

ORCUTT UNION SCHOOL DISTRICT

Regular Meeting of the Board of Trustees

Wednesday, January 12, 2022

District Office Board Room

500 Dyer St., Orcutt, CA 93455

Open Session at 6:00 p.m. (for purposes of opening meeting only)

Closed Session at 6:05 p.m.

Reconvene in Open Session at 6:30 p.m.

Note: By order of the Santa Barbara County Public Health Department and the California Department of Public Health, K-12 Guidance, attendees are required to wear a proper face covering to minimize the spread of COVID-19. This public health mandate carries the force of law and OUSD is not authorized to amend or circumvent it.

I. OPEN SESSION 6:00 PM

- A. Call Meeting to Order
- B. Pledge of Allegiance
- C. Adoption of January 12, 2022 Agenda

Moved _____ Second _____ Vote _____

- D. Identify Closed Session Topics: the Board will adjourn to Closed Session to address the items listed under III. A-G below.

II. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS

General public comment on any closed session item will be heard. 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. The Board may limit comments to no more than 30 minutes pursuant to Board Policy.

III. ADJOURN TO CLOSED SESSION

- A. Conference with Legal Counsel Regarding Existing Litigation pursuant to California Government Code section 54956.9(d)(1).
- B. Conference with Legal Counsel Regarding Anticipated Litigation.
 - 1. Significant exposure to litigation pursuant to California Government Code, section 54956.9(2) or (3): 6 cases.
- C. Conference with Labor Negotiator. Agency representative, Susan Salucci, Assistant Superintendent of Human Resources. Employee Organization: Orcutt Educators Association; California School Employees Association.
- D. Conference with Labor Negotiator. Agency representative: Dr. Holly Edds, Superintendent. Employee Organization: Unrepresented employees
- E. Public Employee Discipline/Dismissal/Release/Complaint.

- F. Public Employee Evaluation of Performance
- G. Student Discipline or Other Confidential Student Matters.

IV. RECONVENE TO PUBLIC SESSION 6:30 PM

- A. Report of Action Taken in Closed Session
 Moved _____ Second _____ Vote _____

V. COMMUNICATIONS/DISCUSSION/INFORMATION

- A. Reports and Presentation
 - 1. OAHS ASB Update
 - 2. Media Specialists Presentation
 - 3. Superintendent’s Report
- B. Items from the Board
- C. Written Communication: review and discuss communication from individuals and/or organizations regarding the District’s programs and services.

VI. PUBLIC COMMENT PERIOD

The Board of Trustees welcomes comments about items appearing or not appearing on tonight’s agenda. The audience members wishing to address the Board during the Public Comment segment of the agenda are reminded to fill out a *Public Comment Form*, which can be obtained from Julie Payne and submitted prior to the time the presiding officer calls for Public Comment. Requests to speak can also be emailed to Julie Payne at jpayne@orcutt-schools.net and state that you want to make a public comment and indicate what agenda item you would like to speak about. An item not on the agenda must be addressed during the Public Comment segment 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 item within the Board’s jurisdiction in accordance with the Brown Act. The Board will limit any response to public comment to brief statements, referral to staff, or referral to a future board meeting.

VII. CONSENT AGENDA

Items listed under the Consent Agenda are considered to be routine and are acted on by the Board of Trustees in one motion. There is no discussion of these items before the Board vote unless requested because the Board receives Board agenda backup information ahead of scheduled meetings. It is understood that the Administration recommends approval on all Consent Items. Each item on the Consent Calendar approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

- A. Classified Personnel Action Report
- B. Hiring of Additional OUSD/Charter School Coaches for the 2021-2022 School Year
- C. Certificated Personnel Action Report
- D. Approval of December 15, 2021 Regular Board Meeting Minutes

- E. Approval of Warrants
- F. Amend September 8, 2021 Board Minutes to include Notice of Completion of Innovation Center
- G. OAHS Cheer Team Overnight Trip in February 2022
- H. Orcutt Jr. High School Administration Building: RDZ Change Order #005
- I. Notice of Completion: Joe Nightingale Administration Building
- J. Notice of Completion: Olga Reed Electrical Improvement Project

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

Moved _____ Second _____ Vote _____

VIII. ITEMS SCHEDULED FOR ACTION

A. GENERAL

- 1. **Information Only:**
Overview of Transition to By- Trustee Area Elections
- 2. **Public Hearing:**
California Voting Rights Act: Public Hearing Regarding Proposed Composition of Trustee Area Maps
- 3. Resolution No. 8, Initiating a Proposal to the Santa Barbara County Committee on School District Organization for the Adoption of By-Trustee Area Elections.
It is recommend that the Board of Trustees approve the Resolution No. 8, Initiating a Proposal to the Santa Barbara County Committee on School District Organization for the Adoption of By-Trustee Area Elections, as submitted.
Moved _____ Second _____ Vote _____

B. BUSINESS SERVICES

- 1. Approval of the Sale or Disposal of Books, Equipment, and Supplies
It is recommended that the Board of Trustees approve the sale /disposal of books, equipment, and supplies, as submitted.
Moved _____ Second _____ Vote _____

C. HUMAN RESOURCES

- 1. Board Policy 1312.3 Uniform Complaint Procedures
It is recommended that the Board of Trustees approve the revised 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.
Moved _____ Second _____ Vote _____

D. EDUCATIONAL SERVICES

1. Board Policy 0420.42 Charter School Renewal

It is recommended that the Board of Trustees approve the revised Board Policy 0420.42 Charter School Renewal, for the first reading and that it be placed on the next Consent Agenda for the second reading.

Moved _____ Second _____ Vote _____

IX. GENERAL ANNOUNCEMENTS

A. Unless otherwise noticed, the next regular Board meeting is scheduled for Wednesday, February 9, 2022 beginning with Closed Session at 6:05 p.m., Open Session at 6:30 p.m. and a Special Curriculum Board Meeting on Tuesday, February 15, 2022 at 6:00 p.m. in the District Office Board Room, 500 Dyer St., Orcutt, CA 93455

X. ADJOURN TO CLOSED SESSION (If Needed)

A. Closed Session items described in Item III. above.

XI. RECONVENE TO OPEN SESSION (If Needed)

A. Report of Action Taken in Closed Session

XII. 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

January 12, 2022

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
Abolos, Melissa	Ralph Dunlap Campus Connection	Child Care Assistant	7/2	3.75	\$14.49 per hr.	12/01/2021	New hire
Baker, Tricia	Alice Shaw	Child Nutrition Worker	7/6	3.25	\$175.00 per mo.	03/01/2022	Longevity – 20 years
Booth, Christina	Technology	Data Specialist	31/6	8.0	\$5,542.00 per mo.	01/14/2022	Resignation
Borsch, Dana	Dunlap	Office Manager	21/6	8.0	\$150.00 per mo.	03/01/2022	Longevity – 15 years
Chavez, Sandra	Child Nutrition	Child Nutrition Clerk	12/6	8.0	\$19.93 per hr.	01/30/2022	Request Early Retirement Incentive
Connolly, Lydia	Child Nutrition	Child Nutrition Cashier	7/6	2.0	\$17.61 per hr.	01/07/2022	Resignation
Cuevas, Allison	Campus Connection	Child Care Assistant	7/3	2.0	\$15.22 per hr.	12/01/2021	Request reduction in hours (from 3.75)
Denbrook, Britanie	Nightingale	Instructional Assistant	8/4	3.75	\$16.38 per hr.	12/03/2021	New hire
Denbrook, Britanie	Nightingale	Instructional Assistant	8/4	3.75	\$1,000 annually, prorated	12/03/2021	Educational Stipend – Bachelor's
Garcia, Julie	Orcutt JH	Instructional Assistant, 1	12/2	3.5	\$16.40 per hr.	01/10/2022	New hire
Gauna, Kaylee	Child Nutrition	Child Nutrition Worker	7/6	3.0	\$17.61 per hr.	01/31/2022	Resignation
Gutierrez, Saul	Operations	Utility Worker, Substitute	18		\$16.36 per hr.	12/08/2021	New hire - Substitute
James-Mandu, Amanda	Patterson	Instructional Assistant, 1	12/6	3.5	\$19.93 per hr.	12/17/2021	Resignation
Lara, Charlene	Operations	Custodian, Head	18/6	3.5	\$23.11 per hr.	01/10/2022	Additional position
Lara, Charlene	Operations & Campus Connection	Custodian, Head & Child Care Coordinator	18/6 & 16/6	3.75 & 3.5	\$150.00 per mo.	03/01/2022	Longevity – 15 years



Orcutt Union School District

Classified Personnel Action Report

January 12, 2022

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
Martin, Michael	Patterson	Instructional Assistant, 1	12/4	3.5	\$18.07 per hr.	01/10/2022	New hire
Nelson, Bailey	Alice Shaw	Instructional Assistant, 2	13/3	3.5	\$17.64 per hr.	01/05/2022	Resignation
Paquet, Alijah	Pine Grove	Instructional Assistant, 1	12/1	3.5	\$15.61 per hr.	12/09/2021	New hire
Pedrow, Priscilla	Child Nutrition	Child Nutrition Worker, Substitute	7		\$14.00 per hr.	12/01/2021	New Hire - Substitute
Rodgers, Mandi	Alice Shaw Campus Connection	Child Care Assistant	7/1	3.75	\$14.00 per hr.	12/10/2021	New hire
Rowe, Brenda	Child Nutrition	Child Nutrition Production Lead	18/6	8.0	\$23.11 per hr.	01/07/2022	Request Early Retirement Incentive
Santos, Alma Cristina	Olga Reed	ASES Homework Coach	8/6	3.0	\$125.00 per mo.	02/01/2022	Longevity – 10 years
Vader Kidd, Leanne	Nightingale	Noon Duty Supervisor	6/5	2.0	\$16.37 per hr.	12/01/2021	Increase in hours
Wong, Beatrice	Child Nutrition	Child Nutrition Worker, Substitute	7		\$14.00 per hr.	12/02/2021	New hire - Substitute

ORCUTT UNION SCHOOL DISTRICT

TO: Dr. Holly Edds
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: January 12, 2022

***RE: NOTIFICATION TO BOARD – HIRING OF ADDITIONAL ORCUTT
UNION SCHOOL COACHES FOR 2021-22 SCHOOL YEAR***

Lakeview JH: Basketball, Boy's 8th gr. Cory Snow

*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 ACADEMY CHARTER SCHOOL

ORCUTT UNION SCHOOL DISTRICT

TO: Dr. Holly Edds
District Superintendent

FROM: Susan Salucci
Assistant Superintendent of Human Resources

DATE: January 12, 2022

***RE: NOTIFICATION TO BOARD – HIRING OF ADDITIONAL CHARTER
SCHOOL COACHES FOR 2021-22 SCHOOL YEAR***

Orcutt Academy Charter HS:

Cheer	Miller, Naomi
Cheer	Moore, Megan
Basketball, Varsity Boy's, Asst.	Luque, Isaac
Baseball Asst.	Dietz, Michael

Volunteers:

Softball	Salinas, Jason
----------	----------------

*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

January 12, 2022

TO: Dr. Holly Edds, Superintendent

FROM: Susan Salucci, Assistant Superintendent / Human Resources

RE: Recommendations for Board Approval and Ratification

NAME	SCHOOL	CLASS/STEP	SALARY	EFFECTIVE DATE	ACTION INFORMATION
Buchanan, Sarah	Orcutt Independent Study	Hourly	\$28	2020-21	Intervention, 4 hrs wk
Cunningham, Amy	Alice Shaw	Stipend	\$211	2021-22	Battle of the Books Advisor
Dietz, Michael	Orcutt Academy HS	Stipend	\$800	2021-22	Assistant Coach, Baseball
Greenelsh, David	Alice Shaw	Stipend	\$800*	2021-22	Robotics Advisor, shared
Luque, Isaac	Orcutt Academy HS	Stipend	\$800	2021-22	Assistant Coach, Boys Varsity Basketball
Majewski, Katlyn	Orcutt Independent Study	Hourly	\$28	2020-21	Intervention, 4 hrs wk
Miller, Naomi	Orcutt Academy HS	Stipend	\$1,600*	2021-22	Coach, Cheer (shared)
Moore, Megan	Orcutt Academy HS	Stipend	\$1,600*	2021-22	Coach, Cheer (shared)
Snow, Cory	Lakeview JHS	Stipend	\$1,567	2021-22	8 th Grade Boys Basketball Coach
Trenev, Valerie	Alice Shaw	Stipend	\$800*	2021-22	Robotics Advisor, shared

*To be prorated

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
December 15, 2021**

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, December 15, 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 Shaun Henderson. It was moved by Liz Phillips seconded by Lisa Morinini to adopt the December 15, 2021 agenda. Members Present: Waffle, Steller, Henderson, Morinini and Phillips. Administrators Present: Edds, Salucci, Dana and Knight.

ELECTION OF BOARD PRESIDENT

Dr. Holly Edds thanked and acknowledged Melanie Waffle for her past year as President of the Board. It was then moved by Shaun Henderson seconded by Liz Phillips and carried to approve Mark Steller as the Board President. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

ELECTION OF BOARD CLERK

It was moved by Lisa Morinini seconded by Liz Phillips and carried to approve Shaun Henderson as the Board Clerk. Ayes: Steller, Henderson, Morinini, Phillips and Waffle.

DESIGNATION OF SUPERINTENDENT AS SECRETARY TO THE BOARD

It was moved by Shaun Henderson seconded by Melanie Waffle and carried to approve Dr. Holly Edds as the Secretary to the Board. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

SETTING OF DATE, TIME AND PLACE FOR ALL REGULAR BOARD MEETINGS IN 2022

It was moved by Shaun Henderson seconded by Liz Phillips and carried to approve the Regular Board Meetings for 2022 on the second Wednesday of each month. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

SELECTION OF A REPRESENTATIVE TO THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

It was moved by Melanie Waffle seconded by Liz Phillips and carried to approve Shaun Henderson as the Representative to the County Committee on School District Organization. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

CLOSED SESSION PUBLIC COMMENTS

None

ADJOURN TO CLOSED SESSION

It was moved by Shaun Henderson seconded by Liz Phillips and carried to adjourn to Closed Session at 6:08 p.m. Ayes: Steller, Henderson, and Morinini, Phillips, and Waffle.

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:31 p.m. Mark Steller reported that during closed session the Board took action to reject the Claim filed by CSEA on behalf of classified employees of the District. CSEA claims the District owes classified employees of the District unpaid holiday pay for June 18, 2021, also known as "Juneteenth." The Board has concluded that classified employees of the District are not entitled to any unpaid holiday pay or other unpaid wages. On this basis, the Board has rejected the Claim and the Superintendent has been directed to notify CSEA of this rejection as required by law. Legal counsel will be instructed to defend the District against any potentially ensuing litigation. Vote: Ayes: 4, No: 1.

SUPERINTENDENT'S REPORT

Sarah Slezak and the OAHS/Junior High School Choir performed a few Holiday songs for the Board. Jeri Sharp and students at Pine Grove Schools did a demonstration for the Board on the benefits of cooperative games. Hannah Zuckerbraun, president of OAHS ASB, updated the board on all the ASB activities happening at Orcutt Academy. Joe Dana presented information about the Early College Cadre at OAHS and Dr. Holly Edds gave a Covid-19 update.

ITEMS FROM THE BOARD

Melanie Waffle thanked staff for dealing with unexpected water intrusions and floods that occurred during the recent rainstorms. Liz Phillips wished everyone a safe and healthy holiday and a happy

2022. Shaun Henderson and Lisa Morinini thanked staff, cabinet, parents and students and wished everyone a Happy Holiday and New Year. Mark thanked his fellow Board Members for their support and trust and congratulated Kazan Westhoff, an Inclusion Teacher at Joe Nightingale, for being named OUSD Teacher of the Year.

PUBLIC COMMENT

Monique Segura, President of the Orcutt Educators Association (OEA) thanked the Board for their support and gave an OEA update. Melinda Gagnon spoke about mask and vaccine mandates. Rebecca Fanshier spoke about vaccine mandates. Dan Pankratz, spoke about a poll he took regarding the potential vaccine mandates. Monte Nash spoke about going from 8-man football to 11-man football at OAHS and Nicci Carter thanked teachers and staff for all of their hard work and commitment during a stressful school year.

CONSENT AGENDA ITEMS

- A. Classified Personnel Action Report
- B. Hiring of Additional Charter School Coaches for the 2021-2022 School Year
- C. Certificated Personnel Action Report
- D. Regular Board Meeting Minutes, November 10, 2021
- E. Special Board Meeting Minutes, December 6, 2021
- F. OAHS Dance Team Overnight Trip in February 2022
- G. Board Policy 3516.5 Emergency Schedules, for the second reading
- H. Board Policy 6120 Response to Instruction and Intervention, for the second reading
- I. Board Policy 6146.1 High School Graduation Requirements, for the second reading
- J. Board Policy 6164.4 Identification of Individuals for Special Education, for the second reading
- K. Board Policy 6164.41 Children with Disabilities Enrolled by their Parents in Private school for the second reading
- L. Board Policy 6164.5 Student Success Teams, for the second reading
- M. Board Policy 4131 Staff Development, for the second reading
- N. OAK-8 and Olga Reed Overnight Science Camp Trip in February 2022
- O. Interim Salary Increase for Director of Fiscal Services
- P. Interim Salary Increase for Director of Maintenance and Operations
- Q. Notice of Completion: Patterson Road & Pine Grove Elementary School Campus Painting Project
- R. Approval of Warrants

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

ACTION ITEMS

Information Only:

Presentation regarding the California Voting Rights Act maps under consideration presented by Daniel McElhinney from Lozano Smith.

Public Hearing:

California Voting Rights Act: Second Public Hearing regarding Proposed Composition of By-Trustee Area Maps.

Los Alamos Valley Men's Club

It was moved by Liz Phillips seconded by Lisa Morinini, and carried to accept the \$1,000 donation to the Olga Reed School to cover the expense of the school garden supplies and equipment from the Los Alamos Men's Club, as submitted. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

Information Only:

Presentation of the First Interim Report.

2021-2022 First Interim Report

It was moved by Liz Phillips seconded by Lisa Morinini, and carried to approve the 2021-2022 First Interim Report with positive certification, as submitted. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

Resolution No. 6, 2021-2022 Commit and Uncommit the General Fund Balance

It was moved by Shaun Henderson seconded by Mark Steller, and carried to adopt Resolution No. 6, to Commit and Uncommit the General Fund Balance, as submitted. Ayes Steller, Henderson, Morinini, Phillips, and Waffle.

Resolution No. 7, 2021-2022 Delegation of Authority to District Staff

It was moved by Lisa Morinini seconded by Shaun Henderson and carried to adopt Resolution No. 7, the Delegation of Authority, as submitted. Ayes: Steller, Henderson, Morinini, Phillips, and Waffle.

Accounting of Developer Fees for the 2020-2021 Fiscal Year (Annual Report) and Five-Year Developer Fee Report

It was moved by Lisa Morinini seconded by Shaun Henderson, and carried to approve the Accounting of Developer Fees for the 2020-2021 Fiscal Year (Annual Report) and Five-Year Developer Fee Report, as submitted. Ayes: Steller, Henderson, and Morinini, Phillips, Waffle,

Approval of the Sale or Disposal of Books, Equipment, and Supplies

It was moved by Shaun Henderson seconded by Liz Phillips, and carried to approve the Sale of Disposal of Books, Equipment and Supplies, as submitted. Ayes: Steller, Henderson, and Morinini, Phillips, and Waffle.

Joint Use Agreement between Orcutt Union School District and the Boys and Girl Club of Mid Central Coast

It was moved by Shaun Henderson seconded by Liz Phillips and carried to approve the Joint Use Agreement between Orcutt Union School District and the Boys and Girls Club of Mid Central Coast, as submitted. Ayes: Steller, Henderson, and Morinini, Phillips, and Waffle.

School Plan for Student Achievement for Alice Shaw, Joe Nightingale, Patterson Rd., Pine Grove, Ralph Dunlap, Lakeview JHS, Orcutt, JHS, Olga Reed, Orcutt Academy, and Orcutt School for Independent Study

It was moved by Liz Phillips seconded by Shaun Henderson, and carried to approve the School Plan for Student Achievement for Alice Shaw, Joe Nightingale, Patterson Rd., Pine Grove, Ralph Dunlap, Lakeview JHS, Orcutt, JHS, Olga Reed, Orcutt Academy, and Orcutt School for Independent Study, as submitted. Ayes: Steller, Henderson, and Morinini, Phillips, and Waffle.

Approval of the Educator Effectiveness Expenditure Plans for Orcutt Union School District and Orcutt Academy Charter

It was moved by Shaun Henderson seconded by Liz Phillips and carried to approve the Educator Effectiveness Expenditure Plans for Orcutt Union School District and Orcutt Academy Charter, as submitted. Ayes: Steller, Henderson, and Morinini, Phillips, and Waffle.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, January 12, 2022, with Closed Session starting at 6:05 p.m., Public Session at 6:30 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

It was moved by Liz Phillips, seconded by Lisa Morinini and carried to adjourn the meeting at 8:51 PM.

Holly Edds, Ed.D. Board Secretary

Shaun Henderson, Clerk, Board of Trustees

Warrants

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

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

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR MEETING MINUTES
September 8, 2021**

CALL TO ORDER

A regular meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, September 8, 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 Holly Edds. Members Present: Waffle, Steller, Henderson, Morinini, and Phillips. Administrators Present: Edds, Salucci, Dana and Taylor.

CLOSED SESSION PUBLIC COMMENTS

No Closed Session Public Comments

ADJOURN TO CLOSED SESSION

It was moved by Liz Phillips seconded by Mark Steller 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 6:30 p.m. Melanie Waffle reported no action was taken in closed session.

SUPERINTENDENT'S REPORT

Dr. Holly Edds gave a presentation/update on the start of the school year. Hannah Zuckerbraun, president of OAHS ASB, updated the board on all the ASB beginning of the school year activities happening at Orcutt Academy. Leann Luongo reported on recent OCAF grants received. Susan Salucci gave a Human Resources update and thanked her team for always going above and beyond and for a successful start to the new school year.

PUBLIC COMMENT

No public comment.

ITEMS FROM THE BOARD

Liz Phillips loves seeing students on campus and enjoyed the sound of students playing and laughing on the playground. Lisa Morinini sent her appreciation to all for their ability to improvise and roll with the changes as we navigate the beginning of the school year. Mark Steller thanked everyone for their support and condolences during this trying time for his family. Melanie Waffle acknowledged and appreciates the student centered updates around the district office.

CONSENT AGENDA ITEMS

- A. Classified Personnel Action Report
- B. Certificated Personnel Action Report
- C. Hiring of Coaches at OUSD
- D. Hiring of Coaches at Orcutt Academy Charter High School
- E. Approval of Warrants
- F. Minutes, Board Meeting, August 11, 2021
- G. Board Bylaw 9121, President, for the Second Reading
- H. Orcutt Jr. High School Administration Building: Change Order #003
- I. Joe Nightingale Administration Building: Change Order #002
- J. COVID-19 Testing Services Agreement with Walker Medical Wellness Group

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

ACTION AGENDA ITEMS

Public Hearing – Potential Composition of Trustee Areas

No Comments

Gift Acceptance

1. It was moved by Shaun Henderson, seconded by Mark Steller and carried to accept the donation of 26 student backpacks filled with school supplies for students at Olga Reed, Alice Shaw, Joe Nightingale, and Ralph Dunlap from the Elks Traveleers, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.
2. It was moved by Liz Phillips, seconded by Shaun Henderson and carried to accept the donation of \$500 to Joe Nightingale for school needs from the Kiwanis of Orcutt as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.
3. It was moved by Lisa Morinini, seconded by Shaun Henderson and carried to accept the donation of \$1500 to Joe Nightingale for the purchase of a staff refrigerator, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Public Hearing- AB1200 Public Disclosure

No Comments

Information Only – Presentation on 2020-2021 Unaudited Actuals Report

Resolution No. 3 GANN Limit Adoption

It was moved by Lisa Morinini, seconded by Liz Phillips and carried to adopt the 2021-2022 Resolution No. 3, GANN Limit Adoption, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Resolution No. 4 Commit and Uncommit the General Fund Balance

It was moved by Shaun Henderson, seconded by Mark Steller and carried to adopt Resolution No. 4, Commit and Uncommit the General Fund Balance, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

District and Charter 2020/2021 Unaudited Actuals

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve and certify the District and Charter 2020-2021 Unaudited Actuals Report, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

AB 1200 Public Disclosure of Proposed Collective Bargaining Agreement between Orcutt Union School District and Orcutt Educators Association

It was moved by Mark Steller, seconded by Shaun Henderson and carried to approve the AB1200 Public Disclosure of Proposed Collective Bargaining Agreement between Orcutt Union School District and Orcutt Educators Association, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Notice of Completion of the Technology and Innovation Project

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to approve the Notice of Completion of the Technology and Innovation Project, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Consideration of Name for New District Office Building Housing Technology and Enrollment Departments

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve the name for Building L, the new District Office building, as the Teaching and Learning Center, and to waive Board Policy 7310, Naming of Facility, as submitted. Ayes: Waffle,

Steller, Henderson, Morinini, and Phillips.

Approval of Professional Services with Cannon to Perform Topographical Survey at Lakeview Jr. High School

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve the Professional Services Agreement with Cannon to perform topographical survey at Lakeview Jr. High School, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Approval of Professional Services with Cannon to Perform Topographical Survey at Olga Reed Elementary School

It was moved by Liz Phillips, seconded by Shaun Henderson and carried to approve the Professional Services Agreement with Cannon to perform topographical survey at Olga Reed Elementary School, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Public Hearing – Instructional Materials/Textbook Sufficiency

No comment

2021-2022 Resolution No. 5 Sufficiency of Instructional Materials

It was moved by Liz Phillips, seconded by Mark Steller and carried to adopts the 2021-2022 Resolution No. 5, Sufficiency of Instructional Materials, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Disposal of Obsolete Textbooks and Library Books

It was moved by Liz Phillips, seconded by Shaun Henderson, and carried to approve the Immediate disposal of library books and instructional materials that fall in the described categories in accordance with district policy, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Revisions in the Orcutt Academy Charter Document

It was moved by Liz Phillips, seconded by Mark Steller and carried to approve the revision in the Orcutt Academy Charter Document, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

Establishment of a New District School: Orcutt School for Independent Study

It was moved by Shaun Henderson, seconded by Lisa Morinini and carried to approve the establishment of the Orcutt School for Independent Study, as submitted. Ayes: Waffle, Steller, Henderson, Morinini, Phillips.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, October 13, 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.

ADJOURN TO CLOSED SESSION

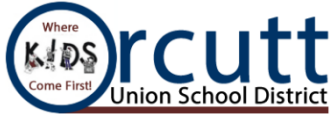
It was moved by Liz Phillips, seconded by Shaun Henderson and carried to adjourn to Closed Session at 8:32 PM. Ayes: Waffle, Steller, Henderson, Morinini, and Phillips.

RECONVENE TO PUBLIC SESSION AND ADJOURN MEETING

Melanie Waffle reported no action was taken in closed session. It was moved by Liz Phillips seconded by Mark Steller and carried to adjourn the meeting at 8:54 p.m. Ayes: Waffle, Steller, Henderson, Morinini and Phillips.

Holly Edds, Ed.D., Board Secretary

Shaun Henderson, Clerk, Board of Trustees



Orcutt Academy High School
Administration Office

TO: Dr. Holly Edds, Superintendent

FROM: Mr. Rhett Carter, OAHS Principal

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: OAHS Cheer Team

BACKGROUND: There is a possibility that the Orcutt Academy High School Cheer Team may be invited to the JAMZ Nationals Competition held at the New Orleans Arena, in Las Vegas, NV. This event will take place February 11 & 12, 2022. Coach Megan Moore and Assistant Coach Omi Miller will be traveling with our Cheer Team to this event.

This will require an overnight stay in Las Vegas. Our team will be departing from OAHS on Thursday, February 10, 2022 and will return on Sunday, February 13, 2022. Transportation will be provided by Coach Megan Moore, Assistant Coach Omi Miller and approved parent drivers. The cost of this competition will be paid through fundraising events.

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

FUNDING: No Impact on General Fund



Orcutt Academy High School Cheer 2022

Request to attend JAMZ Nationals Championship

JAMZ Nationals Championship Venue:

Orleans Arena

4500 Tropicana
Las Vegas, NV 89103

<https://www.jamz.com/school-cheer-nationals>

Feb. 11 & 12, 2022

Registration Fees

\$2,415.00

Our Spartans Cheer Team is made up of 19 students and 2 coaches. It has been a turbulent year for the squad. Yet we are all here to prove that Spartan Cheer is resilient and look to the future with positivity. Please allow us the opportunity to add to the legacy of award winning cheer teams of the past. We commit to working together to showcase our skills, show our school pride and achieve our personal best.

Food and entertainment expenses provided by Cheer Families

Transportation will be provided by Cheer Families. Use of one of the OAHS vehicles for is requested.

LODGING PREFERENCE:

Non smoking rooms, no casino in the hotel, family friendly. The venue the competition is being held at has a casino attached to it. Therefore, we have found a lodging that can meet our needs in availability and comfort at:

Tahiti Resort

5101 W. Tropicana Ave

Las Vegas, NV 89103

(702) 284-7200

<https://www.tahitiresortlv.com/resort/>

4 days and 3 nights
February 10-13, 2022

**6 Rooms
\$4,350.00**

THANK YOU!
*Melanie Gonzales,
Daija Baeza
Lindsey Ortega
Talia Warner
Genesis Velasco
Carlie Packett
Cailey Pita
Carly Snow
Mya Balbona
Flor Villa
Emma Jimenez
Sky Chamberlain,
Annie Harris
Alena Silva
Madison Gorton
Alynah Ausan
Makenzie Gray
Vanessa Zepeda
Hailey Blackburn*



SUPERINTENDENT'S MEMORANDUM

TO: Board of Trustees

FROM: Holly Edds, Ed.D
Superintendent

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Construction Change Order- RDZ for the Orcutt Jr. High Administration Building.

BACKGROUND: Attached is change order request #006 from RDZ in the amount of \$10,740.34 for the Orcutt Jr. High Administration Building. The change order is related to some or all of the following reasons; unforeseen conditions during construction, design issue, or owner requested change.

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

RECOMMENDATION: Staff recommends the Board of Trustees approve the change order for RDZ Industries for \$10,740.34, as submitted.

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

CHANGE ORDER

Distribution:

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

Project:
Orcutt Junior High School - Administration Building
Orcutt Union School District
 500 Dyer Street
 Orcutt, CA 93455

Change Order Number: **6**

Date: **1/4/2022**

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

Contract Date: **2/25/2021**

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

The original Contract Sum was	\$	2,442,931.00
The net change by previously authorized Change Orders	\$	290,466.38
The Contract Sum prior to this Change Order was	\$	2,733,397.38
The Contract Sum will be Increased by this new Change Order in the amount of	\$	10,740.34
The new Contract Sum including this Change Order will be	\$	2,744,137.72
The Contract Time will be (increased) (decreased) (unchanged) by -0- days.		
The date of Substantial Completion as of the date of this Change Order therefore is		Unchanged

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

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

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

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

DATE DATE DATE DATE DATE

CHANGE ORDER 06- Summary Sheet

Item #	Title	PCO#	PCO Description	Final Price
1	Add Bollard at Building Entrance Storefront	33	Owner Requested – Upon further review of the new building entrance and adjacent handicap parking spaces, it was determined that another bollard should be added to protect the building’s main entrance storefront from potential vehicle impact. The costs associated with this change includes added labor, equipment and materials to provide additional excavation, forming, setting, pouring of bollard and installation of plastic sleeve to match other newly installed bollards.	\$1,324.66
2	Add Maintenance Gate at Parking Lot	36	Owner Requested – Due to the added landscaping per PCO 030, the District requested that a maintenance gate be added towards the west side of the new parking lot to allow maintenance equipment access from the new parking lot to the lawn field at the corner of Dyer St. and Pinal Ave. The costs associated with this change includes added labor and materials to implement a powder coated 9’ wide double swing maintenance gate with drop rod and lock accessories.	\$4,226.50
3	Added Drywall at Soffit	37	Design Issue – RFI #048 – During the framing phase of construction, it was discovered that the transition from the upper ceiling to lower T-Bar ceiling at the South Hallway entrance was not detailed on the drawings. The costs associated with this change includes added labor and materials to provide a level 4 drywall finish and wallpaper on the south facing side of soffit.	\$449.23
4	Relocate Masonry Column Footings	38	Design Issue – During the grading and excavation operations of the masonry columns to the east of the new administration building, it was determined that (3) of the masonry column footing excavation locations would need shifted in-order to allow for the forthcoming new concrete sidewalks to meet ADA slope requirements. The costs associated with this change includes added labor and equipment to backfill, compact and re-excavate for (3) 5’x5’x3’ masonry column footings.	\$4,400.13
5	Repair Existing Sunken Pavers	39	Owner Requested – Per the IOR’s suggestion, the contractor was directed to repair a 3’x3’ section of pavers that presented a tripping hazard along the designated path of travel near the new school entrance at the east side of the Orcutt Junior High School parking lot. The costs associated with this change includes added labor to remove, re-compact and reinstall a 3’x3’ section of existing pavers.	\$339.82
Total Change Order Amount				\$10,740.34



SUPERINTENDENT'S MEMORANDUM

TO: Board of Trustees

FROM: Holly Edds, Ed.D
Superintendent

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Joe Nightingale Elementary School Phase II Renovations-Administration Building Notice of Completion

BACKGROUND: On April 14, 2021 the Board of Trustees awarded the bid for the Joe Nightingale Elementary School Phase II Renovations – Administration Building Project. The objectives of this project were to re-propose the exiting former kindergarten classroom building into a new administration building and provide campus-wide fire alarm system upgrades. The work commenced on April 28, 2021 and was completed and signed off by TELACU Construction Management, OUSD construction management team, on Friday, January 7th, 2022.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the Joe Nightingale Elementary School Phase II Renovations-Administration Building Project as complete.

FUNDING: N/A

Recording requested by
And when recorded mail to:

Orcutt Union School District
Dr. Holly Edds
500 Dyer St.
Orcutt, CA 93455

LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given:

1. The undersigned is owner or corporate office of the owner of the interest or estate stated below in the property hereinafter described: In fee
2. The full name of the owner is Orcutt Union School District
3. The full address of the owner is 500 Dyer St., Santa Maria, CA 93455
4. The work Joe Nightingale Elementary School Phase II Renovations – Administration Building on the said property described below was completed on January 7th, 2022. The work done was: re-purposing of exiting classrooms to administration building, site work and campus fire alarm upgrades at site listed on #7.
5. The name of the general contractor, if any, for such work of was PreCon Industries, Inc. contract date, April 27 2021.
6. The property on which said work of improvement was completed is in the Town of Orcutt, County of Santa Barbara, State of California, and described as follows:
7. The street address of said properties are Joe Nightingale Elementary School APN #109-110-003, 255 Winter Rd, Santa Maria, CA 93455.

Owner: Orcutt Union School District

Signed by Dr. Holly Edds, Superintendent

VERIFICATION

I, the undersigned, say: I am the Superintendent, the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____

Owner: Orcutt Union School District

Signed by _____

Dr. Holly Edds, Superintendent



SUPERINTENDENT'S MEMORANDUM

TO: Board of Trustees

FROM: Holly Edds, Ed.D
Superintendent

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Olga Reed Site Electrical Improvements Notice of Completion

BACKGROUND: On May 12, 2021 the Board of Trustees awarded the bid for the Olga Reed Site Electrical Improvements project. The objective of this project was to update the campus electrical underground utilities in preparation for the forthcoming campus-wide modernizations. The work commenced on June 11, 2021 and was completed and signed off by TELACU Construction Management, OUSD construction management team, on Friday, January 7, 2022.

RECOMMENDATION: Staff recommends that the Board of Trustees approve the Olga Reed Site Electrical Improvements Project as complete.

FUNDING: N/A

Recording requested by
And when recorded mail to:

Orcutt Union School District
Dr. Holly Edds
500 Dyer St.
Orcutt, CA 93455

LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given:

1. The undersigned is owner or corporate office of the owner of the interest or estate stated below in the property hereinafter described: In fee
2. The full name of the owner is Orcutt Union School District
3. The full address of the owner is 500 Dyer St., Santa Maria, CA 93455
4. The work Olga Reed Site Electrical Improvements on the said property described below was completed on January 7th, 2022. The work done was: site electrical underground upgrades at site listed on #7.
5. The name of the general contractor, if any, for such work of was RDZ Contractors, Inc. contract date, May 21, 2021.
6. The property on which said work of improvement was completed is in the Town of Los Alamos, County of Santa Barbara, State of California, and described as follows:
7. The street address of said properties are Olga Reed Elementary School APN #s 101-243-001 (405 Helena St., Los Alamos, CA 93440) & 101-270-018 (480 Centennial St., Los Alamos, CA 93440).

Owner: Orcutt Union School District

Signed by Dr. Holly Edds, Superintendent

VERIFICATION

I, the undersigned, say: I am the Superintendent, the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____

Owner: Orcutt Union School District

Signed by _____
Dr. Holly Edds, Superintendent



SUPERINTENDENT'S MEMORANDUM

TO: Board of Trustees

FROM: Holly Edds, Ed.D
Superintendent

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Resolution No. 8, Initiating a Proposal to the Santa Barbara County Committee on School District Organization for the Adoption of By-Trustee Area Elections.

BACKGROUND: The District's Board of Trustees is currently elected under an "at-large" election system, where trustees are elected by voters of the entire District. Seven trustees are elected in even-numbered years and serve staggered four-year terms. On May 9, 2018, the Board adopted Resolution #23, a Resolution Approving Authorization to Initiate a Transition to a By-Trustee Area Election System Commencing with the 2022 Governing Board Election. This resolution proposed the change would be based on 2020 census data, which has been delayed due to the COVID pandemic.

The Board held pre-map public hearings on August 11, 2021 and September 8, 2021, and map review public hearings on December 6, 2021 and December 15, 2021, to gather public input on the proposed trustee area maps and sequence of elections.

On January 5, 2022, the Board published proposed trustee area maps and proposed election sequences for consideration pursuant to Elections Code, section 10010(a)(2).

Education Code Sections 5019 and 5030 authorize the Santa Barbara County Committee on School Reorganization ("County Committee"), upon application from a school district's governing board, to change the method of election in a school district under its jurisdiction. The Board will hold a public hearing on the proposed maps, select a preferred trustee area boundary map and staggering schedule, and adopt a Resolution Approving Transition to Trustee

Areas, which would then be submitted to the County Committee for consideration.

RECOMMENDATION: Staff recommends the Board of Trustees approve Resolution No. 8, Initiating a Proposal to the Santa Barbara County Committee on School District Organization for the Adoption of By-Trustee Area Elections, as submitted.

FUNDING: N/A

RESOLUTION NO. 8

**RESOLUTION OF THE
BOARD OF TRUSTEES OF
THE ORCUTT UNION SCHOOL DISTRICT
INITIATING A PROPOSAL TO THE SANTA BARBARA COUNTY COMMITTEE ON
SCHOOL DISTRICT ORGANIZATION FOR THE ADOPTION OF BY-TRUSTEE
AREA ELECTIONS**

WHEREAS, the Board of Trustees (“Board”) of the Orcutt Union School District (“District”) is elected under an “at-large” election system where trustees are elected by voters of the entire District;

WHEREAS, on May 9, 2018, the Board adopted Resolution #23 (attached hereto as Exhibit A), signaling its intent to transition to by-trustee area elections beginning in 2022 utilizing data from the 2020 Census and to take such steps as are necessary to make that transition;

WHEREAS, Cooperative Strategies (“Demographer”) was retained to prepare several by-trustee area election system map options for the Board and public’s consideration;

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(1), the Board held pre-map public hearings on August 11, 2021 and September 8, 2021, to consider community input and comment regarding potential trustee area boundaries;

WHEREAS, in developing the Trustee Areas, the Board considered the following: each area shall contain nearly equal number of inhabitants; boundaries shall follow man-made and natural geographic features, as much as possible; areas shall be drawn to comply with the Federal Voting Rights Act; areas shall respect incumbency, if possible; areas shall be compact and contiguous, as much as possible; other local considerations, such as school boundaries, locations of school sites, etcetera; areas shall respect communities of interest, as much as possible.

WHEREAS, pursuant to Elections Code, section 10010, subdivision (a)(2), the Board published proposed maps and held map review public hearings on December 6, 2021 and December 15, 2021, to gather public input on the proposed trustee area maps and sequence of elections;

WHEREAS, Education Code, sections 5019 and 5030, authorize the Santa Barbara County Committee on School District Organization (“County Committee”), upon application from a school district’s governing board, to change the method of election in a school district under its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of the Orcutt Union School District hereby resolves as follows:

1. The above recitals are correct and true.
2. The Board hereby approves and recommends the adoption of by-trustee area elections.
3. The Board hereby adopts the trustee area map identified as Scenario # _____, attached as Exhibit B.
4. The Board hereby proposes that:
 - a. Trustee areas 3, 4, and 5 be scheduled for election in 2022; and
 - b. Trustee areas 1 and 2 be scheduled for election in 2024.
5. The District Superintendent or designee is hereby authorized and directed to send a copy of this Resolution to the County Committee, and to work with the County Committee and the County Election's Office to conduct all legally required hearings and other acts necessary so that trustee-area elections can be implemented in the election cycles scheduled in 2022 and 2024.

PASSED AND ADOPTED by the Board of Trustees of the Orcutt Union School District, at a regular meeting of the Board of Trustees held on January 12, 2022, by the following vote:

Ayes: _____
Noes: _____
Absent: _____
Abstain: _____

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed, and adopted by members of the Board of Trustees of the Orcutt Union School District, at a public meeting of said Board held on January 12, 2021.

Shaun Henderson, Clerk of the Board

Dr. Holly Edds, Superintendent

Exhibit A

Resolution #23, May 9, 2018

RESOLUTION NO.: 23

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
ORCUTT UNION SCHOOL DISTRICT
OF
INTENT TO INITIATE TRANSITION FROM AT-LARGE ELECTIONS TO
BY-TRUSTEE AREA ELECTIONS**

WHEREAS, the Orcutt Union School District ("District") is governed by a five member Board of Trustees ("Board"); and

WHEREAS, the members of the Board are currently elected "at large," meaning the voters of the entire jurisdiction elect the members of the governing body (Elec. Code, § 14026(a)(1); Ed. Code, § 5030(a)); and

WHEREAS, the at-large election system has been a historically successful system for the District and the District has not received a request from voters within the District's jurisdiction that this method of election be changed; and

WHEREAS, "at-large" electoral systems such as the one currently used by the District have been subjected to challenges throughout the State of California under the California Voting Rights Act ("CVRA") (Elec. Code, §§ 14025-14032); and

WHEREAS, the District does not wish to encounter costly litigation; and

WHEREAS, data from the 2020 Decennial Census will permit trustee areas to be drawn and implemented using the most current demographic data available; and

WHEREAS, after due consideration, the Board has determined that beginning with the 2022 election and with the benefit of the 2020 Decennial Census data, the public interest may also be well-served by an election of its Board members through District-based elections or "by-trustee area" elections; that is, where one or more members residing in a divisible part of the District, known as a trustee area, is elected by the registered voters of that particular trustee area (Elec. Code, § 14026(b); Ed. Code, § 5030(b)); and

NOW, THEREFORE, BE IT RESOLVED, as follows:

- A. The Board intends to take all needed and appropriate steps, including through the engagement and participation of District residents, to move from an at-large system of electing members of the Board to a by-trustee area system beginning in 2022, following the 2020 Decennial Census.
- B. The Board hereby determines that the trustee area boundary lines shall be developed to provide for elections by-trustee areas for its elections in 2022.
- C. Before submitting a specific proposal for a trustee area plan using the 2020 Decennial Census data, public hearings shall be scheduled to obtain public input on such proposals.
- D. The Board intends to apply to the Santa Barbara County Committee on School District Organization for establishment of trustee areas pursuant to California

Education Code section 5019(i) in a timely manner to have the 2022 elections for the Board conducted within the new trustee areas.

PASSED AND ADOPTED by the ORCUTT UNION SCHOOL DISTRICT Board of Trustees, County of Santa Barbara, State of California, this 9th day of May, 2018, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

By: _____

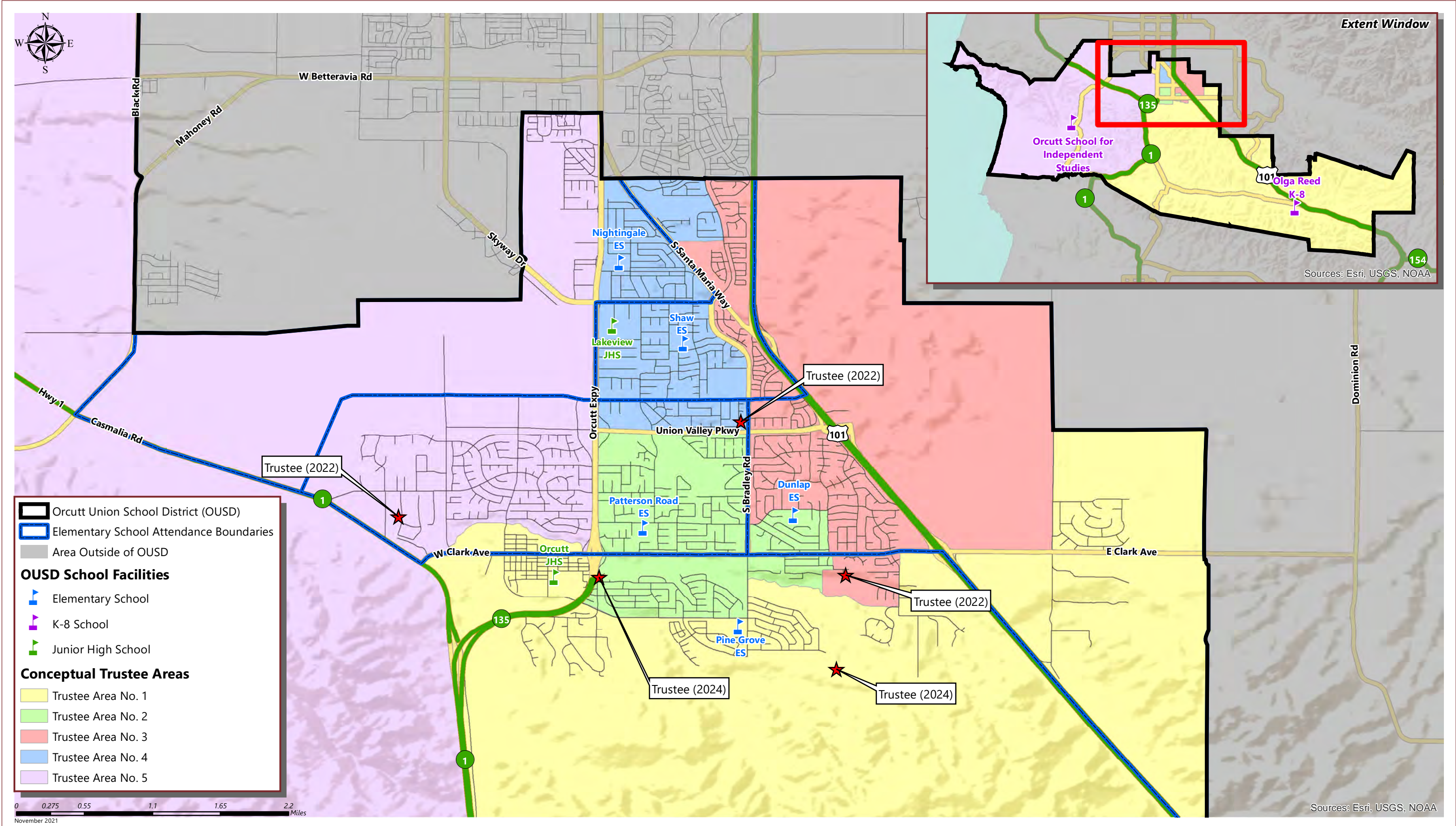
Dr. James Peterson
President of the Board of Education
Orcutt Union School District

Attested to:

Lisa Morinini
Clerk of the Board of Education
Orcutt Union School District

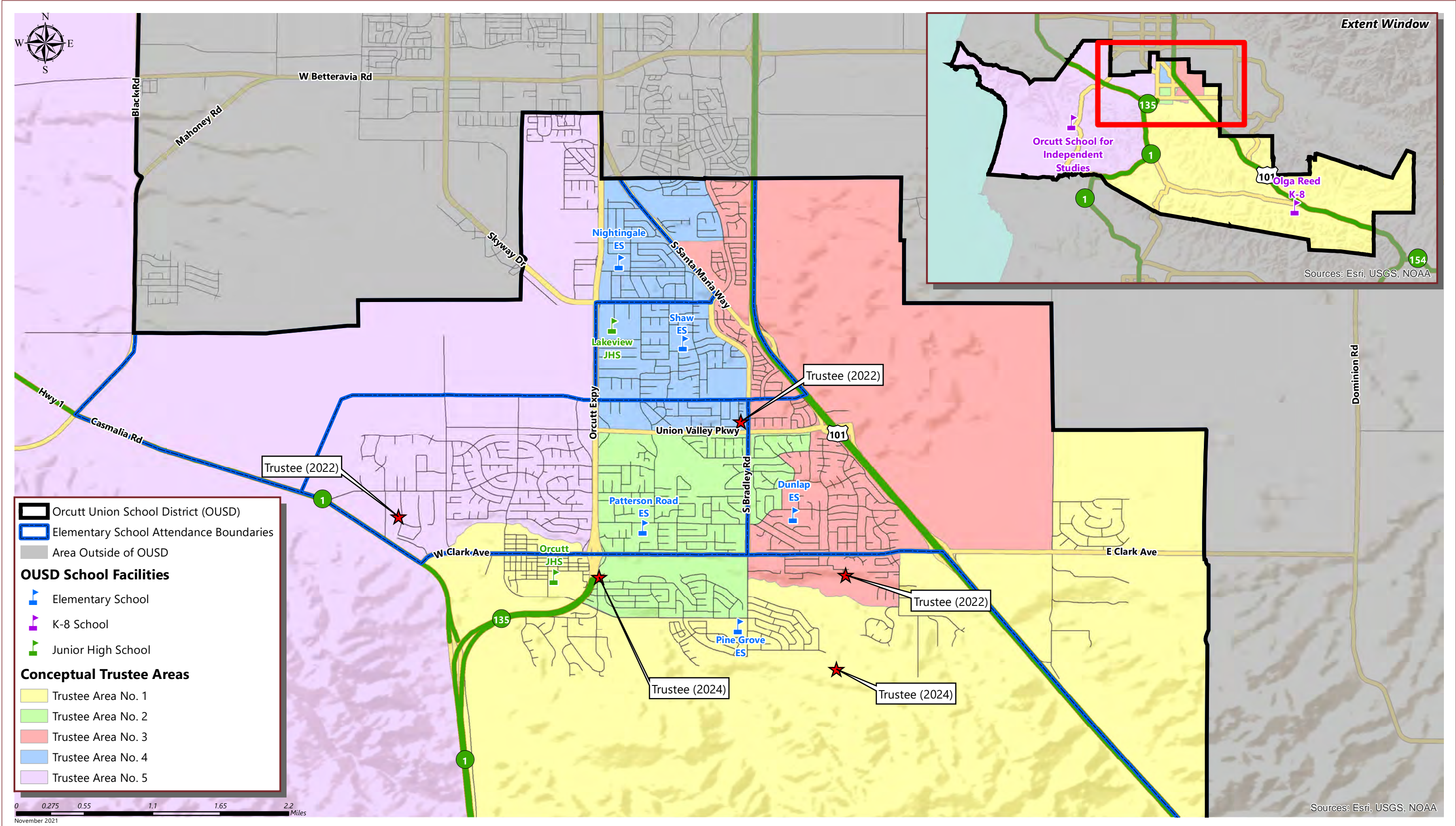
Exhibit B

Adopted Map and Staggering Plan



ORCUTT UNION SCHOOL DISTRICT

CONCEPTUAL TRUSTEE AREAS - SCENARIO 4A





BUSINESS SERVICES MEMORANDUM

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

FROM: Sandra Knight,
Director Fiscal Services

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Approve the Sale or Disposal of Books, Equipment, and Supplies

BACKGROUND: The items shown below will be sold or disposed of per Board Policy 3260. Every effort is made to reuse "extra" books, equipment and supplies prior to recommending sale or disposal through Board action. If possible, materials will be recycled accordingly prior to disposal. The District contracts with Public Surplus who provides an auction model designed to assist districts with surplus disposal by finding buyers for valuable assets through the eBay marketplace. Public Surplus manages the auction process in compliance with Education Code Sections 39520- 39530 and Board Policy 3260.

Quantity	Item	Method of Disposal
363	ACER Chromebooks C720, C730 and C740	Recycle/Dispose
196	HP Chromebooks HP11 – G4 and G5	Recycle/Dispose
22	ERGOTRON, AVER, TRIPP-LITE, EVO, BRETTFORD, ANTHRO Storage Carts	Recycle/Dispose

RECOMMENDATION: Staff recommends that the Board of Trustees approve the sale and disposal of books, equipment and supplies as presented.

FUNDING: N/A



Orcutt Union School District Human Resource Department

500 Dyer Street • Orcutt, California, 93455 • 805.938.8914

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

FROM: Susan Salucci, Assistant Superintendent, Human Resources

BOARD MEETING DATE: January 12, 2022

BOARD AGENDA ITEM: Board Policy 1312.3 Uniform Complaint Procedures

BACKGROUND: Policy updated to reflect **New Law (AB 131, 2021)** which renumbers the license-exempt California State Preschool Program code sections, ensures consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarifies that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, adds Item #3 to the section regarding "Non-UCP Complaints" that any complaint alleging that a student, while in an education program or activity as specified, was subjected to sexual harassment as defined in 34 CFR 106.30 be addressed through federal Title IX complaint procedures, and clarifies in Item #5 that complaints alleging a physical safety concern that interferes with a free appropriate public education is a non-UCP complaint.

FINANCIAL IMPACT: No Financial Impact at this time

RECOMMENDATION: It is recommended that the Board of Trustees approve the revisions 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.

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 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~~)
~~(cf. 5146 — Married/Pregnant/Parenting Students)~~
2. Adult education programs (Education Code 8500-8538,52334.7, 52500-52617)
(~~cf. 6200 — Adult Education~~)
3. After School Education and Safety Programs (Education Code 8482-8484.65)
(~~cf. 5148.2 Before/After School Programs~~)
4. Agricultural career technical education (Education Code 52460-52462)
(~~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~~)
6. Child care and development programs (Education Code 8200-8488 8498)
(~~cf. 5148 — Child Care and Development~~)
7. Compensatory education (Education Code 54400)
(~~cf. 6171 — Title I Programs~~)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
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~~)

UNIFORM COMPLAINT PROCEDURES

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. 5145.71—Title IX Sexual Harassment 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)~~

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)

13. Local control and accountability plan (Education Code 52075)

14. Migrant education (Education Code 54440-54445)

~~(cf. 6175—Migrant Education Program)~~

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 ~~8207-8255~~ 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~~ 8212)

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

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process **for resolving** ~~to reach a resolution to the~~ a 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 requirements to UCP, 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:

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)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

4. 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.

5. 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 (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE 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)

UNIFORM COMPLAINT PROCEDURES

6. 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)
7. 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)
8. 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~~)

State

- 2 CCR 11023 Harassment and discrimination prevention and correction
- 5 CCR 15580-15584 Child nutrition programs complaint procedures
- 5 CCR 3200-3205 Special education compliance complaints
- 5 CCR 4600-4670 Uniform complaint procedures
- 5 CCR 4680-4687 Williams uniform complaint procedures
- 5 CCR 4690-4694 Complaints regarding health and safety issues in license-exempt preschool programs
- 5 CCR 4900-4965 Nondiscrimination in elementary and secondary education programs
- Ed. Code 200-262.4 Educational equity; prohibition of discrimination on the basis of sex
- Ed. Code 18100-18203 School libraries
- Ed. Code 32221.5 Insurance for athletic team members
- Ed. Code 32280-32289 School safety plans
- Ed. Code 35186 Williams uniform complaint procedures
- Ed. Code 46015 Parental leave for students
- Ed. Code 48853-48853.5 Foster youth
- Ed. Code 48985 Notices in language other than English
- Ed. Code 49010-49014 Student fees
- Ed. code 49060-49079 Student records
- Ed. Code 49069.5 Records of foster youth
- Ed. Code 49490-49590 Child nutrition programs
- Ed. Code 49701 Interstate Compact on Educational Opportunity for Military Children
- Ed. Code 51210 Courses of study grades 1-6
- Ed. Code 51222 Physical education
- Ed. Code 51223 Physical education, elementary schools
- Ed. Code 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements
- Ed. Code 51226-51226.1 Career technical education
- Ed. Code 51228.1-51228.3 Course periods without educational content
- Ed. Code 52059.5 Statewide system of support
- Ed. Code 52060-52077 Local control and accountability plan

UNIFORM COMPLAINT PROCEDURES

Ed. Code 52075 Complaint for lack of compliance with local control and accountability plan requirements

Ed. Code 52300-52462 Career technical education

Ed. Code 52500-52616.24 Adult schools

Ed. Code 54400-54425 Compensatory education programs

Ed. Code 54440-54445 Migrant education

Ed. Code 54460-54529 Compensatory education programs

Ed. Code 59000-59300 Special schools and centers

Ed. Code 64000-64001 Consolidated application process; school plan for student achievement

Ed. Code 65000-65001 School site councils

Ed. Code 8200-8498 Child care and development programs

Ed. Code 8500-8538 Adult basic education

Gov. Code 11135 Nondiscrimination in programs or activities funded by state

Gov. Code 11135 Discrimination

Gov. Code 12900-12996 Fair Employment and Housing Act

H&S Code 1596.792 California Child Day Care Act; general provisions and definitions

H&S Code 1596.7925 California Child Day Care Act; health and safety regulations

Pen. Code 422.55 Definition of hate crime

Pen. Code 422.6 Civil rights; crimes

Federal

20 USC 1221 Application of laws

20 USC 1232g Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1681-1688 Title IX of the Education Amendments of 1972

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

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

28 CFR 35.107 Nondiscrimination on basis of disability; complaints

29 USC 794 Rehabilitation Act of 1973, Section 504

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

34 CFR 104.7 Designation of responsible employee for Section 504

34 CFR 106.1-106.82 Nondiscrimination on the basis of sex in education programs

34 CFR 106.8 Designation of responsible employee for Title IX

34 CFR 106.9 Notification of nondiscrimination on basis of sex

34 CFR 110.25 Notification of nondiscrimination on the basis of age

34 CFR 99.1-99.67 Family Educational Rights and Privacy Act

42 USC 11431-11435 McKinney-Vento Homeless Assistance Act

42 USC 12101-12213 Title II equal opportunity for individuals with disabilities

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

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

42 USC 6101-6107 Age Discrimination Act of 1975

Management Resources

California Department of Education Publication: Uniform Complaint Procedure 2020-21 Program Instrument

California Department of Education Publication: Sample UCP Board Policies and Procedures

U.S. DOE, Office For Civil Rights Publication: Dear Colleague Letter, September 22, 2017

U.S. DOE, Office For Civil Rights Publication: Dear Colleague Letter: Title IX Coordinators, April 2015

U.S. DOE, Office for Civil Rights Publication: Dear Colleague Letter: Harassment and Bullying,

UNIFORM COMPLAINT PROCEDURES

October 2010

U.S. DOE, Office for Civil Rights Publication: Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

U.S. DOE, Office for Civil Rights Publication: Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DOJ Publication: Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002

Website: U.S. Department of Justice

Website: California Department of Education

Website: CSBA

Website: U.S. Department of Education, Office for Civil Rights

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 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~~

~~52300-52462 Career technical education~~

~~52500-52616.24 Adult schools~~

~~54400-54425 Compensatory education programs~~

~~54440-54445 Migrant education~~

~~54460-54529 Compensatory education programs~~

~~59000-59300 Special schools and centers~~

~~64000-64001 Consolidated application process~~

~~65000-65001 School site councils~~

GOVERNMENT CODE

~~11135 Nondiscrimination in programs or activities funded by state~~

~~12900-12996 Fair Employment and Housing Act~~

UNIFORM COMPLAINT PROCEDURES

~~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~~

~~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~~

~~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~~

UNIFORM COMPLAINT PROCEDURES

~~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/opepd/sppo>~~

~~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: ~~03/10/21~~ 02/09/21

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California

Joseph Dana
Assistant Superintendent of Educational Services



January 7, 2022

To: Dr. Holly Edds, District Superintendent
From: Joe Dana
Re: Revision to Board Policy 0420.42

Background

As per guidance from the California School Boards Association, we are submitting a revision to Board Policy 0420.42 on charter school renewal. The policy has been updated to reflect a new law, AB 130, that extends the term by two years for all charter schools whose term expires on or between January 1, 2022, and June 30, 2025. It also requires, for renewals and denials of these terms, that the most recent years for which state data is available preceding the renewal or denial decision be used in determining whether specified criteria are met if the two consecutive years preceding the renewal or denial include the 2019-2020 or 2020-2021 school year. The policy also has been updated for clarity and consistency with law.

It should be said that AB 130 will affect our own charter school, the Orcutt Academy. The Academy's current term had been set to expire on June 30, 2023. Its term now will expire on June 30, 2025, and the Academy will need to fulfill the renewal criteria established by Board Policy 0420.42.

Recommendation

Staff recommends that the Board of Trustees approve the revised Board Policy 0420.42.

Fiscal Impact

None.

CHARTER SCHOOL RENEWAL

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

~~(cf. 0420.4—Charter School Authorization)~~

~~(cf. 0420.41—Charter School Oversight)~~

~~(cf. 0420.43—Charter School Revocation)~~

~~(cf. 0500—Accountability)~~

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

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

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

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

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

Criteria for Granting or Denying Renewals

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

CHARTER SCHOOL RENEWAL

The signature requirement for charter authorization petitions is not applicable to petitions for renewal. (Education Code 47607; **5 CCR 11966.4**)

In determining whether to grant a charter renewal, the Board shall review both schoolwide performance of numerically significant student subgroups of on the state and local indicators included in the California School Dashboard, giving greater weight to performance on measurements of academic performance. If the Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. **The Board shall only consider data from sources adopted by SBE.** (Education Code 47607, **47607.2**)

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

1. Renewal of Five to Seven Years
 - a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3A ~~renewal shall be granted renewal for a period of five to seven years when, to a charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 and that, for two consecutive years immediately preceding the renewal, or for two of the most recent years for which state data is available preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year, the charter school~~ achieved either of the following: (Education Code 47607)
 - (1) Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels **provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years**
 - (2) For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average
 - b. **If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school. (Education Code 47607)**

~~Criteria for Granting or Denying Renewals~~

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by verified data, shows either of the following: (Education Code 47607.2)
 - (1) Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
 - (2) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers
 - b. For any such charter school, the Board may deny the renewal petition **only** upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure ~~of the charter school~~ is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance. (Education Code 47607.2)
3. Denial with Option for Two-Year Renewal
- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, **or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019-20 or 2020-21 school year**, either of the following applies: (Education Code 47607.2)
 - (1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the Dashboard for which it receives performance levels, **provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years**
 - (2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average, **provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups**
 - b. However, the Board may grant a two-year renewal to any such charter school if the Board makes written factual findings, setting forth specific facts to support the findings, that: (Education Code 47607.2)
 - (1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school.
 - (2) There is clear and convincing evidence, demonstrated by verified data, showing achievement of the criteria specified in item #2a above

~~Criteria for Granting or Denying Renewals~~

In addition to all the grounds stated above for denial of a charter renewal, the Board may deny

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

A charter school that is eligible for the state's Dashboard Alternative School Status shall not be subject to any of the above criteria. Instead, in determining whether to grant a charter renewal for such a charter school, the Board shall consider, in addition to the charter school's performance on the state and local indicators included in the Dashboard, the charter school's performance on alternative metrics applicable to the charter school based on the student population served.

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

Timelines for Board Action

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, **determine the level of support for the petition**, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

~~Criteria for Granting or Denying Renewals~~

The Board shall either grant or deny the charter a renewal within 90 days of receiving the petition. **The date may be extended by an additional 30 days if both the petitioner and Board agree to the extension** ~~or within 120 days with consent of both the petitioner and the Board.~~ (Education Code 47605).

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding

the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

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

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

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

School Closure

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

Legal Reference:

EDUCATION CODE

~~47600-47616.7 Charter Schools Act of 1992~~

~~52052 Alternative accountability system~~

~~56145-56146 Special education services in charter schools~~

~~60600-60649 Assessment of academic achievement~~

CODE OF REGULATIONS, TITLE 5

~~11960-11969 Charter schools~~

UNITED STATES CODE, TITLE 20

~~7223-7225 Charter schools~~

Management Resources:

CSBA PUBLICATIONS

~~Criteria for Granting or Denying Renewals~~

~~The Role of the Charter School Authorizer, Online Course~~

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

WEB SITES

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

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

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

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

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

State

5 CCR 11960-11969 Charter schools

Ed. Code 47600-47616.7 Charter Schools Act of 1992

Ed. Code 52052 Accountability; numerically significant student subgroups

Ed. Code 56145-56146 Special education services in charter schools

Ed. Code 60600-60649 Assessment of academic achievement

Federal

20 USC 7223-7225 Charter schools

Management Resources

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

CSBA Publication The Role of the Charter School Authorizer, Online Course

Website: National Association of Charter School Authorizers

Website: California Charter Schools Association

Website: California Department of Education, Charter Schools

Website: CSBA

Website: U.S. Department of Education

Policy Adopted: ~~06/10/20~~ 02/09/22

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California