

ORCUTT UNION SCHOOL DISTRICT  
Regular Closed Meeting of the Board of Trustees  
Wednesday, March 10, 2021

Closed Session – 6:00 P.M. Public Session – 6:45 P.M.  
District Board Room, 500 Dyer St., Orcutt, CA 93455

**There will be a link posted on the district website home page prior to the start of the meeting. To view the meeting go to that link. If you want to just listen to the meeting or make a public comment, you will need to follow the instructions below.**

**Due to Covid 19 Pandemic and need for Social Distancing, the physical Board meeting is closed to the public, however you can access the board meeting via audio teleconference**

**Orcutt Conference Call**

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

<https://www.gotomeet.me/orcutt> You can also dial in using your phone United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 887-747-125

**CALL TO ORDER** 6:00 P.M.

- A. Pledge of Allegiance
- B. Open Session of our board meetings are audio recorded and are being live streamed. Those in attendance should expect that the recordings will capture all activity and discussions before, during and after meetings.

**CLOSED SESSION PUBLIC COMMENTS**

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

**ADJOURN TO CLOSED SESSION**

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

**RECONVENE TO PUBLIC SESSION** 6:45 P.M.

- A. Public Report on Action Taken in Closed Session
- B. Adoption of March 10, 2021 Agenda

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

**C. PUBLIC COMMENT ANNOUNCEMENT**

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

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.

**ITEMS SCHEDULED FOR INFORMATION/DISCUSSION**

A. Superintendent's Report

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

1. OAHS ASB Update
2. OAHS presentation
3. In-Person Instruction Update

B. Items from the Board

C. Public Comment

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

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

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

D. Written Communication

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

**CONSENT AGENDA ITEMS**

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

- A. Classified Personnel Action Report
- B. OAHS Charter School Hiring of Additional Charter School Coaches for 2020-2021
- C. Certificated Personnel Action Report
- D. Approval of Warrants
- E. Minutes, Regular Board Meeting Minutes, February 10, 2021
- F. Minutes, Special Board Meeting Minutes, February 22, 2021
- G. Minutes, Special Curriculum Board Meeting Minutes, February 24, 2021
- H. Change Order #5 Innovation Center
- I. BP 1312.3 Uniform Complaint Procedures, for the Second Reading
- J. BP 4040, Employee Use of Technology, for the Second Reading
- K. BP 4119.25, 4219.25, 4319.25 Political Activities of Employees, for the Second Reading
- L. BP 4140, 4240, 4340 Bargaining Units, for the Second Reading
- M. BP 5113.2 Work Permits, for the Second Reading
- N. BP 5126 Awards of Achievement, for the Second Reading
- O. BP 5141.31 Immunizations, for the Second Reading
- P. BP 5148.3 Preschool/Early Childhood Education, for the Second Reading
- Q. BP 6146.1.1 High School Requirements, for the Second Reading
- R. BP 6170.1 Transitional Kindergarten, for the Second Reading
- S. BB 9012 Board Member Electronic Communication, for the Second Reading
- T. BB 9320 Meetings and Notices, for the 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**

**Action Items**

1. Measure G Citizens' Oversight Committee Annual Bond Report for 2020

It is recommended that the Board of Trustees approve the Second Interim Report with a Positive Certification for 2020-2021.

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

2. CSBA Delegate Assembly Election

There is currently one vacancy for SUBREGION-11-A Santa Barbara County, Luz Reyes-Martin, Goleta Union School District Trustee is the incumbent candidate running in 2021 election. The Board may submit their vote for Ms. Luz Reyes-Martin or designate a write-in candidate.

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

3. Gift Acceptance

**Olga Reed:** Received a \$400 cash donation from the Santa Ynez Valley Foundation to assist with the cost of the payment for the Righetti High School Marimba Band and Ballet Folklorico Performance on the school site. **Pine Grove:** Received a \$1,400 cash donation from South Valley Community Church to be designated to Pencil Box School Supplies.

It is recommended that the Board of Trustees accept these gifts and request that a letter of acceptance and appreciation be forwarded to the Santa Ynez Valley Foundation, and South Valley Community Church.

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

4. Board Policy 3470 Debt Issuance and Management

It is recommended that the Board of Trustees approve the revisions to Board Policy 3470 Debt Issuance and Management for the first reading and that it be placed on the next Consent Agenda for the second reading.

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

**B. BUSINESS SERVICES**

**Information Only:**

1. Facilities Update

**Action Items**

1. Orcutt Union School District Second Interim Report 2020-2021

It is recommended that the Board of Trustees approve the Second Interim Report with a Positive Certification for 2020-2021.

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

2. Resolution No. 14, To Commit and Uncommit to the General Fund Balance

It is recommended that the Board of Trustees adopt Resolution No. 14, Commit and Uncommit to the General Fund Balance, as submitted.

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

**GENERAL ANNOUNCEMENTS**

- A. Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, April 14, 2021, 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.

**ADJOURN TO CLOSED SESSION (If Needed)**

- A. Public Report on Action Taken in Closed Session

**ADJOURN**

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's Office at (805) 938-8907. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting. All documents related to the open session agenda are available for review 72 hours prior to the meeting at the Orcutt Union School District Office, 500 Dyer Street, Orcutt, CA.*



**Orcutt Union School District**  
 Classified Personnel Action Report  
 March 10, 2021

TO: Holly Edds, Ed.D.

FROM: Susan Salucci, Assistant Superintendent/Human Resources

RE: Recommendations for Board Approval

Name	Site/Dept.	Classification	Step/ Range	Hours	Rate of Pay	Effective	Action/Information
Aguilar, Godolfredo	Alice Shaw	Custodian, Night	17/6	8.0	\$3,883 per mo.	2/19/2021	Voluntary transfer
Bello, Michele	Technology	Senior Secretary 2, Technology	26/5	8.0	\$4,619.00 per mo.	10/30/2020	Reclassification
Delgado, Cathy	Child Nutrition	Child Nutrition Worker	7/6	3.0	\$17.44 per hr.	2/15/2021	39 month rehire list
Domingues, Cynthia	Child Nutrition	Child Nutrition Cook	10/6	2.325	\$18.78 per hr.	2/26/2021	Retirement
Garrett, Austin	Patterson	Instructional Assistant, 2	13/1	3.50	\$15.84 per hr.	3/1/2021	Voluntary transfer
Hettinga, Karen	Pine Grove	Office Manager	21/6	8.0	\$24.64 per hr.	6/10/2021	Retirement
Hurdle, Audrey	District	Substitute Office Assistant	15		\$15.18 per hr.	3/1/2021	Substitute
Lara, Alisa	District	Substitute Instructional Assistant 1 & 2	12/3 & 13/3		\$17.04 & \$17.47 per hr.	3/1/2021 – 6/4/2021	Substitute – Temp Assignment at Nightingale
Stanley, Meghann	Dunlap	Instructional Assistant,	12/6	6.0	\$150.00 per mo.	5/1/2021	Longevity – 15 years
Washington, Valerie	Lakeview	Instructional Assistant,	12/6	3.50	\$125.00 per mo.	5/1/2021	Longevity – 10 years

# **ORCUTT ACADEMY CHARTER SCHOOL**

## **ORCUTT UNION SCHOOL DISTRICT**

**TO:** Dr. Holly Edds  
District Superintendent

**FROM:** Susan Salucci   
Assistant Superintendent of Human Resources

**DATE:** March 10, 2021

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

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### **Orcutt Academy Charter HS:**

Art Lopez	Boys Varsity Tennis Coach
Art Lopez	Girls Varsity Tennis Coach
Jim McManus	Boys Varsity Golf Coach
Jim McManus	Girls Varsity Golf Coach
John Dell'Armo	Swim Coach
Brittany Enthoven	Asst. Swim Coach
James Barr	Track Coach
Roger Fabing	Track Coach
Gabe Espinoza	Asst. Track Coach
Marc Tosches	Asst. Track Coach
Hank Muro	Varsity Baseball
Darrell Black	Varsity Softball
Rick Soto	Robotics Advisor
Scott Rowe	Robotics Advisor
Nick Kremer	Robotics Advisor
Grace Douglass	Assistant Robotics Advisor
Nick Kremer	Assistant Robotics Advisor

### **Unpaid Volunteers:**

Louis Lauriello	Robotics
Gill Paszek	Robotics

\*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

### Certificated Personnel Action Report

March 10, 2021

TO: Dr. Holly Edds, Superintendent

FROM: Susan Salucci, Assistant Superintendent / Human Resources

RE: Recommendations for Board Approval and Ratification

<b>NAME</b>	<b>SCHOOL</b>	<b>CLASS/STEP</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>	<b>ACTION INFORMATION</b>
Alter, Sara	Ralph Dunlap	Hourly	\$25	6/4/21	Release, Short-Term Staff
Alvarado, Patricia	Patterson Road	V-5	\$62,036 \$2,500	2021-22	Probationary 2 <sup>nd</sup> Year Signing Bonus
Barr, James	Orcutt Academy HS	Stipend	\$600	2020-21	Track Coach
Barragan, DeAnna	Joe Nightingale	Hourly	\$25	6/4/21	Release, Short-Term Staff
Batchelor, Melanie	Pine Grove	Hourly	\$25	6/4/21	Release, Short-Term Staff
Beyers, Karly	Pine Grove	Hourly	\$25	6/4/21	Release, Short-Term Staff
Birdsall, Neeta	Alice Shaw	Hourly	\$25	6/4/21	Release, Short-Term Staff
Black, Darrell	Orcutt Academy HS	Stipend	\$1400	2020-21	Varsity Softball Coach
Blanchard, Kimberly	Joe Nightingale	Hourly	\$25	6/4/21	Release, Short-Term Staff
Bloom, Loren	Orcutt JHS	VI-3	\$60,819	2021-22	Tenured
Bode, Leigh	Orcutt Academy HS	Extra Duty	\$40/hr	1/14/21	Worked Prep, 1.5 hrs
Bormes, Lori	Ralph Dunlap	Hourly	\$25	6/4/21	Release, Short-Term Staff
Brady, Laura	Orcutt JHS	III-3	\$52,936*	6/7/2021	Released, Temporary
Brown, Lindsay	Joe Nightingale	III-10	\$66,703*	2021-22	Job Share, 50%
Buchanan, Sarah	Pine Grove	Hourly	\$25	6/4/21	Release, Short-Term Staff
Bucquoy, Peggy	District	Daily	\$278	6/7/2021	Released, long term sub assignment
Butler, Brooke	Lakeview JHS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Byrne, Jennifer	Olga Reed	VI-2	\$58,842	6/7/2021	Released, Temporary
Callis, Wendy	Patterson Road	V-3	\$58,069*	6/7/2021	Released, Temporary

\*To be prorated

<b>NAME</b>	<b>SCHOOL</b>	<b>CLASS/STEP</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>	<b>ACTION INFORMATION</b>
Campbell, Kaitlin	Orcutt Academy I/S	Hourly	\$25	6/4/21	Release, Short-Term Staff
Cantrell, Andrea	Ralph Dunlap	Hourly	\$25	6/4/21	Release, Short-Term Staff
Caruana, Hannah	Joe Nightingale	VI-1	\$56,931	6/7/2021	Released, Temporary
Conway, Shannon	Ralph Dunlap	Hourly	\$25	6/4/21	Release, Short-Term Staff
Culbara, Sydney	Orcutt Academy HS	V-6	\$64,118	2021-22	Probationary
Cutler, Elizabeth	Lakeview JHS	VI-9	\$74,171*	6/7/2021	Released, Temporary
Daniels, Michele	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Day, Michelle	Olga Reed / Pine Grove	III-3	\$52,936	2021-22	Tenured
DelValle, Danielle	Alice Shaw	Hourly	\$25	6/4/21	Release, Short-Term Staff
Dell'Armo, John	Orcutt Academy HS	Stipend	\$1400	2020-21	Swim Coach
Doerksen, Allie	Pine Grove	Extra Duty	\$40/hr	11/4/20	After Hours Tutoring, 2 hrs
Douglass, Grace	Orcutt Academy HS	Stipend	\$550	2020-21	Assistant Robotics Advisor
Duft, Jamie	Orcutt Academy I/S	Hourly	\$25	6/4/21	Release, Short-Term Staff
Emp # 1812	District	VI-3	\$60,819	6/7/2021	Resignation
Enthoven, Brittany	Orcutt Academy HS	Stipend	\$800	2020-21	Assistant Swim Coach
Espinoza, Gabe	Orcutt Academy HS	Stipend	\$800	2020-21	Assistant Track Coach
Fabing, Roger	Orcutt Academy HS	Stipend	\$800	2020-21	Track Coach
Fargher, Meghan	Joe Nightingale	III-1	\$49,557	6/7/2021	Released, Temporary
Felix, Danielle	Patterson Road	Extra Duty	\$40/hr	11/5/20-1/28/21	After Hours Tutoring, 9 hrs
Fields, Rachel	Pine Grove	Hourly	\$25	6/4/21	Release, Short-Term Staff
Flatley, Lauren	Lakeview / Orcutt JHS	VI-5	\$64,979	2021-22	Completed MA
Fortin, Amy	Patterson Road	Hourly	\$25	2020-21 6/4/21	Support Teacher, 16 hrs wk Release, Short-Term Staff
Freeland, Susan	Joe Nightingale	Hourly	\$25	6/4/21	Release, Short-Term Staff

\*To be prorated

<b>NAME</b>	<b>SCHOOL</b>	<b>CLASS/STEP</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>	<b>ACTION INFORMATION</b>
Gallegos, Solana	Joe Nightingale/ Patterson Road/ Ralph Dunlap	VI-4	\$62,863	2021-22	Tenured
Garcia, Deedra	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Garcia, Teresa	Joe Nightingale	Hourly	\$25	6/4/21	Release, Short-Term Staff
Golden, Cassandra	Orcutt JHS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Gonzalez, Susana	Orcutt Academy HS	VI-5	\$64,979 \$2,500	2021-22	Probationary 2 <sup>nd</sup> Year Signing Bonus
Hemphill, Julianne	Orcutt Academy HS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Hickey, Teresa	Ralph Dunlap	VI-8	\$71,756	2021-22	Tenured
Holladay, Jason	Patterson Road	I-2	\$46,697 \$2,500	2021-22	Probationary 2 <sup>nd</sup> Year Signing Bonus
Hotchkiss, Molly	District	V-20	\$95,494*	6/7/2021	Released, Temporary
Ibarra, Emily	Joe Nightingale	Hourly Daily	\$25 \$200	6/4/21	Release, Short-Term Staff Release, long term sub assignment
Jackson, Nicole	Alice Shaw	IV-7	\$61,698*	6/7/2021	Released, Temporary
Johnson, Cameran	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Johnson, Melissa	Ralph Dunlap	Daily	\$200	6/4/21	Release, long term sub assignment
Jones, Cara	Alice Shaw	Daily	\$254.41	6/4/21	Release, long term sub assignment
Jones, Kari	Orcutt Academy HS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Jorgensen, Patricia	District	Hourly	\$25	1/22-1/28/21 6/4/21	Dibels, 4.5 hrs Release, Short-Term Staff
Joseph, Joy	Alice Shaw	Extra Duty	\$40/hr	11/30-12/17/20	Home & Hospital, 14 hrs
Kantorowski, Jennifer	Olga Reed	Hourly	\$25	6/4/21	Release, Short-Term Staff
Kremer, Nick	Orcutt Academy HS	Stipend	\$300 \$250	2020-21	Robotics Advisor Assistant Robotics Advisor
Kuykendall, Colleen	Lakeview JHS District	Extra Duty	\$40/hr	1/12-1/28/21 1/19-1/26/21	Health Class, 12 hrs ELD Training, 3 hrs
Kuykendall, Emma	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Lara, Nichol	Alice Shaw	Hourly	\$25	6/4/21	Release, Short-Term Staff
Larrabee, Jennifer	District	Hourly	\$25	6/4/21	Release, Short-Term Staff
Leach, Veronica	Olga Reed	Hourly	\$25	6/4/21	Release, Short-Term Staff Release, long term sub assignment
Long, Katherine	District	III-5	\$128,702	6/30/21	Request Participate in Early Retirement

\*To be prorated



<b>NAME</b>	<b>SCHOOL</b>	<b>CLASS/STEP</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>	<b>ACTION INFORMATION</b>
Lopez, Arthur	Orcutt Academy HS	Stipend	\$1400 \$1400	2020-21	Boys Varsity Tennis Coach Girls Varsity Tennis Coach
Majewski, Katlin	Pine Grove	Hourly	\$25	6/4/21	Release, Short-Term Staff
Manich, Cher	District	Extra Duty	\$40/hr	1/27/21	ELPAC Training, 2 hrs
Martinez, Maritza	Joe Nightingale	V-2	\$56,183 \$2,500	2021-22	Probationary 2 <sup>nd</sup> Year Signing Bonus
Mason, Caryn	Orcutt Academy I/S	Hourly	\$25	6/4/21	Release, Short-Term Staff
Matautia, Jewelee	Orcutt Academy K-8 / Olga Reed	Hourly	\$25	6/4/21	Release, Short-Term Staff
May, Dawn	Pine Grove	IV-4	\$57,301	2021-22	Tenured
McManus, James	Orcutt Academy HS	Stipend	\$1400 \$1400	2020-21	Boys Varsity Golf Coach Girls Varsity Golf Coach
Milanesa, Kateri	Pine Grove	IV-1	\$51,915	6/7/2021	Released, Temporary
Millan, Laurie	Alice Shaw	Hourly	\$25	6/4/21	Release, Short-Term Staff
Millin, Genevieve	Orcutt Academy HS	III-3 Extra Duty	\$52,936* \$40/hr	2021-22 1/11-1/28/21	Tenured, 80% Tutoring, 11 hrs
Murch, Tamara	Orcutt JHS	I-3	\$48,561	2021-22	Tenured
Muro, Hank	Orcutt Academy HS	Stipend	\$1400	2020-21	Varsity Baseball Coach
Mussell, Katelyn	Pine Grove	IV-2	\$53,644	6/7/2021	Released, Temporary
Nye, Judith	Olga Reed / Orcutt Academy K-8	VI-8	\$71,756	2021-22	Tenured
Pimentel, Jade	Joe Nightingale	III-3	\$52,936	2021-22	Tenured
Pugh, Caline	Alice Shaw	Daily	\$328.75	6/4/21	Release, long term sub assignment
Ramirez, Amanda	Pine Grove	IV-2	\$53,644 \$2,500	2021-22	Probationary 2 <sup>nd</sup> Year Signing Bonus
Ramirez, Nancy	Joe Nightingale	III-3	\$52,937	6/7/2021	Released, Temporary
Reed, Shannon	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Reyes, Emily	Orcutt JHS	IV-4	\$57,301	2021-22	Tenured
Rianda, Terry	District	Hourly	\$50	1/13-1/29/21 1/13-1/29/21	Induction Mentor, 12 hrs Intern/New Teacher Support, 3 hrs
Richardson, Laura	Ralph Dunlap	Hourly	\$25	6/4/21	Release, Short-Term Staff
Riggs, Isabel	Orcutt Academy K-8	VI-7	\$69,422	2021-22	Probationary
Rios, Jennifer	Orcutt JHS	Hourly	\$25	2020-21 6/4/21	Support Teacher, 22.5 hrs wk Release, Short-Term Staff
Rowe, Scott	Orcutt Academy HS	Stipend	\$550	2020-21	Robotics Advisor

\*To be prorated

<b>NAME</b>	<b>SCHOOL</b>	<b>CLASS/STEP</b>	<b>SALARY</b>	<b>EFFECTIVE DATE</b>	<b>ACTION INFORMATION</b>
Ryken, Austria	Pine Grove	III-2	\$51,220	6/7/2021	Released, Temporary
Sage, Addison	Orcutt Academy HS	VI-2	\$58,842*	6/7/2021	Released, Temporary
Salvesen, Kristin	Alice Shaw	Hourly	\$25	6/4/21	Release, Short-Term Staff
Segura, Monique	Alice Shaw	Extra Duty	\$40/hr	10/22-10/23/20	Sub/Job Share Work Day, 2.75 hrs
Shaw, John	Patterson Road	Daily	\$266.44	6/4/21	Release, long term sub assignment
Sherer, Diana	Orcutt Academy I/S	III-2	\$51,220	2021-22	Probationary
Shuffield, Jamie	Patterson Road	IV-3	\$55,444	2021-22	Tenured
Smith, April	Lakeview JHS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Snow, Cory	Lakeview JHS	VI-7	\$69,422	2021-22	Probationary
Soto, Rick	Orcutt Academy HS	Stipend	\$550	2020-21	Robotics Advisor
Sternjacob, Zachary	Orcutt JH	III-2	\$51,220*	6/7/2021	Released, Temporary
Sustaita, Savanna	Lakeview JHS	Hourly	\$25	2020-21 6/4/21	Support Teacher, 22.5 hrs wk Release, Short-Term Staff
Tonello, David	Olga Reed	Hourly	\$25	6/4/21	Release, Short-Term Staff
Torres, Kiersten	Pine Grove	Daily	\$200	6/4/21	Release, long term sub assignment
Tosches, Marc	Orcutt Academy HS	Stipend	\$800	2020-21	Assistant Track Coach
Tuggle, Julianne	Orcutt JH	VI-4	\$62,863	2021-22	Probationary
Wellard, Amy	Alice Shaw	III-8	\$62,436	2021-22	Tenured
Wells, John	Orcutt Academy HS	Hourly	\$25	6/4/21	Release, Short-Term Staff
Whitted, Dana	Olga Reed	Hourly	\$25	6/4/21	Release, Short-Term Staff
Widle, Tiffany	Joe Nightingale	VI-15	\$89,510*	2021-22	Job Share, 50%
Wiggins, Paula	Olga Reed	IV-20	\$79,767	6/8/21	Request to Participate in Early Retirement Program
Winters, Nicole	Patterson Road	Hourly	\$25	6/4/21	Release, Short-Term Staff
Wogahn, Alyssa	Pine Grove	IV-3	\$55,444	2021-22	Tenured
Woodruff, Jenna	Ralph Dunlap	IV-3	\$55,444	2021-22	Tenured
York, Sarah	Pine Grove	I-2	\$46,697*	6/7/2021	Released, Temporary

\*To be prorated

## Warrants

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

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

**ORCUTT UNION SCHOOL DISTRICT  
BOARD OF TRUSTEES  
REGULAR MEETING MINUTES  
February 10, 2021**

**CALL TO ORDER**

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, February 10, 2021, in the District Board Room, beginning with Melanie Waffle calling Public Session to order at 6:00 p.m. The Pledge of Allegiance was led by Lisa Morinini. Members Present: Waffle, Steller, Henderson, Morinini and Phillips. Administrators Present: Edds, Salucci, Bertoldi and Taylor. The Board Meeting was closed to the Public due to the Covid 19 Pandemic. The Board Meeting was teleconferenced via "Go to Meeting", streamed via "You Tube" and audio recorded.

**CLOSED SESSION PUBLIC COMMENTS**

None

**ADJOURN TO CLOSED SESSION**

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

**RECONVENE TO PUBLIC SESSION**

The meeting reconvened to Public Session at 6:35 p.m. Melanie Waffle reported that no action was taken in closed session. It was moved by Lisa Morinini seconded by Shaun Henderson to adopt the February 10, 2021 agenda.

**SUPERINTENDENT'S REPORT**

OAHS ASB provided a video update. Michelle Clayton, Teacher in Los Alamos, provided a video on "Empathy." Dr. Holly Edds gave a "School Reopening" update.

**PUBLIC COMMENT**

Jonathan Nagy, community member commented on the school closure and future school reopening. Monique Segura, President of the Orcutt Educators Association (OEA) gave an OEA update and then thanked the Board, Superintendent and Staff for all they are doing during these difficult times.

**ITEMS FROM THE BOARD**

Melanie Waffle congratulated Sonia Wasserman, Orcutt Academy HS student for being awarded the Eagle Scout Award.

**CONSENT AGENDA ITEMS**

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Approval of Warrants
- D. Minutes, Regular Board Meeting Minutes, January 13, 2021
- E. Notice of Completion (NOC) for Lakeview JHS and Alice Shaw Paint Projects
- F. BP 4119.11, 4219.11, 4319.11, Sexual Harassment, for the Second Reading
- G. BP 4157, 4257, 4357, Employee Safety, for the Second Reading
- H. BP 5113.1 Chronic Absence and Truancy, for the Second Reading
- I. BP 5145.7, Sexual Harassment, for the Second Reading
- J. BP 6161.1 Selection and Evaluation of Instructional Materials, for the Second Reading

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

**ACTION AGENDA ITEMS**

**Board Policy 1312.3, Uniform Complaint Procedures**

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 1312.3, Uniform Complaint Procedures, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Waffle, Steller, Henderson, Morinini and Phillips.

**Board Bylaw 9012 Board Member Electronic Communication**

It was moved by Shaun Henderson, seconded by Liz Phillips, and carried to approve the revisions made to Board Bylaw 9012 Board Member Electronic Communication, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Waffle, Steller, Henderson, Morinini and Phillips.

**Board Bylaw 9320 Meetings and Notices**

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the revisions made to Board Bylaw 9320 Meetings and Notices, for the first reading, and that it be placed on the next Consent Agenda for the second reading. Waffle, Steller, Henderson, Morinini and Phillips.

**Proposed Change of Special Scheduled Board Meeting**

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to approve the Proposed Change of Special Scheduled Board Meeting from June 16, 2021 to June 23, 202, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Request for Proposal (RFP) for Core Server Room Equipment**

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to approve the Request for Proposal (RFP) for Core Server Room Equipment from TeraWolf in the amount of \$227,927.94, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Resolution #13 A RESOLUTION OF THE BOARD OF TRUSTEES OF THE ORCUTT UNION SCHOOL DISTRICT, AUTHORIZING THE ISSUANCE OF ORCUTT UNION SCHOOL DISTRICT 2021 GENERAL OBLIGATION BOND ANTICIPATION NOTES, AND ACTIONS RELATED THERETO**

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to approve Resolution #13 A Resolution of the Board of Trustees for the Orcutt Union School District, Authorizing the Issuance of Orcutt Union School District 2021 General Obligation Bond Anticipation Notes and Actions Related Thereto. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Award of Bid for the Orcutt JHS Administration Building Measure G Bond Project**

It was moved by Liz Phillips, seconded by Mark Steller, and carried to Award the Orcutt JHS Administration Building Bid to RDZ Contractors, in the amount of \$2,429,949, as they were the lowest, responsive, and responsible bidder. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Orcutt JHS Administration Building Measure G Bond Project Budget**

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the estimated Budget for the Orcutt JHS Administration Building Measure G Bond Project, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Approval of Professional Services Agreement with Soils Engineering, Inc. for Orcutt JHS Administration Building Project**

It was moved by Liz Phillips, seconded by Lisa Morinini, and carried to approve the Professional Services Agreement with Soils Engineering, Inc. for the Orcutt JHS Administration Building Project in the amount of \$26,895.00, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Board Policy 5113.2 Work Permits**

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 5113.2 Work Permits for the first reading, and that it be placed on the next Consent Agenda for the second reading. Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 5126 Awards of Achievement**

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 5126 Awards of Achievement for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 5141.31 Immunizations**

It was moved by Shaun Henderson, seconded by Mark Steller, and carried to approve the revisions made to Board Policy 5141.31 Immunizations for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 5148.3 Preschool/Early Childhood Education**

It was moved by Lisa Morinini, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 5148.3 Preschool/Early Childhood Education for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 6146.1 High School Graduation Requirements**

It was moved by Shaun Henderson, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 6146.1 High School Graduation Requirements for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 6170.1 Transitional Kindergarten**

It was moved by Mark Steller, seconded by Lisa Morinini, and carried to approve the revisions made to Board Policy 6170.1 Transitional Kindergarten for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Safe School Plans for All School Sites**

It was moved by Liz Phillips, seconded by Mark Steller and carried to approve the Safe School Plans for All School Sites, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**Board Policy 4040 Employee Use of Technology**

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4040 Employee Use of Technology for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 4119.25, 4219.25, 4319.25 Political Activities of Employees**

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4119.25, 4219.25, 4319.25 Political Activities of Employees for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**Board Policy 4140, 4240, 4340 Bargaining Units**

It was moved by Mark Steller, seconded by Shaun Henderson, and carried to approve the revisions made to Board Policy 4140, 4240, 4340 Bargaining Units for the first reading, and that it be placed on the next Consent Agenda for the second reading. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**2021-2022 School Calendar**

It was moved by Mark Steller, seconded by Lisa Morinini, and carried to approve the 2021-2022 School Calendar, as submitted. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

**GENERAL ANNOUNCEMENTS**

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, March 10, 2021, 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, February 24, 2021, beginning with Public Session starting at 6:00 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

**ADJOURN MEETING**

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to adjourn the meeting at 8:07 PM.

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Holly Edds, Ed.D. Board Secretary

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Mark Steller, Clerk, Board of Trustees

**ORCUTT UNION SCHOOL DISTRICT  
BOARD OF TRUSTEES  
SPECIAL BOARD MEETING  
Open to the Public via Teleconference  
Monday, February 22, 2021**

**CALL TO ORDER**

A special Board meeting of the Board of Trustees of the Orcutt Union School District was held on Monday, February 22, 2021, beginning with Melanie Waffle calling Public Session to order at 5:00 p.m. Liz Phillips led the Pledge of Allegiance. Members Present: Waffle, Steller (via phone), Henderson, Morinini, and Phillips. Administrators: Edds, Salucci, Bertoldi and Taylor. It was moved by Liz Phillips seconded Lisa Morinini, and carried to adopt the February 22, 2021 agenda, as presented. Ayes: Phillips, Waffle, Steller, Henderson and Morinini.

**PUBLIC COMMENT**

Monique Segura gave an OEA update. Pamela Blythe, Brooke Serna and Stefanie Lewis, parents in the District, commented on the School Re-Opening Plan and In-person learning versus distance learning.

**Update on the Transition to In-person Learning**

Dr. Edds and Cabinet presented an Update on the Transition to In-person learning. The Board of Trustees were unanimous with their recommendation to the Superintendent to "Offer in-person instruction for grades TK-6, open in "purple" when able to do so (25/100,000 ACR); open in "red" when able to do so for grades 7-12, and to monitor the waiver request from SBUSD for grades 7-12.

**ADJOURN**

It was moved by Liz Phillips, seconded by Lisa Morinini and carried to adjourn the meeting at 6:25 p.m.

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Holly Edds, Ed.D., Board Secretary

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Mark Steller, Clerk, Board of Trustees

**ORCUTT UNION SCHOOL DISTRICT  
BOARD OF TRUSTEES  
SPECIAL CURRICULUM BOARD MEETING  
Open to the Public via Teleconference  
Wednesday, February 24, 2021**

**CALL TO ORDER**

A special Curriculum Board meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, February 24, 2021, beginning with Melanie Waffle calling Public Session to order at 6:00 p.m. Holly Edds led the Pledge of Allegiance. Members Present: Waffle, Steller (via phone), Henderson, Morinini, and Phillips. Administrators: Edds, Salucci, and Bertoldi. It was moved by Liz Phillips seconded by Lisa Morinini and carried to adopt the February 24, 2021, agenda, as presented. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

**PUBLIC COMMENTS**

None

**CURRICULUM BOARD MEETING**

Janet Bertoldi gave a Curriculum Presentation on the New Vision for Science Education and also the Next Generation Science Standards (NGSS). She gave an update on what is happening in Educational Services.

**ITEMS FOR ACTION**

**SCIENCE – RECOMMENDATION FOR ADOPTION**

It was moved by Lisa Morinini, seconded by Shaun Henderson and carried to adopt the Science Program Grades TK-6: McGraw Hill Inspire Science and Grades 7-8: Amplify, as submitted.

**ADJOURN**

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to adjourn the meeting at 6:50 p.m.

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Holly Edds, Ed.D., Board Secretary

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Melanie Waffle, Clerk, Board of Trustees





## BUSINESS SERVICES MEMORANDUM

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

**FROM:** Nick Taylor, Ed.D.  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 10, 2021

**BOARD AGENDA ITEM:** Construction Change Order- Quincon, Inc. for the Innovation Center

**BACKGROUND:** Attached is a change order request #5 from Quincon, Inc. in the amount of \$262,263.18 for the Innovation Center. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

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

**RECOMMENDATION:** Staff recommends the Board of Trustees approve the change order for Quincon, Inc. for \$262,263.18, as submitted.

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

# CHANGE ORDER

**Distribution:**

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

Project:  
**OUSD Innovation Center**  
**Orcutt Union School District**  
 500 Dyer Street  
 Orcutt, CA 93455

Change Order Number: **5**

Date: **3/3/2021**

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

Contract Date: **3/20/2020**

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

The original Contract Sum was	\$	<b>3,355,335.00</b>
The net change by previously authorized Change Orders	\$	<b>173,784.00</b>
The Contract Sum prior to this Change Order was	\$	<b>3,529,119.00</b>
The Contract Sum will be Increased by this new Change Order in the amount of	\$	<b>262,263.18</b>
The new Contract Sum including this Change Order will be	\$	<b>3,791,382.18</b>
The Contract Time will be <b>(increased)</b> <del>(decreased)</del> <del>(unchanged)</del> by -35- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		<b>3/12/2021</b>

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

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

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

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

DATE                      DATE                      DATE                      DATE                      DATE

**CHANGE ORDER 05- Summary Sheet**

<b>Item #</b>	<b>Title</b>	<b>PCO#</b>	<b>PCO Description</b>	<b>Final Price</b>
1	Site Flatwork Revisions: Front Sidewalk, Drive Apron & ADA Revisions	24 A&B	<p><b>Part A</b> - Front Sidewalk &amp; Drive Apron: Owner Requested - Per the District's request, some revisions were made to the originally planned sidewalk along Dyer Street. Revisions include continuing the Santa Barbara County planned bio-swale along Dyer Street up to the location of a newly proposed drive apron that occurs at the southwest edge of the site to a new driveway located between the new Innovation Center building and existing Paint Shop. The costs associated with this change includes additional labor, equipment and materials for demolition of existing asphalt paving, grading, forming/pouring/finishing of new concrete to complete the section of bio-swale along Dyer Street and new drive apron per RFI #080.</p> <p><b>Part B</b> - ADA Concrete Revisions: Owner Requested - Per the District's request, some concrete flatwork scope was added for ADA purposes, which occurs up against the existing gym building. The costs associated with this change includes additional labor, equipment and materials for demolition of existing concrete paving, grading, forming/pouring/finishing of new concrete per RFI #080.</p>	\$51,401.00
2	Headend & Storage Room Vinyl Ceiling Liner	31	Owner Requested - The bid documents did not call out for a finished ceiling at the Headend and Storage Rooms. The addition of a vinyl liner at those rooms' ceilings provides a more aesthetic finish while ensuring that insulation fibers do not fall on equipment operating or stored within both rooms. The cost for this change includes added labor and materials to provide a vinyl liner at the Headend and Storage Room ceilings on T&M basis per the District's request.	\$7,005.00
3	Add Drywall Ceilings at Main Entrance and Hallway	33	Owner Requested - The bid documents did not call out for a finished ceiling at the Main Hallway. The addition of a drywall ceiling provides a more aesthetic finish at the main entrance and hallway area. The cost for this change includes added labor, equipment and materials to provide a drywall ceiling at the Main Hallway on T&M basis per the District's request.	\$14,045.00
4	Revised Finishes	35	Owner Requested - Post-approval changes were made to the interior finishes of the building per the District's request. The changes include revised color selections for: carpet flooring, vinyl plank flooring, restroom floor tile, toilet partitions and counter-tops. The costs of this change includes re-ordering some of the finishes to satisfy the District desired color scheme for the building interior. Any material that could not be returned to the manufacturer has been handed over to the District for their use.	\$27,535.29
5	Revised Paving at East-Side of Building	37	Owner Requested - The original bid drawings called for asphalt paving along the eastern side of the new Innovation Center building. Per the District's request, the paving along the eastern side of the new Innovation Center building has been revised to concrete in lieu of asphalt. The costs associated with this change is the difference in cost between providing an asphalt paved and a concrete paved area of about 600 square feet.	\$6,942.00
6	Add Bollards at Exterior Gas Regulator	38	Owner Requested - RFI #108 - The bid drawings did not call for any protection of the exterior gas-line components occurring at the back of the building. Per the District's request, (2) bollards with plastic sleeves were added to protect the gas regulator and associated components from vehicular traffic. The costs associated with this change include added labor, equipment and materials to provide (2) bollards with plastic sleeves.	\$1,526.00

7	Add Single Stand Fiber To Low-Voltage Upgrades	40	Owner Requested - In an effort to take advantage of the already in-contract Campus and District low voltage upgrade work, the District had expressed interest in adding a single-node fiber line in addition to the contracted multi-strand fiber line to allow for expanded future network capabilities. The advantage of implementing this scope to occur at the same time the contract upgrade work is to be completed is the ability to utilize the labor and equipment already under-contract to pull both lines using existing fiber pathways and vaults to pull both strand types at the same time. If the single-strand fiber was to be added at later time, the overall cost to complete that work would be several times the amount of this PCO due to the newly installed fiber needing to be pulled out again and re-fed with the single node fiber line or entirely new pathways would need to be investigated and/or created. The costs associated with this change includes added labor and materials to implement the addition of a single-node fiber strand to the contract campus/district site multi-strand low voltage upgrades.	\$150,675.89
8	Additional Data/Comm to Bus Repair Shop	41	Owner Requested - RFI #107 - The bid drawing did not indicate any low voltage being ran to the adjacent bus repair shop to the south of the new Innovation Center building. Per the District's request, the contractor has been directed to provide provisions for low voltage to be ran to the bus repair shop. The costs associated with this change include additional labor, equipment and materials to provide a new underground conduit running from the new Innovation Center building to the adjacent paint shop, then install overhead conduit to route the new low voltage to the bus repair shop communications room.	\$2,393.00
9	New Metal Cap at MSB Enclosure	42	Owner Requested - RFI #114 - During the execution of contract work at the existing Main Switchboard, it was observed that the top of the enclosure was in poor shape and would allow water to enter the enclosure. Per the District's request, the contractor was directed to add a sheet metal cap that encases the top of the electrical enclosure, which will prolong the life of the enclosure significantly. The costs associated with this change include added labor and materials to add a 18 gauge metal cap over the top of the electrical enclosure.	\$740.00
10	Contract Time Extension	47	<p><b>35 Calendar-Day Non-Compensable Contract Time Extension</b></p> <p>In an effort to assist the contractor in successfully reaching substantial completion of the Orcutt Union School District Innovation Center project, Quincon and TELACU CM have agreed to a 35 calendar-day non-compensable contract time extension to the existing Innovation Center project contract. The Orcutt Union School District and TELACU Construction Management acknowledge that several unforeseen challenges were encountered throughout the duration of the project. Therefore, Quincon is being allowed extra time to substantially complete the contractual obligation to the Orcutt Union School District. The contractor is to take all steps necessary to be substantially complete with the Innovation Center building by no later than March, 12th 2021.</p> <p>The March 12th, 2021 substantial completion date is contingent on:</p> <ol style="list-style-type: none"> <li>1. 6" Fire Water Connection Hot-Tap/Cut-In by Golden State Water on Dyer Street.</li> <li>2. Hufcor Unispan Bracing CCD-A-004 DSA Approval</li> <li>3. Fire Alarm System signed-off by IOR (pending fire water connection - see item #1)</li> </ol>	\$0.00
<b>Total Change Order Amount</b>				<b>\$262,263.18</b>

**UNIFORM COMPLAINT PROCEDURES**

The ~~Governing Board~~ of Trustees recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

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

Complaints Subject to UCP

1. Accommodations for pregnant and parenting students (Education Code 46015)

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

~~Any complaint alleging district violation of applicable state or federal law or regulations governing any program subject to the UCP which is offered by the district, including adult education programs, After School Education and Safety programs, agricultural career technical and technical education; federal career technical education; child care and development programs, child nutrition programs, compensatory education, consolidated categorical aid programs, the federal Every Student Succeeds Act, migrant education, Regional Occupational Centers and Programs, school safety plans, California State Preschool Programs; and any other district implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000~~

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

~~(cf. 3553 – Free and Reduced Price Meals)~~

~~(cf. 3555 – Nutrition Program Compliance)~~

~~(cf. 5148.3 – Preschool/Early Childhood Education Program)~~

~~(cf. 6174 – Education for English Language Learners)~~

~~(cf. 6178.2 – Regional Occupational Center/Program)~~

2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)

(cf. 6200 – Adult Education)

~~Any complaint by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination, (such as discriminatory harassment, intimidation, or bullying) in district programs and activities, including, in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)~~

3. After School Education and Safety Programs (Education Code 8482-8484.65)

(cf. 5148.2 Before/After School Programs)

## UNIFORM COMPLAINT PROCEDURES

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

~~4. **Agricultural career technical education (Education Code 52460-52462)** Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student, the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school or previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board imposed graduation requirements. (Education Code 46015)~~

(cf. 5148.2 – Before/After School Programs)

~~5. **Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)**~~

(cf. 6178 - Career Technical Education)

(cf. 6178.1 – Work-Based Learning)

~~Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities— (5 CCR 4610)~~

(cf. 3260— Fees and Charges)

(cf. 3320— Claims and Actions Against the District)

~~6. **Child care and development programs (Education Code 8200-8498)**~~

(cf. 5148 - Child Care and Development)

~~Any complaint, alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)~~

(cf. 0460— Local Control and Accountability Plan)

(cf. 3100— Budget)

~~7. **Compensatory education (Education Code 54400)**~~

(cf. 6171 - Title I Programs)

~~Any complaint, alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)~~

(cf. 6173.1— Education for Foster Youth)

**UNIFORM COMPLAINT PROCEDURES****8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)**

~~Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with the requirements applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)~~

**9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)**

(cf. 6152 - Class Assignment)

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

**10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)**

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

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

~~(cf. 5145.7 - Sexual Harassment)~~

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

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

**UNIFORM COMPLAINT PROCEDURES**

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)

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

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

12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.) Any complaint alleging district noncompliance with the physical education instructional minutes' requirement for students in elementary school (Education Code 51210, 51222, 51223)

13. Local control and accountability plan (Education Code 52075) Any complaint regarding the noncompliance of a license exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations (Education Code 8235.5; Health and Safety Code 1596.7925)

14. Migrant education (Education Code 54440-54445)

- (cf. 6175 – Migrant Education Program)

~~Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.~~

15. Physical education instructional minutes (Education Code 51210, 51222, 51223)

- (cf. 6142.7 - Physical Education and Activity)

16. Student fees (Education Code 49010-49013)

- (cf. 3260 - Fees and Charges)

17. Reasonable accommodations to a lactating student (Education Code 222)

18. Regional occupational centers and programs (Education Code 52300-52334.7)

- (cf. 6178.2 - Regional Occupational Center/Program)



**UNIFORM COMPLAINT PROCEDURES**

19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

(cf. 0420 - School Plans/Site Councils)

20. School safety plans (Education Code 32280-32289)

(cf. 0450 - Comprehensive Safety Plan)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

(cf. 0420 - School Plans/Site Councils)

22. State preschool programs (Education Code 8235-8239.1)

(cf. 5148.3 - Preschool/Early Childhood Education)

23. State preschool health and safety issues in license-exempt programs (Education Code 8235.5)

24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

~~Any other complaint as specified in a district policy~~

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 – Disclosure of Confidential/Privileged Information)

**UNIFORM COMPLAINT PROCEDURES**

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

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

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigations and all information required for compliance with 5 CCR 4631 and 4633.

- (cf. 3580 - District Records)

**Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be **investigated and resolved by the specified agency or through an alternative process:** ~~referred to the specified agency:~~

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division, and the appropriate law enforcement agency. (5 CCR 4611)

- (cf. 5141.4 – Child Abuse and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. **(5 CCR 4611)** ~~and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.~~

3. ~~Any complaint alleging fraud shall be referred to the Legal, Audits, and Compliance Branch of the California Department of Education.~~ Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

4. **Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)**

- (cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)**

5. **Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)**

**UNIFORM COMPLAINT PROCEDURES**

6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

**EDUCATION CODE**

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32280-32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedure

46015 Parental leave for students

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 4 Student fees

49060-49079 Student records

49069. 5 ~~Records of f~~ Foster youth

49490-49590 Child nutrition programs

49701 Interstate Compact on Educational Opportunity for Military Children

51210 Courses of study grades 1-6

51222 Physical educations, secondary schools

51223 Physical educations, elementary schools

51225.1- 51225.2 Foster youth, homeless children, former juvenile court school students, and military-connected students; migrant students, and newly arrived immigrant students; course credits; graduation requirements

51226-51226.1 Career technical education

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially

52075 Compliant for lack of compliance with local control and accountability plan requirements

52300-~~52490~~ 52462 Career-technical education

52500-52616.24 Adult schools

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

~~56000-56867 Special education programs~~

59000-59300 Special schools and centers

64000-64001 Consolidated application process

65000-65001 School site councils

**UNIFORM COMPLAINT PROCEDURES**

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

~~3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities~~

**3200-3205 Special education compliance complaints**

4600-4670 Uniform complaint procedures

4680-4687 Williams Uniform Complaint Procedures

**4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs**

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6576 Title I Improving the Academic Achievement of the Disadvantaged

6801-7014 Title III language instruction for limited English proficient and immigrant students

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

**11431-11435 McKinney-Vento Homeless Assistance Act**

12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

**106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:**

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

**Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

**UNIFORM COMPLAINT PROCEDURES**

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

Dear Colleague Letter, September 22, 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against

National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

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

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

**Student Privacy Policy Office:** <http://www2.ed.gov/about/offices/list/oepd/sppo>

~~Family Policy Compliance Office: <http://familypolicy.ed.gov>~~

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/offices/OCR>

U.S. Department of Justice: <http://www.justice.gov>

Policy Adopted: ~~09/09/20~~ **03/10/21**

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

## EMPLOYEE USE OF TECHNOLOGY

The Board of Trustees recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community; supporting district and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

(cf. 0440 - District Technology Plan)

(cf. 1100 - Communication with the Public)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4032 - Reasonable Accommodation)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~(cf. 6163.4 - Student Use of Technology)~~

Employees shall be responsible for the appropriate use of technology and shall use the district's technology ~~real resources~~ primarily for purposes related to their employment.

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

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

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

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

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 6162.6 - Use of Copyrighted Materials)

(cf. 6163.4 - Student Use of Technology)

~~Employees shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or district operations without authority.~~

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (Wi-Fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

## EMPLOYEE USE OF TECHNOLOGY

BP 4040(b)

### ~~Online/Internet Services~~

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use district technology to access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, Board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 6777; 47 USC 254)

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records maintained on any personal device or messages sent or received on a personal device that is being used to conduct district business may be subject to disclosure, pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

(cf. 4118 - Suspension/Disciplinary Action)

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

## EMPLOYEE USE OF TECHNOLOGY

BP 4040 (c)

~~To ensure proper use, the Superintendent or designee may monitor employee usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent. When passwords are used, they must be known to the Superintendent or designee so that he/she may have system access.~~

~~The Superintendent or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.~~

~~The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the district's Acceptable Use Agreement.~~

~~(cf. 4112.9/4212.9/4312.9—Employee Notifications)~~

~~In the event the use of an electronic resource affects the working conditions of one or more employees, the Superintendent or designee shall notify the employees' exclusive representative.~~

~~(cf. 4143/4243—Negotiations/Consultation)~~

Legal Reference:

### EDUCATION CODE

~~51870-51874 Education technology~~

~~52270-52272 Education technology and professional development grants~~

~~52295.10-52295.55 Implementation of Enhancing Education Through Technology grant program~~

### GOVERNMENT CODE

3543.1 Rights of employee organizations

**6250-6270 California Public Records Act**

### PENAL CODE

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

### VEHICLE CODE

23123 Wireless telephones in vehicles

23125 Wireless telephones in school buses

### UNITED STATES CODE, TITLE 20

**7101-7122 Student Support and Academic Enrichment Grants**

**7131 Internet safety**

~~6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:~~

~~6777 Internet safety~~

### UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

### CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts



## EMPLOYEE USE OF TECHNOLOGY

BP 4040 (c)

### COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

City of Ontario v. Quon et al. (2010) 000 U.S. 08-1332

Management Resources:

### WEB SITES

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

American Library Association: <http://www.ala.org>

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

Federal Communications Commission: <http://www.fcc.gov>

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

Policy Adopted: ~~10/15/08~~03/10/2021

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

BP 4119.25 (a)

BP 4219.25 (a)

BP 4319.25 (a)

## Personnel

### POLITICAL ACTIVITIES OF EMPLOYEES

The Board of Trustees ~~respects~~ **recognizes the importance of political activity, voting, and civic engagement, and respects** the right of ~~district school~~ employees to engage in political discussions and activities **as individuals** on their own time and at their own expense. **When engaging in** ~~On such activities occasions,~~ employees shall make it clear that they are acting **on their own behalf** ~~as individuals~~ and not as representatives of the district.

(cf. 1160 - Political Processes)

**(cf.6144 – Controversial Issues)**

**District employees, as members of the community,** ~~Like other community members, employees~~ may use school facilities for meetings, **including political activities, as permitted** under the Civic Center Act **and district policy.**

(cf. 1330 - Use of School Facilities)

Employees shall refrain from prohibited activities identified in law, **Board policy,** and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

(cf. 1325 - Advertising and Promotion)

(cf. 4118 - Suspension/Disciplinary Action)

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

Legal Reference:

#### EDUCATION CODE

7050-7057 Political activities of school officers and employees

38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

#### ELECTIONS CODE

**18304 Prohibition against use of district seal in campaign literature**

#### GOVERNMENT CODE

3543.1 Rights of employee organizations

**8314 Prohibition against use of public resources for campaign activity**

82041.5 Definition of mass mailing

#### PENAL CODE

**424 Punishment for misuse of public funds**

#### COURT DECISIONS

**Heffernan v. City of Paterson, (2016) 136 S. Ct. 1412**

**Diquisto v. County of Santa Clara, (2010) 181 Cal. App. 4<sup>th</sup> 236**

**San Leandro Teachers Association v. Governing Board of the San Leandro Unified School District, (2010) 46 Cal. 4<sup>th</sup> 822**

**Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003**

**California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4<sup>th</sup> 1333**

**L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551**

**Pickering v. Board of Education Township High School District, (1968) 88 S. Ct. 1731**

BP 4119.25 (b)  
BP 4219.25 (b)  
BP 4319.25 (b)

## Personnel

### POLITICAL ACTIVITIES OF EMPLOYEES

#### ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

#### PERB RULINGS

City of Sacramento, (2019) PERB Dec. No. 2702m

Conejo Valley Unified School District, (2009) PERB Dec. No. 2054

East Whittier School District, (2004) PERB Dec. No. 1727

Turlock Joint Elementary School District, (2004) PERB Dec. No. 1490a

~~California Federation of Teachers, Local 1931 v. San Diego Community College District  
(2001) PERB Dec. No. Order #1467 (26 PERC 33014)~~

*Management Resources:*

#### CSBA PUBLICATIONS

~~Political Activities of School Districts: Legal Issues, 1998, revised 2001~~

#### WEB SITES

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

Office of the Attorney General, Dept. of Justice: <http://caag.state.ca.us/>

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

Policy Adopted: ~~10/15/08~~ 3/10/21

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

BP 4140 (a)  
BP 4240 (a)  
BP 4340 (a)

## Personnel

### BARGAINING UNITS

The Board of Trustees recognizes the right of district employees to form bargaining units, select an employee organization as the exclusive representative of their unit, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with the employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)  
(cf. 4143/4243 - Negotiations/Consultation)  
(cf. 9000 – Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

#### Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. The bargaining unit includes all supervisory employees.
2. The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.

(cf. 4300 - Administrative and Supervisory Personnel)  
(cf. 4301 - Administrative Staff Organization)  
(cf. 4312.1 - Contracts)

For this purpose, supervisory employee means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Employees serving in a management, senior management, or confidential position shall not be represented by an exclusive representative. Such employees may represent themselves individually. **For purposed other than negotiations and bargaining, such employees** or may be represented by an

## Personnel

### BARGAINING UNITS

employee organization whose membership is composed entirely of employees designated as holding those positions. ~~When represented by an employee, that organization shall not meet and negotiate with the district.~~ (Government Code 3540.1, 3543.4)

1. Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.
2. Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.

#### Membership

The district shall not deter or discourage employees or job applicants from becoming or remaining members of an employee organization, authorizing representation by an employee organization, or authorizing dues or fee deductions to an employee organization. In addition, the district shall not impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The Superintendent or designee may communicate with district employees regarding their rights under the law. Such communications shall be factual and accurate, and may not promise a benefit, threaten a reprisal, or in any way deter or discourage employees from joining an employee organization or paying dues.

However, before disseminating to multiple employees any mass communication concerning employees' right to join or support an employee organization or to refrain from joining or supporting an employee organization, such as a written document or script for oral or recorded presentation or message, the Superintendent or designee shall meet and confer with the employees' exclusive representative regarding the content of the communication. If the district and exclusive representative do not come to agreement on the content of the mass communication, the Superintendent or designee may disseminate the district's mass communication provided that, at the same time, copies of the exclusive representative's communication, which shall be of reasonable length, are also distributed. (Government Code 3553)

BP 4140 (c)  
BP 4240 (c)  
BP 4340 (c)

## **Personnel**

### **BARGAINING UNITS**

#### **Access to Employee Orientations and Contact Information**

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The date, time, and place of the orientation shall not be disclosed to anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation. (Government Code 3556)

#### **Access to Employee Contact Information**

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire. In addition, the Superintendent or designee shall provide the same information in regard to all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor shall he/she disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to

BP 4140 (d)  
BP 4240 (d)  
BP 4340 (d)

## **Personnel**

### **BARGAINING UNITS**

Government Code 6207 or any employee who provides written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

#### **Communication with Employees**

Employee organizations may have access at reasonable times to areas in which employees work and may use district facilities at reasonable times for the purpose of meetings. Subject to reasonable regulation, employee organizations may also use designated bulletin boards, mailboxes, and other means of communication to communicate with employees. (Government Code 3543.1)

#### **Membership Dues or Other Payments to an Employee Organization**

When drawing an order for the salary or wage payment of a bargaining unit employee of an employee organization, the district shall deduct any amount which has been requested by the employee in a revocable written authorization for the purpose of paying dues or other payments for any service, program, or committee provided or sponsored by the employee organization. (Education Code 45060, 45168)

An employee organization that certifies that it has and will maintain individual employee authorizations shall handle and process employee written authorizations for payroll deductions. When an employee organization provides such a certification to the district, the district shall rely on information from the employee organization regarding the amounts of such payroll deductions and from which employees. The employee organization shall not be required to submit to the district a copy of the written authorization in order for the payroll deductions to be effective. However, when there is a dispute about the existence or terms of the written authorization, a copy of the employee's written authorization shall be submitted to the district. The employee organization shall indemnify the district for any employee claims regarding payroll deductions made by the district in reliance on notification from the employee organization. (Education Code 45060, 45168)

When an employee organization which has declined to certify that it will handle and process employee written authorizations makes a request for payroll deductions, the district shall request a copy of the employee's written authorization before making the payroll deductions. (Education Code 45060, 45168)

BP 4140 (e)  
BP 4240 (e)  
BP 4340 (e)

## Personnel

### BARGAINING UNITS

A written authorization shall remain in effect until expressly revoked in writing by the employee and pursuant to the terms of the written authorization. Employee requests to cancel or change authorizations for payroll deductions for employee organizations shall be directed to the employee organization rather than the district. The employee organization shall be responsible for processing these requests. The district shall rely on the information provided by the employee organization regarding whether deductions for an employee organization were properly canceled or changed. The employee organization shall be required to indemnify the district for any claims made by an employee for deductions made by the district in reliance on information from the employee organization. (Education Code 45060, 45168)

Legal Reference:

#### EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees

45220-45320 Merit system, classified employees

#### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

3540.1 Definitions

3543.4 Management position: representation

3540.1 Definitions

~~3543.4 Management position; representation~~

3545 Appropriateness of unit; basis

3550-3552 Prohibition on public employers deterring or discouraging union membership

3555-3559 Public employee communication, information and orientation

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6254.3 Disclosure of employee contact information to employee organization

6503.5 Joint powers agencies

53260-53264 Employment contracts

#### CODE OF REGULATIONS, TITLE 8

33015-33490 Recognition of exclusive representative; proceedings

33700-33710 Severance of established unit

34020 Petition to rescind organizational security arrangement

34055 Reinstatement of organizational security arrangement

#### COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (2018) 138  
Se.D. S.Ct. 2448

Fredric's v. California Teachers Association, et al., (2016) 136 Se.D. S.Ct. 1083

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905



BP 4140 (f)  
BP 4240 (f)  
BP 4340 (f)

## **Personnel**

### PERB RULINGS

City of Sacramento, (2019) PERB Dec. No. 2702m  
East Whittier School District, (2004) PERB Dec. No. 1727

### WEB SITES

CSBA: <http://www.csba.org>  
Association of California School Administrators: <http://www.acsa.org>  
California Federation of Teachers: <http://www.cft.org>  
California School Employees Association: <http://www.csea.com>  
California Teachers Association: <http://www.cta.org>  
Public Employment Relations Board: <http://www.perb.ca.gov>

Policy Adopted: ~~10/10/18~~ 3/10/21

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

**WORK PERMITS**

The Board of Trustees recognizes that part-time employment can provide students with income, as well as job experience, and valuable life that can help them develop appropriate workplace skills and **should be permitted to the extent that such employment does not interfere with a student's education.** ~~attitudes. Upon obtaining~~ **Before accepting** any offer of employment, district students who are minors shall obtain work permits from the Superintendent or designee ~~in accordance with law~~, regardless of whether the employment will occur when school is in session and/or not in session, **unless otherwise exempted by law.**

(cf. 6178 - Career Technical Education)

In determining whether to grant or continue a work permit, the Superintendent or designee shall consider whether employment is likely to significantly interfere with the student's schoolwork. Students granted work permits must demonstrate and maintain a 2.0 grade point average and satisfactory school attendance, **except during periods of extended school closure due to an emergency as described in Education Code 49200 and the accompanying administrative regulation.** On a case-by-case basis, the Superintendent or designee may approve a maximum work hour limit that is lower than the limit specified in law and administrative regulation.

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

Students with work permits may be exempted from attendance in a full-time day school provided they attend part-time classes. (Education Code 48230)

(cf. 5112.1 - Exemptions from Attendance)

Work permits shall be limited to part-time employment as defined by law, except when the Superintendent or designee determines that circumstances warrant the granting of a permit for full-time employment.

Any student authorized to work full time when school is in session shall be enrolled in part-time continuation classes. A student age 14 or 15 who receives a permit to work full time shall also be enrolled in a work experience education program. (Education Code 49130, 49131, 49135)

(cf. 6178.1 - Work Experience Education)

(cf. 6184 - Continuation Education)

Legal Reference:

EDUCATION CODE

48230 Exemption from full-time school attendance for students with work permits

48231 Exemption from compulsory attendance for students entering attendance area near end of term

49100-49101 Compulsory attendance

## Students

5113.2 (b)

49110-49119 Permits to work  
49130-49135 Permits to work full time  
49140-49141 Exceptions  
49160-49165 Employment of minors; duties of employers  
49180-49183 Violations  
51760-51769.5 Work experience education  
52300-52499.66 Career technical education  
LABOR CODE  
1285-1312 Employment of minors  
1391-1394 Working hours for minors  
CODE OF REGULATIONS, TITLE 5  
**10120-10121 Work permits**  
16023-16027 District records, retention and destruction  
CODE OF REGULATIONS, TITLE 8  
11701-11707 Prohibited and dangerous occupations for minors  
11750-11763 Work permits and conditions, minor employed in entertainment industry  
CODE OF FEDERAL REGULATIONS, TITLE 29  
570.1-570.129 Child labor regulations  
ATTORNEY GENERAL OPINIONS  
18 Ops.Cal.Atty.Gen. 114 (1951)  
Management Resources:  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
**Permit to Employ and Work, Form B1-4**  
**Statement of Intent to Employ a Minor and Request for a Work Permit - Certificate of Age, Form B1-1**  
Work Permit Handbook for California Schools: Laws and Regulations Governing the Employment of Minors, 2007  
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS  
Child Labor Laws, 2000**13**  
WEB SITES  
California Department of Education, Work Experience Education:  
<http://www.cde.ca.gov/ci/ct/we>  
~~California Department of Education, Office of Regional Occupational Centers and Programs and Workforce Development:~~ <http://www.cde.ca.gov/ci/ct/wd>  
California Department of Industrial Relations: <http://www.dir.ca.gov>

Policy Adopted: ~~10/15/08~~**03/10/21**

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

**AWARDS FOR ACHIEVEMENT**

The Board of Trustees encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievements in academic, **artistic**, extracurricular, athletic, **and** ~~or~~ community service activities. ~~The purpose of such awards shall be consistent with school goals.~~

(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 5127 - Graduation Ceremonies and Activities)

**District/School Awards**

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, or **plaque**.

The Superintendent or designee shall develop **criteria** ~~procedures~~ for the ~~appropriate~~ selection of ~~student~~ award recipients.

**Golden State Seal Merit Diploma**

At graduation from high school, ~~special recognition shall be awarded to those~~ students whose academic achievements **in core curriculum areas** have been outstanding **shall receive special recognition**.

The Superintendent or designee shall identify **graduating** high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

(cf. 6162.51 - State Academic Achievement Tests)

**State Seal of Biliteracy Award**

The district shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. (Education Code 51460-51464)

**(cf. 6142.2 - World Language Instruction)**  
(cf. 6174 - Education for English Language Learners)

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English. **The Superintendent or designee may also present awards to**

## Students

BP 5126 (b)

English learners who are reclassified as fluent English proficient to recognize proficiency in both English and the student's native language.

### State Seal of Civic Engagement

The Superintendent or designee shall present the State Seal of Civic Engagement to each student who demonstrates excellence in civics education and participation and has demonstrated an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. (Education Code 51470-51474)

All district students shall be afforded the opportunity to earn the State Seal of Civic Engagement, regardless of their background, communities, or experiences. No student shall be denied such opportunity based on academic ability, alternative school setting, or unique or unconventional expression of civic engagement.

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

(cf. 0415 - Equity)

(cf. 6157 - Distance Learning)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

### Scholarship and Loan Fund

The Board shall establish and maintain a scholarship and loan fund which shall be used to provide interest-free loans for educational advancement, scholarship, and/or grants-in-aid to bona fide organizations, students, or graduates of district schools. (Education Code 35310, 35315)

(cf. 1260 - Educational Foundation)

(cf. 3290 - Gifts, Grants and Bequests)

The district's scholarship and loan fund shall be administered by a district committee composed of Board members, the Superintendent, and such other community, staff, administrative, and/or student representatives as determined by the Board. (Education Code 35310)

The Board shall select its own representatives to the committee. Staff, community, and/or student representatives shall be selected by the Superintendent. Members of this committee shall serve two-year terms.

## Students

BP 5126 (c)

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

The committee may accept gifts, donations, and bequests made for the purposes of the fund and may prescribe conditions or restrictions on these gifts and bequests. If the donor imposes any conditions, the committee shall review the conditions and make a recommendation to the Board as to the compatibility of such conditions with the intent and purpose of the fund. The Board may prohibit the committee from accepting any donation under conditions it finds incompatible with the fund's intents and purposes. (Education Code 35313)

The Superintendent or designee shall report to the Board at least annually regarding the status and activity of the fund. (Education Code 35319)

### Legal Reference:

#### EDUCATION CODE

220 Nondiscrimination

35160 Authority of governing boards

35310-35319 Scholarship and loan funds

44015 Awards to employees and students

51243-51245 Credit for private school foreign language instruction

51450-51455 Golden State Seal Merit Diploma

51460-51464 State Seal of Biliteracy

**51470-51474 State Seal of Civic Engagement**

52164.1 Assessment of English language skills of English learners

#### GOVERNMENT CODE

**54950-54963 Brown Act open meeting laws**

#### CODE OF REGULATIONS, TITLE 5

876 Golden State Seal Merit Diploma

1632 Credit for private school foreign language instruction

11510-11516 California English Language Development Test

**11517.6-11519.5 English Language Proficiency Assessments for California**

#### Management Resources:

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

**SSCE Implementation Guidance**

#### WEB SITES

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

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

Californians Together: <http://www.californianstogether.org>

~~Policy Adopted: 09/09/2015~~ **03/10/21**

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

**IMMUNIZATIONS**

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Trustees ~~desires to~~ **shall** cooperate with state and local health agencies to encourage **and facilitate** immunization of all district students against preventable diseases.

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.26 – Tuberculosis Testing)

(cf. 6142.8 – Comprehensive Health Education)

**Each** ~~S~~ students enrolling for the first time in a district ~~elementary or secondary~~ school, preschool or child care and development program or, ~~after July 1, 2016,~~ enrolling in or advancing to grade 7 shall present an immunization record from any authorized private or public health care provider certifying that **the student** ~~she~~ has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 – Preschool/Early Childhood Education)

~~Each~~ **Transfer students** shall be requested to present ~~his/her~~ immunization records upon registration at a district schools **if possible**.

(cf. 6173 – Education for Homeless Children)

(cf. 6173.1 – Education for Foster Youth)

(cf. 6173.2 – Education of Children of Military Families)

Legal Reference:

EDUCATION CODE

44871 Qualifications of supervisor of health

46010 Total days of attendance

48216 Immunization

48853.5 Immediate enrollment of foster youth

48980 Required notification of rights

49403 Cooperation in control of communicable disease and immunizations

49426 Duties of school nurses

49701 Flexibility in enrollment of children of military families

51745-51749.6 Independent study

HEALTH AND SAFETY CODE

120325-120380 Immunization against communicable disease especially:

120335 Immunization requirement for admission

**120372 Statewide medical exemption electronic standardized form**

120395 Information about meningococcal disease, including recommendation for vaccination

**IMMUNIZATIONS**

120440 Disclosure of immunization information  
CODE OF REGULATIONS, TITLE 5

430 Student records  
CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements  
UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act  
UNITED STATES CODE, TITLE 42

11432 Immediate enrollment of homeless children  
CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy  
*Management Resources:*

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

**Exemptions FAQs**

**Guide to Immunization Requirements for Pre-kindergarten (Child Care)**

**Guide to Immunization Requirements for K-12th Grade**

**Parents' Guide to Immunizations Required for Pre-kindergarten (Child Care)**

**Parents' Guide to Immunizations Required for School Entry**

**Vaccinations and Medical Exemptions Questions and Answers**

**California Immunization Handbook for Pre-kindergarten (Child Care) Programs and Schools, 10th Edition, July 2019**

~~California Immunization Handbook for Child Care Programs and Schools, August 2015~~

~~Guide to Immunizations Required for Child Care~~

~~Guide to Immunizations Required for School Entry~~

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS

~~Guide for Annual Audits of Local Education Agencies and State Compliance Reporting, July 2015~~

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009

WEB SITES

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

California Department of Public Health, Immunization Branch:

<http://www.cdph.ca.gov/programs/cid/dcdc/pages/immunize.aspx>

<http://www.cdph.ca.gov/programs/immunize>

California Department of Public Health, Shots for Schools: <http://shotsforschools.org>

**California Health & Human Services Agency:** <http://www.chhs.ca.gov/>

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

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

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

Policy Adopted: ~~02/10/2016~~ **03/10/21**

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California



**PRESCHOOL/EARLY CHILDHOOD EDUCATION**

The Board of Trustees recognizes the value of high-quality preschool experiences to enhance children's social-emotional development, knowledge, skills, abilities and attributes necessary for a successful transition into the elementary education program. The Board desires to provide children ages 3-4 years' access to developmentally appropriate activities in a safe, adequately supervised, and cognitively rich environment.

~~Collaboration with Community Programs~~

The Superintendent or designee shall collaborate with the local child care and development planning council, the county office of education, other public agencies, organizations, and/or private preschool providers to assess the availability of preschool programs in the community and the extent to which the community's preschool needs are being met. The Board encourages the development of a comprehensive districtwide and/or community-wide plan to increase children's access to high-quality preschool programs.

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148 - Child Care and Development)

The Superintendent or designee shall provide information about preschool options in the community to parents/guardians upon request.

District Preschool Programs

When the Board determines that it is feasible, the district may contract with the California Department of Education (CDE) to provide preschool services in facilities at or near district schools, either directly or through a subcontract with a public or private provider.

District preschool programs shall comply with all health and safety laws and regulations, including, when applicable, licensure requirements pursuant to 22 CCR 101156.

The Board shall approve for the district's preschool program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

The Board shall set priorities for establishing or expanding services as resources become available, giving consideration to the benefits of providing early education programs for at-risk children and/or children residing in the attendance areas of the lowest performing district schools.

(cf. 6171 - Title I Programs)

**PRESCHOOL/EARLY CHILDHOOD EDUCATION**

Preschool classrooms shall be addressed in the district's facilities master plan, including an assessment as to whether adequate and appropriate space exists on school sites. As necessary, the Superintendent or designee shall provide information to the Board regarding facilities financing options for preschool classrooms and/or facilities available through partnering organizations or agencies.

(cf. 1330.1 - Joint Use Agreements)  
(cf. 7110 - Facilities Master Plan)  
(cf. 7210 - Facilities Financing)

Because parents/guardians are essential partners in supporting the development of their children, the Superintendent or designee shall involve them in program planning.

(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall coordinate the district's preschool program, transitional kindergarten program, and elementary education program to provide a developmental continuum that builds upon children's growing skills and knowledge.

(cf. 6011 - Academic Standards)  
(cf. 6170.1 - Transitional Kindergarten)

The district's program shall be aligned with preschool learning foundations and curriculum frameworks developed by the California Department of Education which identify the knowledge, skills, and competencies that children typically attain as they complete their first or second year of preschool. The program shall be designed to facilitate children's development in essential skills in the areas of language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.

The district's preschool program shall provide appropriate services to support the needs of at-risk children.

(cf. 0415 - Equity)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 - Education of Children of Military Families)  
(cf. 6174 - Education for English Language Learners)  
(cf. 6175 - Migrant Education Program)

## **Students**

BP 5148.3 (c)

### **PRESCHOOL/EARLY CHILDHOOD EDUCATION**

To maximize the ability of children to succeed in the preschool program, the program shall support children's health through proper nutrition and physical activity and shall provide or make referrals to available health and social services as needed.

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

(cf. 5030 - Student Wellness)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

The district shall encourage volunteerism in the program and shall communicate frequently with parents/guardians of enrolled children regarding their child's progress.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall ensure that administrators, teachers, and paraprofessionals in district preschool programs possess the appropriate permit(s) issued by the Commission on Teacher Credentialing, meet any additional qualifications established by the Board, and participate in professional development opportunities designed to continually enhance their knowledge and skills.

(cf. 4112.2 - Certification)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

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

(cf. 4131 - Staff Development)

(cf. 4222 - Teacher Aides/Paraprofessionals)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Preschool admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and a health examination requirement. (CCR 18105; 22 CCR 101218)

The Superintendent or designee shall ensure that subsidized preschool is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

**The Superintendent or designee shall recommend strategies to link the district's preschool program with other available child care and development programs in the district or community in order to assist families whose child care needs extend beyond the length of time that the district's part-day preschool program is offered.**

The Superintendent or designee shall develop and implement an annual plan of evaluation which conforms to state requirements. (5 CCR 18279)

**PRESCHOOL/EARLY CHILDHOOD EDUCATION**

The district's Williams uniform complaint procedures, with modifications as necessary, shall be used to investigate and resolve complaints alleging violation of applicable health or safety requirements for license-exempt programs operating under the California State Preschool Program. However, licensed programs shall refer complaints alleging health and safety violations to the California Department of Social Services. (Education Code 8235.5; 5 CCR 4610, 4611)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The Superintendent or designee shall regularly report to the Board regarding enrollment in district preschool programs and the effectiveness of the programs in preparing preschoolers for transition into the elementary education program.

(cf. 0500 - Accountability)

**Legal Reference:**

**EDUCATION CODE**

8200-8499.10 Child Care and Development Services Act, especially:  
8200-8209 General provisions for child care and development services  
8230-8233 Migrant child care and development program  
8235-8239.1 California State Preschool Program  
8240-8244 General child care and development programs  
8250-8252 Programs for children with special needs  
8263 Eligibility and priorities for subsidized child development services  
8263.3 Disenrollment of families due to reduced funding levels  
8264.8 Center-based child care programs, staffing ratios  
8273.1 Family fees  
8360-8370 Personnel qualifications  
8400-8409 Contracts  
8493-8498 Facilities  
8499.3-8499.7 Local child care and development planning councils  
44065 Interchange between certificated and classified positions  
44256 Credential types  
48000 Transitional kindergarten  
48985 Notification, primary language other than English

**HEALTH AND SAFETY CODE**

1596.70-1596.895 California Child Day Care Act  
1596.90-1597.21 Day care centers  
120325-120380 Immunization requirements

**CODE OF REGULATIONS, TITLE 5**

**4600-4670 Uniform complaint procedures**  
**4690-4694 Health and safety complaints in license-exempt preschool programs**  
~~4680-4687 Williams uniform complaint procedures~~

18000-18434 Child care and development programs, especially:  
18130-18136 California State Preschool Program  
18295 Waiver of qualifications for site supervisor  
80105-80125 Permits authorizing service in child development programs

**UNITED STATES CODE, TITLE 20**

1400-1482 Individuals with Disabilities Education Act  
6311-6322 Title I, relative to preschool  
6371-6376 Early Reading First

## Students

BP 5148.3 (e)

### **PRESCHOOL/EARLY CHILDHOOD EDUCATION**

6381-6381k Even Start family literacy programs  
6391-6399 Education of migratory children  
UNITED STATES CODE, TITLE 42  
9831-9852c Head Start programs  
9858-9858r Child Care and Development Block Grant  
~~CODE OF FEDERAL REGULATIONS, TITLE 22~~  
~~101151-101239.2 General requirements, licensed child care centers, including:~~  
~~101151-101163 Licensing and application procedures~~  
~~101212-101231 Continuing requirements~~  
~~101237-101239.2 Facilities and equipment~~  
CODE OF FEDERAL REGULATIONS, TITLE 45  
1301-1310 Head Start  
Management Resources:  
CSBA PUBLICATIONS  
What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016?  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS?  
California Preschool Learning Foundations  
Dream Big for Our Youngest Children: Final Report of the California Early Learning Quality  
Improvement System Advisory Committee, 2010  
Preschool English Learners: Principles and Practices to Promote Language, Literacy, and  
Learning, 2<sup>nd</sup> ed. 2009  
Prekindergarten Learning Development Guidelines, 2000  
First Class: A Guide for Early Primary Education, 1999  
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS  
Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings, 2016  
Good Start, Grow Smart, April 2002  
WEB SITES  
CSBA: <http://www.csba.org>  
California Association for the Education of Young Children: <http://www.caeyc.org>  
California Children and Families Commission: <http://www.cafc.ca.gov>  
California County Superintendents Educational Services Association: <http://www.ccsesa.org>  
California Department of Education: <http://www.cde.ca.gov>  
California Head Start Association: <http://caheadstart.org>  
California Preschool Instructional Network: <http://www.cpin.us>  
Child Development Policy Institute: <http://www.cdpi.net>  
Cities, Counties, and Schools Partnership: <http://www.ccspartnership.org>  
First 5 Association of California: <http://www.cafc.ca.gov>  
National Institute for Early Education Research: <http://nieer.org>  
U.S. Department of Education: <http://www.ed.gov>

Policy Adopted: ~~02/13/2019~~ 03/10/21

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

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

The Board of Trustees desires to prepare all students to **successfully complete the** high school **course of study and** obtain a diploma **that represents their educational achievement and increases their** ~~so that they can take advantage of~~ opportunities for postsecondary education and employment.

(cf. 5127 – Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.3 – Reciprocity of Academic Credit)

**Course Requirements**

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

1. ~~Four~~ **Three** courses in English (Education Code 51225.3)

(cf. 6142.91 – Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

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

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

(cf. 6142.93 - Science Instruction)

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

(cf. 6142.3 - Civic Education)

(cf. 6142.93 – History-Social Science Instruction)

5. One course in visual or performing arts, **world** ~~foreign~~ language, or career technical education (CTE). **For purposes of this requirement, a course in including American Sign Language shall be deemed a course in world language.** (Education Code 51225.3)

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

**Instruction**  
**HIGH SCHOOL GRADUATION REQUIREMENTS**

BP 6146.1 (b)

~~(Charter High School Grades 9-12)~~

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

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

- (cf. 6142.7 – Physical Education and Activity)

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

- (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
- (cf. 6142.4 - Service Learning/Community Service Classes)
- (cf. 6142.8 - Comprehensive Health Education)

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

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

Exemptions from District-Adopted Graduation Requirements

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

- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 5145.6 - Parental Notifications)
- (cf. 6173 - Education for Homeless Children)
- (cf. 6173.1 – Education for Foster Youth)

**Instruction**  
**HIGH SCHOOL GRADUATION REQUIREMENTS**

BP 6146.1 (c)

**~~(Charter High School Grades 9-12)~~**

(cf. 6173.2 – Education for Children of Military Families)  
(cf. 6173.3 - Education for Juvenile Court School Students)  
(cf. 6175 - Migrant Education Program)

**Retroactive Diplomas**

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

In addition, the district may retroactively grant high school diplomas to former students who:  
(Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.

In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars

Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the United States while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school

4. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis



## Instruction

### HIGH SCHOOL GRADUATION REQUIREMENTS

BP 6146.1 (d)

#### Honorary Diplomas

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district

(cf. 6145.6 - International Exchange)

2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

Legal Reference:

#### EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

48204.4 Parents/guardians departing California against their will

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

51225.35 Mathematics course requirements; computer science

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation

51225.5 Honorary diplomas; foreign exchange students

51225.6 Compression-only cardiopulmonary resuscitation

51228 Graduation requirements

**51230 Credit for community emergency response training**

51240-51246 Exemptions from requirements

51250-51251 Assistance to military dependents

51410-51413 Diplomas

51420-51427 High school equivalency certificates

51430 Retroactive high school diplomas

51440 Retroactive high school diplomas

51450-51455 Golden State Seal Merit Diploma

51745 Independent study restrictions

56390-56392 Recognition for educational achievement, special education

66204 Certification of high school courses as meeting university admissions criteria

67386 Student safety; affirmative consent standard

#### CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

4600-4670~~87~~ Uniform complaint procedures

## **Instruction**

### **HIGH SCHOOL GRADUATION REQUIREMENTS**

BP 6146.1 (e)

#### COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

#### WEB SITES

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

California Department of Education, California High School: <http://www.cde.ca.gov/ci/gc/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

Policy Adopted: ~~09/11/2019~~ 03/10/21

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

## **Instruction**

### **TRANSITIONAL KINDERGARTEN**

The Board of Trustees desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.

The district's ~~TK transitional kindergarten~~ shall be the first year of a two-year kindergarten program. (Education Code 48000)

The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.

(cf. 1220 - Citizen Advisory Committees)  
(cf. 6020 – Parent Involvement)

#### Eligibility

The district's transitional kindergarten program shall admit children whose fifth birthday is from September 2 through December 2. (Education Code 4800)

Parents/guardians of eligible children shall be notified of the availability of the TK program and the age, residency, immunization, and any other enrollment requirements. Enrollment in the transitional kindergarten program shall be voluntary.

(cf. 5111 – Admission)  
(cf. 5111.1 – District Residency)  
(cf. 5141.22 – Infectious Diseases)  
(cf. 5141.3 – Health Examinations)  
(cf. 5141.31 – Immunizations)  
(cf. 5141.32 – Health Screening for School Entry)

On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.

At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after December 2 of that same school year, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance. (Education Code 48000)

**TRANSITIONAL KINDERGARTEN**

Curriculum and Instruction

The district's **TK transitional kindergarten** program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code 48000)

(cf. 6141 – Curriculum Development and Evaluation)  
(cf. 6161.1 – Selection and Evaluation of Instructional Materials)

The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education. It shall be designed to facilitate students' development in essential skills, related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social sciences, English language development, and social-emotional development.

(cf. 5148.3 – Preschool/Early Childhood Education)  
(cf. 6011 – Academic Standards)  
(cf. 6174 – Education for English Language Learners)

The Board shall establish the length(s) of the school day in the district's TK program, **which shall be at least three hours but no more than four hours long. If the district has adopted an extended-day kindergarten, the length of the school day for the TK programs may be maintained for different than the lengths of the school day for the kindergarten program time either at the same or different school sites. , as long as the school day is at least three hours but no more than four hours.** The Superintendent or designee shall annually report to the **CDE** California Department of Education as to whether the district's TK programs are offered full day, part day, or both. (Education Code 37202, 46111, 46117, 48003)

(cf. 6111 - School Calendar)  
(cf. 6112 - School Day)

TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional program is differentiated to meet student needs.

**TK students may be commingled in the same classroom with four-year-old students from a California State Preschool Program as long as all of the requirements of each program are met and the classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten. (Education Code 8235, 48000)**

**(cf. 5148.3 - Preschool/Early Childhood Education)**

**TRANSITIONAL KINDERGARTEN**

Staffing

The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.

(cf. 4112.2 - Certification)

A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2021, have at least 24 units in early childhood education and/or child development, comparable experience in a preschool setting, and/or a child development teacher permit issued by the CTC. (Education Code 48000)

The Superintendent or designee may provide professional development as needed to ensure that ~~TK transitional kindergarten~~ teachers are knowledgeable about district standards and effective instructional methods for teaching young children.

(cf. 4131 – Staff Development)

Continuation to Kindergarten

Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.

However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.

A student shall not attend more than two years in a combination of TK and kindergarten. (Education Code 46300)

(cf. 5123 - Promotion/Acceleration/Retention)

Assessment

The Superintendent or designee shall develop or identify appropriate formal and/or informal assessments of ~~TK transitional kindergarten~~ students' development and progress. **The Superintendent or designee** ~~He/she~~ shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards, **and student preparedness for future education.**

(cf. 0500 – Accountability)

(cf. 6162.5 – Student Assessment)

**TRANSITIONAL KINDERGARTEN**

Legal Reference:

EDUCATION CODE

8235 California State Preschool Program

8970-8974 Early primary programs; extended-day kindergarten

~~8973 Extended-day kindergarten~~

37202 School calendar; equivalency of instructional minutes

44258.9 Assignment monitoring by county superintendent of schools

46111 Kindergarten, hours of attendance

46114-46119 Minimum school day, kindergarten

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

48000 Age of admission kindergarten and transitional kindergarten

48002 Evidence of minimum age required to enter kindergarten or first grade

48003 Kindergarten annual report

48200 Compulsory education, starting at age six

Management Resources:

CSBA PUBLICATIONS

What Boards of Education Can Do About Kindergarten Readiness, Governance Brief, May 2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Transitional Kindergarten FAQs

Desired Results Developmental Profile, 2015

Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, 2013

California Preschool Curriculum Framework, Vol. 3, 2013

California Preschool Learning Foundations, Vol. 3, 2012

California Preschool Curriculum Framework, Vol. 2, 2011

California Preschool Learning Foundations, Vol. 2, 2010

California Preschool Curriculum Framework, Vol. 1, 2010

California Preschool Learning Foundations, Vol. 1, 2008

WEB SITES

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

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

California Kindergarten Association: <http://www.ckanet.org>

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

Transitional Kindergarten California: <http://www.tkcalifornia.org>

Policy Adopted: ~~02/14/18~~ 03/10/21

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California

BOARD MEMBER ELECTRONIC COMMUNICATIONS

The Board of Trustees recognizes that electronic communication ~~among Board members and between Board members, district administration, and members of the public~~ is an efficient and convenient way to communicate and expedite the exchange of information **within the district and with members of the public.** ~~and to help keep the community informed about the goals, programs, and achievements of the district and its schools.~~ Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendaized Board meeting-, **circumvent the public's right to access records regarding district business, or restrict access to a public forum.**

(cf. 1100 - Communication with the Public)

~~(cf. 6020 - Parent Involvement)~~

(cf. 9000 - Role of the Board)

(cf. 9322 - Agenda/Meeting Materials)

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members **may engage in separate conversations or communications with members of the public or on a social media platform to answer questions, provide information, or solicit information regarding a matter that is within the subject matter jurisdiction of the Board, as long as a majority of the Board does not use the platform to discuss among themselves any business of a specific nature that is within the subject matter jurisdiction of the Board. A board member is prohibited from responding directly to any communication from other Board members regarding matters that are within the subject matter jurisdiction of the Board or using digital icons (e.g., "likes" or emoji's) to express reactions to communications made by other Board members.**

~~(Government Code 54952.2) shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the press shall be forwarded to the designated district spokesperson.~~

## Board Bylaw

BB 9012 (b)

Board members may use electronic communications to discuss matters that do not pertain to district business, regardless of the number of Board members participating in the discussion.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that the response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the media shall be forwarded to the designated district spokesperson.

(cf. 1112 - Media Relations)  
(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.2 - Complaints Concerning Instructional Materials)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)  
(cf. 3320 - Claims and Actions Against the District)  
(cf. 9005 - Governance Standards)  
(cf. 9121 - Board President)  
(cf. 9200 - Limits of Board Member Authority)  
(cf. 9270 - Conflict of Interest)

~~In order to minimize the risk of improper disclosure, Board members shall avoid reference to confidential information and information acquired during closed session.~~

~~(cf. 4112.6/4212.6/4312.6 - Personnel Files)  
(cf. 5125 - Student Records)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)  
(cf. 9321 - Closed Session Purposes and Agendas)~~

~~Board members may use electronic communications to discuss matters other than district business with each other, regardless of the number of members participating in the discussion.~~

~~Like other writings concerning district business, a Board member's electronic communication may be subject to disclosure under the California Public Records Act.~~

To the extent possible, electronic communications regarding any district-related business shall be transmitted through a district-provided device or account. When any such communication is transmitted through a Board member's personal device or account, the Board member shall copy the communication to a district electronic storage device for easy retrieval.

(cf. 1340 - Access to District Records)  
(cf. 3580 - District Records)



**Legal Reference:**

**EDUCATION CODE**

35140 Time and place of meetings

35145 Public meetings

35145.5 Agenda; public participation; regulations

35147 Open meeting law exceptions and applications

**GOVERNMENT CODE**

**6250-6270 California Public Records Act**

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting, defined

54953 Meetings to be open and public; attendance

54954.2 Agenda posting requirements, board actions

**COURT DECISIONS**

**Garnier v. Poway Unified School District, No. 17-cv-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)**

**Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)**

**City of San Jose v. Superior Court (2017) 2 Cal.5th 608**

**Management Resources:**

**CSBA PUBLICATIONS**

The Brown Act: School Boards and Open Meeting Laws, rev. 2006**19**

**Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017**

**ATTORNEY GENERAL PUBLICATIONS**

The Brown Act: Open Meetings for Legislative Bodies, 2003

~~**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**~~

~~Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2007~~

**WEB SITES**

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

CSBA, Agenda Online: **GAMUT Meetings**

<http://www.csba.org/ProductsAndServices/AllServices/GamutMeetings Policy GovernanceTechnology/AgendaOnline.aspx>

~~Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>~~

**MEETING AND NOTICES**

Meetings of the Board of Trustees are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 9323 - Meeting Conduct)

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, **including social media and other electronic communications**, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board.

However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

**(cf. 9012 - Board Member Electronic Communications)**

In order to help ensure participation ~~in the meeting by disabled~~ **of individuals with disabilities at Board meetings**, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1; **54954.2**)

**Regular Meetings**

The Board shall hold one regular meeting(s) each month. Regular meetings shall be held at 7:00 p.m. on Wednesday at the District Office Board Room, 500 Dyer Street, Orcutt, CA. unless otherwise noticed.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

**Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)**

**(cf. 1340 - Access to District Records)**

## Board Bylaws

BB 9320 (b)

~~Meeting notices and agendas shall specify that any individual who requires disability related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee. (Government Code 54954.2)~~

~~Each agenda shall also list the address(es) designated by the Superintendent or designee for public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)  
(cf. 9322 Agenda/Meeting Materials)~~

## Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. **However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent assistant superintendent, or other management employee as described in Government Code 3511.11** (Government Code 54956)

**(cf. 2121 - Superintendent's Contract)**

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

## Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

#### Adjourned/Continued Meetings

~~A majority vote by t~~ The Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

#### Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

- (cf. 2000 - Concepts and Roles)
- (cf. 2111 - Superintendent Governance Standards)
- (cf. 9000 - Role of the Board)
- (cf. 9005 - Governance Standards)
- (cf. 9400 - Board Self-Evaluation)

## Board Bylaws

BB 9320 (d)

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within district boundaries. Action items shall not be included on the agenda for these meetings.

### Other Gatherings

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

(cf. 9130 - Board Committees)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

### Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to disabled persons or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

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

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party

## Board Bylaws

BB 9320 (e)

2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

### Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

## **Board Bylaws**

BB 9320 (f)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

### Legal Reference:

#### EDUCATION CODE

35140 Time and place of meetings  
35143 Annual organizational meeting, date, and notice  
35144 Special meeting  
35145 Public meetings  
35145.5 Agenda; public participation; regulations  
35146 Closed sessions  
35147 Open meeting law exceptions and applications

#### GOVERNMENT CODE

11135 State programs and activities, discrimination  
54950-54963 The Ralph M. Brown Act, especially:  
54953 Meetings to be open and public; attendance  
54954 Time and place of regular meetings  
54954.2 Agenda posting requirements, board actions  
54956 Special meetings; call; notice  
54956.5 Emergency meetings

#### UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications  
36.303 Auxiliary aids and services

#### COURT DECISIONS

Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

#### ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 218 (2005)  
84 Ops.Cal.Atty.Gen. 181 (2001)  
84 Ops.Cal.Atty.Gen. 30 (2001)  
79 Ops.Cal.Atty.Gen. 69 (1996)  
78 Ops.Cal.Atty.Gen. 327 (1995)

#### Management Resources:

#### CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2006~~19~~

**INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS**

The ABCs of Open Government Laws

**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**

Open and Public IV: A Guide to the Ralph M. Brown Act, 2nd Ed., 2010

~~ATTORNEY GENERAL PUBLICATIONS~~

~~The Brown Act: Open Meetings for Legislative Bodies, 2003~~

**LEAGUE OF CALIFORNIA CITIES PUBLICATIONS**

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2007

**WEB SITES**

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

CSBA, ~~Agenda Online~~ **GAMUT Meetings:**

[http://www.csba.org/ProductsAndServices/AllServices/Gamut Meeting Policy](http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingPolicy)

~~GovernanceTechnology/AgendaOnline.aspx~~

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

Institute for Local Government: <http://www.ca-ilg.org>

**League of California Cities:** <http://www.cacities.org/index.jsp?zone=ilsg>

Bylaw Adopted: ~~11/8/06~~ **03/10/21**

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California





## BUSINESS SERVICES MEMORANDUM

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

**FROM:** Nick Taylor  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 10, 2021

**BOARD AGENDA ITEM:** Measure G Citizens' Oversight Committee Annual Report for 2020

**BACKGROUND:** The Citizens' Oversight Committee (COC) shall review expenditure reports produced by The District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure G; and (b) no bond proceeds were used for teacher or administrative salaries, or other operating expenses in compliance with Attorney General Opinion 04-110, issued on November 9, 2004.

The COC shall present to the Board, in public session, an annual written report for Measure G-2016. The report requirements shall include the following:

- (a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution; and
- (b) A summary of the Committee's proceedings and activities for the preceding year.

**RECOMMENDATION:** Staff recommends that the Board of Trustees approve the Citizens' Oversight Committee 2020 Annual Report, as submitted.

**FUNDING:** N/A

# 2020 Annual Report to the Board of Trustees

Bond Measure G  
Citizens' Oversight Committee

Presented March 10, 2021



## 2020 Citizens' Oversight Committee members

### Jan Zilli, Chair

Community at – large

### Mark Huerth, Vice-Chair

Community at – large

### Eric Melsheimer

Representative for local business

### Doug Dougherty

Senior citizens' organization

### Brenda Corona-Daigle

Parent

### Frank Mejia

Parent

### Karen Dally

Community Member

## DISTRICT STAFF

### Holly Edds, Ed.D.

Superintendent

### Susan Salucci

Assistant Supt. Human Resources

### Nicholas Taylor, Ed.D.

Assistant Supt. Business Services

### Janet Bertoldi

Interim Assistant Supt. Educational Services

### Leslie Wagonseller

Executive Director of Technology and Educational Services

### Brad Gitchell

Director of MOT

### Bethany Markee

Director of Child Nutrition

### Kathy Long

Executive Director, Special Education

### Alice Salazar

Executive Assistant Superintendent, Board of Trustees



## LETTER FROM THE CHAIR

On behalf of the Orcutt Union School District Measure G Citizens' Oversight Committee it is my pleasure to present the Measure G Annual Report to the Board of Trustees.

Since the Community approved the bond in 2016 Measure G has enhanced school sites with security fencing, improved bus drop-off and pick-up and modernization of school offices.

The committee met bi-annually in 2020 and was given detailed information from Business Services and staff concerning the progress and expenditures related to the various projects included in the Measure G Bond. The committee plays an important role in informing the public about the District's expenditures of bond money, providing oversight to ensure that bond revenues are spent on construction projects as promised to the community.

It is the opinion of this committee that based on the oversight activities and the financial and performance audits noted herein, the school district remains in full compliance with the requirements of article XIII A, Section 1(b) (3) of the Constitution of the State of California.

The committee trusts you will find the annual report accurate, informative and comprehensive.

Respectfully,

### Jan Zilli

Chair

Measure G Citizens' Oversight Committee

## Bond Measure G Overview

Northern Santa Barbara County residents voted November 8, 2016, to approve Measure G, the \$60 million general obligation facilities bond to improve Orcutt Union School District. Funding from the bond is helping the district repair, upgrade and improve elementary and secondary schools, including deteriorated roofs, plumbing, and electrical systems, improve student safety/security and disabled access, keep schools well-maintained, acquire, renovate, improve classrooms/facilities/equipment and technology infrastructure, replace aging portables with modern classrooms. All funds should be benefiting all our school sites.

### **MEASURE G2016 COMMITMENT TO COMMUNITY ORCUTT UNION SCHOOL DISTRICT**

*To repair/upgrade Orcutt/Los Alamos elementary/secondary schools, including deteriorated roofs, plumbing, and electrical systems, improve student safety/security and disabled access, keep schools well-maintained, acquire, renovate, construct classrooms/facilities/equipment and technology infrastructure to support programs in science, math, reading and arts, replace aging portables with modern classrooms, shall Orcutt Union School District issue \$60 million in bonds at legal rates, with citizens' oversight, annual audits, no funds for administrators, and all funds benefiting local schools?*

Measure G was presented to voters under the provision of Proposition 39, stipulating that at least 55 percent of voters approve a measure for its passage. It passed with 57.8 percent of the vote.

---

## The Citizens' Oversight Committee

As promised to voters and required by law, on June 23, 2016, the Orcutt Union School District Board of Trustees adopted Resolution No. 20, establishing the Measure G Citizens' Oversight Committee.

The laws governing implementation of the Citizens' Oversight Committee require a minimum of seven members to be selected based on criteria established by Proposition 39:

- One active member from the following: a business organization representing the business community located in the District; a senior citizens' organization; a bona-fide taxpayer's association; and a parent or guardian of a child enrolled in the District
- Two members of the community at-large.



**Dr. Holly Edds, Eric Melsheimer, Dr. Nick Taylor**



**Dr. Holly Edds, Karen Dally, Dr. Nick Taylor**

## **Period covered by the report**

This report covers the time period of January 1 through December 31, 2020

## **Statement of purpose/responsibilities of the Citizens' Oversight Committee**

The Measure G Citizens' Oversight Committee, with members representing the various groups of our communities, serves as the representative of local residents to monitor the expenditures of Measure G Funds. The Citizens' Oversight Committee reviews the progress and expenditure reports to ensure that bond proceeds were expended only for the purposes set forth in the Measure G Bond, and reports their findings annually to the Orcutt Union School District Board of Trustees via this report.

The district has received, and the Citizens' Oversight Committee has reviewed, the financial and performance audit for the Measure G Bond Construction Fund for the fiscal year ending June 30, 2020. EideBaily, Certified Public Accountants, prepared the report to comply with Proposition 39 accountability within the California Constitution.

Eide Baily stated, "The results of our tests indicated that, in all significant respects, the Orcutt Union School District has properly accounted for expenditures held in the Building Fund (Measure G) and that such expenditures were made for authorized Bond projects. There were no audit findings, reported in the prior year's Schedule of Findings and Questioned Costs.

## **Financial compliance confirmation**

All expenditures authorized by Measure G have been reviewed by the Citizens' Oversight Committee to ensure the money was spent only on improvement projects as required by Proposition 39. All funds expended from Measure G will be audited by an independent accounting firm.

The Citizens' Oversight Committee has reviewed expenditures and projects and finds the district is in compliance with the requirements of Article XIII A, Section 1(b)(3)(C) of the California Constitution and consistent with the district's approved Measure G local bond measure.

# Orcutt Union School District

## General Obligation Bond Expenditure Report

Total General Obligation Bond Authorization . . . . .	\$60,000,000
Series A Issuance . . . . .	\$15,000,000
Series B Issuance . . . . .	\$20,000,000
General Obligation Bond Balance to be . . . . .	\$25,000,000
Total General Obligation Bond Authorization . . . . .	<b>\$60,000,000</b>

### REVENUE

Series A Issuance . . . . .	\$15,000,000
Premium on Sale of Bonds Issuance A . . . . .	\$624,527
Series B Issuance . . . . .	\$20,000,000
Premium on Sale of Bonds Issuance B . . . . .	\$252,789
Interest . . . . .	\$408,936
<b>TOTAL AVAILABLE REVENUE . . . . .</b>	<b>\$36,286,252</b>

### EXPENDITURES

#### (January 1, 2019 through December 31, 2020)

Alice Shaw Elementary School Site Safety & Security . . . . .	\$1,014,809
District Innovation Center . . . . .	\$2,746,582
Joe Nightingale Elementary School Site Safety & Security . . . . .	\$892,889
Joe Nightingale Elementary School Portable Projects . . . . .	\$3,397,085
Lakeview Junior High School Site Safety & Security . . . . .	\$526,658
Olga Reed Elementary School Cafeteria and MUR Modernization . . . . .	\$1,655,851
Olga Reed Elementary School Site Safety & Security . . . . .	\$245,850
Orcutt Academy High School Restroom Modernization . . . . .	\$1,314,700
Orcutt Academy High School Site Safety & Security . . . . .	\$882,397
Orcutt Junior High School Site Safety & Security Phase I . . . . .	\$182,517
Patterson Road Elementary School Site Safety & Security . . . . .	\$751,861
Pine Grove Elementary School Site Safety & Security . . . . .	\$1,030,294
Pine Grove Elementary School New Parking Lot . . . . .	\$1,218,865
Ralph Dunlap Elementary School Site Safety & Security . . . . .	\$769,183
<b>TOTAL EXPENDITURES FOR 2020 . . . . .</b>	<b>\$16,629,541</b>
<b>ENDING BALANCE . . . . .</b>	<b>\$19,656,711</b>

# Measure G Project

## Innovation Center



**Architect Renderings (conceptual display only)**

<b>Project:</b>	Innovation Center
<b>Board/Bid Action Item:</b>	December 11, 2019 (Underground cabling) March 11, 2020
<b>Anticipated Completion:</b>	March 2021
<b>Estimated Cost of Project:</b>	\$4,800,000.00

# Projects Successfully Completed by Bond Measure G

## CAPITAL CONSTRUCTION



**Alice Shaw Elementary School**  
**Site Safety & Security**

Project total:  
\$1,014,809  
Year Completed  
2019



**Joe Nightingale Elementary School**  
**Site Safety & Security**  
**Phase I**

Project total:  
\$892,889  
Year Completed  
2020



**Patterson Road Elementary School**  
**Site Safety & Security**

Project total:  
\$751,861  
Year Completed  
2019



**Pine Grove Elementary School**  
**Site Safety & Security**

Project total:  
\$1,030,294  
Year Completed  
2020



**Pine Grove Elementary School**  
**New Parking Lot**

Project total:  
\$1,218,865  
Year Completed  
2019



**Ralph Dunlap Elementary School**  
**Site Safety & Security**

Project total:  
\$769,183  
Year Completed  
2020



# Projects Successfully Completed by Bond Measure G

## CAPITAL CONSTRUCTION



**Olga Reed/  
OAK-8  
Site Safety &  
Security**

Project total:  
\$245,849  
Year Completed  
2020



**Olga Reed/  
OAK-8  
Site Safety &  
Security**

Picture #2



**Olga Reed/  
OAK-8  
Cafeteria  
Modernization**

Project total:  
\$1,655,851  
Year Completed  
2020



**Olga Reed/  
OAK-8  
Cafeteria  
Modernization**

Picture #2



**Lakeview JHS  
Site Safety &  
Security**

Project total:  
\$526,658  
Year Completed  
2020



**Orcutt JHS  
Site Safety &  
Security Phase I**

Project total:  
\$182,517  
Year Completed  
2020

# Projects Successfully Completed by Bond Measure G

## CAPITAL CONSTRUCTION



**Orcutt Academy High School  
Site Safety & Security**

Project total:  
\$882,397  
Year Completed  
2020



**Orcutt Academy High School  
Site Safety & Security**

Picture #2



**Orcutt Academy High School  
Restroom Modernization**

Project total:  
\$1,314,700  
Year Completed  
2020



**Orcutt Academy High School  
Restroom Modernization**

Picture #2

# Projects Successfully Completed with Developer Fees

**Alice Shaw Full Day Kindergarten – Total cost of project \$873,673 Project Completed 2020**



**Joe Nightingale Full Day Kindergarten – Total cost of project \$4,411,881  
Developer Fee = \$1,014,796, Measure G Bond = \$3,397,085 Project Completed 2020**



# Projects Successfully Completed with Developer Fees

**Pine Grove Elementary Full Day Kindergarten – Total cost of project \$1,149,418 Project Completed 2020**



**Patterson Road Elementary Full Day Kindergarten – Total cost of project \$1,938,356 Project Completed 2020**



**Ralph Dunlap Elementary Full Day Kindergarten – Total cost of project \$953,718 Project Completed 2020**



# 2020 Orcutt Union School District Board of Trustees

**Ms. Liz Phillips**  
President

**Ms. Melanie Waffle**  
Clerk

**Mr. Mark Steller**  
Trustee

**Mr. Shaun Henderson**  
Trustee

**Ms. Lisa Morinini**  
Trustee

**Holly Edds, Ed.D.**  
Board Secretary/Superintendent

## Measure G online

The agendas, minutes, and annual reports for Measure G Citizens' Oversight Committee meetings are posted on the District's website. To learn more about Measure G, go to [www.orcutt-schools.net](http://www.orcutt-schools.net) and click the "Measure G" link under the heading "Quick Links".

To contact Orcutt Union School District regarding Bond Measure G, or members of the Citizens' Oversight Committee, Please call or email:

Alice Salazar  
Executive Assistant  
To the Superintendent/Board of Trustees  
Ph: 805-938-8907  
[asalazar@orcutt-schools.net](mailto:asalazar@orcutt-schools.net)

**REQUIRES BOARD ACTION**

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office No later than **MONDAY, MARCH 15, 2021**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box. *A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.*

OFFICIAL 2021 DELEGATE ASSEMBLY BALLOT  
SUBREGION 11-A  
(Santa Barbara County)

Number of vacancies: 1 (Vote for no more than 1 candidate)

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*Delegates will serve two-year terms beginning April 1, 2021 - March 31, 2023*

*\*denotes incumbent*

Luz Reyes-Martin (Goleta Union SD)\*

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*Provision for Write-in Candidate Name*

---

*School District*

---

*Signature of Superintendent or Board Clerk*

---

*Title*

---

*School District Name*

---

*Date of Board Action*

*See reverse side for list of all current Delegates in your Region.*

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**REGION 11 – 9 Delegates (9 elected)**

**Director: Vacant**

**Below is a list of all elected or appointed Delegates from this Region.**

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**Subregion 11-A (Santa Barbara)**

Wendy Sims-Moten (Santa Barbara USD), term expires 2022

Luz Reyes-Martin (Goleta Union SD), term expires 2021

**Subregion 11-B (Ventura County and Las Virgenes USD)**

Darlene Bruno (Hueneme SD), term expires 2022

Efrain Cazares (Oceanview SD), term expires 2022

Debra Cordes (Oxnard SD), term expires 2022

Jenny Fitzgerald (Conejo Valley USD), term expires ~~2022~~

Sabrena Rodriguez (Ventura USD), term expires 2021

Christina Urias (Santa Paula USD), term expires ~~2021~~

**County Delegate:**

Rachel Ulrich (Ventura COE), term expires 2021

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**Counties**

Santa Barbara (Subregion A)

Ventura (Subregion B)

# Delegate Assembly Biographical Sketch Form for 2021 Election



**Deadline: Thursday, January 7, 2021 | No late submissions accepted**

This form is required. An optional, one-page, single-sided, résumé may also be submitted. Do not state "see résumé." Do not re-type this form. It is the candidate's responsibility to confirm that CSBA has received nomination materials prior to the deadline. Please submit completed form via e-mail to [nominations@csba.org](mailto:nominations@csba.org) no later than 11:59 p.m. on January 7, 2021. Forms may also be submitted via mail to CSBA's Executive Office at 3251 Beacon Blvd., West Sacramento, CA 95691, with a postmark of no later than January 7, 2021.

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: Luz Reyes-Martin Digitally signed by Luz Reyes-Martin  
Date: 2020.10.29 18:13:55 -0700 Date: 10/29/2020

Name: Luz Reyes-Martin CSBA Region & subregion #: 11-A  
District or COE: Goleta Union School District Years on board: 7  
Profession: Executive Director of Public Affairs and Communications Contact Number ( Cell  Home  Bus.): 805-403-3920  
Primary E-mail: luz.reyesmartin@gmail.com  
Are you an incumbent Delegate?  Yes  No If yes, year you became Delegate: 2017

Why are you interested in becoming a Delegate? Please describe the skills and experiences you would bring to the Delegate Assembly.

The CSBA Delegate Assembly fulfills a key role in working with local districts. I would be honored to continue to serve in this role and do my part to ensure that CSBA's policy direction supports school districts throughout the State and addresses the specific needs of Region 11-A. In my role as a School Board member, I have demonstrated my ability to listen, analyze information, and make conscientious decisions that are in the best interest of our school community. I would bring that same dedication as a CSBA Delegate.

Please describe your activities and involvement on your local board, community, and/or CSBA.

On my local board, I have served as Clerk, Vice President, and President. I have also been an active member of several district committees including the District English Learner Advisory Committee and as a Board liaison to the Goleta Education Foundation. In my community, I serve on several nonprofit Boards of Directors and on the Boards of women's organizations and environmental groups.

What do you see as the biggest challenge facing governing boards and how can CSBA help address it?

I believe that the next few years will bring continued uncertainty for governing boards related to impacts at the federal level and with the ongoing COVID-19 pandemic. I think governing boards will look to CSBA for guidance, support, and advocacy coordination to stand together to protect the great progress we have made in education in California.





# ORCUTT UNION SCHOOL DISTRICT

## REQUEST FOR ACCEPTANCE OF GIFT

**SCHOOL:** Olga Reed

Date: 2/5/21

**DONOR:** Name: Santa Ynez Valley Foundation

Address: 485 Alisal Road, Suite 272, Solvang, CA 93463

Phone No. 805-688-2991

**GIFT:** Item Donated \_\_\_\_\_ or Cash Donation \$ 400.00

(Fill in if money is donated)

Designated for: To assist in paying for a Righetti High School Marimba Band and Ballet Folklorico Performance on the school site.

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 Santa Ynez Valley Foundation Board of Directors decided allocations of this gift are to be at the discretion of the parent group. The gift is being channeled the district's office so administration is aware of the resources being made available.

### 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.)



# Pine Grove Elementary School

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

March 1, 2021

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

Dear Dr. Edds and Board;

On behalf of Pine Grove School, I am requesting that the Board of Trustees accept a donation of a check in the amount of \$1400.00 from the South Valley Community Church. The donation will be put toward the purchase of pencil box school supplies for our returning students.

The generosity of the South Valley Community Church is greatly appreciated.

Sincerely,

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

Michelle Boyd  
Principal

Mailing address:  
South Valley Community Church  
1054 E. Clark Avenue  
Santa Maria, CA 93455



ORCUTT UNION SCHOOL DISTRICT
REQUEST FOR ACCEPTANCE OF GIFT

SCHOOL: Pine Grove Elementary School Date: 3/1/2021

DONOR: Name: South Valley Community Church
Address: 1054 E. Clark Avenue Santa Maria CA 93455
Phone No. 805-934-1387

GIFT: Item Donated or Cash Donation \$ 1,400.00
Designated for: Pencil Box School Supplies
General Description:
Model No.: Condition: [X] New [X] Used
Value (estimated):
Purpose of Gift: To provide returning students with new school supplies
Will gift be purchased through Business Services Office? [ ] Yes [X] No
Donor Conditions of Acceptance:

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

- A. Will gift require installation? [ ] Yes [X] 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): Michelle Boyd, Principal
Acceptance Approved By (Administrator): Michelle Boyd, Principal
RECOMMENDATIONS: Principal or District Representative

BOARD ACTION: Date Accepted: Date Denied:

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



# ORCUTT Union School District

*Where a Dedicated Staff Means Kids Come First*

## **BOARD OF TRUSTEES**

SHAUN HENDERSON

LISA MORININI

LIZ PHILLIPS

MARK STELLER

MELANIE WAFFLE

HOLLY EDDS, Ed.D.

*District Superintendent*

JANET BERTOLDI

*Interim*

*Assistant Superintendent*

SUSAN SALUCCI

*Assistant Superintendent*

NICK TAYLOR, Ed.D.

*Assistant Superintendent*

TO: Board of Trustees

FROM: Holly Edds, Ed.D.  
Superintendent

BOARD MEETING DATE: March 10, 2021

BOARD AGENDA ITEM: Board Policy 3470 Debt Issuance and Management

BACKGROUND: The District is required to have an adopted post-issuance compliance policies and procedures for Bond Notes to ensure compliance with requirements of the Internal Revenue Code of 1986, as amended. This policy addresses use of the proceeds of the applicable debt issue and financed facilities, record-keeping, and arbitrage yield restriction and rebate requirements.

RECOMMENDATION: It is recommended that the Board of Trustees adopt Board Policy 3470 Debt Issuance and Management for the first reading, and that it be placed on the next Consent Agenda for the second reading.

FUNDING: No funding implications

**Debt Issuance And Management**

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

(cf. 3000 - Concepts and Roles)

(cf. 3460 - Financial Reports and Accountability)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 9270 - Conflict of Interest)

**Goals**

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs

**Debt Issuance and Management**

2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 7000 - Concepts and Roles)

**Authorized Purposes for the Issuance of Debt**

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

**Debt Issuance and Management**

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered.

Potential financing sources may include:

1. Short-Term Debt

a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)

b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)

c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)

2. Long-Term Debt

a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)

(cf. 7214 - General Obligation Bonds)

b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)

(cf. 7212 - Mello-Roos Districts)

3. Lease financing, including certificates of participation (COPs)

a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)

**Debt Issuance and Management**

- b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
  
- 4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
  
- 5. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

**Relationship of Debt to District Facilities Program and Budget**

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

**Structure of Debt Issues**

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.



**Debt Issuance and Management**

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

**Method of Sale**

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

**Debt Issuance and Management**

**Investment of Proceeds**

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

(cf. 3430 - Investing)

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

**Refunding/Restructuring**

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

**Internal Controls**

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)

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

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure.

(Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

**Debt Issuance and Management**

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

**Records/Reports**

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

## **Business and Noninstructional Operations**

BP 3470 (h)

### **Debt Issuance and Management**

#### Legal Reference:

##### EDUCATION CODE

5300-5441 Conduct of elections

15100-15262 Bonds for school districts and community college districts

15264-15276 Strict accountability in local school construction bonds

15278-15288 Citizen's oversight committees

15300-15425 School Facilities Improvement Districts

17150 Public disclosure of non-voter-approved debt

17400-17429 Leasing of district property

17450-17453.1 Leasing of equipment

17456 Sale or lease of district property

17596 Duration of contracts

42130-42134 Financial reports and certifications

##### ELECTIONS CODE

1000 Established election dates

8855 California Debt and Investment Advisory Commission

53311-53368.3 Mello-Roos Community Facilities Act

53410-53411 Bond reporting

53506-53509.5 General obligation bonds

53550-53569 Refunding bonds of local agencies

53580-53595.55 Bonds

53850-53858 Tax and revenue anticipation notes

53859-53859.08 Grant anticipation notes

##### CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

##### UNITED STATES CODE, TITLE 15

78o-4 Registration of municipal securities dealers

##### UNITED STATES CODE, TITLE 26

54E Qualified Zone Academy Bonds

##### CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 Prohibition against fraud or deceit

240.15c2-12 Municipal securities disclosure

##### CODE OF FEDERAL REGULATIONS, TITLE 26

1.6001-1 Records

#### Management Resources:

##### CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

##### GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

**Debt Issuance and Management**

**INTERNAL REVENUE SERVICE PUBLICATIONS**

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

**U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS**

Internal Control System Checklist

**WEB SITES**

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

Government Finance Officers Association: <http://www.gfoa.org>

Internal Revenue Service: <http://www.irs.gov>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):  
<http://www.emma.msrb.org>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Securities and Exchange Commission: <http://www.sec.gov>

Policy approved: 04/16/21

**ORCUTT UNION SCHOOL DISTRICT**  
Orcutt, CA



## BUSINESS SERVICES MEMORANDUM

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

**FROM:** Nick Taylor, Ed.D.  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 10, 2021

**BOARD AGENDA ITEM:** Orcutt Union School District Second Interim Report 2020-2021

**BACKGROUND:** Education Code 42130 provides that the district submit a Second Interim Report to the governing board of the district that covers the financial and budgetary status of the district for the period ending January 31, 2021.

We continue to use the School Services of California dashboard as a tool for our projections. Education Code 42131 (a) (1) further states that “pursuant to the reports required by Section 42130, the governing board of each school district shall certify in writing, within 45 days after the close of the period being reported, whether or not the school district is able to meet its financial obligations for the remainder of the fiscal year, and based on current forecast, for the subsequent year.” In certifying the school year 2020-21 Second Interim Report as positive, the Board understands its fiduciary responsibility to maintain fiscal solvency for the current and two subsequent fiscal years

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

**FUNDING:** N/A

## Budget

These materials are not included in this copy of the agenda. The 2020-21 Second Interim Budget is 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.



## BUSINESS SERVICES MEMORANDUM

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

**FROM:** Nick Taylor, Ed.D.  
Assistant Superintendent, Business Services

**BOARD MEETING DATE:** March 10, 2021

**BOARD AGENDA ITEM:** Resolution No. 14 To Commit and Uncommit the General Fund Balance

**BACKGROUND:** Board Policy 3100 allows the Board of Trustees to classify fund balances within five categories: 1.) Nonspendable, 2.) Restricted, 3.) Committed, 4.) Assigned, and 5.) Unassigned. The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the Board of Trustees. The committed fund balance cannot be used for any other purpose unless the Board of Trustees removes or changes the specified use by taking the same type of action (for example, resolution) it employed to previously commit those amounts. The attached Resolution recommends \$12,446,78606 be designated as committed funds in the 2020-2021 General Fund ending balance and at the same time uncommits all previous committed funds from budget adoption.

**RECOMMENDATION:** Staff recommends that the Board of Trustees adopt Resolution No. 14, Commitment of the General Fund Balance as presented.

**FUNDING:** N/A



**ORCUTT UNION SCHOOL DISTRICT**

**Resolution No. 14**

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

The following RESOLUTION was duly passed by the Board of Trustees of the Orcutt Union School District, at a regular meeting held on the 10th of March 2021, by the following roll call vote:

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

Signed and approved by me after its passage:

\_\_\_\_\_  
Melanie Waffle, President

Attest:

\_\_\_\_\_  
Mark Stellar, Clerk

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

- 1) It is hereby determined that the amount of \$12,446,786.06 is hereby committed from the 2020-2021 General Fund ending balance for the following purposes:
  - a) Other Commitments: \$12,446,786.06
    - i) Technology Update - \$ 1,000,000
    - ii) Textbook Adoption - \$1,000,000
    - iii) Cash Flow / COVID Crisis - \$10,446,786.06
- 2) The governing board of the school district, reserves the right to modify these committed funds in the future as the need arises through a similar resolution.

WHEREAS, on March 10, 2021, the Governing Board took action to commit a total of \$12,446,786.06 for Technology Update (\$1,000,000), Textbook Adoption (\$1,000,000), and Cash Flow/COVID Crisis (\$10,446,786.06);

WHEREAS, all previous amounts committed at First Interim are uncommitted and recommitted in the 2020-21 Second Interim Budget as Reserve for Technology Updates, Textbook Adoption, and Cash Flow/COVID Crisis.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS: It is hereby determined that the amount of \$11,644,276.27 is hereby uncommitted from the 2020-21 First Interim ending balance and committed as noted above in section 1.