AGENDA
(The complete agenda is available online at www.orangensd.k12.ca.us/board/calendar.asp)

1. CALL MEETING TO ORDER – 6:00 p.m.

2. ESTABLISH QUORUM

3. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

4. ADJOURN TO CLOSED SESSION
   A. PUBLIC EMPLOYEE APPOINTMENT
      Government Code 54957
      Title: High School Assistant Principal (one position)
      Title: Elementary Principal (one position)
      Title: Elementary Assistant Principal (two positions)
   B. CONFERENCE WITH LABOR NEGOTIATORS
      Government Code 54957
      Agency Negotiators: Ed Kissele; Joe Sorre; Gunn Marie Hansen, Ph.D.
      Employee Organization: Orange Unified Education Association
   C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
      Government Code 54956.8
      Property: 1) Former Killefer School located at 541 N. Lemon St., Orange (“Property”)
      Negotiating Parties: Orange Unified School District (Seller)
      Agency Negotiators: Michael Christensen; Joe Sorre; Constance Schwindt, Atkinson, Andelson, Loya, Ruud & Romo; and Olson Urban Housing LLC (Buyer)
      Purpose: Instructions to negotiators concerning price and terms of payment for the purchase of the
      identified Property
      Property: 2) Former Riverdale School located at 4540 E. Riverdale Ave., Anaheim
      Agency Negotiators: Michael Christensen; Joe Sorre; Constance Schwindt, Atkinson, Andelson, Loya, Ruud & Romo
      Purpose: Instructions to negotiators will concern terms and conditions for possible sale of site

5. CALL TO ORDER – REGULAR SESSION – 7:00 p.m.

6. PLEDGE OF ALLEGIANCE

7. REPORT OF CLOSED SESSION DECISIONS

8. ADOPTION OF AGENDA

9. ANNOUNCEMENTS AND ACKNOWLEDGEMENTS
   A. Superintendent’s Report ............................................................... 1
   B. Board President’s Report ............................................................ 1
   C. Board Recognition of Students, Staff and Community ........................................... 1

10. APPROVAL OF MINUTES
    June 30, 2014 (Special Meeting)
11. PUBLIC COMMENT

Members of the audience may address the Board of Education on agenda items during consideration of that item and items not on the agenda that are within the Board's subject matter jurisdiction. Speaking time is limited to three (3) minutes per speaker with a maximum of twenty (20) minutes per topic. Persons wishing to address the Board should complete and submit a blue Public Comment card, available on the information table, prior to the meeting. Matters not on the agenda may neither be acted upon or discussed by the Board, but will be researched and responded to in any one of the following ways: 1) by telephone after research; 2) by mail after research; or 3) at a subsequent Board meeting as an agenda item.

12. ACTION ITEMS
B. Fiscal Crisis & Management Assistance Team (FCMAT) Analysis of Technology Services .................. 3
C. Board Member Request for Bond Transparency Training ................................................................. 4
D. Peralta Golf Partnership Request to Extend the Ground Lease Agreement ......................................... 5-7

13. INFORMATION/DISCUSSION ITEMS
A. Common Core Standards Presentation .................................................................................................. 8
B. Business Services: Proposed Revisions to Board Policies – Second Reading ....................................... 9-23
C. Human Resources: Proposed Revisions to Board Policies – Second Reading ....................................... 24-37
D. Educational Services: Proposed Revisions to Board Policies – Second Reading .................................... 38-85
E. Board of Education: Proposed Revisions to Board Bylaws – Second Reading ...................................... 86-107

14. CONSENT ITEMS
Consent items are acted upon by one motion. However, any such item can be considered separately at a Board member's request, in which case it will be acted upon following approval of the Consent Items.

BUSINESS SERVICES
A. Gifts .................................................................................................................................................. 108
B. Purchase Orders List .............................................................................................................................. 109
C. Warrants List .......................................................................................................................................... 110
D. Contract Services Report – Business Services .................................................................................... 111-112
E. Acceptance of Completed Contract and Filing of Notice of Completion ............................................. 113
F. Out of State Conference Request ....................................................................................................... 114

HUMAN RESOURCES
G. Personnel Report ................................................................................................................................. 115-130
H. Teacher Assignment/Consent – Waiver for Short-Term Waiver .......................................................... 131-132

EDUCATIONAL SERVICES
I. Contract Services Report – Educational Services ................................................................................ 133-134
J. Out of State Conference Request ...................................................................................................... 135
K. Mild Moderate/Moderate Severe Coursework and CTE Memorandum of Understanding .................. 136-137
L. Course Approvals – ROP/CTE: C-Stem Math Robotics & Programming; Exploring Computer Science; Aviation ................................................................. 138-139

15. PUBLIC COMMENT – Non-Agenda Items (Please see No. 11 – Public Comment.)

16. OTHER BUSINESS (Board/Staff Conference and Comments)

17. ADJOURNMENT
ANNOUNCEMENTS
AND
ACKNOWLEDGMENTS
ANNOUNCEMENTS & ACKNOWLEDGMENTS

9.A. Superintendent's Report

9.B. Board President's Report

9.C. Board Member Recognition of Students, Staff, and Community
ACTION
ITEMS
HIGH SCHOOL MODERNIZATION BOND PROGRAM IMPLEMENTATION PLANNING – ARCHITECT CONTRACT EXTENSIONS

DESCRIPTION:

At the June 6, 2013 Board meeting, four architectural firms were hired to work with the individual comprehensive high school communities to identify the facilities master plans envisioned by those respective communities. The outcome of the process resulted in comprehensive master plans for each school with costs of about $200 million per school for a total of approximately $800 million for all four schools.

Subsequent to the development of the facility master plans, scientific community polling and community input, the Board took action at the June 30th meeting to place a bond measure on the November ballot. The Board-adopted resolution established a maximum bonding authority of $296 million and directs that the funds must be divided equally between the schools at $74 million each.

At the July 24th meeting, the Board received information and discussed options for implementation of the bond program. Topics of discussion included responsibilities of architects, program managers (PM) and construction managers (CM). The timing for hiring these firms was also discussed as well as reinstating the position of Assistant Superintendent of Facilities. Keeping in the mind the proposed limitation of bond funding, the first phase of the modernization was also discussed.

In order to provide a clear scope of what the bond funds will provide, it is recommended that the four architects who created the facility master plans immediately develop the first phase scope of work. With respect to the other design professionals and reinstating the Assistant Superintendent of Facilities position, while there are benefits to having access to these services in conjunction with developing the first phase scope of work, there is not sufficient time to procure these positions/services prior to the election. These services will be contracted for after a successful bond election.

FISCAL IMPACT:

Special Reserve for Capital Projects...not to exceed..........$300,000

RECOMMENDATION:

It is recommended that the Board of Education authorize staff to extend the contracts of the following firms to develop each site’s bond program phase-one scope of work plan.

- GKK Corporation – Canyon High School
- Harley Ellis Devereaux – El Modena High School
- Lionakis – Orange High School
- LPA, Inc. – Villa Park High School

OUUSD/Christensen/Sorrera
Board Agenda
August 14, 2014
TOPIC:
FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM (FCMAT) ANALYSIS OF TECHNOLOGY SERVICES

DESCRIPTION:
The Information and Educational Technology Department has been involved in an extensive network infrastructure update in all 39 sites and upgrades to the District core network system during spring and summer of 2014. This provides the necessary infrastructure for high-speed, high-bandwidth Internet connectivity for the purpose of integrating technology into 21st Century instruction and the administration of computer-based assessments. This rapid expansion of new technologies required for the State Assessments has resulted in technical difficulties in implementation that requires analysis for improved services.

As a result of the increased network services and deployment of thousands more student technology devices, the Department is recommending that FCMAT conduct a comprehensive study and analysis of the state of technology including hardware, software, department staffing, and technology usage to prepare for the demands of maintaining an effective, state of the art technology infrastructure.

This study will enable the Department to maximize support to schools and provide timely trouble shooting and support for teaching and learning in the 21st Century classrooms equipped with the latest technology devices. In addition, the Department is investigating a “Bring your Own Device” (BYOD) program that will further impact usage of the network and department resources.

The FCMAT study team will analyze the status of the Department functions and make recommendations on the following key areas:
1. Project management
2. Infrastructure planning, deployment, and maintenance
3. Network administration
4. Website development and support
5. Hardware installation and setup
6. Application software used at District and site levels
7. Technology in classrooms

FINANCIAL IMPACT:
State Assessment Implementation Funds..............$20,000
01.00-7405-0-5850-1110-2420-610-610-000

RECOMMENDATION:
It is recommended that the Board of Education authorize the Superintendent or designee to contract with FCMAT for analysis of the Information and Technology Services Department and provide recommendations for improved operations and support.

OUUSD/Hansen/Lin
Board Agenda
August 14, 2014
TOPIC: BOARD MEMBER REQUEST FOR BOND TRANSPARENCY TRAINING

DESCRIPTION: Board member Diane Singer is requesting that the Board of Education and staff attend a mandatory bond transparency training provided by the San Diego Taxpayer's Association. The date, time, and location of the training is to be determined.

FISCAL IMPACT: Not to exceed $1,000

RECOMMENDATION: It is recommended that the Board of Education approve a mandatory bond transparency training for all members of the Board.

Motion was amended to add that the training was to take place before the November election.

This is to certify that this item was approved by the Board of Education.

[Signature]
Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

OUSD/Singer
Board Agenda
August 14, 2014
PERALTA GOLF PARTNERSHIP REQUEST TO EXTEND THE GROUND LEASE AGREEMENT

DESCRIPTION: The District entered into a ground lease agreement ("Lease") with the Peralta Golf Partnership beginning September 14, 1994. Peralta Golf Partnership has been using the site for recreational and support services to the neighborhood since the inception of the Lease. Peralta Golf Partnership maintains the facilities and pays for all costs, including utilities.

The lease is set to expire on March 31, 2015.

Kent Hawkins of Peralta Golf Partnership is requesting that the Board of Education take action amending the Lease to extend the term of Lease to October 31, 2016. The Board also agrees not to solicit the site for sale during this term. All other terms and conditions of the Lease are unmodified.

FISCAL IMPACT: Revenue of Approximately $300,000

RECOMMENDATION: It is recommended that the Board of Education approve amendment number 2014-1 to extend the ground lease agreement with Peralta Golf Partnership to October 31, 2016 and not solicit the site for sale during that time.

THE MOTION WAS TABLED. THIS ITEM WILL BE BROUGHT BACK AT THE SEPTEMBER MEETING.
2014-1 AMENDMENT
TO GROUND LEASE

This 2014-1 Amendment to Ground Lease ("2014-1 Amendment") is made and entered into as of August 15, 2014 by and between Orange Unified School District (OUSD), a public school district duly organized and existing under Chapter 1 of Division 3 of Title 2 of the Education Code of the State of California ("Landlord") and Peralta Golf Partnership, a California General Partnership ("Tenant").

RECITALS

A. Whereas, Landlord is the owner of that certain real property located at 2190 N. Canal Street, Orange, California ("Property").

B. Whereas, Landlord and Tenant entered into a ground lease dated as of September 14, 1994, as amended, ("Lease") for the Premises, as defined in the Lease, and which terminates on March 31, 2015.

C. Whereas, Landlord and Tenant desire to amend the Lease to extend the term to October 31, 2016.

NOW THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, Landlord and Tenant agree as follows:

1. Section 1 (e), Lease Term, of the Lease, is hereby revised to extend the Lease Term to October 31, 2016 ("Termination Date"). Notwithstanding any other provision in the Lease, Tenant shall not have an option to extend the Lease Term beyond the Termination Date unless Landlord and Tenant mutually agree by way of a written amendment. OUSD shall not solicit the Peralta Property for sale during this extension period.

2. Miscellaneous.

   (a) Except as amended by this 2014-1 Amendment, the Lease shall remain in full force and effect. In the event of any inconsistency between the terms of the Lease and the terms of this Amendment, the terms of this Amendment shall prevail and control.

   (b) This 2014-1 Amendment may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together, shall constitute one and the same instrument.

   (c) Except as specifically provided in this 2014-1 Amendment, all terms, conditions and provisions of the Lease are unmodified and in full force and effect.

   (c) This 2014-1 Amendment shall be governed and construed in accordance with the laws of the State of California.
IN WITNESS WHEREOF, Landlord and Tenant have executed this 2014-1 Amendment as of the date first written above.

Landlord:

ORANGE UNIFIED SCHOOL DISTRICT

By: _______________________________
   Joe Sorrera
   Assistant Superintendent, Business Services

Date: ______________________________

Tenant:

PERALTA GOLF PARTNERSHIP

By: _______________________________

Title: ______________________________

Date: ______________________________
Information/Discussion Items
COMMON CORE STATE STANDARDS PRESENTATION

At the July 24th Board of Education meeting, questions were raised about the California Common Core State Standards (CCSS), the State adopted content standards, and the impact on District implementation. The Orange County Department of Education (OCDE) staff from Legal Services and Instructional Service will be making a presentation regarding the request for further details about the CCSS.

This is item is for information only.
TOPIC: BUSINESS SERVICES: PROPOSED REVISIONS TO BOARD POLICIES – SECOND READING

DESCRIPTION: The District's Board policies are reviewed and updated periodically as new state and federal laws and regulations are enacted.

The following Board Policies were presented for a first reading at the July 24th meeting. Tonight they are brought back for a second reading.

- BP 3100 Budget
- BP 3300 Expenditures and Purchases
- BP 3311 Bids
- BP 3312 Contracts
- BP 7116 Facility Modification and New Construction (New)
- BP 7140 Architectural and Engineering Services

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education receive the proposed Business Services Board Policy revisions for a second reading.
Business and Non-Instructional Operations

Budget

Within the Board of Education’s power, it accepts responsibility for adopting a sound budget that is compatible with the District’s vision and goals. Except in cases where outside jurisdiction impacts the Board’s power, the Board shall establish and maintain a reserve that meets or exceeds the requirements of law.

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127.

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified District needs and goals and on realistic projections of available funds. The Board also shall establish budget assumptions or parameters which may take into consideration the stability of funding sources, enrollment trends, legal requirements and constraints, anticipated increases and/or decreases in the cost of services and supplies, use of one-time resources, categorical program requirements, scheduled salary increases, and any other factors necessary to ensure that the budget is a realistic plan for District revenues and expenditures.

The Board shall establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of 5 CCR 15443.

The Board shall adopt the budget only after a local control and accountability plan (LCAP) developed pursuant to Education Code 52060-52077 or an annual update to the LCAP is in place for the budget year. Expenditures necessary to implement the LCAP or the annual update during the subsequent fiscal year shall be included in the budget. (Education Code 42127)

Prior to adopting the budget, the Board shall conduct a first tier review, and if necessary a second tier review, to ensure that the budget meets the standards and criteria adopted by the State Board of Education. (Education Code 33127, 33128, 33129, 5 CCR 15440-15452)

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified District needs and goals and on realistic projections of available funds. The Board also shall establish budget assumptions or parameters which may take into consideration the stability of funding sources, enrollment trends, legal requirements and constraints, anticipated increases and/or decreases in the cost of services and supplies, use of one-time resources, categorical program requirements, scheduled salary increases, and any other factors necessary to ensure that the budget is a realistic plan for District revenues and expenditures.

The Superintendent or designee shall develop a district budget in accordance with criteria and standards adopted by the State Board of Education (SBE). (Education Code 33127, 33128, 33128.3, 33129; 5 CCR 15440-15451)

The Superintendent or designee shall ensure that the District budget is clearly presented and effectively communicated to the Board, staff, and public. He/she may adapt or supplement the state-required budget format as necessary for these purposes.

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the District’s net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures. In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, District income declines, increased revenues or unanticipated savings are made available to the District, program proposals are significantly different from those approved during budget adoption, and/or other significant changes occur that impact budget projections.
Legal Reference:

EDUCATION CODE
33127—Development of standards and criteria for local budgets and expenditures
33128—Standards and criteria
33129—Standards and criteria, use by local agencies
33127-33131 Standards and criteria for local budgets and expenditures
35035 Powers and duties of superintendent
35161 Powers and duties, generally, of governing boards
42103 Public hearing on proposed budget; requirements for content of proposed budget; publication of notice of hearing
42103.3 Public budget information; CDE sampling and suggested improvements
42120-42129 Budget requirements
42132 Resolutions identifying estimated appropriations limit
42602 Use of un budgeted funds
42610 Appropriation of excess funds and limitation thereon
52060-52077 Local control and accountability plan

GOVERNMENT CODE
7900-7914 Expenditure limitations
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school District budgets
15440-15452 Criteria and standards for school District budgets

Adopted: (7-88, 10-93 7-96 2-06) 7-14
Business and Non-Instructional Operations

Purchasing Procedures Expenditures and Purchases

The Superintendent or designee shall maintain effective purchasing procedures to ensure that maximum value is received for money spent by the District and that records are kept in accordance with law.

Insofar as possible, goods and services purchased will meet the needs of the person or department ordering them and will be at the lowest price, consistent with standard purchasing practice. Quality, maintenance costs, schedule needs, replacement costs and trade-in values shall be considered when determining the most economical purchase price.

The Superintendent or designee may issue and sign purchase orders and shall submit them for Board approval. All purchases shall be made by formal contract, purchase orders or be accompanied by a receipt.

The Board of Education recognizes its fiduciary responsibility to oversee the prudent expenditure of District funds. In order to best serve District interests, the Superintendent or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure the District receives maximum value for items purchased. He/she shall ensure that records of expenditures and purchases are maintained in accordance with law.

The Superintendent or designee may purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111, beyond which a competitive bidding process is required. The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days. (Education Code 17605)

The Superintendent or designee may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if an amount sufficient to cover the purchase is available in the budget for transfer by the Board. (Education Code 32435)
Purchasing Procedures

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price. When price, fitness, and quality are equal, recycled products shall be preferred when procuring materials for use in District schools and buildings.

All purchases shall be made by formal contract or purchase order or shall be accompanied by a receipt. In order to eliminate the processing of numerous small purchase orders, the Superintendent or designee may create a "blanket" or "open" purchase order system for the purchase of minor items as needed from a vendor. He/she shall ensure that the "open" purchase order system details a maximum purchase amount, the types of items that can be purchased under this order, the individuals authorized to approve purchases, and the expiration date of the "open" order.

Purchasing Code of Ethics

It is the policy of staff and Board members:

1. To regard public service as a sacred trust, giving primary consideration to the interests of the students, school District and community by which we are employed.

2. To purchase without prejudice, seeking to obtain the maximum benefit for each tax dollar expended.

3. To avoid any unfair, questionable, or unethical practices.

4. To respect our obligations and to require that obligations to our school District be respected.

5. To accord vendor representatives the same courteous treatment we would like to receive.

6. To strive constantly for the improvement of our purchasing methods and the materials we buy.

7. To conduct ourselves with fairness and dignity, avoid conflicts of interest, and demand honesty in buying and selling.

8. To remember that we act as representatives of the school District and to govern ourselves accordingly.
9. To negotiate the lowest purchase prices feasible while maintaining quality products and service.

10. Members of the Board and any District employee shall not be financially interested in any contract made by them in their official capacity; nor, shall any member of the Board and any District employee be purchasers of any sale or vendors of any purchase to the District in which they are financially interested.

Legal Reference:

EDUCATION CODE
17604 Delegation of powers to agents; approval or ratification of contracts by governing board
17605 Delegation of authority to purchase supplies and equipment
32370-32376 Recycling paper
32435 Prohibited use of public funds, alcoholic beverages
35010 Control of district; prescription and enforcement of rules
35035 Powers and duties of superintendent
35160 Authority of governing boards
35250 Duty to keep certain records and reports
38083 Purchase of perishable foodstuffs and seasonal commodities
41010 Accounting system
41014 Requirement of budgetary accounting

GOVERNMENT CODE
4331 Preference to supplies manufactured or produced in state
4330-4334 California made materials

PUBLIC CONTRACT CODE
3410 U.S. produce and processed foods
12210 Preference for recycled paper products
12210 Purchase of recycled products
20111 Contracts over $50,000; contracts for construction; award to lowest responsible bidder

Adopted: (7-88 10-93 2-05) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Business and Non-Instructional Operations

Bids

The District shall purchase equipment, supplies and services on a competitive bidding process when required by law and in accordance with statutory requirements for bidding and bidding procedures. In addition, the District shall solicit formal bids whenever it appears to be in the best interest of the District to do so.

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

To assist the District in determining whether bidders are responsible, the Board shall require prequalification procedures as allowed by law and specified in administrative regulation. A copy of any applicable administrative regulations shall be provided to bidders with all bid specifications. (cf. 9270 — Conflict of Interest)

The Superintendent or Designee shall develop procedures to be adhered to whenever the District is required to competitively bid a project and the bid form includes a base bid and alternate bids.

When the Board has determined that it is in the best interest of the District, the Board may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law.

The Board of Education is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the District and when contracting for public projects involving District facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the District, such leases and purchases shall be made using competitive bidding.

The Superintendent or designee shall establish comprehensive bidding procedures for the District in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4. (Public Contract Code 20116)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the District knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.
The Superintendent or designee shall develop the procedures to be used for rating bidders for award of contracts which, by law or Board policy, require prequalification. The procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the District, the District may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Legal Reference:

EDUCATION CODE
17070.10-17079.30 Leroy F. Greene School Facilities Act
17406 Lease-leaseback contract
17595 Purchases through Department of General Services
17602 Purchase of surplus property from federal agencies
38083 Purchase of perishable foodstuffs and seasonable commodities
38110-38120 Apparatus and supplies
39802 Transportation services
38140 Purchase of supplies through county superintendents
38111 Purchases by District governing board
38112 Purchases of necessary supplies
39802 Transportation bids and contracts for services

GOVERNMENT CODE
4217.10-4217.18 Energy conservation contracts
4330-4334 Preference of California-made materials
6252 Definition of public record
53060 Special services and advice
54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE
1102 Emergencies
2000-2001 Responsive bidders
3000-3010 Roofing projects
3400 Bids, specifications by brand or trade name not permitted
3410 United States produce and processed foods
6610 Bid visits
42161-12200 Definitions, recycled paper-products, goods, materials and supplies
12168 Preference for purchase of recycled paper-products
Bidders to specify percentage of recycled paper product
Definitions, recycled goods, materials and supplies
Purchase of recycled products preferred
Specification by bidder of recycled content

20101-20103.7 Public construction projects, requirements for bidding
20103.8 Award of contracts
20107 Bidder's security
20111-20118.4 School Districts—Contracting by School Districts
20189 Bidder's security, earthquake relief
22002 Definition of public project
22030-22045 Alternative procedures for public projects (UPCCAA)
22050 Alternative emergency procedures
22152 Recycled product procurement

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Business and Non-Instructional Operations

Contracts

Whenever state law invests the Board of Education with the power to enter into contracts on behalf of the District, the Board may, by a majority vote, delegate this power to the Superintendent or designee. To be valid or to constitute an enforceable obligation against the District, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

All contracts between the District and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

All contracts, where appropriate, shall be submitted to the legal advisor of the District for review and approval.

The District shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, sex, religion, ancestry, national origin, age or non-job related handicap or disability, either in employment practices or in the provision of benefits or services to students or employees.

When required by law, contracts and subcontracts made by the District for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

The District shall not enter into a contract that prohibits a school employee from disparaging the goods or services of the contracting party. (Education Code 35182.5)

In accordance with the dates specified in law, the District or a District school shall not enter into or renew a contract for the sale of beverages that do not meet the nutritional standards in Education Code 49431.5 unless the contract specifies that such sales will occur later than one-half hour after the end of the school day and/or off school premises.

The Board shall not enter into or renew a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages or non-nutritious food until parents/guardians, students and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code 35182.5)
The Superintendent or designee may enter into contracts on behalf of the District. All contracts in excess of $15,000 must be approved by the Board. Contracts under $15,000 may be approved by the Superintendent or designee.

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
35160 Authorization of governing boards
14505 Provisions required in contracts for audits
17595-17606 Contracts
35182.5 Contract prohibitions
45103.5 Contracts for management consulting service related to food service
49431-49431.5 Nutritional standards

CODE OF CIVIL PROCEDURE
685.010 Rate of interest

GOVERNMENT CODE
12990 Nondiscrimination and compliance employment programs
53260 Contract provision re maximum cash settlement
53262 Ratification of contracts with administrative officers

LABOR CODE
1775 Penalties for violations
1810-1813 Working hours

PUBLIC CONTRACT CODE
4100-4114 Subletting and subcontracting fair practices
7104 Contracts for excavations; discovery of hazardous waste
7106 Noncollusion affidavit
20111 Contracts over $50,000; contracts for construction; award to lowest responsible bidder
20104.50 Construction Progress Payments
22300 Performance retentions

UNITED STATES CODE, TITLE 20
1601-1688 Title IX, discrimination

BP 3312(b)

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 10-93 2-06) 7-14
Orange, California
NEW

BP 7116

New Construction Facilities

Community Snack Building Facility Modification and New Construction

The Governing Board hereby adopts procedures for the funding and construction of community snack buildings to be located on District sites.

All facilities constructed under this policy shall meet all the requirements of the State Architect of the State of California, the Administrative Code, Title 21, and the applicable sections of the Education Code.

The Superintendent or designee shall oversee, coordinate and approve all facility modifications and new construction to insure compliance with District standards, architectural specifications, code compliance, and, when applicable, the Division of State Architects.

Efforts shall be made to schedule construction activities to minimize disruption of classroom operations and District service.

Facility modification is defined as any addition to, removal of, or alteration made to existing facilities. Maintenance funds are not intended for funding such projects. Separate procedures and funding shall be available for facility modifications and new construction.

The Superintendent or designee shall review and approve facility modification and construction projects included in the facility modification and capital outlay process.

Projects that are not included as part of the regular facility modification approval process shall be treated as exceptions and require approval of the Board.
Facilities

Architectural and Engineering Services

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

The Board may require bids, however, whenever it determines that this would be in the public interest because the services needed are more of a technical nature and involved little professional judgment. Instead of requiring bids for these services, the Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence.

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

Design Professionals shall be selected by the Board based upon the recommendations of the Superintendent employing the rating elements noted below or any other unranked elements deemed appropriate:

- Responsiveness to RFP - breadth and depth of response
- Professional reputation of firm
- School district experience
- Experience with the Division of State Architect
- Satisfaction of prior/current clients
- Adequacy of firm's support staff and/or sub-contractors
- Experience in meeting schedules and deadlines
- Accuracy of firm's cost estimates
- Evidence of ability to prioritize project and begin the job in a timely fashion
- Proposed methodology to be utilized in design of project as it relates to involvement of faculty, staff, management, and other interested parties
- Aesthetics and functionality of projects
BP 7140(b)

- Site evaluations of projects
- Proposed fees

Design Professionals are hired on a project basis to perform all tasks from preliminary planning through completion of construction.

This policy is intended for major capital outlay projects and may be waived for minor remodeling and construction projects with approval of the Superintendent.

The Superintendent or designee shall develop general criteria for the selection of architects and engineers on the basis of demonstrated competence and professional qualifications. For each project, he/she shall recommend specific architectural and engineering firms to the Board.

The Superintendent or designee shall ensure that:

1. Projects entail maximum participation by small business firms as defined pursuant to Government Code 14837. (Government Code 4526)

2. Practices which might result in unlawful activity such as rebates, kickbacks, or other unlawful consideration are prohibited. (Government Code 4526)

3. District employees are prohibited from participating in the selection process when they have a relationship with a person or business entity seeking a contract which would subject the employee to the prohibition of Government Code 87100. (Government Code 4526) (cf. 9270 - Conflict of Interest)

4. Current statements of prospective contractors' qualifications and performance data are evaluated in detail.

5. Alternative approaches for furnishing the services are discussed with at least three firms.

6. At least three firms deemed to be the most highly qualified to provide the required services are selected in accordance with established criteria and recommended in order of preference. (cf. 3312.11 - State Allocation Board Contracts)

(Legal Reference next page)
Legal Reference:

EDUCATION CODE
39140-39159 Approvals, especially:
39148 Persons qualified to prepare plans, specifications and estimates and supervise construction
39159 Contract provision re school District property
39226 Limitation on liability of governing board

GOVERNMENT CODE
4525-4529.5 Contracts with private architects, engineering, land surveying, and construction project management firms
14837 Definition of small business
87100 Public officials; financial interest

EDUCATION CODE
17070.50 Conditions for apportionment
17280-17316 Approvals, especially:
17302 Persons qualified to prepare plans, specifications and estimates and supervise construction
17316 Contract provision re school district property
17371 Limitation on liability of governing board

GOVERNMENT CODE
4525-4529.5 Contracts with private architects, engineering, land surveying, and construction project management firms
14837 Definition of small business
87100 Public officials; financial interest

PUBLIC CONTRACT CODE
20111 School district contracts

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (11-93 9-97) 7-14

Orange, California
Item No. 13.C.

TOPIC: HUMAN RESOURCES: PROPOSED REVISIONS TO BOARD POLICIES – SECOND READING

DESCRIPTION: The District's Board policies are reviewed and updated periodically as new state and federal laws and regulations are enacted.

The following Board Policies were presented for a first reading at the July 24th meeting. Tonight they are brought back for a second reading.

- BP 412.42 Drug & Alcohol Testing for School Bus Drivers
- BP 4119.21 Code of Ethics
- BP 4131 Professional Development (Certificated)
- BP 4231 Staff Development
- BP 4316 Classified/Permanent Status (New)
- BP 4331 Professional Development

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education receive the proposed Board Policy revisions for a second reading.
All Personnel

Drug and Alcohol Testing for School Bus Drivers
Drug and Alcohol Testing for Drivers of Commercial Vehicles

The Orange Unified School District is committed to establishing and maintaining an alcohol and drug testing program to help prevent accidents and injuries resulting from the misuse of alcohol and use of controlled substances. This refers to any of the District’s employees in classifications where such employees are required to possess a commercial driver’s license.

This policy is implemented pursuant to and in compliance with requirements of the Omnibus Transportation Employer Testing Act of 1991. The District shall adhere to all federal regulations adopted to enforce the Act.

Any covered employee who violates the provisions of this policy, as more specifically set forth in Administrative Regulations, may be subject to discipline, up to and including dismissal.

Alcohol and drug testing of all covered employees, pursuant to this policy and the requirements of the Omnibus Transportation Employer Testing Act of 1991, shall begin effective January 1, 1995.

The Board of Education desires to ensure that District-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to District employment.

A driver shall not report for duty or remain on duty when he/she has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when he/she has used any drug listed in 21 CFR 1308.12-1308.15, unless he/she is using the drug under the direction of a physician who has advised him/her that the substance will not adversely affect the driver’s ability to safely operate a bus. In addition, a driver shall not consume alcohol while on duty or for four hours prior to on-duty time. (49 CFR 382.201-382.209, 382.213)

The District’s testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

The Superintendent or designee shall contract for testing services upon verifying that the personnel are appropriately qualified and/or certified and that testing procedures conform to federal regulations.
Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321)

Consequences Based on Test Results

Any driver who refuses to take a required drug or alcohol test, tests positive for drugs, or is found to have a blood alcohol concentration level that exceeds the levels specified in law shall be removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211.

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the District's collective bargaining agreement.
Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
UNITED STATES CODE, TITLE 49
31306 Alcohol and drug testing
2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)
CODE OF FEDERAL REGULATIONS, TITLE 21
1308.11-1308.15 Controlled substances
CODE OF FEDERAL REGULATIONS, TITLE 49
40.1-40.413 Procedures for transportation workplace drug and alcohol testing programs
382.101-382.605 Drug and alcohol use and testing; especially:
382.205 On-duty use
382.207 Pre-duty use
382.209 Use following an accident
382 Controlled Substance and Alcohol Use and Testing
395 Hours of Service of Drivers
Holiday v. City of Modesto (1991) 229 Cal. App. 3d 528, 540
International Brotherhood of Teamsters v. Department of Transportation 932 F. 2d 1292 (1991)
GOVERNMENT CODE
8355 Drug-free workplace; employee notification
VEHICLE CODE
13376 Driver certificates; revocation or suspension
34500-34520.5 Safety regulations
CODE OF REGULATIONS, TITLE 13
1200-1293 Motor carrier safety, especially:
1213.1 Placing drivers out-of-service

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: (11-94 6-06) 7-14
All Personnel

Codes of Ethics

The Board expects District employees to maintain the highest ethical standards, to follow District policies and regulations and to abide by state and national laws. Employees exhibit professional behavior, follow District policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the District, and the goals of the educational program advance the goals of the District's educational programs, and contribute to a positive school climate.

The Board encourages District employees to accept as guiding principles the professional standards and codes of ethics published by educational or professional associations to which they may belong. (cf. 9271 - Code of Ethics)

Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of District students.

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon;

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed;

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child;

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student;

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time;

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members;
7. Willfully disrupting District or school operations by loud or unreasonable noise or other action;

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity;

9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records;

10. Divulging confidential information about students, District employees, or District operations to persons not authorized to receive the information;

11. Using District equipment or other District resources for the employee's own commercial purposes or for political activities;

12. Using District equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity;

13. Causing damage to or engaging in theft of property belonging to students, staff, or the District;

14. Wearing inappropriate attire.

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process shall be subject to discipline.
Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
44242.5 Reports and review of alleged misconduct
PENAL CODE
11164-11174.4 Child Abuse and Neglect Reporting Act
CODE OF REGULATIONS, TITLE 5
80303 Reports of dismissal, resignation and other terminations for alleged misconduct
80331-80338 Rules of conduct for professional educators

Adopted: (11-93 6-06) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Certificated Personnel

Professional Development

The Board of Education recognizes that a competent well-trained staff is essential to carrying out its goals. Besides providing opportunities for personal growth, staff development is viewed as a necessary, continuous and systematic effort to improve District educational programs by involving all employees in activities that improve their skills and broaden their perceptions.

The Board recognizes that it shares with its staff the responsibility of upgrading and updating abilities, performance, knowledge and attitudes. In our rapidly changing society, teachers must constantly review curriculum content, teaching methods and materials, and related goals. The Board encourages the ongoing training of teachers and improvement of instructional methods.

Employees shall be provided opportunities to develop increased competence beyond that which may be attained through the performance of assigned duties.

Special emphasis shall be made to better prepare teachers and other personnel to meet the needs of students from diverse cultural and ethnic backgrounds. Administrators, teachers and parent advisory groups shall cooperate in planning and implementing such programs.

To respond directly to the educational needs of all students, professional development activities shall cover: (a) content areas such as language arts, math, social science and science; (b) methodological areas such as motivation, teaching techniques and instructional delivery systems; and (c) affective areas such as interpersonal relations between students and faculty, student growth and development, and staff communication, problem solving and decision making.

The Superintendent is encouraged to provide the staff with professional developmental opportunities such as the following:

1. Visits to other classrooms and schools.
2. Conferences involving outside personnel from the District, county, state region or nation.
3. Membership in committees drawing personnel from various sources.
4. Training classes and workshops offered by the District.
5. Further training in institutions of higher learning, including credit courses conducted in or near the District instead of on the college campus, whenever possible.
6. Professional educational conferences.
The Board of Education recognizes that, in order to maximize student learning and achievement, certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills and become informed about changes in pedagogy and subject matter.

The Superintendent or designee shall involve teachers, site and District administrators, and others, as appropriate, in the development of the District's staff development program. He/she shall ensure that the District's staff development program is aligned with District priorities for student achievement, school improvement objectives, the local control and accountability plan, and other district and school plans.

The Superintendent or designee may, in conjunction with individual teachers and interns, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

The District's staff evaluation process may be used to recommend additional staff development for individual employees.

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the District's priorities for student achievement.
Legal Reference:

**EDUCATION CODE**

41530-41533 Professional Development Block Grant
44032 Travel expense payment
44259.5 Standards for teacher preparation
44277 Professional growth programs for individual teachers
44325-44328 District interns
44450-44468 University internship program
44570-44578 Inservice training, secondary education
44580-44591 Inservice training, elementary teachers
44630-44643 Professional Development and Program Improvement Act of 1968
44700-44705 Classroom teacher instructional improvement program
45028 Salary schedule and exceptions
48980 Notification of parents/guardians: schedule of minimum days
56240-56245 Staff development; service to persons with disabilities
99200-99206 Subject matter projects
44277 Requirements for maintaining valid credentials; professional growth program
44560 Inservice preparation in ethnic backgrounds
44670-44680.12 School personnel staff development and resource centers
44681-44689 Administrator training and evaluation
52800-52904 School based program coordination act, especially
52854 Time during regular school year to advise students or conduct staff development programs

**CODE OF REGULATIONS, TITLE 5**

13025-13044 Professional development and program improvement

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ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 11-93 6-06) 7-14

Orange, California
Classified Personnel

Staff Development

Classified staff shall have opportunities to improve job skills and prepare for more responsible positions within the District.

Such opportunities may include, but are not limited to, the following:

1. Visits to other schools and school Districts.

2. Local and state conferences involving other classified personnel.

3. Training classes and workshops offered by private organizations or by the District, county or other appropriate agencies.

4. Access to a professional library and/or materials related to job responsibilities. (cf. 0420.1—School-Based-Coordinated Program)

Classified personnel shall be reimbursed for necessary and proper expenses involved in their attendance at conferences and meetings if such attendance has received prior authorization by the Superintendent or designee in accordance with the rules and regulations of the District. (cf. 4131.3 AR—Inservice Education/Visitation/Conferences) (cf. 4133—Travel Expense; Reimbursement)

The Board of Education recognizes that classified staff does essential work that supports a healthy school environment and the educational program. Classified staff shall have opportunities to participate in staff development activities in order to improve job skills, learn best practices, retrain as appropriate in order to meet changing conditions in the District, and/or enhance personal growth.

The Superintendent or designee shall involve classified staff, site and District administrators, and others, as appropriate, in the development of the District's staff development program. He/she shall ensure that the District's staff development program is aligned with District goals, school improvement objectives, the local control and accountability plan, and other District and school plans.

The District's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program.
Legal Reference:
EDUCATION CODE
35160 Authority of governing boards
41530-41533 Professional Development Block Grant
44032 Travel expense payment
45380-45387 Retraining and study leave (classified)
45390-45392 Professional development for classified school employees
52060-52077 Local control and accountability plan
56240-56245 Staff development; service to persons with disabilities

Adopted: (7-88 11-93 6-06) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Management, Supervisory and Confidential Personnel

Classified Probationary/Permanent Status

Employees newly hired for regular management, supervisory, or confidential positions in the classified service shall be considered probationary employees until they have satisfactorily completed one year of paid service, excluding time on a leave of absence. Upon satisfactorily completing this period, they shall become permanent classified employees of the District.

The Superintendent or designee may dismiss an employee during the initial probationary period.

Permanent employees promoted to a management, supervisory, or confidential classification shall be considered probationary in their new position until they have satisfactorily completed one year of paid service, excluding time on a leave of absence, in that position.

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

Legal Reference:
EDUCATION CODE
45103  Classified service, definitions and exceptions
45113  Rules and regulations for classified service in Districts not incorporating the merit system

Adopted: 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Management, Supervisory and Confidential Personnel

Professional Development

The Board recognizes that professional development opportunities enhance employee effectiveness and contribute to staff morale. The Board desires that all leadership share in planning activities which are pertinent to their specific areas of responsibility and which improve overall leadership efficiency.

Professional development shall be tied to the needs of the District. The Board especially encourages activities which will improve the quality of the educational program and focus on the areas of technology, school reform, meeting the needs of all youth and communication with parents/guardians.

The Board of Education recognizes that professional development enhances employee effectiveness and contributes to personal growth. Staff development for administrative and supervisory personnel shall be designed to guide institutional improvement, build leadership skills, and enhance overall management efficiency.

The Superintendent or designee shall develop a plan for administrator support and development activities that is based on a systematic assessment of the needs of District students and staff and is aligned to the District's vision, goals, local control and accountability plan, and other comprehensive plans.

The District's staff evaluation process may be used to recommend additional staff development for individual employees.

The Superintendent or designee shall evaluate the benefit to staff and students of professional development activities.

Within budget parameters, the Superintendent may approve participation in activities which will benefit individual administrators and enhance their contributions to the District.

Legal Reference:

EDUCATION CODE
44670.3-44670.6 Activities related to the Professional Development Program
44681-44689.5 Administrator Training and Evaluation
52034 Staff development activities reflecting School Improvement Program goals
52060-52077 Local control and accountability plan

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 11-93 6-06) 7-14
Orange, California
TOPIC: EDUCATIONAL SERVICES: PROPOSED REVISIONS TO BOARD POLICIES – SECOND READING

DESCRIPTION: The District's Board policies are reviewed and updated periodically as new state and federal laws and regulations are enacted.

The following Board Policies were presented for a first reading at the July 24th meeting. Tonight they are brought back for a second reading.

- BP 0460 Local Control & Accountability Plan (New)
- BP 1312.3 Uniform Complaint Procedures
- BP 5021 Noncustodial Parents
- BP 5022 Student and Family Privacy Rights
- BP 5111 Admission
- BP 5112.3 Student Leave of Absence
- BP 5113 Absences and Excuses
- BP 5113.1 Chronic Absence and Truancy (New)
- BP 5144 Discipline
- BP 5144.1 Suspension and Expulsion/Due Process
- BP 5145.2 Freedom of Speech/Expression
- BP 5145.3 Nondiscrimination/Harassment
- BP 5145.9 Hate-Motivated Behavior (New)
- BP 5146 Married/Pregnant/Parenting Students
- BP 5147 Dropout Prevention (New)
- BP 6170.1 Transitional Kindergarten (New)

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education receive the proposed Board Policy revisions for a second reading.
Local Control and Accountability Plan

The Board of Education desires to ensure the most effective use of available state funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions aligned with state and local priorities and to facilitate continuous improvement of District practices.

Pursuant to Education Code 52060, the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula); and (8) student outcomes in the specified course of study.

The Board shall adopt a Districtwide local control and accountability plan (LCAP), using the template provided by the State Board of Education, which addresses the state priorities specified in Education Code 52060. The LCAP shall be effective for three years and shall be updated on or before July 1 of each year. (Education Code 52060)

Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the District may establish and address local priorities. The following paragraph may be revised to reflect any local priorities. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership.

In addition, the LCAP shall address any local priorities adopted by the Board.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

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

Education Code 52062 requires the District to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies in the single plan for student achievement (SPSA) submitted by each school pursuant to Education Code 64001.

To minimize duplication of effort and provide clear direction for program implementation, the LCAP and other District and school plans shall be aligned to the extent possible.
The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each District school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP or the annual update are consistent with strategies included in the SPSA. (Education Code 52062)

Pursuant to Education Code 52075, the District is required to establish policies and procedures, on or before June 30, 2014, implementing uniform complaint procedures for complaints that the District has not complied with LCAP requirements; see AR 1312.3 - Uniform Complaint Procedures.

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

Plan Development

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

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. (Education Code 52060)

Public Review and Input

Pursuant to Education Code 52063, the Board is required to establish a parent advisory committee that includes parents/guardians of unduplicated students. In addition, if District enrollment includes at least 15 percent English learners and at least 50 students who are English learners, the Board is required to establish an English learner parent advisory committee.

The Board shall establish the following committee(s) to review and comment on the LCAP: (Education Code 52063)

1. A parent advisory committee including at least one parent/guardian of unduplicated students as defined above.

2. An English learner parent advisory committee whenever District enrollment includes at least 15 percent English learners and at least 50 students who are English learners.
The Superintendent or designee shall present the LCAP or the annual update to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

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

Pursuant to Education Code 42127, as amended by AB 97 (Ch. 47, Statutes of 2013) and SB 97 (Ch. 357, Statutes of 2013), for the 2014-15 fiscal year and each fiscal year thereafter, the Board must not adopt a District budget until the LCAP or an annual update to the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that is effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools must disapprove the District's budget. The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP or the annual update. The public hearing shall be held at the same meeting as the public hearing required prior to the adoption of the District budget in accordance with Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

Adoption of the Plan

Prior to adopting the District budget, but at the same public meeting, the Board shall adopt the LCAP or the annual update. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

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

Submission of Plan to County Superintendent of Schools

Education Code 52070 requires the District to submit the LCAP and the annual update to the County Superintendent. The County Superintendent may seek written clarification of
the contents of the plan and may submit recommendations for amendments, in accordance with the timelines specified in law as provided below. He/she is required to approve the LCAP or the annual update on or before October 8 if he/she determines that (1) the LCAP adheres to the SBE template; (2) the District budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP; and (3) as amended by SB 97 (Ch. 357, Statutes of 2013), the LCAP or annual update adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students.

Pursuant to Education Code 52064, the District is not required to submit the LCAP or annual update to the SBE unless otherwise required by federal law.

Not later than five days after adoption of the LCAP or the annual update to the LCAP, the Board shall file the LCAP or the annual update with the County Superintendent of Schools. (Education Code 52070)

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

Monitoring Progress

Pursuant to Education Code 52064.5, the SBE is required to adopt evaluation rubrics by October 1, 2015, to assist Districts in evaluating their strengths, weaknesses, and areas that require improvement. The rubrics will include all of the state priorities described in Education Code 52060 and the SBE standards for District and school performance and expectations for improvement in regard to those state priorities.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the District’s progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

Technical Assistance/Intervention

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

1. Assistance in the identification of District strengths and weaknesses in regard to
state priorities and review of effective, evidence-based programs that apply to the District's goals

2. Assistance from an academic expert, team of academic experts, or another District in the county in identifying and implementing effective programs to improve the outcomes for student subgroups

3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

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

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

1. Revision of the District's LCAP

2. Revision of the District's budget in accordance with changes in the LCAP

3. A determination to stay or rescind any District action that would prevent the District from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:
EDUCATION CODE
17002 State School Building Lease-Purchase Law, including definition of good repair
41020 Audits
42127 Public hearing on budget adoption
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 Assessment of language development
64001 Single plan for student achievement
99300-99301 Early Assessment Program
UNITED STATES CODE, TITLE 20
6312 Local educational agency plan
6826 Title III funds, local plans

Adopted: 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Community Relations

Uniform Complaint Procedures (UCP)

The Board of Education recognizes that the District has primary responsibility to comply with applicable state and federal laws and regulations governing educational programs. The District shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination, harassment, intimidation, and bullying and seek to resolve these complaints in accordance with our UCP procedures. (5 CCR 4610; 4620-4621)

The District shall use the uniform complaint procedures to resolve any complaints alleging unlawful discrimination, harassment, intimidation, and bullying in District programs and activities based on actual race, color, ancestry, nationality and national origin, ethnic group identification, ethnicity, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or gender expression, or genetic information; the perception of one or more such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Uniform complaint procedures shall also be used to address any complaints alleging the District's failure to comply with state and/or federal laws. A uniform complaint may also be filed alleging non-compliance with the law regarding student fees and charges (Education Code section 49010-49013). The complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of non-compliance.

Programs or activities in which the Orange Unified School District receives state or federal funding are:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Career Technical and Technical Education and Training Programs
- Child Care and Developmental Programs
- Child Nutrition Programs
- Special Education Programs
- Safety Planning Requirements

In addition, pursuant to Education Code section 52075, individuals may file a complaint under the District's Uniform Complaint Procedure alleging that the school District has not complied with the LCAP (Local Control Accountability Plan) requirements in the Education Code.

The Board prohibits any form of retaliation against any complainant in the complaint process and assures that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying will remain confidential as appropriate. Participation in the complaint process shall not in any way affect the status, grades or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.
The person responsible for receiving and investigating complaints and ensuring our compliance with state and federal laws and regulations is:

**Assistant Deputy Superintendent, Educational Services**
1401 N. Handy Street
Orange, CA 92867
714-628-4466

The District ensures that the person who is in the position above, who is responsible for compliance and/or investigations, is knowledgeable about the laws/programs that he/she is assigned to investigate.

The District shall annually notify in writing our students, employees, parents or guardians of our students, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties of our UCP process, including the opportunity to appeal to the California Department of Education (CDE) and the provisions of this document by disseminating the UCP Annual Notice to all of the above required groups each school year. An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body’s decision.

The District’s UCP Annual Notice shall also advise the recipient of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation, and bullying laws, if applicable, and of the appeal pursuant to Education Code section 262.3. The District’s UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

Complaints alleging discrimination, harassment, intimidation, bullying complaints must be filed within six (6) months from the date the alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, bullying occurred, unless the time for filing is extended by the superintendent or his or her designee.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

The investigation of an alleged complaint shall include an opportunity for the complainant, or the complainant’s representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of non-compliance with state and federal laws and regulations.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.
Refusal by the Orange Unified School District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The District shall issue a decision based on the evidence. The decision shall be in writing and sent to the complainant within 60 calendar days from receipt of the complaint by the District. The decision shall contain:

i. the findings of fact based on the evidence gathered,
ii. conclusion of law,
iii. disposition of the complaint
iv. the rationale for such disposition
v. corrective actions, if any are warranted,
vi. notice of the complainant’s right to appeal the decision to the CDE, and
vii. procedures to be followed for initiating an appeal to the CDE.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate, the Superintendent or designee will keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

The District's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments
4. Deficiency in the District's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

(Legal reference next page)
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
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49010-49013 Educational activity
49060-49079 Student records
49490-49590 Child nutrition programs
52075 – Complaint Procedures
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process
GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs
PENAL CODE
422.6 Interference with constitutional right or privilege
UNITED STATES CODE, TITLE 20
6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs

ORANGE UNIFIED SCHOOL DISTRICT
Adopted: (9-93 6-04 10-05 9-09 4-12 8-12 2-13) 7-4

Orange, California
Students

Noncustodial Parents

Noncustodial parents generally retain the same rights as custodial parents unless a court order restricts the rights of the noncustodial parent. These rights include, but are not limited to, accessing his/her child's student records and participating in school activities. If a completed or pending legal action curtails the noncustodial parent’s rights, the parent/guardian with custody shall provide evidence of this action to the Superintendent or designee.

However, noncustodial parents do not have the right to challenge the content of student records; provide a written response to student records, or consent to the release of student records to third parties.

Upon request, the District shall provide noncustodial parents with announcements and notices that are sent to the custodial parent.

Only the custodial parent has the right to remove the child from school property and only a verified note or an emergency card from the custodial parent will be cause for exception to this provision.

The Board of Education recognizes the right of parents/guardian, to be involved in the education of their children and desires to balance that right with the District's need to ensure the safety of students while at school.

Education Code 49069 provides that all parents/guardians, regardless of custody, have absolute access to a student's record. However, pursuant to Education Code 49061, a parent without legal custody does not have the right to challenge the content of a student record, provide a written response to the record, or consent to its release to third parties.

Only a parent/guardian as defined in Education Code 56028 is entitled to make educational decisions regarding a student with disabilities.

The parent/guardian who enrolls a child in a District school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances.

In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.
In the event of an attempted violation of a court order that restricts access to a student, staff—the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Legal Reference:
EDUCATION CODE
49061  Definitions
49069  Absolute right to access
FAMILY CODE
3025  Parental access to records

Adopted: (4-94  5-07)  7-14
Students

Student and Family Privacy Rights

The Board of Education believes that personal information concerning District students and their families should be kept private in accordance with law. The Board prohibits District staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

The Board of Education respects the rights of District students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. The Superintendent or designee shall develop regulations to ensure compliance with law when the District requests, retains, discloses, or otherwise uses the personal information of its students and their families.

The regulations shall, at a minimum, address the following:

1. Whether the District may collect the personal information of students for marketing or sale

2. How the District will administer surveys that may request information about the personal beliefs and practices of students and their families

3. The rights of parents/guardians to inspect:

   a. Survey instruments requesting information about their personal beliefs and practices or those of their children

   b. Instructional materials used as part of their children's educational curriculum

1. Whether the District may administer any nonemergency invasive physical examination or screening

2. Notifications that the District will provide to students and parents/guardians with respect to their privacy rights

Legal Reference:
EDUCATION CODE
49450-49457 Physical examinations
49602 Confidentiality of pupil personal information received during counseling
51101 Parents Rights Act of 2002
51513 Personal-beliefs Test, questionnaire, survey, or examination concerning personal beliefs
51938 Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
1232h Protection of pupil rights

Adopted: (5-07) 7-14
In the event of an attempted violation of a court order that restricts access to a student, staff—the principal or designee—shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

Legal Reference:
EDUCATION CODE
49061 Definitions
49069 Absolute right to access
FAMILY CODE
3025 Parental access to records
Students

Admission

The Board of Education believes that all children should have the opportunity to receive educational services. All children residing within the District shall have access to District schools. Immigrant children shall not be denied admission on the basis of citizenship or legal resident status. Homeless children shall be admitted with or without a permanent address. Staff shall encourage parents/guardians to enroll all school-aged children in school.

The Superintendent or designee shall maintain procedures which provide for the verification of all entrance requirements specified in law and Board policy. (cf. 5111.1—District Residency) (cf. 5141.22 Infectious Diseases) (cf. 5141.3 Health Examination)

No child shall be unconditionally admitted to any District school without presentation of a fully documented immunization record as required by law, unless otherwise exempted. (Health and Safety Code 3381) (cf. 5141.31—Immunizations) (cf. 5119—Students Expelled from Other Districts)

The Board of Education encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of students entering a District school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall verify the student's age, residency, and any other admission criteria specified in law and in Board policies and administrative regulations.

Federal and state law require the immediate enrollment of homeless youth (42 USC 11432) and foster youth (Education Code 48853.5) regardless of their ability to provide the school with records normally required for enrollment. In addition, Education Code 49701 requires the District to facilitate the enrollment of children of military families and to ensure that they are not placed at a disadvantage due to difficulty in the transfer of their records from previous school Districts and/or variations in entrance or age requirements.

All resident students who are enrolling either in the school in their attendance area or in another District school shall be subject to the timelines established by the Board in BP/AR 5116.1 - IntraDistrict Open Enrollment. Nonresident students may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

Legal Reference:
EDUCATION CODE
46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
46600 Agreements for admission of pupils desiring inter-District attendance
48000 Minimum age of admission (kindergarten)
48002 Evidence of minimum age required to enter kindergarten or first grade
48010 Minimum age of admission (first grade)
48011 Admission from kindergarten or other school; minimum age
48050-48053 Nonresidents
48200 Children between ages of 6 and 16 years (compulsory full-time education)
48350-48361 Open Enrollment Act
48850-48859 Educational placement of foster youth
48211-Habits and disease
48221-Physical or mental condition
49076 Access to records by persons without written consent or under judicial order
49408 Information of use in emergencies
49700-49704 Education of children of military families

HEALTH & SAFETY CODE
3380-3390 Immunization against communicable diseases
120325-120380 Education and child care facility immunization requirements
3400-3409 121475-121520 Tuberculosis tests for pupils-students
CODE OF REGULATIONS, TITLE 5
200 Promotion from kindergarten to first grade
201 Admission to high school

CODE OF REGULATIONS, TITLE 17
6000-6075 School attendance immunization requirements

TITLE VII, SUBTITLE B, THE MCKINNEY ACT OF 1987

Management Resources:
CODE MANAGEMENT ADVISORIES
9909.90 Changes in law concerning eligibility for admission to kindergarten

CODE OF REGULATIONS, TITLE 17
6000-6075 School attendance immunization requirements
UNIFIED STATES CODE, TITLE 42
11431-11435 McKinney Homeless Assistance Act

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: (4-94 5-07) 7-14
Students

Student Leave of Absence

Upon request, the Board of Education may grant student leaves of absence in accordance with law for the purpose of supervised travel, study, training, or work not available to the student under another educational option. Such leave may be granted to a student fifteen (15) years of age or older in the regular program and to a student between the ages of sixteen (16) and eighteen (18) in the continuation program.

Prior to granting a request for a student leave of absence, the principal’s designee shall provide information regarding the contractual study program to the student’s parent(s)/guardian(s). The option of a contractual study program shall be explored before consideration of granting a student leave of absence.

The Board of Education recognizes the importance of regular school attendance in promoting student achievement. However, the Board also recognizes that, in rare circumstances, it may be beneficial for a student to participate in opportunities outside the school which contribute to his/her educational experience.

The Superintendent or designee may grant student leaves of absence for the purpose of supervised travel, study, training, or work not available to the student under another educational option. Such leave may be granted to a student 15 years of age or older in the regular program and to a student age 16-18 in the continuation education program. (Education Code 48232, 48416)

No more than one percent of the students enrolled and attending a school shall be granted a leave of absence during any school year. (E.C. 48232, 48416)

When feasible, students shall be encouraged to instead enroll in the District's independent study program to allow for greater contact and coordination with District staff.

Legal Reference:
EDUCATION CODE
48232 Leave of absence for students age 15 at time of commencement of leave
48410 Exemption from continuation education
48416 Leave of absence for students age 16 to 18 inclusive
CIVIL CODE
60-63 Emancipated minors
FAMILY CODE
7000-7002 Emancipation of minors law
7050 Purposes for which emancipated minor considered an adult

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 4-94 5-07) 7-14

Orange, California
Students

Absences and Excuses

The Board of Education believes that regular attendance plays an important key role in student achievement. The success a student achieves in school. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

The Board recognizes its responsibility under the law to ensure that students attend school on a regular basis. Parents/guardians of children between the ages of six (6) and eighteen (18) are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy. (cf. 5112.1 – Exemptions) (cf. 5112.2 – Exclusions from Attendance) (cf. 5121 – Grades/ Evaluation of Student Achievement)

Excused Absences

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons as permitted by law, Board policy and administration regulations. (E.C. 46010, 46010.5)

Inasmuch Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during non-school hours.

At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

Students should not be absent from school without their parents/guardians' knowledge or consent except in cases as provided in Education Code 46010.1 of medical emergency or confidential medical appointment.

Student absences for religious instruction or participation in religious exercise away from school property may be considered excused subject to administrative regulations and law. (E.C. 46014)

Unexcused Absences/Truancy– Effect of Absence on Grades/Credit

If a student's absence is excused under Education Code 48205, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.
To improve student attendance, the Superintendent or designee shall implement positive steps to identify the reasons for a student's unexcused absences and to help resolve the problems caused by truancy. Such strategies shall focus on early intervention and may include, but not be limited to, communication with parents/guardians and the use of student study teams.

In addition, the Superintendent or designee shall cooperate with other agencies within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including alternative programs.

Habitually truant students may be referred to School Attendance Review Board (SARB), a truancy mediation program operated by the county's District attorney or probation officer, and/or juvenile court in accordance with law.

Legal Reference next page:

EDUCATION CODE
1740 Employment of personnel to supervise attendance (county superintendent)
2550-2558.6 Computation of revenue limits
2550.3 Attendance report by county superintendent
2550.4 Request for one-time base revenue limit adjustment
37201 School month
37223 Weekend classes
41601 Reports of average daily attendance
42238-42250.1 Apportionment Request for one-time base revenue limit adjustment
46000 Records (attendance)
46010-460154 Absences
46100-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children between ages of 6 and 18 years (compulsory full-time attendance)
48205 Absence for justifiable personal reasons
48240-48246 Supervisors of attendance
48260-48273 Truants
48292 Filing complaint against parent
48320-48324 School Attendance Review Boards
48340-483412.5 Improvement of pupil attendance
49067 Unexcused absences as cause of failing grade
49701 Provisions of the interstate compact on educational opportunities for military children

FAMILY CODE
6920-6929 Consent by minor
6920 Capacity of minor to consent
6921 Effect of minority of minor upon consent
6922 Conditions for consent of minor
6924 Mental health treatment or counseling services
6925 Prevention or treatment of pregnancy
6926 Diagnosis or treatment of infectious diseases
6927 Diagnosis or treatment of rape
6928 Diagnosis or treatment for sexual assault
6929 Diagnosis or treatment for alcohol or drug abuse

ELECTIONS CODE
12302 Student participation on precinct boards

VEHICLE CODE
13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE
601-601.4 Habitually truant minors
11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5
306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes

EDUCATION CODE
1740 Employment of personnel to supervise attendance (county superintendent)
37223 Weekend classes
41601 Reports of average daily attendance
46000 Records (attendance)
46010-46014 Absences
46110-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48240-48246 Supervisors of attendance
48260-48273 Truants
48290-48296 Failure to comply; complaints against parents
48320-48324 School attendance review boards
48340-48341 Improvement of student attendance
49067 Unexcused absences as cause of failing grade

ORANGE UNIFIED SCHOOL DISTRICT
Adopted: (4-94.9-97 5-07) 7-14

Orange, California
NEW

Chronic Absence and Truancy

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the District.

The Superintendent or designee shall establish a system to accurately track student attendance in order to identify individual students classified as chronic absentees and truants, as defined in law and administrative regulation.

The Superintendent or designee shall develop strategies that focus on prevention of attendance problems, which may include, but are not limited to, efforts to provide a safe and positive school environment, relevant and engaging learning experiences, school activities that help develop students' feelings of connectedness with the school, school-based health services, and incentives and rewards to recognize students who achieve excellent attendance or demonstrate significant improvement in attendance. The Superintendent or designee also shall develop strategies that enable early outreach to students as soon as they show signs of poor attendance.

The Superintendent or designee shall work with students, parents/guardians, school staff, and community agencies, as appropriate, to identify factors contributing to chronic absence and truancy. He/she also may collaborate with child welfare services, law enforcement, courts, public health care agencies, other government agencies, and/or medical, mental health, and oral health care providers to ensure that alternative educational programs and nutrition, health care, and other support services are available for students and families and to intervene as necessary when students have serious attendance problems.

Students who are identified as truants shall be subject to the interventions specified in law and administrative regulation.

A student's truancy, tardiness, or other absence from school shall not be the sole basis for his/her out-of-school suspension or expulsion. Alternative disciplinary strategies and positive reinforcement for attendance shall be used whenever possible.

The Superintendent or designee shall regularly analyze data on student absence to identify patterns of absence Districtwide and by school, grade level, and student population. Such data shall be used to identify common barriers to attendance, prioritize resources for intervention, and monitor progress over time. The Superintendent or designee shall periodically report this information to the Board for purposes of evaluating the
effectiveness of strategies implemented to reduce chronic absence and truancy and making changes as needed. As appropriate, the Superintendent or designee also shall provide this information to key school staff and community agency partners to engage them in program evaluation and improvement and in identification of how to best allocate available community resources.

School Attendance Review Board

In accordance with law and administrative regulation, habitual truants may be referred to a school attendance review board (SARB).

The Superintendent or designee shall appoint members of the District's SARB, who may include, but are not limited to, a parent/guardian as well as representatives of the District, county probation department, county welfare department, county office of education, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, school or county health care personnel, and school, county, or community mental health personnel. (Education Code 48321)

The District's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Legal Reference:
EDUCATION CODE
1740 Employment of personnel to supervise attendance (county superintendent)
37223 Weekend classes
41601 Reports of average daily attendance
46000 Records (attendance)
46010-46014 Absences
46110-46119 Attendance in kindergarten and elementary schools
46140-46147 Attendance in junior high and high schools
48200-48208 Children ages 6-18 (compulsory full-time attendance)
48225.5 Work permits, entertainment and allied industries
48240-48246 Supervisors of attendance
48260-48273 Truants
48290-48296 Failure to comply; complaints against parents
48320-48325 School attendance review boards
48340-48341 Improvement of student attendance
48400-48403 Compulsory continuation education
48900 Suspension and expulsion
49067 Unexcused absences as cause of failing grade
60901 Chronic absence
GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act
PENAL CODE
270.1 Chronic truancy; parent/guardian misdemeanor
272 Parent/guardian duty to supervise and control minor child; criminal liability for truancy
830.1 Peace officers

VEHICLE CODE
13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE
601-601.4 Habitually truant minors
11253.5 Compulsory school attendance

CODE OF REGULATIONS, TITLE 5
306 Explanation of absence
420-421 Record of verification of absence due to illness and other causes

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: 7-14
Students

Discipline

The Board of Education desires to prepare youth for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management, and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. (cf. 5020—Parent Rights and Responsibilities) (cf. 5137—Positive School Climate) (cf. 5143.3—Nondiscrimination/Harassment) (cf. 5145.9—Hate-Motivated Behavior) (cf. 6020—Parent Involvement)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules in accordance with law to meet the school's individual needs. (cf. 5131—Conduct) (cf. 5131.1—Bus Conduct)

The Board of Education is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

The Superintendent or designee shall design a complement of effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at District schools. The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of District discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the District's nondiscrimination policies.
District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety, and other local measures, shall be included in the District's local control and accountability plan, as required by law.

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in District schools in the immediately preceding school year and their effect on student learning.

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board Policy and Administrative Regulation. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. (cf. 0450 – Comprehensive Safety Plan) (cf. 3515 – Campus Security) (cf. 3515.3 – District Police/Security Department) (cf. 3515.4 – Recovery for Property Loss or Damage) (cf. 4158 – Employee Security) (cf. 5136 – Gangs) (cf. 5144.1 – Suspension and Expulsion/Due Process) (cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6164.5 – Student Study Teams) (cf. 6159.4 – Behavioral Interventions for Special Education Students) (cf. 6182 – Opportunity School/Class/Program) (cf. 6184 – Continuation Education) (cf. 6185 – Community Day School)

Staff shall enforce discipline rules fairly and consistently without discrimination. (cf. 0410 – Nondiscrimination in District Programs and Activities) (cf. 5145.3 – Nondiscrimination/ Harassment) The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques. (cf. 4131, cf. 4231, cf. 4331 – Staff Development)

Legal Reference:

**CIVIL CODE**
1714.1 Parental liability for child’s misconduct

**CODE OF REGULATIONS, TITLE 5**
307 Participation in school activities until departure of bus
353 Detention after school

**EDUCATION CODE**
32280-32288 School safety plans
35146 Closed sessions
35291 Rules
35291.5-35291.7 School-adopted discipline rules
35294-35294.9 School safety plans
37223 Weekend classes
44807.5 Restriction from recess
48630-48644.5 Opportunity schools
48900-489256 Suspension and expulsion
48980-48985 Notification of parents or guardians
49000-49001 Prohibition of corporal punishment
49330-49334 Injurious objects
52060-52077 Local control and accountability plan
CODE OF REGULATIONS, TITLE 5
307 Participation in school activities until departure of bus
353 Detention after school

Adopted: (4-94 9-03 6-07) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Students

Suspension and Expulsion/Due Process

The Board of Education has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction. (cf. 5144—Discipline)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion. (cf. 6245—Extracurricular and Co-curricular Activities)

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (E.C. 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student’s presence causes a continuing danger to him/herself or others. (E.C. 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in an administrative regulation.

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

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

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity
District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the District's nondiscrimination policies.

Appropriate Use of Suspension and Expulsion

Except when a student commits an act that violates Education Code 48900(a)-(e) or his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

Except when a student commits an act listed in Education Code 48915(c), the Superintendent or designee shall have the discretion to determine whether to recommend to the Board that the student be expelled.

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144 - Discipline. (Education Code 48900.5, 48900.6)

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

District staff shall not suspend any student for disruption or willful defiance, unless the suspension is warranted by documented repetitive behavior of the student or the disruption or willful defiance occurred in conjunction with another violation for which the student may be suspended.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to classroom or school removal.

Zero-Tolerance

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and requires that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy and administrative regulation as cause for suspension or expulsion.

The Superintendent or designee shall notify staff, students and parents/guardians about the District's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and
expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings and appeals as specified in law and administrative regulation. (E.C. 48911, 48915, 48915.5) (cf. 5119 – Students Expelled from other Districts) (cf. 5144.2 – Suspension and Expulsion/Due Process (Individuals with Disabilities))

**On-Campus Supervised Suspension Program Classroom**

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in their coursework. The Board believes that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee may establish a supervised in-house suspension program which meets the requirements of law for suspended students who pose no imminent danger or threat at school and for whom an expulsion action has not been initiated.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

**Required Removal from Class by a Teacher and Parental Attendance**

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents or guardians when behavior problems arise.

Whenever suspending a student is removed from a class because he/she committed for committing an obscene act, engaging engaged in habitual profanity or vulgarity, disrupting disrupted-school activities or otherwise willfully defied defying valid staff authority, the teacher of the class from
which the student was removed may provide require that the student's any parent/guardian who lives with the student to attend a portion of a school day in that class from which the student is being suspended, to assist in resolving the classroom behavior problems (Ed Code 48900.1). After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (E.C. 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior: the students behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law and that, if there are reasonable factors that may prevent the parent/guardian from complying with the requirement, he/she should contact the school. (Education Code 48900.1)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

At the meeting with the student's parent/guardian, the principal or designee shall explain the District's and school's discipline policies, including the disciplinary strategies that may be used to achieve proper student conduct.

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town or inability to get release time from work.

District regulations and school site rules for student discipline shall include procedures for implementing parental attendance requirements.

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by any method that maintains the confidentiality of the student's records.
District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

Decision Not to Enforce Expulsion Order

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law.

Upon voting to expel a student, the Board may suspend enforcement of the expulsion order pursuant to the requirements of law and administrative regulation. (Education Code 48917)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the District is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the District is meeting its goals for improving school climate as specified in its local control and accountability plan.

Legal Reference:

EDUCATION CODE
212.5 Sexual harassment
233 Hate violence reduction
1981 Enrollment of students
17292.5 Program for expelled students
32261 Interagency School Safety Demonstration Act of 1985
35145 Open Board Meetings
35146 Closed sessions (re suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48645.5 Readmission; contact with juvenile justice system
48660-48666 Community day schools
48853.5 Foster Youth
48900-48925 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
Privacy of student records

Local control and accountability plan

CIVIL CODE

47 Privileged communication
48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

14525 11455.20 Contempt
54950-54962 54963 Ralph M. Brown Act (re closed sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia
11053-1058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal defined
240 Assault defined
241.2 Assault fines
242 Battery defined
243.2 Battery fines
243.4 Sexual battery
245 Assault with deadly weapon

245.6 Hazing
261 Rape defined
266c Unlawful sexual intercourse
286 Sodomy defined
288 Lewd or lascivious acts with child under age 14
288a Oral copulation
289 Penetration of genital or anal openings
417.25-417.27 Laser see opposite pointers

422.55 Hate crime defined
422.6 Interference with civil rights; damaging property
422.7 Aggravating factors for punishment
422.75 Protected classes Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, knives, razors or stun guns
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

BP 5144.1(f)
Definitions, firearm

UNITED STATES CODE, TITLE 20
1415(K) Placement in alternative educational setting
7151 Gun-free schools

PUBLIC LAW 107-110
4141 Gun-free schools

Adopted: (2/98 2/99 11/01 9/03 6-07) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Students

Freedom of Speech/Expression

The Board Education believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues and support causes even when such speech is controversial or unpopular.

On-Campus Expression

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

Student expression on District or school Internet web sites and on-line media shall generally be afforded the same protections as print media.

Students' freedom of expression shall be limited only as allowed by Educational Code 48907, 48950, and other applicable state and federal laws, law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous or slanderous. Students also are prohibited from making any expressions that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

The use of "fighting words" or epithets is prohibited if in those instances where the speech is abusive and insulting rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents an actual danger that it will cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. (Education Code 48907)

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats or intimidation unless constitutionally protected. (Education Code 48950)
Off-Campus Expression

Off-campus student expression, including, but not limited to, student expression on off-campus Internet web sites, is generally outside the school's supervision and control, except when such expression poses a true threat to school property or to the safety of other students, teachers or staff. Conduct by a student outside of class which for any reason materially disrupts classwork or involves substantial disorder or invasion of the rights of others is not protected by the constitutional guarantee of free speech.

A student shall be subject to discipline for off-campus expression, including expression on off-campus Internet web sites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

Legal Reference:
EDUCATION CODE
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
51520 Prohibited solicitations on school premises
UNITED STATES CODE, TITLE 20
4071-4074 Equal Access Act

Adopted: (7-88 4-94 9-97 6-07) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Students

Nondiscrimination/Harassment

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, mental or physical disability, religion, age, marital or parental status, sex, sexual orientation, gender, gender identity, or gender expression (including gender identity, gender expression, gender transition, transgender status, and nonconformity with sex stereotypes); the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a District school. (Education Code 234.1)

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal; or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the District's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees.

He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the District's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

The Superintendent or designee shall provide age-appropriate training and information on the scope to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the District's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.
In providing instruction, guidance, supervision, or other services to District students, employees and volunteers shall carefully guard against segregating or stereotyping students.

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, discipline, up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

Grievance Procedures

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the District's nondiscrimination policies:

Assistant-Superintendent Deputy Superintendent, Educational Services
1401 N. Handy Street
Orange, CA 92867
714-628-4466

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to the Coordinator or principal, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator or designee shall immediately investigate the complaint in accordance with the site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

Within 30 days of receiving the District's report, the complainant may appeal to the Superintendent if he/she disagrees with the resolution of the complaint.

The Superintendent or designee shall ensure that the student handbook clearly describes the District's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment,
intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The District's policy shall also be posted on the District web site or any other location that is easily accessible to students.

When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats, or harassment, or intimidation
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51006-51007 Equitable access to technological education programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials
CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor
PENAL CODE
422.55 Definition of hate crimes
422.6 Prohibition of hate crimes
CODE OF REGULATIONS, TITLE 5
432 Student Record
4600 - 4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in Elementary and Secondary Educational Programs
UNITED STATES CODE, TITLE 20
1681 - 1688 Title IX, Education Act Amendments of 1972
UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000e-17 d-7 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
Code of Federal Regulations, Title 34
100.3 Prohibition of discrimination on the basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
106.31 Prohibition of discrimination on the basis of sex

Adopted: (7-88 4-94 7-96 6-04 6-07 8-12) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Students

Married/Pregnant/Parenting Students

Married, pregnant, and parenting students in the District shall have the same educational opportunities as all students.

For school-related purposes, married students under the age of eighteen (18) are emancipated minors and have all the rights and privileges of a student who is 18, even if the marriage has been dissolved.

The Board believes that pregnancy and parenting should not be a barrier to education or a reason for dropping out of school. Rather than ending the teenager’s need for education, pregnancy and parenting increase the need to cope with adult responsibilities and to prepare for an economically self-sufficient future.

The instructional program provided for pregnant students shall be determined on a case-by-case basis and shall be appropriate to the student’s individual needs. The student may continue attending school in the regular classroom setting, may attend a separate program established for pregnant students, or may pursue a home-schooling or independent study program. The District shall coordinate transportation and scheduling so that students may attend their regular classes for part of the day and specialized classes for the remainder. When selecting the program to be followed, the student shall be encouraged to consult with her spouse or parent or guardian, her physician, and appropriate District medical and educational advisors. (cf. 6158—Independent Study) (6173—Home/Hospital Instruction)

Pregnant or lactating students shall qualify for nutrition program supplements as provided under Education Code Section 49559(b). All applications and eligibility records concerning these supplements shall be confidential. (E.C. 49558)

After the birth of her baby, the student may:

1. Return to regular high school or middle school classes.
2. Remain in an alternative program.
3. Attend continuation high school or adult education classes.
4. Request exemption from attendance because of personal services that must be rendered to a dependent. (E.C. 48410(e))

The Board of Education recognizes that early marriage, pregnancy, or parenting may disrupt a student’s education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.
BP 5146(b)

The District shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other District students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of District strategies to support married, pregnant, and parenting students, which may include data on participation rates in District programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on District programs and services.

Pregnant Minors Program Pregnant and Parenting Students

The Board recognizes that pregnant minors may derive great benefit from a specialized program that supplements academic courses with practical instruction geared to their specific needs. In addition to providing psychological support, this program may include instruction in health, prenatal and postnatal care, preparation for childbirth and parenting, home economics, consumer education, child development, money management, and employable skills.

The District's program for pregnant minors shall:

1. Identify program goals, student needs, and community resources.
2. Provide an academic program which gives equal educational opportunities to pregnant minors.
3. Maintain a program advisory council to advise the Superintendent in implementation of the program.
4. Provide student referral, placement, and transition procedures for students who have not completed graduation requirements at the end of their program eligibility.
5. Have available a program expenditure budget, approved by the Board and County Board of Education, which justifies its funding request.

Written notice shall be provided to each pregnant minor's parent or guardian describing the program plan for the enrolled student. If the student is married or legally emancipated, this notice is not required.
Any student is eligible for participation in the program if she has not graduated from high school and has a written pregnancy verification from a licensed physician. A doctor's statement that the student is receiving prenatal care must be obtained by the Superintendent or designee within sixty (60) days after placement in the program. All further eligibility considerations shall comply with Title 5, 11829.

Wherever possible, program staff shall work closely with the pregnant student's spouse and/or parents or guardians and shall collaborate with local public and private agencies in order to expand the student's learning opportunities and support system.

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

When necessary, the District shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

A student may be required, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by the District to provide such certification. (34 CFR 106.40)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

A pregnant or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)
Legal Reference:

EDUCATION CODE
230  Sex discrimination
8200-8498 Child Care and Development Services Act
48205  Excused absences
48220  Compulsory education requirement
2551.3  Determination of state aid for pregnant minors program
8900-8901  Pregnant minors program
48410(c)  Persons exempted from continuation classes
49558  Confidentiality of applications and records
49559  Reimbursement rates; qualifications of pregnant or lactating

FAMILY CODE
7002  Description of emancipated minor

HEALTH AND SAFETY CODE
104460  Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5
1820 et seq.  Pregnant minor program
4600-4687  Uniform complaint procedures
4950  Nondiscrimination, marital and parental status
49553  Nutrition supplements for pregnant/lactating students
51220.5  Parenting skills and education
51745  Independent study
52610.5  Enrollment of pregnant and parenting students in adult education
54740-54749  Cal-SAFE program for pregnant/parenting students and their children

CODE OF REGULATIONS, TITLE 22
101151-101239.2  General licensing requirements for child care centers
101351-101439.1  Infant care centers

UNITED STATES CODE, TITLE 20
1681-1688  Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42
1786  Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7
246.1-246.28  Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34
106.40  Marital or parental status

CIVIL CODE
62  Description of emancipated minor
63  Considered over age of majority for certain purposes

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (4-94) 7-14

Orange, California
Students

Hate-Motivated Behavior

In order to create a safe learning environment for all students, the Governing Board desires to protect the right of every student to be free from hate-motivated behavior and will promote harmonious relationships among students so as to enable them to gain a true understanding of the civil rights and social responsibilities of people in society. The District prohibits discriminatory behavior or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.

California Association of Human Relations Organizations conducts activities designed to protect human and civil rights through networks of collaborations that reduce community tension and build intergroup relationships.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of District and community resources.

Any student who believes he/she is a victim of hate-motivated behavior shall immediately contact the Principal. Upon receiving such a complaint, the Principal shall immediately investigate the complaint in accordance with school-level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be subject to discipline in accordance with law, Board policy, and administrative regulation.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the Principal, Superintendent or designee, and/or law enforcement, as appropriate.

As necessary, the District shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination
32282 School safety plans
48900.3 Suspension for hate violence
48900.4 Suspension or expulsion for threats or harassment
PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: 7-14
Students

Dropout Prevention

The Governing Board recognizes that regular school attendance is critical to student learning and achievement. The Board desires to provide a learning environment that engages students, helps them become self-motivated, encourages regular attendance, and enables them to meet district standards and to graduate.

The Superintendent or designee shall develop strategies to identify and serve students at all grade levels who are at risk of dropping out of school. Students may be identified on the basis of indicators such as frequent absenteeism, truancy, or tardiness; below-grade-level achievement; or personal, social, health, or economic concerns that may make a student more likely to drop out of school.

Legal Reference:
EDUCATION CODE
35160 Authority of governing board
41505-41508 Pupil Retention Block Grant
48400-48403 Compulsory continuation education
48430-48438 Continuation education
48660-48666 Community day schools
51745-51749.3 Independent study
52300-52334 Regional Occupational Centers
52890 Qualifications and duties of outreach consultants
54690-54697 Partnership academies
64000-64001 Single plan for student achievement
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
52014 Inclusion of activities in plan
52015 Components of plan
52900-52904 Alternative education and work centers for school dropouts
54660-54669 Elementary and Secondary School Dropout Prevention Act
54720-54735 School-based pupil motivation and maintenance program
58550-58562 Educational clinics
UNITED STATES CODE, TITLE 20
6301-6322 Title I programs

Adopted: 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Transitional Kindergarten

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

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

The Board encourages ongoing collaboration among District preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.

Eligibility

The District's transitional kindergarten program shall admit children whose fifth birthday lies between: (Education Code 48000)

- September 2 and December 2 in the 2014-15 school year and each school year thereafter

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

Curriculum and Instruction

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

Upon recommendation by the Superintendent or designee, the Board shall approve academic standards for transitional kindergarten that bridge preschool learning foundations and kindergarten standards. Such standards shall be designed to facilitate students' development in essential skills which may include, as appropriate, language and literacy, mathematics, physical development, the arts, science, social sciences, English language development, and social-emotional development.

The number of instructional minutes offered in transitional kindergarten shall be the same as that required for the District's kindergarten program.
Staffing

Teachers assigned to teach in transitional kindergarten classes shall possess a teaching credential or permit that authorizes instruction at the kindergarten grade level.

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

Continuation to Kindergarten

Students who complete the transitional kindergarten program shall continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed parental permission form for kindergarten attendance.

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

Program Evaluation

The Superintendent or designee shall develop or identify appropriate assessments of transitional kindergarten students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.

Legal Reference:
EDUCATION CODE
8973 Extended-day kindergarten
44258.9 Assignment monitoring by county office of education
46111 Kindergarten, hours of attendance
46114-46119 Minimum school day, kindergarten
46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
48000 Minimum age of admission (kindergarten)
48002 Evidence of minimum age required to enter kindergarten or first grade
48200 Compulsory education, starting at age six
60605.8 Academic Content Standards Commission, development of Common Core Standards

Adopted: 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
TOPIC: BOARD OF EDUCATION: PROPOSED REVISIONS TO BOARD POLICIES AND BYLAWS – SECOND READING

DESCRIPTION: The District’s Board policies are reviewed and updated periodically as new state and federal laws and regulations are enacted.

The following Board Policy and Bylaws were presented for a first reading at the July 24th meeting. Tonight they are brought back for a second reading.

- BP 1160 Political Processes
- BB 9005 Governance Standard and Censure Policy and Procedure
- BB 9010 Public Statements
- BB/E 9250 Remuneration, Reimbursement and Other Benefits (New Exhibit)
- BB 9270 Conflict of Interest
- BB 9324 Minutes and Recordings

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education receive the proposed Board Policy and Bylaw revisions for a second reading.
Community Relations  

Political Processes

State and Federal Legislation

The Board of Education has a responsibility to advocate good fiscal and public policy that supports the District's schools and the children in the community. This responsibility may include lobbying at the state and national levels and informing members of the community about these activities.

The Board shall identify issues that will affect its schools and the children in its community, establish goals and priorities for legislative advocacy, solicit community input and adopt legislative positions. The Superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities and time-lines.

The Board may participate with other groups in promoting or opposing proposed legislation. The Board also may provide members of the community with information which may help them communicate with their legislators about educational needs. (cf. 1020—Youth Services)

The Board of Education has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

Statewide and Local Election Measures

The District may investigate ballot measures that affect the schools and may furnish students, parents/guardians and community members with objective, relevant factual information about the impact of ballot measures on the District.

The Board may also adopt a position in support of or in opposition to ballot measures of importance to education. Any Board discussion of the effect of such measures on the District shall include an opportunity for Board members and members of the public to speak on all sides of the issue. The District shall not spend public funds to influence the outcome of ballot measures or to disseminate Board positions for campaign purposes.

Ballot Measures/Candidates

No District funds, services, supplies or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)
The Board may discuss and study the potential effect of proposed or qualified ballot measures on the District's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use District resources to provide students, parents/guardians and community members with fair, impartial and factual information related to ballot measures, including factual information about the impact of ballot measures on the District. (Education Code 7054)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature or to purchase advertisements, bumper stickers, posters or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

Political activity related to District bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a District bond measure or other initiative for the ballot, but shall not use District resources to influence voters or otherwise campaign for the measure.

2. Upon request, Board members and District administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

   If the presentation occurs during working hours, the employee representing the District shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)
Legislation

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

In order to strengthen legislative advocacy efforts, the District may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The District may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the District.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

Legal Advocacy

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the District may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

Political Forums

Forums on political issues may be held in District facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

Local-School-District Measures

The Board or its representative may prepare or disseminate information or make public or private appearances or statements urging the passage or defeat of any local District-school measure, including the issuance of school bonds; an increase in the maximum tax rate; or the acceptance, expenditure and repayment of state funds to construct facilities.
No District funds, services, supplies or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

Legal Reference:
EDUCATION CODE
7054 Use of District property
7054.1 Requested appearance
7055 Local rules
7056 Soliciting or receiving political funds
7058 Use of forum
35160 Authority of governing boards
35160.1 Broad authority of school Districts
35172 Promotional activities
GOVERNMENT CODE
50023 Attending legislature to support or oppose legislation
53060.5 Attendance at legislative body; expenses
54953.5 Right to record proceedings
54953.6 Broadcasts of proceedings
81000-91015 Political Reform Act

EDUCATION CODE
7050-7058 Political activities of school officers and employees, including:
7054 Use of district property
7054.1 Requested appearance
7056 Soliciting or receiving political funds
35160 Authority of governing boards
35172 Promotional activities
ELECTIONS CODE
9501 School district elections, arguments for or against a measure
GOVERNMENT CODE
8314 Unlawful use of state resources
53060.5 Attendance at legislative body; expenses
54953.5 Right to record proceedings
54953.6 Broadcasts of proceedings
81000-91015 Political Reform Act, including:
82031 Definition of independent expenditure
CODE OF REGULATIONS, TITLE 2
18600-18640 Lobbyists
18901.1 Campaign related mailings sent at public expense

Adopted: (9-93 7-96 10-05) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Bylaws of the Board

Governance Standard and Censure Policy and Procedure

The Board of Education believes that its primary responsibility is to act in the best interests of every student in the District. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the District. To maximize Board effectiveness and public confidence in District governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff
8. Understand that authority rests with the Board as a whole and not with individuals

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the District focused on learning and achievement for all students
2. Communicate a common vision
3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect
5. Govern within Board-adopted policies and procedures
6. Take collective responsibility for the Board's performance
7. Periodically evaluate the Board's effectiveness
8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations
9. Consistent with Board authority resting with the Board as a whole, members of the Board shall not use District or Board stationery to communicate on any issue that has not been approved and/or authorized by the Board. The sole exception to this restriction shall be limited to letters of recommendation on behalf of current or former employees or students of the District.

ETHICS POLICY STATEMENT

This Ethics Policy Statement ("Statement") provides general guidelines for the Board of Education to follow while carrying out their roles. Not all ethics issues that Board members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Board members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Board members are expected to strictly adhere to the provisions of this Ethics Policy.

Conflict of Interest
A Board member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the Board member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

Outside Employment
A Board member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds or (2) any construction project. A Board member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the Board member has an agreement concerning current or future employment, or remuneration of any kind.
Commitment to Uphold Law

A Board member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Orange Unified School District.

Commitment to District

A Board member shall place the interests of the District above any personal or business interest of the member.

Censure Policy and Procedure

Background

The Board of Education of the Orange Unified School District has a strong commitment to ethics. The public expects and must receive the highest standards of ethics from all of those in public service. In order to be able to enforce conformance to its ethical policies, the Board of Education must have a procedure by which it can censure its own members for violation of its policies or bylaws of the Board of Education.

Purpose

This Policy and Procedure is intended to provide the mechanism by which the Board of Education, acting as a whole, can discipline and punish any of its members who violate state or federal laws applicable to the District or for violation of the Board Policies or Bylaws of the Board of Education.

Policy

It is the Policy of the Board of Education that all of its members shall abide by federal and state law that are applicable to members of the Board of Education, as well as to Board Policies or Bylaws. Violation of such laws, policies, or bylaws tends to injure the good name of the District and undermine the effectiveness of the Board of Education as a whole. Such conduct is deemed to be a dereliction of duty.

Censure is a formal resolution of the Board of Education officially reprimanding one of its members. Censure is an appropriate punitive measure when the violation of law or policy is deemed by the Board of Education to be a serious offense.

In order to protect the overriding principle of freedom of speech, the Board of Education shall not impose "censure" on any of its members for the exercise of his or her First Amendment rights no matter how distasteful the expression was to the District and Board of Education.

In order to ensure the right to a fair jury trial, the Board of Education shall not impose "censure" on any of its members for the violation of any law while criminal charges are pending.
However, when the criminal proceedings are final, the Board of Education need not be bound by the conclusions of the Court and may hold a "censure" hearing.

Procedure

1. A request for a "censure" hearing must be submitted to the Superintendent in writing by no less than two nor more than three members of the Board of Education. The request must contain the specific charge(s) on which the proposed censure is based and the written material(s) which are the basis for the charge(s).

2. A copy of the request for censure and the charge(s) shall be sent by the Superintendent’s office to all the members of the Board of Education at least five (5) business days prior the Board of Education meeting at which it will be considered. The request and charge(s) shall be agendized in accordance with the Brown Act for the meeting of the Board of Education.

3. The Board of Education shall determine that either:
   a. Further investigation of the charges is required; or
   b. The matter is to be set for public hearing; or
   c. No action is required.

4. Further investigation, if required, shall be done by an ad hoc Committee appointed by the Board President. If the Board President is the subject of the request, the Committee shall be formed by the Board Vice-Board President.

5. If the matter is set for public hearing, it must be set no sooner than the next regularly scheduled Board meeting following the Board’s determination under Section 3 of these procedures in order to give the accused member adequate time to prepare a defense.

6. At the public hearing, the member of the Board of Education subject to the request shall be given the opportunity to respond to the request and to provide the Board of Education information and material(s) relevant to the charge(s). The proponents of the request may also respond to the presentation and members of the Board of Education may ask questions pertaining to the matter at hand. The member subject to the charge(s) may be represented at his or her own personal expense and may have the representative speak on his or her behalf.

7. A decision to censure requires the adoption of a Resolution making findings with regard to the specific charge(s), based on substantial evidence, and approved by a two-thirds vote of the Board of Education.

Legal reference next page
Legal Reference:
EDUCATION CODE
35010  Power of governing board to adopt rules for its own governance
35160  Board authority to act in any manner not conflicting with law
35164  Actions by majority vote
GOVERNMENT CODE
1090  Financial interest in contract
1098  Disclosure of confidential information
1125-1129  Incompatible activities
54950-54963  The Ralph M. Brown Act
87300-87313  Conflict of interest code

Adopted: (12-05) 7-14

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
Bylaws of the Board

Public Statements

The Board of Education recognizes the rights of Board members to freely express their views and encourages open discussion of issues during the Board meeting. The Board believes that effective Board members have a responsibility to express themselves, whether in agreement or disagreement with the Board majority, in ways that promote the Board's ability to govern the District.

The Board of Education recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the District, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding District issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

All public statements in the name authorized to be made on behalf of the Board of Education shall be issued made by the Board President or, if appropriate, by the Superintendent or designee at the direction of the Board President. No individual Board member shall make public statements in the name of the Board.

When speaking for the District, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

Before voting on any issue, all Board members shall be encouraged to present whatever evidence they may feel important to the matter at hand. The Board shall fully consider the implications and relevancy of all information so presented. All opinions, reactions and positions shall be openly discussed, so that each member may understand all aspects of the issue before the Board makes its decision. Any Board member who may wish to criticize or oppose any specific Board action should do so during the Board meeting.

When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

Once a Board decision has been reached, all Board members shall abide by that decision until it is amended or rescinded by subsequent Board action. When Board members express their opinions
outside of the Board meeting, it is their responsibility to respect the democratic nature of Board decision-making and always identify personal viewpoints as such.

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for District students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

Legal Reference:
EDUCATION CODE
35010 Control of District; prescription and enforcement of rules
GOVERNMENT CODE
6250-6270 California Public Records Act
54960 Actions to stop or prevent violation of meeting provisions
54963 Confidential information in closed session

ORANGE UNIFIED SCHOOL DISTRICT
Adopted: (7-88 10-92 7-96 12-05) 7-14 Orange, California
Bylaws of the Board

Remuneration, Reimbursement and Other Benefits

Remuneration

Each member of the Board of Education may receive the maximum monthly compensation as provided for in law.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (E.C. 35120)

Members may be paid for meetings missed when the Board, by resolution, finds that they were performing designated services for the District at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Education Code 35120)

In order to receive compensation for attending any Board meeting, Board members shall be present for any part of the meeting.

Reimbursement of Expenses

Board members shall be reimbursed for travel expenses incurred when so authorized in advance by the Board. (E.C. 35044) The rate of reimbursement shall be the same rate specified for District personnel.

Health and Welfare Benefits

Members of the Board of Education may participate in the health and welfare benefits program provided for District employees.

Health and welfare benefits for Board members shall be no greater than that received by District's non-safety employees with the most generous schedule of benefits. (Government Code 53208.5)

The District shall pay the cost of all premiums required for Board members electing to participate in the District health and welfare benefits program to the same extent that the District pays premiums for District staff in accordance with Government Code 53208.5.
Health and welfare benefits provided to Board members shall be extended at the same level to their spouses, dependent children under the age of 21, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.

Legal Reference:
EDUCATION CODE
1090 Compensation for members and mileage allowance
33362 Reimbursement of expenses (Department of Education and CSBA workshops)
35012 Board members; number, election and term
35044 Payment of traveling expenses of representatives of board
35120 Compensation (services as member of governing board)
35172 Promotional activities
44038 Cash deposits for transportation purchased on credit
GOVERNMENT CODE
53200-53209 Group insurance
UNITED STATES CODE, TITLE 26
403(b) Tax-sheltered annuities

Adopted: (7-88 5-89 6-90 10-92 12-05) 4-12

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California
RESOLUTION ON BOARD COMPENSATION FOR MISSED MEETINGS

WHEREAS, the Board Education of the Orange Unified School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that (name of Board member) did not attend the Board meeting(s) on (dates) for the following reason(s): (check applicable reasons)

[ ] Performance of other designated duties for the district during the time of the meeting
[ ] Illness or jury duty
[ ] Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the Orange Unified School District approves full compensation of the Board member for the month of _____.

PASSED AND ADOPTED THIS _____ day of __________, ______ at a regular meeting, by the following vote:

AYES:_____ NOES:_____ ABSENT:_____

Attest:

__________________________  __________________________
Secretary                                          President

ORANGE UNIFIED SCHOOL DISTRICT
Orange, California

Adopted: NEW
Bylaws of the Board

Conflict of Interest

The Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the District and the public. In accordance with law, Board members and designated employees shall disclose any conflict of interest and, as necessary, shall abstain from participating in the decision.

The Board shall adopt a resolution that specifies the terms of the District's conflict of interest code, the District's designated positions, and the disclosure categories required for each position.

Upon direction by the code reviewing body, the Board shall review the District's conflict of interest code and submit any changes to the code reviewing body.

When a change in the District's conflict of interest code is necessitated due to changed circumstances, such as the creation of new designated positions, changes to the duties assigned to existing positions, amendments, or revisions, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the District's conflict of interest code, the Superintendent or designee shall provide officers, employees, consultants, and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Board members and designated employees shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the District's conflict of interest code. Completed Form 700s are available in the Superintendent's Office or at the County of Orange in the Office of the Clerk of the Board. A Board member who leaves office or a designated employee who leaves District employment shall, within 30 days, file a revised statement covering the period of time between the closing date of the last statement and the date of leaving office or District employment. (Government Code 87302, 87500)

Conflict of Interest under the Political Reform Act

A Board member or designated employee shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the Board member's or designated employee's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the Board member's or designated employee's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)
A Board member or designated employee makes a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the District to any course of action, or enters into any contractual agreement on behalf of the District. (2 CCR 18702.1)

A Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the Board shall abstain from voting on the matter. He/she may remain on the dais, but his/her presence shall not be counted towards achieving a quorum for that matter. A Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18702.1)

**Additional Requirements for Boards that Manage Public Investments**

A Board member who manages public investments pursuant to Government Code 87200 and who has a financial interest in a decision shall, upon identifying a conflict or potential conflict of interest and immediately prior to the consideration of the matter, do all of the following: (Government Code 87105; 2 CCR 18702.5)

1. Publicly identify each financial interest that gives rise to the conflict or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

2. Recuse himself/herself from discussing and voting on the matter, or otherwise acting in violation of Government Code 87100. The Board member shall not be counted toward achieving a quorum while the item is discussed.

   However, the Board member may speak on the issue during the time that the general public speaks on it and may leave the dais to speak from the same area as members of the public. He/she may listen to the public discussion of the matter with members of the public.

3. Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters.

   If the item is on the consent calendar, the Board member must recuse himself/herself from discussing or voting on that matter, but the Board member is not required to leave the room during consideration of the consent calendar.

4. If the Board's decision is made during closed session, disclose his/her interest orally during the open session preceding the closed session. This disclosure shall be limited to a declaration that his/her recusal is because of a conflict of interest pursuant to Government Code 87100. He/she shall not be present when the item is considered in closed session and shall not knowingly obtain or review a recording or any other nonpublic information regarding the Board's decision.
Conflict of Interest under Government Code 1090

Board members, employees, or District consultants shall not be financially interested in any contract made by the Board on behalf of the District, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If a Board member has such a financial interest, the District is barred from entering into the contract. (Government Code 1090; Klistoff v. Superior Court, (2007) 157 Cal.App. 4th 469)

A Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5. One such noninterest is when a Board member's spouse/registered domestic partner has been a District employee for at least one year prior to the Board member's election or appointment. (Government Code 1091.5)

A Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract. (Government Code 1091)

Even if there is not a prohibited conflict of interest, a Board member shall abstain from voting on personnel matters that uniquely affect his/her relatives. However, a Board member may vote on collective bargaining agreements and personnel matters that affect a class of employees to which his/her relative belongs. Relative means an adult who is related to the Board member by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Common Law Doctrine against Conflict of Interest

A Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

Rule of Necessity or Legally Required Participation

On a case-by-case basis and upon advice of legal counsel, a Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18708.
Incompatible Offices and Activities

Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or imimical to the Board member's duties as an officer of the District. (Government Code 1099, 1126)

Gifts

Board members and designated employees may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees. (Government Code 89506)

Honoraria

Board members and designated employees shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches

2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income for tax purposes

Legal reference next page
Legal Reference:
EDUCATION CODE
1006 Qualifications for holding office
35107 School District employees
35230-35240 Corrupt practices, especially:
35233 Prohibitions applicable to members of governing boards
41000-41003 Moneys received by school Districts
FAMILY CODE
297.5 Rights, protections, and benefits of registered domestic partners
GOVERNMENT CODE
1090-1099 Prohibitions applicable to specified officers
1125-1129 Incompatible activities
81000-91014 Political Reform Act of 1974, especially:
82011 Code reviewing body
87100-87103.6 General prohibitions
87200-87210 Disclosure
87300-87313 Conflict of interest code
87500 Statements of economic interests
89501-89503 Honoraria and gifts
91000-91014 Enforcement
PENAL CODE
85-88 Bribes
CODE OF REGULATIONS, TITLE 2
18110-18997 Regulations of the Fair Political Practices Commission, especially:
18702.5 Public identification of a conflict of interest for Section 87200 filers
Bylaws of the Board

Minutes and Recordings

The Board of Education recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by District staff and the public. Accurate minutes also help foster public trust that in Board actions are occurring in public in accordance with law. The secretary of the Board shall keep minutes and record all official Board actions of the Board of Education. The Board's minutes shall be public records and shall be made available to the public upon request. (Education Code 35145, 35163)

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

The minutes shall include the specific language of each motion, the names of Board members who made and seconded the motion, and the individual votes of each member, unless the action was unanimous.

The minutes shall include the specific language of each motion and the names of the Board members who made and seconded the motion.

The minutes shall also report any action taken and the vote or abstention on that action of each member present. (Government Code 54953)

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. At the next meeting, The Board shall approve the minutes as circulated or with necessary amendments.

When a roll call vote is taken, the names and votes of each member shall be listed. Motions or resolutions shall be recorded as having passed or failed. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

The minutes shall record which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

Official Board minutes, recordings shall be stored in a secure location and shall be retained in accordance with law.
Any minutes or recordings kept for Board meetings held in closed session shall be kept separate from the minutes or recordings of the regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

**Recording or Broadcasting of Meetings**

The District may tape, film, or broadcast any open Board meeting. The Board president shall announce that a recording or broadcasting is being made at the beginning of the meeting and, as practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any District recording may be erased or destroyed 30 days after the meeting. Recordings made during a meeting are public records and, upon request, shall be made available for inspection by members of the public on District equipment without charge. (Government Code 54953.5) Recordings made during closed sessions are not public records.

**Legal Reference:**

- **EDUCATION CODE**
  - 35145 Public meetings
  - 35163 Official actions, minutes and journal
  - 35164 Vote requirements
- **GOVERNMENT CODE**
  - 54952.2 Meeting defined
- **54953 Meetings**
  - 54953.5 Audio or video recording of proceedings
  - 54953.6 Broadcasting of proceedings
  - 54957.2 Closed sessions; clerk; minute book
  - 54960 Violations and remedies
- **CODE OF REGULATIONS, TITLE 5**
  - 16020-16027 Classification and retention of records
- **PENAL CODE**
  - 632 Unlawful to intentionally record a confidential communication without consent

**Adopted:** (7-88 10-92 7-96 12-05 4-12) 7-14

**ORANGE UNIFIED SCHOOL DISTRICT**
Orange, California
CONSENT ITEMS

Routine items acted upon in one motion unless pulled for discussion and separate action.
TOPIC: GIFTS

DESCRIPTION: The following item was donated to the District for use as indicated.

- 20-Foot Sea Container to Richland High School donated by Joe Cisneros

FISCAL IMPACT: No fiscal impact

RECOMMENDATION: It is recommended the Board of Education accept this donation and that a letter of appreciation be forwarded to the benefactor.

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
PURCHASE ORDERS LIST

Purchase orders and change orders have been processed in accordance with the rules and regulations of the Board of Education and applicable legal requirements of the State of California.

District procedures and computer system controls require that an approved purchase order, pay voucher, current liability, or credit memo exist on the District's computer system prior to the issuance of warrants. There may be multiple warrants drawn against a given purchase order, up to the maximum amount for that purchase order. The system restricts the processing of payment amounts in excess of the issued purchase order.

It should be noted that the purchase order system allows for a one-line description of the services or items to be procured. The issued purchase order forms a contract between the District and the vendor.

FISCAL IMPACT: $6,358,526.25

RECOMMENDATION: It is recommended that the Board of Education approve the final Purchase Order List for June 30, 2014 in the amount of $122,684.94 and the Purchase Order List dated July 2 through July 20, 2014 in the amount of $6,235,841.31.

This is to certify that this item was approved by the Board of Education.

[Signature]
Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
WARRANTS LIST

DESCRIPTION: Warrants have been processed in accordance with the rules and regulations of the Board of Education and applicable legal requirements of the State of California and the Orange County Department of Education.

District procedures and computer system controls require that an approved purchase order, pay voucher, current liability or credit memo exist in the District's computer system prior to the issuance of warrants. There may be multiple warrants drawn against a given purchase order, up to the maximum amount for that purchase order. The processing of the warrant is in compliance with the contractual agreement that has been formed by the issuance of the purchase order.

FISCAL IMPACT: $4,697,841.85

RECOMMENDATION: It is recommended that the Board of Education approve the Warrants List dated July 1 through July 20, 2014 in the amount of $4,697,841.85

[Signature]
Michael L. O'Krisjensen
Superintendent and Secretary
Orange Unified School District
TOPIC:

DESCRIPTION:

CSM E-RATE CONSULTING SERVICES

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

JOHNSON-FRANK AND ASSOCIATES

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

PCS REVENUE SYSTEMS

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

CONTRACT SERVICES REPORT – BUSINESS SERVICES

The following is a report of contract services items for Business Services.

The Federal Telecommunications Act of 1996 (commonly known as “E-Rate”) is a funding program established by Congress which grants awards to schools and libraries in the form of subsidies for the purpose of providing telecommunications services. The District has participated in the Federal E-Rate program for the past several years. Due to the complexity of the program and the ever-changing regulations, the District has a need to help maximize the benefits of the Federal E-Rate program as well as prepare and provide any appeals appropriate to submit to the Universal Service Administrative Company (USAC). The potential revenue the District will receive in the form of telecommunications services and equipment is approximately $2,237,000.

General Fund

01.0000-0-5850-0000-7300-401-401-000

$52,000

(Lin)

The District is in need of a firm to provide surveying services. In order to meet the needs of the District, Johnson-Frank and Associates will conduct surveys and prepare associated plats or maps of a professional quality, appropriately uniform, complete and accurate. Additional services will include, but not be limited to, records research, locating monuments, possession or lines that control the boundaries of the property, lines of possession which may include buildings, easements, servitudes, and right of way.

Special Reserve/Capital Projects…not-to-exceed… ....$35,000

40.00-xxxx-0-6240-9520-8500-xxx-416-000

(Sorrera)

PCS REVENUE is a software system utilized by the Nutrition Services Department in each of the 40 Kitchen locations and Nutrition Service office. This software includes RIGHTTRAK POS & Meal Accountability processing in conjunction with the cash drawers, touch screens, and other applicable equipment. The service contract covers the time period through June 30, 2015.

Fund 13

$20,000

13.00-5310-0-5843-0000-3700-XXX-423-000

(Reeves)
STATE OF CALIFORNIA, DEPARTMENT OF GENERAL SERVICES

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Public Contract Code Section 20118 allows school districts the opportunity to utilize competitively bid contracts from other public agencies. The State of California, Department of General Services (DGS) Procurement Division Contract Nos. 1-14-23-10 (A-G), 1-14-23-20 (A-G) and 1-14-23-23 (A-G), allows for the procurement of cars, trucks, vans, and sport utility vehicles which are available for use to all public agencies. Staff has determined it is in the best interest of the District to utilize these contracts when needed. Therefore, it is recommended the Board of Education approve the use of the above listed contracts through February 2, 2016. This is not a request for any additional budgetary appropriation. (L. Davis)

ZONAR SYSTEMS

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Zonar Systems helps the District school buses and other fleet vehicles improve efficiency, regulatory compliance, and increase safety. Real-time data utilizing GPS tracking allows for path reports, idle time monitoring, speeding alerts, and other useful reporting. Therefore, it is recommended the Board of Education approve entering into a three-year service agreement with Zonar Systems, at $60,000 per year, for the period of July 1, 2014 through June 30, 2017. General Fund........not-to-exceed..................$180,000 01.00-0230-0-5843-9601-3600-414-410-000 (McDonald)

FISCAL IMPACT:

$287,000

RECOMMENDATION:

It is recommended that the Board of Education approve the Contract Services Report – Business Services as presented.
ACCEPTANCE OF COMPLETED CONTRACT(S) AND FILING OF NOTICE(S) OF COMPLETION

The contract(s) listed below have been completed and require acceptance by the Board of Education prior to filing of appropriate notice(s) of completion:

Bid No. 653: Exterior Painting/ Serrano Elementary School
Project(s): Serrano Elementary School
Board Approval: June 5, 2014
Original Purchase Order: 144464
Completion Date: July 16, 2014
Contractor: Alpha Décor & Painting, Inc.
Original Project Amount: $29,000.00
Change Order(s) Amount: - 0 -
Total Project Amount: $29,000.00
Fund(s): Deferred Maintenance Fund (14)

In accordance with Public Contract Code Section 7107, the final payment of the five percent (5%) retention based on the value of the work done under these agreements shall be made thirty-five (35) days after recording by the District of the Notice(s) of Completion at the County of Orange Recorder's Office.

FISCAL IMPACT: No additional fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education accept the above contract(s) as complete and authorize staff to file appropriate notice(s) of completion.
OUT-OF-STATE CONFERENCE REQUEST

CASTO School Business Management Forum – South Lake Tahoe, CA – October 8-10, 2014
Pam McDonald, Director of Transportation and Ellen Johnson, Transportation Supervisor, will travel to South Lake Tahoe to attend the CASTO (California Association of School Transportation Officials) Forum. Workshops will provide updates on mandated pupil transportation and current legislation. Ms. McDonald is the Exhibit Show Coordinator. The cost of this conference will be paid for by CASTO and the attendees.

NAPT Summit 2014 – Kansas City, MO – November 7-12, 2014
Pam McDonald, Director of Transportation and Ellen Johnson, Transportation Supervisor, will travel to Kansas City to attend the National Association of Pupil Transportation (NAPT) 2014 Conference and Trade Show. Attending this conference is an opportunity to network, expand their knowledge on legislation, safety, driver retention, fuel efficiency and see the latest safety equipment. Ms. McDonald is the NAPT Elections Chair and Ms. Johnson is on the National Awards and Recognition Committee. The cost of this conference will be paid for by the attendees.

FISCAL IMPACT: No fiscal impact.

RECOMMENDATION: It is recommended that the Board approve the out-of-state conference requests as presented.

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

OUSD/Sorrera/McDonald
Board Agenda
August 14, 2014
TOPIC:

PERSONNEL REPORT

DESCRIPTION:
All actions listed in the Personnel Report, representing a cost to the District, have been reviewed by the Business Department and have been assigned a budget number. Appropriate funds exist in all budget areas presented in this Personnel Report. Some items on the report represent the maximum amount that could be encumbered for that item, the actual expenditure may be less, and in no instance will the expenditure be more than the requested amount without an additional request being generated.

This report may require actions for extra pay projects, separation from service, short-term employment, leaves of absence, change of status, and new hires. All requests are generated by individuals, school sites, or various District departments.

All of the above requests have been processed in accordance with the rules and regulations of the Board of Education and the applicable legal requirements of the State of California and the Orange County Department of Education.

FISCAL IMPACT:
Certificated: $3,479,769
Classified: $ 292,518

RECOMMENDATION:
It is recommended that the Board of Education approve the Personnel Report as presented.

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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<th>Name</th>
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This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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**CHANGE OF STATUS**

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   - Eff. From: 8/15/14
   - Date To: 6/12/15
   - Comments: Contract Status 100% to 50%

2. Jones, Lindsey
   - Position: Teacher
   - Administrative Unit: Linda Vista/Hughson
   - Schedule/Step/Column: Spec Ed
   - Rate: 32.47
   - Eff. From: 8/15/14
   - Date To: 6/12/15
   - Comments: Contract Status 100% to 50%

3. Salonga, Shannon
   - Position: Teacher
   - Administrative Unit: Fairhaven/Sandor
   - Schedule/Step/Column: Spec Ed
   - Rate: 32.47
   - Eff. From: 8/11/14
   - Date To: 6/22/15
   - Comments: Contract Status 100% to 50%

Staff Responsibility:
Ed Kissee, Assistant Superintendent-Human Resource

Boad of Education
## LEAVE OF ABSENCE

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This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

**Staff Responsibility:** Ed Kissee, Assistant Superintendent-Human Resource
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Staff Responsibility:
Ed Kissee, Assistant Superintendent-Human Resources

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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Staff Responsibility: Ed Kissell, Assistant Superintendent-Human Resources

This is to certify that this document was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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Staff Responsibility:
Ed Kissel, Assistant Superintendent-Human Resources

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Approved by the Board of Education.
### Classified and Certificated Personnel Report

#### Certified Personnel

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Staff Responsibility:
Ed Kissel, Assistant Superintendent-Human Resources

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Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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Staff Responsibility: Ed Kissie, Assistant Superintendent-Human Resources

Superintendent and Secretary
Orange Unified School District
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Staff Responsibility:
Ed Kissie, Assistant Superintendent-Human Resources

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Staff Responsibility:
Ed Kissee, Assistant Superintendent-Human Resources
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This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Staff Responsibility:
Ed Kissee, Assistant Superintendent-Human Resources
## EMPLOYMENT

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Staff Responsibility: Ed Kissie, Assistant Superintendent-Human Resources

Approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
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This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

Staff Responsibility:
Ed Kissee, Assistant Superintendent-Human Resources
TEACHER ASSIGNMENT/CONSENT - VARIABLE OR SHORT-TERM WAIVER

Since July 1994, the California Commission on Teacher Credentialing (CCTC) has had the authority to issue waiver documents relating to educator preparation and credentialing which provide school districts the ability to employ or assign persons who are not fully credentialed to qualifying assignments. The CCTC has divided the waiver process into two types of waivers; short-term and variable term. Short-Term Waivers give school districts the ability to cover immediate and short-term needs. This waiver allows employers to assign teachers who hold a basic credential to teach outside of their credential authorization for one semester or less with the teachers' consent. Variable Term Waivers give school districts the ability to cover assignments when a fully credentialed employee cannot be found. Waivers allow school districts to meet staffing needs while searching for an individual who either holds an appropriate credential or qualifies for one of the available assignment options. It also allows the individuals holding waivers to complete their credential requirements while serving in the classroom.

The certificated employee(s) whose name(s) is/are listed on the attached has/have met the requirements, has/have consented to the assignment, and has/have been judged by the site administrator to be competent in the subject matter. Likewise, all other means of credentialing and reassignment have been explored. The passage of this waiver will allow the District to remain compliant with SB 435, which requires that all teachers be appropriately assigned.

FISCAL IMPACT: This item has no fiscal impact.

RECOMMENDATION: It is recommended that the Board of Education approve the variable term waiver(s) as presented.
### VARIABLE/SHORT TERM WAIVERS

**Board Agenda**
**August 14, 2014**

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*This is to certify that this item has been approved by the Board of Education.*

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
CONTRACT SERVICES REPORT - EDUCATIONAL SERVICES

The following is a report of contract service items for Educational Services.

Through programs such as School Bell, HALOS (Helping a Little One Succeed) and the Dental Health Center, the Assistance League of Orange (ALO) will provide school uniforms, reading tutoring and mentoring, and dental care to students in need, as identified by the District. ALO assumes all costs associated with these programs. No fiscal impact to the District.

(MacAllister)

As the result of a settlement agreement, the District will pay for reasonable and compensable attorney’s fees and other educational expenses.

Special Education ....... not-to-exceed ............. $8,200
01.00-6500-0-5835-5001-2110-207-207-000 (MacAllister)

Consultant will provide an evaluation in the area of speech and language for a student with exceptional needs.

Special Education ....... not-to-exceed ............. $2,000
01.00-6500-0-5842-5770-1190-207-207-000 (MacAllister)

Consultant will provide speech and language therapists for Special Education students as required by law.

Special Education ....... not-to-exceed ............. $125,000
01.00-6500-0-5150-5770-1190-207-207-000 (MacAllister)

School Districts are required to provide an equitable share of federal monies to the private schools within their attendance boundaries. Catapult Learning West will provide a three hour professional development workshop for the 2014-15 school year for 30 staff members at Holy Family Cathedral School. In addition there will be three follow-up coaching days. The teachers will investigate the instructional shifts in English Language Arts State Standards and how to identify the shift in planning and instruction. Fiscal impact will be the expenditure of federal fund monies.

Title II, Part A........ not-to-exceed.........................$5,695
01.00-4035-4-5850-1323-2140-604-604-000 (Paik)
This is an amendment to a Board item approved June 5, 2014. The Santiago Canyon College is conducting summer classes which will assist students in the Title VII Native American Education Program who are in need of additional academic support or enrichment. The response to the classes exceeded the previously approved amount of $3,000 and necessitates the need for an amended total amount of $4,500.

Title VII Native American Education...not to exceed... $1,500
01.00-4510-5-5850-1110-1000-604-604-000 (Paik)

FISCAL IMPACT: $142,395

RECOMMENDATION: It is recommended that the Board of Education approve the Contract Services Report – Educational Services as presented.

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District

OUSD /Hansen/MacAllister/Paik
Board Agenda
August 14, 2014
OUT-OF-STATE CONFERENCE REQUEST

DESCRIPTION: Smarter Balanced Assessment Consortium (SBAC) Achievement Level Setting – Dallas, Texas – October 12-16, 2014

Heather Bosworth, Principal of Sycamore Elementary and Jennifer Bourgeois, Principal of West Orange Elementary have been invited to participate with the SBAC Achievement Level Setting Mathematics Panel. The work done at this conference will ensure that all students in the Smarter Balance Consortium States are provided with test questions that are appropriate to the mathematical learning development for their age and grade level. The cost for this conference will be paid by Measurement Incorporated who has been contracted by the Smarter Balanced Assessment Consortium to facilitate the Achievement Level Setting workshop.

FISCAL IMPACT: No Fiscal Impact

RECOMMENDATION: It is recommended that the Board approve the out-of-state conference request as presented.

This is to certify that this item was approved by the Board of Education.

[Signature]
Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
MILD MODERATE/MODERATE SEVERE COURSEWORK AND CTE MEMORANDUM OF UNDERSTANDING

During the 2011-12 school year, the District provided on-line coursework and credentialing services for the Mild Moderate/Moderate Severe, Education Specialist, and Career Technical Education credentials. This professional development allowed Special Education and Career Technical Education teachers to complete mandated state credentialing requirements. Additionally, an on-line program is also provided for general education.

These programs have been developed by District staff and are currently utilized by teachers in the following districts: Sonoma County Office of Education, Tustin Unified, La Mesa Spring Valley, local Charter and private schools. In addition, other school districts and private schools have shown interest in utilizing our program and may request the development of future agreements. Agreements with each of these school districts would allow these services to be offered throughout the 2014-15 school year.

This agreement, which will be in effect through June 30, 2015 shall be renewable annually by mutually written agreement. Participating districts' payment for these services is specified in each Memorandum of Understanding utilizing the following guidelines:

- $2,000 for Education Specialist Mild Moderate/Moderate professional development per district annual fees;
- Optional Assessor and/or Consulting Teacher fees not to exceed $1,500 per participating teacher.
- The District will receive up to $2,500 per participating teacher for General Education coursework and credentialing services
- Credentialing services for CTE Teachers not to exceed $600 per teacher

FINANCIAL IMPACT: The District will receive $2,000 annually per district for Mild Moderate/Moderate Severe coursework.
The District will receive up to $1,500 per participating teacher for optional Assessor and/or Consulting Teacher fees.

The District will receive up to $2,500 per participating teacher for General Education coursework and credentialing services.

The District will expend not more than $600 per participant to Sonoma COE for credentialing services for the CTE program.

**RECOMMENDATION:**

It is recommended that the Board of Education approve the Mild Moderate/Moderate Severe Coursework, CTE Credentialing and General Education service contracts.

[Signature]

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
COURSE APPROVALS-ROP/CTE: C-STEM MATH ROBOTICS AND PROGRAMMING, EXPLORING COMPUTER SCIENCE AND AVIATION I

DESCRIPTION:
The new course outlines described below have been reviewed by the CTEp (Career Technical Education Partnership) and the District's Curriculum Department. Courses are recommended to the Board of Education for approval.

C-STEM MATH ROBOTICS AND PROGRAMMING
C-STEM Math Robotics and Programming is an elective course in the Information and Computer Technology Sector. Students will receive a formal development of the algebraic skills and concepts using interactive computing, computer programming in the C/C++, and hands-on robotics. This integrated math curriculum meets both Algebra I course requirements and CTE standards. This course is meant to be an engaging support class for students concurrently taking Algebra I or Integrated mathematics I/O. Robotics involves a variety of math and engineering concepts. Integrating robotics into the Algebra curriculum helps make abstract ideas concrete and allows students to apply mathematical concepts to real world problems. Students will study, analyze, and modify existing C/C++ programs and develop their own programs that will integrate computing and robotics with major Algebra I concepts including operations with real numbers, linear equations and inequalities, relations and functions, polynomials, quadratic equations, system of linear equations with two variables, algebraic fractions, and nonlinear equations. Through hands-on robotics projects, students develop algebraic thinking, problem solving, effective communication, and team work skills.

EXPLORING COMPUTER SCIENCE
Exploring Computer Science is an elective course in the Information and Computer Technology (ICT) Sector. It is the first course in the Software and Systems Development Pathway. Students are introduced to the foundations of Computer Science using an inquiry-based, hands-on approach to understand and solving real world computing problems. Instruction includes the areas of Human Computer Interaction, Problem Solving, Web Design,
Programming, Data Analysis and Robotics. Emphasis is place on the creative, collaborative, interdisciplinary and problem-solving nature of computing. Upon completing the course, students will be prepared to pursue more advanced courses in the Pathway, and to further their exploration of college careers in the ICT Industry. This course follows the National Course outline developed by UCLA and LAUSD.

AVIATION I
Aviation I is an elective course in the Transportation Sector – Operations Pathway. Students in this course will learn the principles of private pilot flight and navigation. The concepts taught will cover the first half of the FAA Private Pilot Knowledge Test. Topics will include the principles of flight and aerodynamics, aircraft structure, controls/instruments and systems. Through the use of flight simulators, the techniques of piloting and navigation will be demonstrated and practiced. Physics and geometry concepts are taught and applied to aircraft design, flight control and navigation. This is a Part I “ground school” only course that provides eligibility to sit for the Private Pilot Knowledge test. Students wishing to be eligible to sit for this test would need to take the second source in this sequence. Also, the required flight hours for the private pilot’s license are not part of these courses.

FISCAL IMPACT: There is no fiscal impact for course approvals. The cost of instructional materials will be addressed during the forthcoming textbook adoption process.

RECOMMENDATION: It is recommended that the Board of Education authorize the Superintendent or designee to approve the courses presented by the CTEp and OUSD Curriculum Department.