing and watering of all grass areas, trimming and watering of vegetation, control of dust, picking up of all litter, trash and debris.
6. The Association shall assume full responsibility for vehicle control and parking during its hours of use of the facilities. All parking is on the street, only a delivery or maintenance vehicle is allowed to drive onto District property and this access may be revoked by the District at any time.
7. Any public address or other voice-amplification system operated by the Association in conjunction with its sponsored activities shall be operated at reasonable sound levels, and no such amplification system shall be operated after 9:30 p.m.
8. Additions to or expansion of the complex shall be undertaken by the Association only upon prior authorization from the District Board of Trustees.
9. The Association shall secure a written release, to be approved in form by the District, from each person using the complex under its auspices whereby such individual acknowledges that he/she recognizes that the Association is responsible for the use and maintenance of the property and that he/she is releasing the District from any and all liability for any accident or injury which may occur during such use of the complex.
10. The Association hereby agrees, as a condition of this Agreement, to provide evidence to the District of current personal and property liability insurance in an amount not less than two million dollars (\$2,000,000), with the District named as an additional insured. The Association further agrees to maintain such valid liability insurance for the term of this Agreement and any extension or renewal thereof.
11. The Association agrees to indemnify, defend and hold harmless the District, its officers and employees, against any and all actions, allegations, claims, costs, damages, fees, and judgments arising out of its use, control, construction, and maintenance of the complex or otherwise related to this Agreement.
12. This Agreement may be terminated by either party upon sixty (60) days written notice.

13. This Agreement constitutes the entire agreement between the parties relating to use of the complex and supersedes any previous oral or written agreement which may have existed between the parties. This Agreement may be amended only upon the further written agreement of the parties.
14. This Agreement shall be governed by and construed under the laws of the State of California and jurisdiction over any claim arising hereunder shall vest in the courts of Santa Barbara County, California.
15. Nothing in this Agreement is intended, or shall be deemed to constitute a partnership or joint venture between the District and the Association.
16. The failure of the District or Association to enforce at any time any provision of this Agreement shall in no way be construed to be a waiver of such provision, nor in any way shall affect the validity of any part of this Agreement, or the right of the District or the Association to thereafter enforce each and every provision.
17. All the clauses of this Agreement are distinct and severable, and if any cause shall be deemed illegal, void or unreasonable, it shall not affect the validity, legal enforceability of any portion or clause of this Agreement.
18. The indemnification obligations hereunder shall survive termination or expiration of this Agreement.
19. All correspondence and notices hereunder shall be in writing and will be deemed to be delivered on the same day, if given and confirmed via facsimile transmission or electronic mail, the next day by overnight courier, on the fifth day if by registered or certified mail, or upon receipt by regular mail. In the event of an emergency, notice shall be given verbally and in writing.
20. The use of tobacco products and/or alcoholic beverages is strictly prohibited on District property. The Association shall use best efforts to ensure that these substances are not used on the District's property while the property is in use by the Association.
21. The Association shall forward a roster for the Association upon election of a new board or upon any change in board membership.
22. Dogs (except service dogs) are prohibited from the District campus at all times. The Association shall use its best efforts to ensure that this rule is followed during the Association's use of the property.

EXECUTED this 13th day of November at Orcutt, California, by:

ORCUTT UNION SCHOOL DISTRICT

by:

Name

Assistant Superintendent Business Services
Title

Date

ORCUTT NATIONAL LITTLE LEAGUE

by:

TRAVIS GOMEZ
Name

PRESIDENT
Title

10/11/19
Date

77-0058205
EIN # for Non-Profit Status

Orcutt Union School District

Facilities Use Agreement with Orcutt American Little League

1. This Agreement is entered into pursuant to the provisions of Article 2 (commencing with Section 38130) of Chapter 4 of Part 23 of Division 2 of Title 2 of the California Education Code known as the Civic Center Act.
2. The parties to this Agreement are the Orcutt Union School District, a public school district organized and operating under the laws of the State of California (hereinafter referred to as "District"), and **Orcutt American Little League**, a nonprofit unincorporated community association (hereinafter referred to as "Association").
3. The term of this Agreement shall be one (1) year commencing upon its execution by both parties. It may be extended or renewed upon written agreement by both parties.
4. The District hereby agrees that except as otherwise provided for in this Agreement, the Association shall have (during non-school hours) access to and full use of the baseball complex at **Joe Nightingale School**, provided, however, that the District shall retain full access rights at all times. The District will not permit any use that is incompatible with the Little League's use of the complex.
5. The Association hereby agrees to assume full responsibility for maintenance of the complex, including, but not limited to mowing and watering of all grass areas, trimming and watering of vegetation, control of dust, picking up of all litter, trash and debris. The Association is responsible for the electricity it uses via a separate meter to be installed by March 2, 2013 with Association agreeing to pay for electric use each month. Effective December 1, 2013 the Association hereby agrees to be responsible for paying for the water use which also has a separate meter, with the same payment responsibilities as for electric use. Effective March 2016 the Association hereby agrees to be responsible for use of dumpster. Use of the dumpster will require an additional pick up by health sanitation. The monthly additional cost will be at **fair market value**, this amount will be invoiced to the association for the time they are using the fields. The District will invoice quarterly for the monthly charges and payment is due net 30 days.
6. The Association shall assume full responsibility for vehicle control and parking during its hours of use of the facilities. All parking is on the street, only a delivery or maintenance vehicle is allowed to drive onto District property and this access may be revoked by the District at any time.
7. Any public address or other voice-amplification system operated by the Association in conjunction with its sponsored activities shall be operated at reasonable sound levels, and no such amplification system shall be operated after 9:30 p.m.
8. Additions to, modifications to, or expansion of the complex shall be undertaken by the Association only upon prior written authorization from the District Board of Trustees
9. The Association shall secure a written release, to be approved in form by the District, from each person using the complex under its auspices whereby such individual acknowledges that he/she

recognizes that the Association is responsible for the use and maintenance of the complex and that he/she is releasing the District from any and all liability for any accident or injury which may occur during such use of the complex.

10. The Association hereby agrees, as a condition of this Agreement, to provide written evidence to the District of current personal and property liability insurance in an amount not less than **two million dollars (\$2,000,000)**, with the District named as an additional insured. The Association further agrees to maintain such valid liability insurance for the term of this Agreement and any extension or renewal thereof.
11. The Association agrees to indemnify, defend and hold harmless the District, its officers and employees, against any and all actions, allegations, claims, costs, damages, fees, and judgments arising out of its use, control, construction, and maintenance of the complex or otherwise related to Association's performance under this Agreement.
12. This Agreement may be terminated by either party, with or without cause upon sixty (60) days written notice. Notwithstanding the foregoing, if Association is in breach of this Agreement, District shall give Association written notice of the breach, and if the breach is not cured within three (3) working days, District has the right to suspend Association's use of the complex.
13. This Agreement constitutes the entire agreement between the parties relating to use of the complex and supersedes any previous oral or written agreement which may have existed between the parties. This Agreement may be amended only upon the further written agreement of the parties.
14. This Agreement shall be governed by and construed under the laws of the State of California and jurisdiction over any claim arising hereunder shall vest in the courts of Santa Barbara County, California.
15. Nothing in this Agreement is intended, or shall be deemed to constitute a partnership or joint venture between the District and the Association.
16. The failure of the District or Association to enforce at any time any provision of this Agreement shall in no way be construed to be a waiver of such provision, nor in any way shall affect the validity of any part of this Agreement, or the right of the District or the Association to thereafter enforce each and every provision.
17. All the clauses of this Agreement are distinct and severable, and if any cause shall be deemed illegal, void or unreasonable, it shall not affect the validity, legal enforceability of any portion or clause of this Agreement.
18. The indemnification obligations hereunder shall survive termination or expiration of this Agreement.
19. All correspondence and notices hereunder shall be in writing and will be deemed to be delivered on the same day, if given and confirmed via facsimile transmission or electronic mail, the next day by overnight courier, on the fifth day if by registered or certified mail, or upon receipt by regular mail. In the event of an emergency, notice shall be given verbally and in writing.
20. The use of tobacco products, illegal drugs or controlled substances and/or alcoholic beverages is strictly prohibited on District property. The Association shall use best efforts to ensure that these substances are not used on the District's property while the complex is in use by the Association.

- 21. The Association shall forward a roster for the Association upon election of a new board or upon any change in board membership.
- 22. Dogs (except service dogs) and other pets are prohibited from the District campus at all times. The Association shall use its best efforts to ensure that this rule is followed during the Association's use of the complex.

EXECUTED this 13th day of November at Orcutt, California, by:

ORCUTT UNION SCHOOL DISTRICT

by:

Name

Assistant Superintendent, Business Services
Title

Date

ORCUTT AMERICAN LITTLE LEAGUE

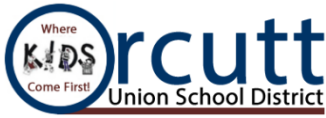
by:

Name

Title

Date

EIN # for Proof of Non-Profit Status



BUSINESS SERVICES MEMORANDUM

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

FROM: Bill Young
Assistant Superintendent, Business Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Change Order for Bid Package No. 1 RDZ Contractors, Site Work & Asphalt Paving

BACKGROUND: On March 13, 2019, the Board of Trustees awarded construction contracts for the School Site and Safety Projects at Patterson Road and Ralph Dunlap. RDZ Contractors was awarded Bid Package No. 1, Site Work and Paving for \$232,353 for Dunlap Elementary. During the site walk the DSA Inspector noted that the parking lot was not ADA Compliant. This resulted in additional demolition and paving and asphalt work.

RECOMMENDATION: Staff recommends the Board of Trustees ratify the Change Order No. 1 for Bid Package No. 1, RDZ Contractors in the amount of \$3,884.56 with the final contract total of \$236,237.56.

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: November 13, 2019

BOARD AGENDA ITEM: Deductive Change Order – Quincon, Inc. and RDZ Contractors, for Patterson Road and Ralph Dunlap School Site Safety and Security Project

BACKGROUND: On March 13, 2019, the Board of Trustees authorized staff to enter into an agreement with RDZ Contractors, Bid Category 1, Site Work & Asphalt Paving for \$267,895 for Patterson Rd. and \$232,353 for Ralph Dunlap and Quincon, Inc., Bid Category 3 General Construction, \$145,000 for Patterson Road and \$169,000 Ralph Dunlap School Site Safety Security Project. Each bid total included allowances. An allowance is defined as an amount specified and included in the construction contract or specifications for a certain item of work whose details are not yet determined at the time of contracting. The allowance would cover any additional work that was required to complete the project.

Both contracts used a portion of the allowance outlined in the bid documents. Below are the amounts of the allowances not used and considered a deductive change order and contract adjustment.

Contractor	Bid Total	Deductive C/O	Final Bid Total
RDZ, Contractors - Patterson Rd	\$267,895	(\$1,518.42)	\$266,376.58
Quincon Inc.- Patterson Rd.	\$145,000	(\$7,491.98)	\$137,508.02
Quincon, Inc.- Ralph Dunlap	\$169,000	(\$1,695.97)	\$167,304.03

RECOMMENDATION: I recommend the Board of Trustees ratify the Deductive Change Orders for RDZ Contractors, and Quincon, Inc., as submitted.

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



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Where a Dedicated Staff Means
KIDS COME FIRST

TO: Dr. Deborah Blow, Superintendent

FROM: Dr. Holly Edds, Asst. Superintendent, Educational Services

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 5131 - Conduct

BACKGROUND: Policy updated to reflect new law (AB 272) which authorizes boards to limit or prohibit, except under specified circumstances, student use of smartphones while at school or while under the supervision and control of a district employee.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revision of BP 5131.

FUNDING: There are no funding implications.

CONDUCT

The Board of Trustees believes that all students have the right to be educated in a **safe and** positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, going to or coming from school, at school activities, or on district transportation.

(cf. 0450 – Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 – Positive School Climate)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5142 - Safety)
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or substantial disruption **to the school program**
(cf. 5131.2 – Bullying)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual Harassment)
(cf. 5145.9 – Hate-Motivated Behavior)
3. Conduct that disrupts the orderly classroom or school environment
(cf. 5131.4 - Student Disturbances)
4. Willful defiance of staff’s authority
5. Damage to or theft of property belonging to students, staff, or the district
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 5131.5 - Vandalism, ~~Theft~~ and Graffiti)
6. Obscene acts of use of profane, vulgar, or abusive language
(cf. 5145.2 - Freedom of Speech/Expression)

CONDUCT

7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited ~~drugs~~ **substances**
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 5131.63 - Steroids)
8. Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose **with prior permission of the principal or designee** (Penal Code 417.27)

~~Prior to bringing a laser pointer on school premises for a valid instructional, or school-related purpose, students shall first obtain permission from the principal or designee.~~

9. Use of a cellular/digital telephone, **smart watch**, pager, or other mobile communication device during instructional time **or in an unauthorized manner in violation of district policy**

Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with a camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health. (Education Code 48901.5)

(cf. 5131.8 - Mobile Communication Devices)
(cf. 6163.4 - Student Use of Technology)

10. Plagiarism or dishonesty in school work or on tests
(cf. 5131.9 - Academic Honesty)
(cf. 6162.54 - Test Integrity/Test Preparation)
(cf. 6162.6 - Use of Copyrighted Materials)
11. ~~Inappropriate attire~~ **Wearing of any attire that violates district or school dress codes, including gang-related apparel**
(cf. 5132 - Dress and Grooming)
(cf. 5136 - Gangs)
12. Tardiness or unexcused absence from school
(cf. 5113 - Absences and Excuses)
(cf. 5113.1 – Chronic Absence and Truancy)
(cf. 5113.11 - Attendance Supervision)
(cf. 5113.12 - District School Attendance Review Board)

CONDUCT

13. Failure to remain on school premises in accordance with school rules
(cf. 5112.5 – Open/Closed Campus)

Employees are expected to ~~provide appropriate supervision~~ to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to ~~immediately~~ **appropriately** intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

(cf. 5145.12 - Search and Seizure)

When a student uses any prohibited device, or uses a permitted device ~~in any unethical or illegal activity~~ **in an unauthorized manner**, a district employee may confiscate the device. The employee shall store the item in a secure manner until **it is returned to the student or turned over to the principal or designee, as appropriate** ~~an appropriate time~~.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

~~(cf. 1020 – Youth Services)~~

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

(cf. 5020 - Parent Rights and Responsibilities)

Cf. 5127 – Graduation Ceremonies and Activities)

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6159.4 – Behavioral Interventions for Special Education Students)

(cf. 6164.2 – Guidance/Counseling Services)

(cf. 6164.5 – Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities.

CONDUCT

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension or expulsion

51512 Prohibition use of electronic listening or recording device in classroom without permission

CIVIL CODE

1714.1 Liability of parents and guardians for willful misconduct of minor

PENAL CODE

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

VEHICLE CODE

23123-23124 Prohibitions against use of electronic devices while driving

CODE OF REGULATIONS, TITLE 5

300-307 Duties of students

UNITED STATES CODE, TITLE 42

20 USC 1681-1688 Title IX, 1972 Education Act Amendments

~~**UNITED STATES CODE, TITLE 47**~~

~~254 Universal service discounts (e-rate)~~

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F. Supp.2d 1094

LaVine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April, 2010

~~Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>

Center for Safe and Responsible Internet Use:-<http://www.ewa.org/organization/center-safe-and-responsible-internet-use>

National School Safety Center: <http://www.schoolsafety.us>

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

Policy Adopted: ~~06/13/12~~ 12/11/2019

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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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: November 13, 2019

BOARD AGENDA ITEM: Board Policy 5132 – Dress & Grooming

BACKGROUND: Policy updated to reflect new law (SB 188) which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revision of BP 5132.

FUNDING: There are no funding implications.

DRESS AND GROOMING

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

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

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

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

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

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

(cf. 0415 - Equity)

(cf. 5145.2 - Freedom of Speech/Expression)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

DRESS AND GROOMING

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

Repeated violations or refusal to comply with the district's dress code may result in disciplinary action.

(cf. 5144 - Discipline)

Gang-Related Apparel

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code **shall be presented to the Board, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)** ~~may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment.~~

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5136 - Gangs)

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

Uniforms

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

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

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

Legal Reference:

DRESS AND GROOMING

EDUCATION CODE

212.1 Nondiscrimination based on race or ethnicity

220 Nondiscrimination

32281 School safety plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

49066 Grades; effect of physical education class apparel

COURT DECISIONS

Jacobs v. Clark County School District, (2008) 26 F. 3d 419

Harper v. Poway Unified School District, (2006) 445 App. 3d 166

Marvin H. Jeglin et al v. San Jacinto Unified School District et al (C.D. Cal. 1993) 827 F. Supp. 1459

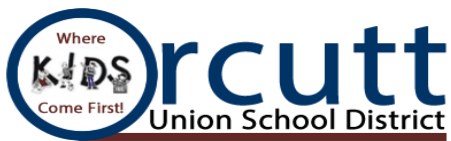
Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

Hartzell v. Connell (1984) 35 Cal. 3d 899

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

Policy Adopted: ~~09/11/2019~~ 12/11/2019 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
Board of Trustees

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 4116, Probationary/Permanent Status

BACKGROUND: Policy updated to reflect court decisions clarifying the distinction between probationary employees and temporary employees. Policy also adds material regarding the notification of nonreelection of a probationary employee, formerly in AR 4117.6 - Decision Not to Rehire.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revisions to Board Policy 4116, as submitted.

FUNDING: N/A

Personnel

BP 4116 (a)

PROBATIONARY/PERMANENT STATUS

The Governing Board desires to employ and retain highly qualified certificated personnel to implement the district's educational program. Newly hired certificated personnel shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

Certificated employees who satisfactorily complete the probationary period shall be granted permanent status.

A probationary employee who has been employed by the district in position(s) requiring certification for two complete consecutive school years and is then reelected for the next succeeding school year shall become a permanent employee at the beginning of the third year. (Education Code 44929.21, 44929.23)

During the P probationary period, employees shall receive professional development and training, assistance and evaluations consistent with their needs as new teachers. ~~Such training and assistance~~ which may consist of in-service training and/or meetings with the employee's evaluator to discuss areas of strength and areas requiring improvement. Inservice training may be provided during school hours as part of a comprehensive staff development program.

(cf. 4131 - Staff Development)

The performance of each probationary employee shall be evaluated and assessed at least once every school year.

(cf. 4115 - Evaluation/Supervision)

Dismissal/Nonreelection of Probationary Employees

During the school year, a probationary employee may be suspended or dismissed only for cause and in accordance with district procedures. (Education Code 44948.3)

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

With proper notice, the Board may, without cause, elect not to reemploy a probationary employee for the subsequent year. (Education Code 44929.21, 44929.23)

(cf. 4117.3 - Personnel Reduction)

The Superintendent or designee shall annually provide the Board with recommendations regarding the reelection or nonreelection of probationary certificated personnel for the ensuing school year.

At any time during a probationary employee's first year of employment in the district, the Board may give written notice to the employee of the Board's decision not to reelect the employee for a second school year. If the Board does not give written notice, the employee shall be deemed reelected for the next succeeding school year.

Personnel

BP 4116 (b)

PROBATIONARY/PERMANENT STATUS

During the final year of the probationary period, the Board may decide not to reelect the employee for the following year, and shall so notify the employee in writing on or before March 15. If the Board does not give written notice on or before March 15, the employee shall be deemed reelected for the next succeeding school year. (Education Code 44929.21, 44948.5)

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

Such notices shall be delivered through personal service upon the employee, certified mail with return receipt, email, or another method which documents actual receipt of the notice by the employee.

~~Permanent Status~~

~~Granting of permanent status shall be based on completion of the probationary period in accordance with applicable law. Employees granted permanent status acquire specific rights under the Education Code, including those relating to discipline and dismissal. (Education Code 44932-44988)~~

~~(cf. 4117.4 - Dismissal)~~

~~(cf. 4117.6 - Decision Not to Rehire)~~

Legal Reference:

EDUCATION CODE

44466 Status of university interns

44850.1 No tenure in administrative or supervisory position

44885.5 Status of district interns

44908 Complete years for probationary employees

44909 **Classification of certificated employees in categorically funded projects**

44910 ~~4~~-44913 Service not computed in eligibility for permanent status

44915 Classification of probationary employees

44917-44921 Status of substitute or temporary employees

44929.20 Continuing contracts (not to exceed four years - ADA under 250)

44929.21 Districts of 250 ADA or more

44929.23 Districts with less than 250 ADA

44929.28 Employment by another district

44930-44988 Resignations, dismissals and leaves of absence, especially:

44948.2 Election to use provisions of Section 44948.3

44948.3 Dismissal of probationary employees

44948.5 Nonreelection procedures, districts under 250 ADA

44949 Cause, notice and right to hearing required for dismissal of probationary employee

44955 Reduction in number of permanent employees

COURT DECISIONS

Personnel

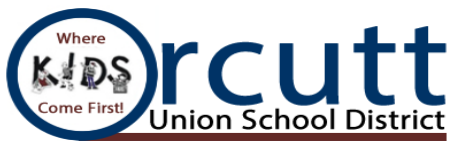
BP 4116 (c)

PROBATIONARY/PERMANENT STATUS

Grace v. Beaumont Unified School District (2013) 216 Cal. App. 4th 1325
Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 203 Cal. App. 4th 1552
Sullivan v. Centinela Valley Union High School District (2011) 194 Cal. App. 4th 69
California Teachers Assn. v. Vallejo City Unified School District (2007) 149 Cal. App. 4th 135, 146
Hoschler v. Sacramento City Unified School District (2007) 149 Cal. App. 4th 258
Bakersfield Elementary Teachers Assn. v. Bakersfield City School District (2006) 145 Cal. App. 4th 1260, 1280
Fischer v. Los Angeles Unified School District (1999) 70 Cal.App.4th 87
Bellflower Education Assn. V. Bellflower Unified School District (1991) 228 Cal.App.3d 805
Fontana Teachers Assn. v. Fontana Unified School District (1988) 201 Cal.App.3d 1517
Grimsley v. Board of Trustees (1987) 189 Cal.App.3d 1440

Policy Adopted: ~~10/15/08~~ 12/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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Where a Dedicated Staff Means
KIDS COME FIRST

TO: Dr. Deborah Blow, Superintendent
Board of Trustees

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 4119.22/4219.22/4319.22, Dress and Grooming

BACKGROUND: Policy updated to reflect NEW LAW (SB 188) which prohibits discrimination against traits historically associated with race, including hair texture and "protective hairstyles" such as braids, locks, and twists.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revisions to Board Policy 4119.22/4219.22/4319.22, as submitted.

FUNDING: N/A

Personnel

DRESS AND GROOMING

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

(cf. 0415 - Equity)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4112.21/4212.21/4312.21 - Professional Standards)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

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

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

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

The district shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

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

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

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

GOVERNMENT CODE

3543.2 Scope of representation

12926 Definitions

12940 Unfair employment practices

12949 Dress standards, consistency with gender identity

BP 4119.22(b)
BP 4219.22(b)
BP 4319.22(b)

Personnel

DRESS AND GROOMING

COURT DECISIONS

San Mateo City School District v. PERB (1983) 33 Cal. 3d 850

Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100

East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856

Finot v. Pasadena Board of Education (1967) 250 Cal.App.2d 189

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Santa Ana Unified School District (1998) 22 PERC P29, 136

Inglewood Unified School District (1985) 10 PERC P17, 000

Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

PUBLICATIONS

Transgender Rights in the Workplace

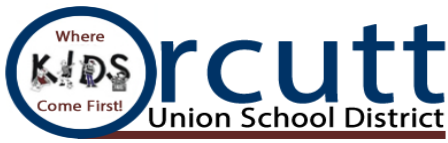
WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Public Employment Relations Board: <http://www.perb.ca.gov>

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

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California



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Where a Dedicated Staff Means
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TO: Dr. Deborah Blow, Superintendent
Board of Trustees

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: November 13, 2019

BOARD AGENDA ITEM: Board Policy 4216, Probationary/Permanent Status

BACKGROUND: Policy updated to reflect NEW LAW (AB 1353) which shortens the length of the probationary period in non-merit system districts from one year to either six months or 130 days of paid service, whichever is longer, for consistency with districts incorporating the merit system. Policy also revised to clarify that employees may be dismissed during the probationary period without cause.

RECOMMENDATION: It is recommended that the Board of Trustees approve the proposed revisions to Board Policy 4216, as submitted.

FUNDING: N/A

Personnel
PROBATIONARY/PERMANENT STATUS

The Governing Board desires to employ and retain highly qualified classified personnel to support the district's educational program and operations. ~~Employees Newly hired for regular positions in the classified service shall be considered probationary employees until they have satisfactorily completed one year~~ shall serve a ~~of~~ probationary period during which the Board ~~service. Upon satisfactorily completing this period, they shall become~~ determine their suitability for long-term district employment. ~~permanent classified employees of the district.~~

A probationary employee who has been employed by the district for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the district. (Education Code 45113, 45301)

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

(cf. 4215 - Evaluation/Supervision)

~~The Superintendent or designee~~ The district may, without cause, dismiss a ~~n~~ new employee during the ~~initial~~ probationary period.

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

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed the probationary period. ~~one year of service in that position.~~

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which he/she was promoted. (Education Code 45113)

This policy shall be made available to classified employees and the public. (Education Code 45113)

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

Legal Reference:

EDUCATION CODE

45113 Rules and regulations for classified service in districts not incorporating the merit system

45240-45320 Merit system

Management Resources:

WEB SITES

California School Employees Association: <http://www.csea.org>

Policy Adopted: ~~10/15/08~~ 12/11/19

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California