

OAK PARK UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
AGENDA #866

DATE: October 16, 2012

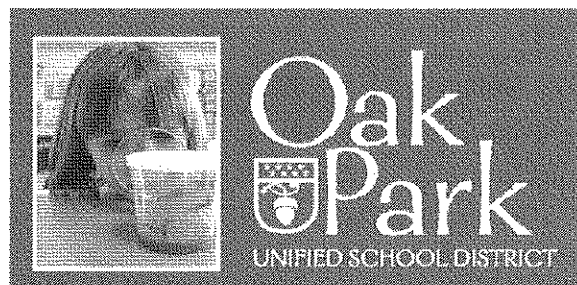
PLACE: **Oak Park High School Presentation Room – G-9**  
899 N. Kanan Road, Oak Park, CA 91377

TIME: **5:00 p.m. Closed Session**  
**6:00 p.m. Open Session**

*The Mission of the Oak Park Unified School District is to provide students with a strong foundation for learning, which meets the challenge of the present and of the future through a balanced education, that includes academic achievement, personal growth and social responsibility.*

**BOARD OF EDUCATION**

**Jan Iceland, President**  
**Allen Rosen, Vice President**  
**Mary Pallant, Clerk**  
**Barbara Laifman, Member**  
**Sepideh Yeoh, Member**  
**Matt Dods, Student Board Representative**



EDUCATING TOMORROW'S LEADERS

**ADMINISTRATION**

**Dr. Anthony W. Knight, Superintendent**  
**Linda Sheridan, Executive Assistant**  
**Martin Klauss, Assistant Superintendent, Business & Administrative Services**  
**Dr. Leslie Heilbron, Assistant Superintendent, Human Resources**  
**Cliff Moore, Consultant**  
**Jane Mintz, Director, Educational Technology**  
**Susan Roberts, Director, Pupil Services**

**COPY OF ENTIRE AGENDA ON WEB SITE**  
**WWW.OAKPARKUSD.ORG**

INDIVIDUALS WHO REQUIRE SPECIAL ACCOMMODATION TO PARTICIPATE IN A BOARD MEETING, INCLUDING BUT NOT LIMITED TO AN AMERICAN SIGN LANGUAGE INTERPRETER, ACCESSIBLE SEATING OR DOCUMENTATION IN ACCESSIBLE FORMATS, SHOULD CONTACT THE SUPERINTENDENT'S OFFICE 72 HOURS PRIOR TO THE MEETING TO ENABLE THE DISTRICT TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCOMODATION AND ACCESSIBILITY TO THIS MEETING. PHONE (818) 735-3206 OR FAX (818) 879-0372 or e-mail: [ls Sheridan@oakparkusd.org](mailto:ls Sheridan@oakparkusd.org).

Welcome to a meeting of the Oak Park Unified School District Board of Education. Routine items are placed under the Consent Calendar and are approved by a single vote of the Board. When the agenda is adopted, a member of the Board may pull an item from the Consent Calendar and transfer the item to an appropriate place on the agenda for discussion.

The President of the Board shall inquire if there is anyone in the audience who desires to address the board with respect to any items appearing on the closed session agenda, regular session agenda, or on any issue within the subject matter jurisdiction of the Governing Board. The speaker cards are available in the Board Room and must be completed and handed to Linda Sheridan, Executive Assistant, prior to the beginning of the meeting. All comments for either agenda items or non-agenda items must be limited to three minutes or less.

Your comments are greatly appreciated. However, the Board cannot enter into a formal discussion at this time, nor can a decision be made. Matters warranting discussion will be placed on a future agenda. The information on the speaker card is voluntary but will assist the Board President in conducting the meeting. Thank you for your cooperation and compliance with these guidelines

*All Board Actions and Discussion are electronically recorded and maintained for thirty days.*

*Interested parties may review the recording upon request.*

*Agenda and supporting documents are available for review prior to the meeting at the District Office located at 5801 E. Conifer Street, Oak Park, CA 91377*

#### **NEXT REGULAR MEETING**

**Wednesday, November 14, 2012\***

**Closed Session at 5:00 p.m.      Open Session at 6:00 p.m.**

**Oak Park High School, Presentation Room, G9**

#### **AGENDA IS POSTED AT THE FOLLOWING LOCATIONS IN OAK PARK:**

District Office, 5801 East Conifer St.

Brookside Elementary School, 165 N. Satinwood Ave.

Oak Hills Elementary School, 1010 N. Kanan Rd.

Red Oak Elementary School, 4857 Rockfield St.

Medea Creek Middle School, 1002 Double Tree Rd

Oak Park High School, 899 N. Kanan Rd.

Oak View High School, 5701 East Conifer St

Oak Park Library, 899 N. Kanan Rd.

Internet Home Page: [www.oakparkusd.org](http://www.oakparkusd.org)

\*second Wednesday of the month

**OAK PARK UNIFIED SCHOOL DISTRICT**  
**AGENDA – REGULAR BOARD MEETING #866**  
**October 16, 2012**

**CALL TO ORDER - Followed by Public Comments/ 5:00 p.m.**

**CLOSED SESSION: 5:00 p.m.**

**RECONVENE OPEN SESSION: 6:00 p.m. (approximate)**

The Oak Park Unified School District Board of Education will meet in Regular Session at the **Oak Park High School Presentation Room – G-9, Oak Park, California.**

**I. CALL TO ORDER: \_\_\_\_\_ p.m.**

**II. PUBLIC SPEAKERS – CLOSED SESSION AGENDA ITEMS**

**III. RECESS TO CLOSED SESSION FOR DISCUSSION AND/OR ACTION ON THE FOLLOWING ITEMS:**

**A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**B. PUBLIC EMPLOYEE EMPLOYMENT: Teachers, Administrative Consultant, Guest Teachers, Occupational Therapy PT, Instruction Assistants I, Custodian, Student Services II, Food Service Worker Substitutes**

**C. SUPERINTENDENT GOALS**

**IV. CALL TO ORDER – RECONVENE IN OPEN SESSION AT: \_\_\_\_\_ p.m.**

**A. ROLL CALL**

**B. FLAG SALUTE**

**C. REPORT OF CLOSED SESSION ACTIONS TAKEN**

**D. ADOPTION OF AGENDA**

**V. PUBLIC SPEAKERS: SPEAKERS ON AGENDA AND NON-AGENDA ITEMS**

**VI. OPEN COMMUNICATIONS/PRESENTATIONS**

**A. BOARD REPORTS/DISCUSSION/COMMUNICATIONS**

1. Remarks from Board Members
2. Remarks from Student Board Rep
3. Remarks from Superintendent
4. Report from School Site Councils
5. Report from Facilities Planning Committee
6. Report from Technology Committee

**B. DISCUSSION ITEMS (No Action required. If Action required, item will be brought to a future meeting as an Action Item)**

1. 2012 STAR Test Results
2. Health Kids Survey Report

1  
3

10/5/2012

**3. Monthly Measure R Bond Fund Status Report** 5

**C. BUSINESS SESSION:**

*Consent items shall be items of a routine nature or items for which no Board discussion is anticipated and for which the Superintendent recommends approval.*

*At the request of any member of the Board, any item on the Consent Agenda shall be removed and given individual consideration for action as a regular agenda item.*

- a. **Approve Minutes of Regular Board Meeting September 18, 2012 and Special Board Meeting – Board Retreat, October 2, 2012**
- b. **Public Employee/Employment Changes 01CL21945-01CL21983 & 01CE05865-01CE05889** 7
- c. **Approve Purchase Orders –September 1 – September 30, 2012** 9  
*Board Policy 3300 requires Board approval of Purchase Orders*
- d. **Approve Overnight Trip for Medea Creek Middle School 6<sup>th</sup> Grade To Pali Institute – November 27-30, 2012** 14  
*Board Policy 6153 requires Board approval for student overnight trips*
- e. **Approve Annual Teacher Assignment Report** 15  
*Education Code 44257.8 requires Board approval for Annual Teacher Assignment Report*

**ACTION**

**2. CURRICULUM**

- a. **Approve Out of State Overnight Trip for Oak Park High School Students to Costa Rica for Rainforest Research – August 6-16, 2013** 17  
*Board Policy 6153 requires Board approval for student overnight trips*

**4. BUSINESS SERVICES**

- a. **Approve Change Order #2, Project 12-07R, Building 300 Modernization at Brookside Elementary School** 33  
*Board approval required for change orders*
- b. **Approve Change Order #1, Project 12-08R, Building E Administration Modernization at Oak Park High School** 37  
*Board approval required for change orders*
- c. **Approve Change Order #2, Project 12-10R, Building M and N Restroom Modernization at Oak Park High School** 41  
*Board approval required for change orders*
- d. **Approve Notice of Completion, Project 12-25R Roof Repair and Replacement Building E at Medea Creek Middle School** 45  
*Board approval required for job completion*
- e. **Approve Appointment to the Oak Park Citizens' Oversight Committee** 49  
*Due to a resignation, the Board will approve an appointment to the COC*

**4. HUMAN RESOURCES**

- a. **Approve Action to Reestablish Particular Kinds of Service, Increase the Number of Employees, and Authorize Offers of Reappointment to Laid Off Classified Employees** 51  
*Board approval required to reemploy employees who received notice of lay-off.*

**5. BOARD**

- a. **Approve Date Change for Organizational Meeting in December** 53  
*Board approval required to change Meeting date*
- b. **Review, Discuss and Approve Board Goals** 55  
*Board will review previous year's goals and set new goals for approval*

- c. **Approve Governance Handbook** 57  
*Board will approve Governance Handbook*
6. **BOARD POLICIES**
- a. **Approve Amendment to Board Policy 5141.6 – Student Health and Social Services – First Reading** 59  
*Policy updated to reflect new law (AB 499) which allows a minor age 12 and older to consent to medical care related to the prevention of a sexually transmitted disease, and existing law which provides that minors age 12 and older can consent to mental health services under certain conditions.*
- b. **Approve Amendment to Board Policy 1330 – Use of the Facilities – Second Reading** 65  
*Update wording on Exhibit to align with Board Policy.*
- c. **Approve Amendment to Board Policy 4111/4211/4311 – Recruitment and Selection – First Reading** 71  
*Updated policy reflects new court decision which found that districts could be vicariously liable for negligence of administrators and supervisors in hiring, training, and supervision.*
- d. **Approve Amendment to Board Policy 4119.1/4219.1/4319.1 – Civil and Legal Rights – First Reading** 75  
*Updated policy reflects new court decision which held that supervisors with authority to take personnel actions may be held liable for their acts of retaliation against employees who disclose improper governmental action, and adds statement about the right of an employee to seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her. Policy also revised to reflect law providing that an employee is not protected against liability if his/her misconduct occurred during background investigation or other actions involved in the employee's hiring.*
- e. **Approve Amendment to Board Policy 4119.21/4219.21/4319.21 – Professional Standards – First Reading** 81  
*Policy updated and reorganized to clarify expectations for appropriate employee conduct and expands list of prohibited conduct. Material addressing discipline adds the possibility of report to the Commission on Teacher Credentialing (CTC) or referral to law enforcement, and provides that an employee who has knowledge of misconduct but fails to report it also may be subject to discipline.*
- f. **Approve Amendment to Board Policy 4119.41/4219.41/4319.41 – Employees with Infectious Diseases – First Reading** 87  
*Updated policy adds board philosophical statement, definitions of infectious and communicable infectious disease, legal requirement for job applicants to provide evidence that they are free of communicable disease prior to beginning employment, new material on disease prevention and on addressing communicable disease outbreaks in the district's emergency preparedness plan, and legal requirement to report communicable infectious disease to local health officer.*
- g. **Approve Amendment to Board Policy 4112.9/4212.9/4319.9 – Employee Notifications – First Reading** 93  
*New policy contains board philosophical statement regarding the importance of clear communications with staff and the circumstances under which employees will be asked to sign an acknowledgment that they have received notifications.*
- h. **Approve Adoption of Board Policy 4121 – Temporary/Substitute Personnel – First Reading** 97  
*Policy contains material formerly in AR that reflects requirements for board action. Policy also reflects (1) new court decision which clarifies that the number of temporary teachers cannot exceed the total number of employees on leave at any one time and that a district is not required to grant probationary status to an employee based solely on the fact that he/she served as a temporary employee for more than one year, (2) new court decision which held*

*that employee in a categorically funded program cannot be terminated through procedures applicable to temporary employees if the employee is being terminated before the end of the contract between the district and agency providing categorical funds, and (3) new court decision which determined that June 30 is the date by which temporary employees must be notified of the district's decision not to reelect them for the following school year.*

- i. **Approve Amendment to Board Policy 5141.33 – Head Lice – First Reading** **103**  
*Updated policy reflects new state guidance from the California Department of Public Health (CDPH) on head lice prevention and control in schools. In accordance with CDPH guidance, policy (1) deletes routine screening by schools and the school's responsibility to check siblings of infected students, (2) adds provision of information to parents/guidians to encourage at-home screening and inspection, (3) allows student found with active head lice to stay in school until the end of the school day, and (4) gives discretion to principal or designee to determine whether to send notification and information to parents/guidians when students in a class or school are found infested with head lice.*
- j. **Approve Amendment to Board Policy 6178 – Career Technical Education – First Reading** **107**  
*Mandated policy updated to list types of career technical education (CTE) programs that may be offered, reflects concepts of linked learning based on definition in new law (AB 730, 2011) which establishes a pilot project, reflects new law (AB 1330, 2011) which allows districts to establish CTE as an optional graduation requirement, and reflects new law (AB 1304) which authorizes the CTC to issue a "recognition of study in linking learning" following a teacher's completion of an approved course.*
- k. **Approve Amendment to Board Bylaw 9321 – Closed Session Purposes and Agendas – First Reading** **115**  
*Updated bylaw reflect new Attorney General opinion which concludes that only three specified subjects related to real property negotiations may be considered in closed session. Bylaw also (1) includes board philosophical statement expressing commitment to transparency and compliance with open meeting laws, (2) includes requirement to reconvene in open session to report decision of closed session with link to BB 9321.1 – Closed Session Actions and Reports, and (3) revises section on "Pending Litigation" to add definitions of "party" and "significant exposure to litigation."*

## **VII. INFORMATION ITEMS**

- 1. **Monthly General Fund Status Report** **127**

## **VIII. OPEN DISCUSSION**

## **IX. ADJOURNMENT:**

There being no further business before this Board, the meeting is declared adjourned at \_\_\_\_\_ p.m.

## **SCHOOL REPORTS/SCHOOL SITE COUNCIL REPORTS**

- 1. Brookside Elementary School Report 129
- 2. Oak Hills Elementary School Report 130
- 3. Red Oak Elementary School Report 132
- 4. Medea Creek Middle School Report 133
- 5. Oak Park High School Report 135
- 6. Oak View High School/Oak Park Independent School 136
- 7. Oak Park Neighborhood School 137

**MINUTES OF REGULAR BOARD MEETING  
BOARD OF EDUCATION**

**9-18-12**

**#864**

**CALL TO ORDER/MEETING PLACE**

The Board of Education President, Jan Iceland, called the regular meeting to order at 5:15 p.m. at Oak Park High School Presentation Room, G9, 899 N. Kanan Road, Oak Park.

**BOARD PRESENT**

Ms. Jan Iceland, President, Mr. Allen Rosen, Vice President, Ms. Mary Pallant, Clerk, Ms. Barbara Laifman, Member and Ms. Sepideh Yeoh, Member

**PUBLIC COMMENTS**

None

**ADJOURN TO CLOSED SESSION**

The Board adjourned to Closed Session at 5:16 p.m.

**CALL TO ORDER/MEETING PLACE**

The Board of Education President, Jan Iceland, reconvened the regular meeting to order at 6:05 p.m. in Oak Park High School Presentation Room, G9, 899 N. Kanan Road, Oak Park.

**BOARD PRESENT**

Ms. Jan Iceland, President, Mr. Allen Rosen, Vice President, Ms. Mary Pallant, Clerk, Ms. Barbara Laifman, Member and Ms. Sepideh Yeoh, Member

**BOARD ABSENT**

Matt Dods, Student Rep

**STAFF PRESENT**

Dr. Tony Knight, Superintendent, Mr. Martin Klauss, Assistant Superintendent, Business Services, Dr. Leslie Heilbron, Assistant Superintendent, Human Resources, Ms. Susan Roberts, Director, Pupil Services, Ms. Barbara Dickerson, Director, Fiscal Services, and Ms. Linda Sheridan, Executive Assistant.

**FLAG SALUTE**

Russ Peters led the Pledge of Allegiance to the Flag

**REPORT ON CLOSED SESSION**

At the Closed Session held this evening, the Board took no action.

**ADOPTION OF AGENDA**

On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education adopted the agenda as presented except moving C.5 items after Consent. Motion carried 5-0.

**PUBLIC SPEAKERS**

None

**REPORT FROM BOARD MEMBERS**

Board Member Barbara Laifman reported she attended the New Teacher Orientation, Welcome Back for staff and toured the schools with the Board on the first day of school. She met with Jeremy Burnett who is running for the MAC to answer his questions about the school district. Ms. Laifman attended the Back

to School Nights at Brookside, Oak Hills Elementary Schools, Oak View High School and Medea Creek Middle School. She dropped in at the Advanced Peer Counseling luncheon. As part of her attorney professional development she attended a Branding Seminar that she thought was very informative and is willing to share some information with Friends. Board Member Allen Rosen reported he toured the schools with the Board on the first day of school and all the schools look great. Board Member Sepideh Yeoh reported she also attended the New Teacher Orientation and toured the schools with the Board on the first day of school. She visited the High School Career Center and found Jean to be so enthusiastic and caring for the students. Ms. Yeoh also commented she felt it was a great idea to have 6<sup>th</sup> Grade Back to School Night separately. 6<sup>th</sup> Grade parents have a lot more questions about the middle school experience. Board Member Mary Pallant reported she also attended the New Teacher Orientation and the tour of schools by the Board on the first day of school. She felt a sense of pride as a Board Member at how well everything looked and felt. Ms. Pallant reported that at the MAC meeting they discussed the issue of traffic, the Great American Shakeout and the closing of Kanan at Doubletree and Deer Hill for a gas line repair. She also visited classrooms at Oak Park High School. Board Member Jan Iceland reported she also toured the schools on the first day of school and everything looked great. At the Facilities Planning Committee meeting, the members also took a tour of the schools so they could see the work that has been accomplished.

#### **REPORT FROM SUPERINTENDENT**

Dr. Knight reported that he has asked for agenda items placed on the October MAC Agenda to improve safety around the schools. The District of Choice Info Night will be held on October 29 with dinner at 6:00 p.m. and the program starting at 6:45 p.m. The Child Nutrition Program will be providing the dinner. He also reported he is researching for Board Policy on activities during high heat days and has found a good resource from a school in Arizona. Dr. Knight thanked all the Board for coming on the tour of schools on the first day of school. It was a great opening and enrollment is where we need it to be for our budget.

#### **REPORT FROM FACILITIES PLANNING COMMITTEE**

Peter Kristensen reported on the summer and continuing work of the Facilities Planning Committee

#### **C.1. CONSENT AGENDA**

On motion of Mary Pallant, seconded by Barbara Laifman, the Board of Education approved the Consent Agenda. Motion carried 5-0.

- a. Approve Minutes of Regular Board Meeting August 21, 2012
- b. Public Employee/Employment Changes 01CL21916-01CL21944 & 01CE05814-01CE05864
- c. Approve Purchase Orders –August 1 – August 31, 2012
- d. Approve Overnight Trip for Oak Park High School Cross Country Team – October 5-6, 2012
- e. Approve Overnight Trip for Medea Creek Middle School 8<sup>th</sup> Grade to Astrocamp – October 31-November 2, 2012
- f. Approve Overnight Trip for Medea Creek Middle School 7<sup>th</sup> Grade to Catalina – October 22-24 and October 24-26, 2012
- g. Approve Disposal of Obsolete Books or Surplus Instructional Materials, Books, and/or Library Books
- h. Approve Resolution #12-18, Establishing the Gann Appropriation Limit for Fiscal Year 2012-13
- i. Approve Resolution #12-19, Authorizing District Participation in K-3 Class Size Reduction Program



## ACTION

### **2. BUSINESS SERVICES**

**a. Approve Change Order #1, Project 12-07R, Building 300 Modernization at Brookside Elementary School**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Change Order #1, Project 12-07R, Building 300 Modernization at Brookside Elementary School. Motion carried 5-0.

**b. Approve Change Order #1, Project 12-10R, M&N Building Restroom Modernization at Oak Park High School**

On motion of Sepideh Yeoh, seconded by Allen Rosen, the Board of Education approved Change Order #1, Project 12-10-R, M&N Building Restroom Modernization at Oak Park High School. Motion carried 5-0.

**c. Approve Change Order #1, Project 11-18R, Asphalt Parking Lot Repair at Medea Creek Middle School**

On motion of Allen Rosen, seconded by Mary Pallant, the Board of Education approved Change Order #1, Project 11-18R, Asphalt Parking Lot Repair at Medea Creek Middle School. Motion carried 5-0.

**d. Approve Notice of Completion, Project 11-18R, Roof Repair and Replacement, Building E Administration at Oak Park High School**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Notice of Completion, Project 11-18R, Roof Repair and Replacement, Building E Administration at Oak Park High School. Motion carried 5-0.

**e. Approve Board Response to Oak Park Citizens' Oversight Committee Annual Report**

On motion of Sepideh Yeoh, seconded by Mary Pallant, the Board of Education approved the Board Response to Oak Park Citizens' Oversight Committee Annual Report. Motion carried 5-0.

**f. Approve Allocation of Our Children's Future Fundraising Proceeds**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education tabled this item until after the November election. Motion carried 5-0.

**g. Approve 2012-13 Employee Health Benefits Plans**

On motion of Barbara Laifman, seconded by Allen Rosen, the Board of Education approved 2012-13 Employee Health Benefits Plans. Motion carried 5-0.

**h. Approve Unaudited Actual Reserves and Expenditures for Fiscal Year 2011-12**

On motion of Barbara Laifman, seconded by Sepideh Yeoh, the Board of Education approved Unaudited Actual Reserves and Expenditures for Fiscal Year 2011-12. Motion carried 5-0.

**i. Approve 2012-13 Mandated Block Grant Letter of Intent**

On motion of Allen Rosen, seconded by Mary Pallant, the Board of Education approved the 2012-13 Mandated Block Grant Letter of Intent. Motion carried 5-0.

**j. Approve Resolution #12-21 Authorizing Emergency Repairs at Brookside Elementary School**

On motion of Allen Rosen, seconded by Sepideh Yeoh, the Board of Education approved Resolution #12-21 Authorizing Emergency Repairs at Brookside Elementary School. Motion carried 5-0.

**3. CURRICULUM**

**a. Public Hearing and Approve Resolution #12-17, Regarding Sufficiency of Textbooks and Instructional Materials for 2012-2013**

Public Hearing Opened at 7:45 p.m. No Public Comments Public Hearing Closed at 7:46 p.m.  
On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education approved Resolution #12-17, Regarding Sufficiency of Textbooks and Instructional Materials for 2012-2013. Motion carried 5-0.

**4. HUMAN RESOURCES**

**a. Approve Action to Reestablish Particular Kinds of Service, Increase the Number of Employees, and Authorize Offers of Reappointment to Laid Off Classified Employees**

On motion of Mary Pallant, seconded by Sepideh Yeoh, the Board of Education approved Action to Reestablish Particular Kinds of Service, Increase the Number of Employees and Authorize Offers of Reappointment to Laid Off Classified Employees. Motion carried 5-0.

**b. Approve Authorization to Establish a Full-Time Classified Custodial Position**

This item was pulled.

**5. SPECIAL EDUCATION**

**a. Approve Contract for Non-Public School for Special Education Student #01-12/13 - \$60,957.18**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public School for Special Education Student #01-12/13 - \$60,957.18. Motion carried 5-0.

**b. Approve Contract for Non-Public School for Special Education Student #02-12/13 - \$27,757.40**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, seconded by , the Board of Education approved Contract for Non-Public School for Special Education Student #02-12/13 - \$27,757.40. Motion carried 5-0.

**c. Approve Contract for Non-Public School for Special Education Student #03-12/13 - \$25,997.40**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public School for Special Education Student #03-12/13 - \$25,997.40. Motion carried 5-0.

**d. Approve Contract for Non-Public School for Special Education Student #04-12/13 - \$33,886**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public School for Special Education Student #04-12/13 - \$3,886. Motion carried 5-0.

**e. Approve Contract for Non-Public School for Special Education Student #05-12/13 - \$36,102**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public School for Special Education Student #05-12/13 - \$36,102. Motion carried 5-0.

**f. Approve Contract for Non-Public School for Special Education Student #06-12/13 - \$35,003**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public School for Special Education Student #06-12/13 - \$35,003. Motion carried 5-0.

**g. Approve Contract for Non-Public Agency for Special Education Student #07-12/13 - \$69,450**

On motion of Sepideh Yeoh, seconded by Barbara Laifman, the Board of Education approved Contract for Non-Public Agency for Special Education Student #07-12/13 - \$69,450. Motion carried 5-0.

**6. BOARD**

**a. Approve Resolution #12-20 In Support of Schools & Local Public Safety Protection Act (Proposition 30)**

On motion of Mary Pallant, seconded by Allen Rosen, the Board of Education approved Resolution #12-20 In Support of Schools and Local Public Safety Protection Act with amendments. Motion carried 5-0.

**7. BOARD POLICIES**

**a. Approve Amendment to Board Policy 5144.1 – Suspension and Expulsion/Due Process – First Reading**

On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education approved the amendment to Board Policy 5144.1 – Suspension and Expulsion/Due Process on First Reading. Motion carried 5-0.

**b. Approve Amendment to Board Policy 1312.3 – Uniform Complaint Procedures – First Reading**

On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education approved the amendment to Board Policy 1312.3 – Uniform Complaint Procedures on First Reading. Motion carried 5-0.

**c. Approve Amendment to Board Policy 4030 – Nondiscrimination in Employment – First Reading**

On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education approved the amendment to Board Policy 4030 – Nondiscrimination in Employment on First Reading. Motion carried 5-0.

**d. Approve Amendment to Board Policy 4312.1 – Contracts – First Reading**

On motion of Mary Pallant, seconded by Sepideh Yeoh, the Board of Education approved the amendment to Board Policy 4312.1 – Contracts on First Reading. Motion carried 5-0.

**e. Approve Amendment to Board Policy 5126–Awards for Achievement–First Reading**

On motion of Allen Rosen, seconded by Sepideh Yeoh, the Board of Education approved the amendment to Board Policy 5126 – Awards for Achievement on First Reading. Motion carried 5-0.

**f. Approve Amendment to Board Policy 5141.6 – Student Health and Social Services – First Reading**

On motion of Allen Rosen, seconded by Barbara Laifman, the Board of Education tabled this item. Motion carried 5-0.

**g. Approve Amendment to Board Policy 6178.1 – Work-Based Learning – First Reading**

On motion of Mary Pallant, seconded by Sepideh Yeoh, the Board of Education approved the amendment to Board Policy 6178.1 – Work-Based Learning on First Reading. Motion carried 5-0.

**h. Approve Amendment to Board Policy 7110 – Facilities Master Plan – First Reading**

On motion of Barbara Laifman, seconded by Mary Pallant, the Board of Education approved the amendment to Board Policy 7110 – Facilities Master Plan on First Reading. Motion carried 5-0.

**i. Approve Amendment to Board Policy 7214–General Obligation Bonds– First Reading**

On motion of Allen Rosen, seconded by Sepideh Yeoh, the Board of Education approved the amendment to Board Policy 7214 – General Obligation Bonds on First Reading. Motion carried 5-0.

**j. Approve Amendment to Board Policy 1330 – Use of School Facilities**

On motion of Allen Rosen, seconded by Mary Pallant, the Board of Education approved the amendment to Board Policy 1330 – Use of School Facilities on First Reading. Motion carried 5-0.

**VII. INFORMATION ITEMS**

- 1. Monthly General Fund Status Report**
- 2. Monthly Measure R Bond Fund Status Report**

**VII. INFORMATION ITEMS**

**VIII. OPEN DISCUSSION**

The Board agreed to conduct Board Retreat on October 2, 2012 at 5:00 p.m. at Sepideh Yeoh's home.

There being no further business before this Board, the Regular meeting is declared adjourned at 9:40 p.m.

\_\_\_\_\_  
Date

\_\_\_\_\_  
President of the Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk or Secretary of the Board

**MINUTES OF SPECIAL BOARD MEETING 10-2-12  
BOARD OF EDUCATION**

**#865**

**CALL TO ORDER/MEETING PLACE**

The Board of Education President Ms. Jan Iceland, called the special meeting to order at 5:00 p.m. at Sepideh Yeoh's home, 6028 Alexandra Court, Oak Park.

**BOARD PRESENT**

Ms. Jan Iceland, President, Mr. Allen Rosen, Vice President, Ms. Mary Pallant, Clerk, Ms. Barbara Laifman, Member and Ms. Sepideh Yeoh, Member

**STAFF PRESENT**

Dr. Tony Knight, Superintendent

**PUBLIC SPEAKERS**

None

**FLAG SALUTE**

Jan Iceland led the Pledge of Allegiance to the Flag

**ACTION**

Conducted Board Self Evaluation

Reviewed and Amended Board Governance Handbook

Will bring Board Goals to next regular Board Meeting.

There being no further business before this Board, the Board adjourned to Closed Session at 8:50 p.m.

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Date President of the Board

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Date Clerk or Secretary of the Board



**TO:** BOARD OF EDUCATION  
**FROM:** DR. ANTHONY W. KNIGHT, SUPERINTENDENT  
**DATE:** OCTOBER 16, 2012  
**SUBJECT:** B.1 2012 STAR TEST RESULTS SUMMARY

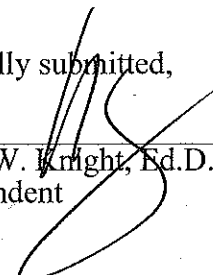
Information

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**ISSUE:** To receive a report regarding the District's 2012 STAR Test Results Summary.

**BACKGROUND:** The District is required to provide the Board with a annual summary of the District's STAR test results.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

**TO:** BOARD OF EDUCATION  
**FROM:** DR. ANTHONY W. KNIGHT, SUPERINTENDENT  
**DATE:** OCTOBER 16, 2012  
**SUBJECT:** B.2 2012 HEALTHY KIDS SURVEY SUMMARY

Information

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**ISSUE:** To receive a report regarding the District's 2012 Healthy Kids Survey Summary.

**BACKGROUND:** The District is required to provide the Board with a annual summary of the District's Healthy Kids Survey results.

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent



**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: B.3 MONTHLY MEASURE R BOND FUND FINANCIAL STATUS REPORT**  
**DISCUSSION**

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**ISSUE:** Shall the Board receive and review a status report on Measure R Fund income and expenditures through September 30th of the 2012-13 fiscal year?

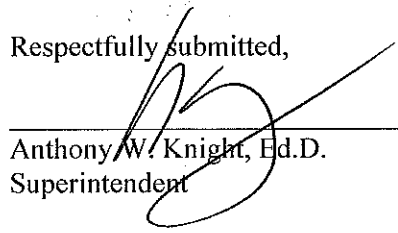
**BACKGROUND:** On November 4, 2008, Oak Park voters approved Measure R, School Improvement Bond of 2008, authorizing the issuance of general obligation bonds to repair and maintain school district facilities. The Board understands its obligation to use this resource effectively and efficiently to benefit both students and the Oak Park community. As a tool to assist in managing and monitoring the bond program, the Administration has developed the attached Measure R Bond Fund Status Report, which will provide the Board with the most current budget and expenditure information available. This report will be updated and reported to the Board every month at its regular meeting, accompanied by staff analysis of the information.

The Business Office was still finalizing the monthly update as this agenda was going to press. The report will be delivered to the Board upon its completion and will be made available for public review at the same time.

**RECOMMENDATION:** None. Information only.

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

**TO:** MEMBERS, BOARD OF EDUCATION  
**FROM:** DR. ANTHONY W. KNIGHT, SUPERINTENDENT  
**DATE:** SEPTEMBER 18, 2012  
**SUBJECT:** C.1.c. APPROVAL OF PURCHASE ORDERS – SEPTEMBER 1-30, 2012  
 CONSENT

**ISSUE:** Shall the Board approve the purchase orders issued September 1-30, 2012?

**BACKGROUND:** Attached is the Purchase Order Report listing all purchase orders issued during the reporting period. All purchase orders have been approved by an administrator as a necessary expense and are budgeted for and within the budget authorization of the account.

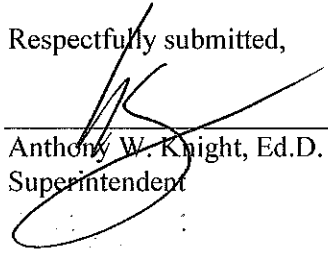
**ALTERNATIVES:**

1. Approve the attached Purchase Order Report as submitted.
2. Do not approve the Purchase Order Report.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

  
 \_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

Includes 09/01/2012 - 09/30/2012

PO Number	Vendor Name	Description	Location	Fund	Account Amount
B13-00217	Fagen Friedman & Fulfro	2012-13 Legal Services	Business Administration	010	165,635.00
B13-00218	At & T CALNET2	Blanket purchase order for telephone charges	Red Oak Elementary School	010	1,500.00
B13-00219	Mary Terzian	Sign Language Interpreter	Human Resources	010	1,000.00
B13-00220	Early Childhood.Com Db	Materials & Supplies for the Atelier	Neighborhood Pre-School Progm	010	1,200.00
B13-00221	Intermountain Lock & Security	Proj 12-07R Door Hardware Bldg 300 Mod BES	Business Administration	213	300.00
B13-00222	VCOE	summer workshops @ VCOE	Curriculum	010	2,440.00
B13-00223	Catherine A. Tabor	Sign Language Interpreter	Human Resources	010	500.00
B13-00224	Mary Terzian	Sign Language Interpreter	Human Resources	010	500.00
B13-00225	Andrea Lust	Sign Language Interpreter	Human Resources	010	500.00
B13-00226	Catherine D. Kroener	Sign Language Interpreter	Human Resources	010	500.00
B13-00227	Inclusive Educ. & Community Pa	2012/2013- IECP Aide Services	Pupil Services/Special Ed.	010	60,957.18
B13-00228	The Help Group	2012/2013 - NPS - The Help Group	Pupil Services/Special Ed.	010	158,745.80
B13-00229	ACT-Autism Ctr for Treatment	2012/2013 - ACT(Autism for Treatment) Services	Pupil Services/Special Ed.	010	69,450.00
B13-00230	Allison R. Bellefontaine	Sign Language Interpreter	Human Resources	010	250.00
FS13-00054	Sysco Ventura, Inc.	Equipment for OPUSD Cafeterias	Food Services	130	3,399.32
P12-00768	Grainger Industrial Supply	Proj 12-10R Door Pulls Bldg M&N Restrooms OPHS	Business Administration	213	120.04
P13-00114	Lego Education	DISC: Lego Mindstorms Education Set	Medea Creek Middle School	010	951.13
P13-00115	Follett Educational Services	ROES Textbook Order 2012-13 Grade 2 & 3	Curriculum	010	2,297.41
P13-00116	Intermountain Lock & Security	Proj 12-08R Door Hardware Bldg E/Admin Mod OPHS	Business Administration	213	3,350.14
P13-00117	Intermountain Lock & Security	Proj 12-07R Door Hardware Bldg 300 Mod BES	Business Administration	213	9.37
P13-00118	Lautzenhiser's Stationery	Board Minute Book	Board of Education	010	180.83
P13-00119	Dick Blick	DON: Lang Classes art materials	Medea Creek Middle School	010	142.11
P13-00120	Western Industrial Machine Rep	Woodshop/Gen Ed/rnt lse repair	Oak Park High School	010	773.90
P13-00121	Mendez Foundation	Too Good For Drougs 4th Grade	Curriculum	010	280.70
P13-00122	Virco Inc.	ROES Furniture 2012-13 Lunch Tables	Business Administration	212	4,081.44
P13-00123	Virco Inc.	BES Furniture 2012-13 Book Box	Business Administration	212	140.07
P13-00124	Compuwave Inc.	Toner cartridge for Pod A	Red Oak Elementary School	010	125.48
P13-00125	Ventura County Graphic Service	Cumulative and health folders	Red Oak Elementary School	010	62.49
P13-00126	Town & Country Printing	Office tardy slips	Red Oak Elementary School	010	134.12
P13-00127	Casa Pacifica	Casa Pacifica Transportation-	Business Administration	010	120.00

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

ESCAPE ONLINE

Includes 09/01/2012 - 09/30/2012

PO Number	Vendor Name	Description	Location	Fund	Account Amount
P13-00128	Uline	PFA: Tables for outside classroom areas	Medea Creek Middle School	010	4,508.76
P13-00129	Follett Educational Services	OPHS Grade 9-12 Reading & Writing	Curriculum	010	414.47
P13-00130	Follett Educational Services	OPIS Grade K-8 Textbooks ELA	Curriculum	010	3,312.67
P13-00131	VCOE	Ventura Alt Ed Summit	Oak View High School	010	80.00
P13-00132	Follett Educational Services	Text Books	Oak View High School	010	826.59
P13-00133	Accrediting Commission For Schools/Wasc	2012-13 Annual Installment	Home Independent Study Program	010	756.00
P13-00134	Renaissance Learning, Inc	DON: A.R. Renewal	Medea Creek Middle School	010	1,946.20
P13-00135	Maureen Hamilton	CPR/First Aid Training for OPNS	Business Administration	010	560.00
P13-00136	Follett Educational Services	OPIS Teachers Textbooks	Curriculum	010	1,905.73
P13-00137	Follett Educational Services	OPIS Writing & Grammar	Curriculum	010	226.55
P13-00138	California Consortium For Independent Study	CCIS Membership & Conference	Home Independent Study Program	010	410.00
P13-00139	Accrediting Commission For Schools/Wasc	WASC Annual Installment 2012-13	Oak View High School	010	756.00
P13-00140	Worthington Direct	PFA: Student Desks & Chairs	Medea Creek Middle School	010	6,618.87
P13-00141	Corporate Telecomm	Proj 12-08R Relocate Phone Lines Bldg E/Admin OPHS	Business Administration	213	842.27
P13-00142	Pierres Welding & Maint.	Proj 12-13R Install Gate Kinder Playground OHES	Business Administration	213	1,400.00
P13-00143	Pierres Welding & Maint.	Proj 12-13R Install Gate Kinder Playground ROES	Business Administration	213	1,400.00
P13-00144	Pierres Welding & Maint.	Proj 12-12R Install Handrail MCMS	Business Administration	213	1,160.00
P13-00145	Anderson Systems Inc	MCMS Gym Cover Plates	Business Administration	010	503.00
P13-00146	Magnum Fence and Security Inc	Proj 12-11R Install Handrail MCMS	Business Administration	213	5,596.00
P13-00147	Home Depot	Proj 12-07R Supplies Bldg 300 Modernization BES	Business Administration	213	301.61
P13-00148	Santa Barbara Museum Of Natural History	2nd Grade-Santa Barbara Natural History Museum	Oak Hills Elementary School	010	210.00
P13-00149	Rosetta Stone Language Learnin	Rosetta Stone OPIS 12-13	Curriculum	010	7,713.60
P13-00150	Conejo Awards	40 year Anniversary Award	Board of Education	010	85.80
P13-00151	Trophies Etc	Honorable Mention I2I Awards	Superintendent	010	54.70
P13-00152	Agoura Lock Technologies, Inc.	Proj 12-08R Storage Locks Bldg E/Admin OPHS	Business Administration	213	463.84
P13-00153	Follett Educational Services	OPIS Textbooks Grade 1 - 8	Curriculum	010	1,584.71
P13-00154	Follett Educational Services	OPIS Textbooks Grade 8-12	Curriculum	010	11,237.19
P13-00155	Division of State Architect	Proj 10-06R DSA Fees Gym HVAC MCMS	Business Administration	213	288.80
P13-00156	Division of State Architect	Proj 10-05R DSA Fees Gym HVAC OPHS	Business Administration	213	563.18
P13-00157	McDougal, Littell & Company	Wkbks/Don/mat & supp	Oak Park High School	010	267.92
P13-00158	Southwinds Transportation	Buses for 2nd Grade Field	Oak Hills Elementary School	010	931.20

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

ESCAPE ONLINE

Includes 09/01/2012 - 09/30/2012					
PO Number	Vendor Name	Description	Location	Fund	Account Amount
P13-00159	Santa Barbara Museum Of Natural History	Parent funded field trip	Red Oak Elementary School	010	350.00
P13-00161	Wayne Watson DBA Buena Concret	Proj 12-20R Emergency Concrete Patch BES	Business Administration	213	5,442.50
P13-00162	BC Rincon Construction Inc.	Proj 12-20R Repave Trench for Gas Line BES	Business Administration	213	1,789.75
P13-00163	M/M Mechanical, Inc	Proj 12-20R Repipe Gas Lines at BES	Business Administration	213	81,576.13
P13-00164	Security Plus Door Co., Inc.	Security Door Modernization OPHS	Business Administration	350	326.12
P13-00165	Island Packers Cruises	5th Grade Santa Cruz Island Trip	Oak Hills Elementary School	010	9,240.00
P13-00166	Verdugo Hills Autism Project	Verdugo Hills - Supervision & Student Assessment	Pupil Services/Special Ed.	010	2,500.00
P13-00167	Southwinds Transportation	Astrocamp Transportation	Medea Creek Middle School	010	5,604.80
P13-00168	Hotmath, Inc.	DonationPFC/Math/mat & supp	Oak Park High School	010	950.00
P13-00169	Carrot-Top Industries, Inc.	PFA: Flags for the Gym	Medea Creek Middle School	010	341.93
P13-00170	Southwinds Transportation	DON: Catalina trip#1 bus transportation	Medea Creek Middle School	010	7,030.80
P13-00171	Southwinds Transportation	DON: Catalina trip#2 bus transportation	Medea Creek Middle School	010	1,562.40
P13-00172	ONSITE WELLNESS SVS.	Employee Flu Shot Clinic	Business Administration	010	1,633.00
P13-00173	ACSA Membership Processing	ACSA Membership for AP	School Site Salaries-NonTeach	010	728.00
P13-00174	Agoura Lock Technologies, Inc.	Proj 12-07R Door Keys Building 300 Mod BES	Business Administration	213	260.46
P13-00175	Barnhart, Inc.	Construction Management 7.1.11 - 12.31.11	Business Administration	213	500,000.00
P13-00176	Thousand Oaks Electric	Proj 12-00R Fluorcent Drop Fixtures OPHS	Business Administration	213	825.00
P13-00177	Community Educational Ent Ramona Brandes	Parent funded field trip	Red Oak Elementary School	010	1,080.00
P13-00178	California Weekly Explorer	Parent funded field trip	Red Oak Elementary School	010	1,150.00
P13-00179	VCOE	Donation/Mock Trial/oth exp	Oak Park High School	010	420.00
P13-00180	Schoolmate	Donation - fifth grade planners	Brookside School	010	302.50
P13-00181	Technical Business Solutions	Proj 12-08R Cabling Building E/Admin OPHS	Business Administration	213	485.00
P13-00182	David Kelly dba D.J. Kelly Ent	Provide and install ADA signage at OPHS Pavilion.	Business Administration	213	528.00
P13-00183	David Kelly dba D.J. Kelly Ent	Provide and install "No Idle" signs at Sites.	Business Administration	010	342.00
T13-00015	IQ Innovations	On-Line Courses 2012-13	Oak View High School	010	1,250.00
T13-00016	CA Interactive Technologies	2012-13 21stCC-Installation-QT3281	Technology Coordinator	212	375.38
T13-00017	CA Interactive Technologies	2012-13 21st CC-Installations QT3281	Technology Coordinator	212	53,972.05
T13-00018	PC Mall Gov	CISCO CHASIS FOR DO	Technology Coordinator	212	67,956.39
T13-00019	Compuwave Inc.	Donation/PFC/Gen Ed/mat & supp	Oak Park High School	010	413.99

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

ESCAPE ONLINE

Includes 09/01/2012 - 09/30/2012

PO Number	Vendor Name	Description	Location	Fund	Account Amount
T13-00020	Compuwave Inc.	Cat6 Cords/Gen Ed/mat & supp	Oak Park High School	010	48.26
T13-00021	Compuwave Inc.	Printers for COWs and replacements	Technology Coordinator	212	5,183.39
T13-00022	PC Mall Gov	CISCO WAPs for COWs	Technology Coordinator	212	4,269.65
Total				93	<u>1,294,509.69</u>

## Fund Summary

Fund	Description	PO Count	Amount
010	General Fund	63	548,103.79
130	Cafeteria Fund	1	3,399.32
212	Measure C6 Technology Bond Fun	7	135,978.37
213	Measure R FACILITIES Bond Fund	21	606,702.09
350	County School Facilities Fund	1	326.12
Total		93	1,294,509.69

The preceding Purchase Orders have been issued in accordance with the District's Purchasing Policy and authorization of the Board of Trustees. It is recommended that the preceding Purchase Orders be approved and that payment be authorized upon delivery and acceptance of the items ordered.

ESCAPE ONLINE

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.I.d. APPROVE OVERNIGHT TRIP FOR MEDEA CREEK MIDDLE SCHOOL 6<sup>th</sup> GRADE TO PALI INSTITUTE – NOVEMBER 27-30, 2012**  
**CONSENT**

**ISSUE:** Shall the Board of Education approve the attendance for Medea Creek Middle School 6<sup>th</sup> graders to attend a four day Outdoor Education experience at the Pali Institute in Running Springs, CA?

**STATEMENT:** As in past years, all interested 6<sup>th</sup> graders have the opportunity to experience hands-on science and nature during an Outdoor Education trip. The trip, once again, is at the WASC and AEE accredited program at the Pali Institute. The trip is scheduled for November 27-30, 2012. The cost is \$440.00. The bus company will be Southwinds. The camp is fully staffed and will be complemented by approximately eight MCMS faculty/staff.

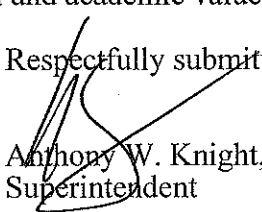
**BACKGROUND:** Outdoor Education is a 6<sup>th</sup> grade staple at Medea Creek Middle School, giving students a one-to-one experience with the outdoors, as well as with hands-on science. Pali Institute promises a high-quality program with nature walks and intriguing science classes suited for the 6<sup>th</sup> grade in a beautiful, safe and well-cared for environment.

**ALTERNATIVES:** 1. Approve the overnight Outdoor Education trip.  
 2. Do not approve the overnight Outdoor Education trip.

**RECOMMENDATION:** Alternative #1

**RATIONALE:** It is a wonderful opportunity to study science in a natural setting. In the past, Outdoor Education has been a highlight for students. It has both social and academic value for our children.

Respectfully submitted:

  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE: AYES NOES ABSTAIN ABSENT

Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student	_____	_____	_____	_____

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.1.e APPROVE ANNUAL TEACHER ASSIGNMENT REPORT**

CONSENT

**ISSUE:** Shall the Board of Education approve the recommendation of the Superintendent to certify that all teachers are appropriately assigned in subject areas for which they qualified?

**BACKGROUND:** Education code Section 44258.9 requires school districts to establish procedures for reviewing teacher assignments annually and to report their findings to their local government in a public meeting. The state has recognized the need to provide a degree of flexibility in the assignment of teachers and offers several ways in which teachers can be deemed qualified to serve in particular areas. These include:

1. Credentials on file
2. Education code provisions
3. Board Waiver
4. Committee on Assignment

**ALTERNATIVES:**

1. Approve the recommendations of the Superintendent
2. Do not approve the recommendations of the Superintendent
3. Alter the recommendations of the Superintendent

**RECOMMENDATION:** Alternative #1

Respectfully submitted,

  
 \_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Prepared by:  
 Leslie Heilbron Ed.D.,  
 Assistant Superintendent Human Resources

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep.	_____	_____	_____	_____



## Human Resources Memorandum

**To:** Anthony W. Knight, Ed.D.  
**From:** Leslie Heilbron, Ed.D, Assistant Superintendent, Human Resources  
**Date:** October 16, 2012  
**Re:** CREDENTIAL INFORMATION – 2012-2013

### BACKGROUND INFORMATION

Under the provisions of SB 435, the Board of Education receives a report of fully credentialed staff who are assigned to teach in academic areas for which they may not have a formal credential, but for which they have the requisite number of units required for knowledge of the subject and the ability to teach the subject in the classroom. The following credential assignments are brought to the Board of Education annually. These assignments are brought to the Board in accordance with the requirements of the Education Code and the California Commission on Teacher Credentialing.

**Education Code section 44256(b) (grades 8 and below)** allows, with the approval of the governing board, the holder of a multiple subject or standard elementary teaching credential to teach, with his or her consent, in departmentalized classes below grade level 9 if the teacher has completed 12 semester units, or 6 upper division or graduate semester units in the subject to be taught.

**Education Code section 44258.2 (grade 5-8)** allows that the holder of a single subject standard secondary teaching credential may, with his or her consent, be assigned by action of the governing board, to teach classes in grades 5 through 8 in a middle school, provided that the teacher has a minimum of 12 semester units or 6 upper division or graduate semester units of coursework at an accredited institution in the subject to be taught.

Sharon Lavene	Social Studies	Alison Stein	Social Studies
Steven White	Language Arts		

**Education Code 44263** allows the holder of a teaching credential to serve by approval of the governing board and with the consent of the teacher, any single subject departmentalized class if the teacher has completed 18 semester units of coursework, or 9 semester units of upper division or graduate coursework in the subject to be taught.

Sheri Boone	Spanish	David Sloan	Physics
Patti Pawloski	Technology	Troy Labnow	Chemistry
Eric Pryor	Health		

**Education Code 44865** allows the holder of a valid teaching credential to be assigned with the consent of the teacher to teach any subject at any grade level to students in the following programs:

#### Continuation Schools

Susan Allen  
 Randi Liepman  
 Nicole Simmons

#### Home Independent Study

Ty DeLong	Kate Edwards
Gillian Gamboa	Daniel O'Brien
Barbara Harrison	Carolyn Purkey
Kate Thompson	

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.2.a APPROVE OUT OF THE COUNTRY OVERNIGHT TRIP FOR OAK PARK HIGH SCHOOL STUDENTS TO COSTA RICA FOR RAINFOREST RESEARCH – AUGUST 6-16, 2013**

**ACTION**

**ISSUE:** Shall the Board approve an out of the country overnight trip for Oak Park High School students?

**BACKGROUND:** Principal, Kevin Buchanan, requests approval for this out of the country overnight trip to conduct field research in a tropical forest through two partnering universities. The 16 students and two teachers (Debby West and Cathy Lory) will fly from LAX to Liberia, Costa Rica. Students and chaperones will stay at La Anita Rainforest Ranch. The Program Partners are University of Wisconsin, Currie Lab, University of Costa Rica, Biochemistry Department-School of Medicine, Rotary International and Seeds of Change. The cost will be \$3,400 to cover the cost of airfare, ground transportation, meals, and lodging. Student will conduct fundraising and apply for grants. Student must apply for the program before being accepted. Back up information about the program is attached. Accept this as certification that the Principal has reviewed and verified that all the required components of the approved *Field Trip Planning Guide/Checklist* have been met.

**ALTERNATIVES:** 1. Approve out of the country overnight trip as presented.  
2. Do not approve out of the country overnight trip as presented.

**RECOMMENDATION:** Alternative #1.

Respectfully submitted

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

**Board Action:** On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Member	_____	_____	_____	_____



## Costa Rica Science Research Trip Application & Instructions

### Course Description:

The SOC Costa Rica trip will embark on a science driven experience to the research site three hours outside of Liberia, Costa Rica. While at this site, students will be immersed in a tropical rainforest research program focusing on leaf cutter ants. In addition students will be exposed to various topics including ecotourism, conservationism, organic farming and rainforest ecology. Leaf cutter ants have been an ongoing effort by Dr. Cameron Currie of the University of Wisconsin for the past decade. Under the umbrella of the work done by Dr. Currie and Dr. Adrian Pinto from the University of Costa Rica, these students will participate in a research effort to not only generate discoveries relating to these ant colonies, but also to propel the high school students understanding and knowledge of tropical field research to a level typically not possible until far into the university level biosciences. The students will gain an understanding of how nature can teach us things that otherwise would take place years into a university level curriculum.

### Student Requirements:

Students in grades 9-12 will be able to apply. Depending on the school system, it is best if the student has had basic biology or chemistry. These students will be selected based on the following criteria: academic history, teacher recommendation, student essay. Students will be required to attend all pre and post departure classes. There is a tuition charge for this course, so students will also be required to meet the payment deadlines in full. There will be 16 students selected from a participating school. The school may elect to accept alternates who would fulfill the position of a student who might have to drop out for any number of reasons prior to the trip departing in the summer months. Or the alternate might then be the highest priority on the selection list for the follow year.

### Application Process:

The following requirements will need to be met in order to complete your application.

- Application essay submitted to your schools teacher heading the program
- Two teacher evaluation forms submitted (attached)
- Parent permission slip signed and returned
- Submit the first payment toward the trip cost of \$3300 with a \$100 check made out to "Seeds of Change" with your application. This is refundable if you are not selected.
- Students who are accepted will have a monthly payment schedule with which they will make payments toward their trip. These payments will be used to make required prepayments in Costa Rica and are not refundable unless we are able to recover the funds.

**I. Essay Question:** Please answer **ONE** of the following questions in 500 words or less. Your essay will be evaluated on content and composition. This experience requires a high level of commitment; please submit your best work.

- Why is it important to you to have a course abroad instead of a class trip?

- Why is it important to learn about science in the field over other classroom experiences?
- How do you plan to use what you learn in this course in your future?
- How do you hope to bring what you learn back to your community?

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**II. Teacher Evaluation Forms:** Attach TWO teacher evaluation forms.

### III. Parent Permission Form:

As a parent of \_\_\_\_\_ I approve of my student applying for inclusion in this Costa Rica Tropical Rainforest Research Project during the coming summer months. I understand that the cost of this trip will be \$3,400 and that the trip payments are non-refundable due to the fact that monies have to be committed and sent to Costa Rica according to a timetable prior to the trip. There is a \$100 application fee with the students application which is refundable if the student is not selected. If there is a medical emergency, which prevents the student participation the student's funds may be retained for participation in the following year OR monies not already spent for airfare, lodging, trip logistics and prepaid transport will be returned to the student.

Money earned by the Seeds of Change Coffee Fundraising or grant money awarded, however will be lost or held for a following year trip.

\_\_\_\_\_  
*Parent Signature*

\_\_\_\_\_  
*Date*



### **Acceptance Form**

Dear Costa Rica Science Research Experience Applicant:

Thank you for your application to the Seeds of Change Costa Rica Science Research Experience (CRSRE).

We are excited to inform you of your acceptance to the 2012 program. We had many students with different talents applying. You have been chosen based on your academic and leadership talents as well as contributions to the \_\_\_\_\_ High School.

The first step to enroll in the course is to secure your spot through the first down payment of \$100 which is due on \_\_\_\_\_. This down payment is non-refundable and should be submitted to \_\_\_\_\_. All checks should be made out to *Seeds of Change, CRSRE*. After all spots are secured, students and parents will be notified of upcoming class and parent meetings. The payment and

fundraising schedule for the remaining \$3200 will be provided to you by your trip teachers. We have a fund raising program which you may also be able to use to help pay for your trip.

Again, congratulations on your acceptance to the Costa Rica Science Research Experience. We look forward to our future cooperation and exciting experience ahead.

Feel free to contact the lead teacher, \_\_\_\_\_ if you have any questions

Sincerely:

*Seeds of Change Selection Committee*



### **Acceptance as an Alternate Form**

Dear Costa Rica Science Research Experience Applicant:

Thank you for your application to the High School/Seeds of Change Costa Rica Science Research Experience (CRSRE). We are disappointed to inform you that the CRSRE has been over subscribed for the 2012 program. We had many students with different talents applying for the program positions. However, based on your application and recommendations, you have been selected as an alternate if you so choose to participate. The cost as an alternate for the trip is \$1,750. As an alternate you would replace a student who drops out. It is our experience that with a group of this many participants there are emergencies, personal problems or economic factors which cause students to drop out of the program.

The first step to enroll as an alternate in the course is to secure your spot through an application for an alternate position using the \$100 check you have already submitted. This down payment should be submitted to \_\_\_\_\_. All checks should be made out to *Seeds of Change*. After all spots are secured, students and parents will be notified of upcoming class and parent meetings. The payment and fundraising schedule for the remaining \$1,600 will be provided to you by your trip teachers.

Should your alternate position not open up by \_\_\_\_\_, all of your non-fundraising monies will be returned to you. Monies that you have raised by fundraising will be kept in an escrow account for one year as a credit toward the next year's trip, should you apply. Your position on the following year's trip will be assured at the \$3,400 price, less any fundraising money held over from this trip's fundraising.

Feel free to contact the lead teacher if you have any questions.

Sincerely:

The \_\_\_\_\_ High School/Seeds of Change Selection Committee



### Alternate Application

Seeds of Change/\_\_\_\_\_ High School

Costa Rica Tropical Rainforest Research Trip for Summer of \_\_\_\_\_

I hereby apply as an alternate for the \_\_\_\_\_ (year) Summer Costa Rica Tropical Rainforest Research trip. The total cost as an alternate is \$1,750 of which I have deposited \$100 of refundable money toward the trip.

As an alternate, I will be able to participate in all pre-trip classes and I will be able to participate in fundraising activities associated with this trip. Should positions open up for the summer trip, I will be selected as a participant based on the date upon which I applied for the alternate position. If other students applied before me, they will be given first priority until my application date is the earliest of the remaining alternates.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Teacher Recommendation Form**

## SOC Costa Rica Science Trip

### Teacher Recommendation Form

**Student Name:** \_\_\_\_\_

**Recommending Teacher:** \_\_\_\_\_

The above student is applying to be a participant in the SOC Costa Rica Science trip. This is a potential credit bearing experience that requires both academic and functional skills in order to be successful. Please rate the above student on the listed skills and provide any additional information you feel would be helpful in the selection process. If you have any questions about the requirements and skills necessary for this experience, feel free to contact \_\_\_\_\_.

**Please return this form directly to** \_\_\_\_\_.

<b>Skills</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Communication</b> -the student can communicate clearly in a large and small group setting.					
<b>Quality of work</b> -this student consistently submits high quality work that demonstrates that he or she is invested in the academic subject.					
<b>Interpersonal Skills</b> -the student can work with other students that they may not know and create working relationships without a teacher's assistance.					
<b>Problem Solving</b> -the student can work through basic problems and try possible solutions on their own before coming to a teacher for help.					
<b>Responsibility</b> -the student takes responsibility for his or her actions and is able to attend his or her own needs independently.					
<b>Learning Style</b> -this student can function beyond the traditional teaching and can think and respond beyond concrete instruction.					

Teacher Comments:

**SSOC Timeline Form**

*To be Adjusted School by School by Teachers as is needed!*



- September – Identify teachers to implement curriculum and attend trip (if teachers can be identified before the school year begins it is best) – Teachers identify students (AP Biology, AP Physics, AP Chemistry or students who are particularly motivated about science) - distribute application forms
- October – Mid-Month Information Session at school for students and parents, grant programs explained and preliminary trip dates announced.
- Nov. 1 – Applications due along with \$100 down payment (refundable if not accepted)
- Nov. 7 – Students and parents notified of who is accepted
- Nov. 15 – General Program Orientation for students and any interested parents: timeline for curriculum and fundraising activities, parent volunteers; \$200 second payment due, remind students to get passport-Monies are now non-refundable!
- Dec. 1 – Use Coffee For Christmas. Start fundraising-coffee project; \$300 due
- January – Students meet for first pure science class: Atta Cepholtes. Life Cycle/Social Structure/Nuptial Flight/Coloney relocations/Wars/Arms Race/Assign readings – fundraising (letters to local rotary clubs, school fundraisers, whatever the kids brainstorm); \$500 due
- February – Students meet for second pure science curriculum assign readings; Student Presentations-Culturing; \$500 due - fundraising check point
- March – Students meet for third science class; \$500 due
- April – Students meet for fourth science class session; \$500 due
- May – Students meet for fifth science class session; \$800 due (coffee sales credits applied against this last trip amount-if overpayment. students are issued checks-students may continue to sell coffee into the summer to raise funds.)
- June – Parents and students pre-trip briefing - trip dates final
- July – Debrief, plan presentation to parents and school
- August – Present to parents and some school staff to evaluate continuing program

## Rules for the Costa Rica Science Research Experience

Remember a few things about this tour. You are visiting a country where the customs and ways of doing things may differ from those to which you are accustomed. You are a "Goodwill Ambassador" of the United States and your High School. Many of the people with whom you come in contact will have you, and only you and your group, by which to judge us. Remember that courtesy, politeness and enthusiasm are always appreciated and in turn will be returned.

Keep in mind that the rules below are not to stop you from having fun on this trip, but rather are to ensure that all participants can have a safe and memorable trip that enhances your background in science.

The nightly curfew will be established by the teachers and relayed to the students. Students are expected to be in their room by the indicated curfew time. Bed-checks will be made each night.

Students may not leave their rooms for any reason once bed-checks have been made. Remember, you are in a remote rainforest full of biodiversity. It is not like your tranquil city park.

Students are not permitted to change assigned rooms. Under very special circumstances a change may be made only with the permission of the lead teacher.

Students must respect property of Finca La Anita. The student is responsible for any damage or misappropriation of their property and must pay for the items before departing.

Students have extremely limited opportunity for spending in this remote area but there may be expenses that a student incurs in a village or at the dining facility at Finca La Anita. Students must pay for incidental personal expenses incurred at Finca La Anita prior to departure. We recommend making calls for emergency purposes only. There will be a nightly blog created by individual students each night so parents and friends back home might in some small way share the experience of what is happening deep in the rainforest.

Students must be on time for all scheduled activities, check-in times and for each meal included in the program. Tardiness results in an inconvenience to others, causing everyone in the group to miss some or all of the planned activities. Remember - there are other participants including your chaperones that will have to wait for you.

Students are expected to participate in all planned group activities. The only excuse for absence from an excursion is illness.

Students are not permitted to venture away from the group without prior permission. Free time provides an opportunity for independent activities and the pursuit of personal interests; however, students must be in groups of 2 or more students from your school. Students must receive permission from the chaperones before leaving the group during free time.

When you go off in groups during free time EVERY student must be familiar with the procedures for establishing contact and returning to Finca La Anita.

Students are warned that carrying or using drugs in all foreign nations is an offense that is punished by immediate imprisonment. Teachers cannot stay behind with any students who so violate this law.

Required medication should be prescribed by a physician and PROPERLY bottled and labeled.

When students are in a room (again in groups no smaller than 2) with students of the opposite sex, the door must remain propped open.

Students are expected to take care of their personal belongings, ESPECIALLY passports, pre-paid cash cards/phone cards and foreign currency. LOCK everything in the safe in your cabin when you leave. Any money left out might be seen as a "tip" for housekeepers.

Students are encouraged to leave all valuables behind. Seeds of Change, The High School and Finca La Anita are not responsible for lost or stolen items.

When we are in the city or in tourist areas do not accept rides or favors from strangers. If they ask you a question, such as directions or time, etc., be warned that they may be trying to pickpocket you. Do NOT do favors for others, such as offering to carry or mail things for them.

Although alcohol may be offered at a restaurant, it is strictly prohibited. **Any consumption/purchase/possession of alcohol on the trip will result in immediate return home at your parents'/guardians' expense.**

No smoking.

Dress must be appropriate for the day's activities. As with school policy, clothes that reveal visible underwear, tummies, and cleavage should not be packed.

Flexibility is important. Due to weather or other circumstances some things may be changed on the tour. The teachers are the "law" for this trip; therefore, you will be expected to follow instructions and requests.

Any participant who commits a serious breach of these rules or continues to disregard any of the rules may be expelled from the tour at any time and he/she will be returned to the U.S.A. at the expense of the parents/guardians of the students.

We have read this document and agree to comply with all the rules listed and any others that the lead teacher or Seeds of Change staff feels necessary to impose while participating in the Costa Rica Science Research Experience.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
date

\_\_\_\_\_  
date



Grouping the Landscape of Secondary Science Education

**Rejection Letter**

\_\_\_\_\_ High School

Dear Costa Rica Science Research Experience Applicant:

Thank you for your application to the Costa Rica Science Research Experience in Costa Rica.

We have been fortunate to receive many applications for just a few spots. While the selection committee was impressed with your application and passion for an experience such as this, it was unable to accept your application for participation for the 2010 program.

With the qualifications and passions that you have, please consider reapplying for future experiences like this.

If you have questions about the selection process, please feel free to contact the \_\_\_\_\_ High School lead teacher \_\_\_\_\_. Telephone is: \_\_\_\_\_.

Thank You:

\_\_\_\_\_ *High School/Seeds of Change Selection Committee*



*Changing the Landscape of Secondary Science Education*

## **Costa Rica Science Research Experience**

### **Personal Image/Media Information Release Permission Form**

As a participant in the \_\_\_\_\_ High School/Seeds of Change Costa Rica Science Research Experience, you may be photographed or asked to comment on your experience to various media sources. Most photographs or interviews will occur during the experience, however, at times, a reporter may want to contact you directly.

Participating in interviews or providing experience commentary is not a requirement of the Costa Rica Science Research Experience.



(day)

(night)

(cell)

Parent's Employer \_\_\_\_\_ Phone \_\_\_\_\_

Name and contact info for person to notify if we are unable to reach a parent/guardian:

_____	_____	_____	_____
Name	(tel: day)	(tel: night)	(cell)

Medical Insurance Co: \_\_\_\_\_ Policy No.: \_\_\_\_\_

Is student currently under doctor's care? \_\_\_\_ Is student currently taking medication? \_\_\_\_

If yes, name(s) of medication(s) \_\_\_\_\_

Please list all allergies to medication: \_\_\_\_\_

Please check any of the following conditions your child is currently experiencing. **For any checked condition, you must submit a comprehensive health plan, signed by your child's physician, to the School Nurse at least two weeks prior to departure on the school-sponsored trip.**

_____ diabetes	_____ asthma	_____ seizure disorder
_____ cardiac problems	_____ food allergies	_____ orthopedic problems

Please check the over-the-counter medicines school staff can administer to your child:

\_\_\_\_\_ Tylenol (acetaminophen) \_\_\_\_\_ Advil (ibuprofen) \_\_\_\_\_ antacid

My child has had a tetanus shot within the past six years: \_\_\_\_\_ yes \_\_\_\_\_ no

I hereby grant permission to the school trip leader(s) to make decisions to secure medical treatment, including (but not limited to) medications, injections, anesthesia, or surgery, for my child until one or both parents, or the alternate contact person named above, can be reached.

Parent/legal guardian signature \_\_\_\_\_ Date \_\_\_\_\_

## **Costa Rica Science Research Experience**

### **Packing List**

*Everything To Fit in One Carry-On Bag and a Backpack*

#### **Documentation**

1. Passport (make two copies of your passport – one will be in the possession of Seeds of Change and leave one at home)
2. Insurance Card (if you have one) and Medical Information Form
3. Flight numbers/tickets (furnished by Seeds of Change)

#### **Suggested Items:**

1. comfortable t-shirts, long pants, shorts
2. lightweight jacket
3. bathing suit
4. underwear
5. socks (at least one pair of knee length socks for wearing with rubber boots that are provided)
6. tennis shoes that are comfortable and will get dirty
7. sandals
8. very lightweight raincoat

9. hat/sunglasses
10. toiletries/sunscreen/insect repellent/personal medications
11. small flashlight with extra batteries
12. water bottle
13. a small day pack or hip pack for hiking (should fit water bottle, bug spray, etc.)

**Additional items:**

1. camera, journal, tablet, pencils
2. plastic bags for transporting wet or muddy cloths/shoes
3. small first aid kit with band-aides, antibiotic cream, anti itch cream, anti diarrhea medication, pain relievers, tweezers
4. feminine hygiene products
5. travel Alarm/watch with alarm
6. ear plugs (for students sensitive to forest noise at night)

**Finca La Anita provides linens, towels, and rubber boots for all students. The electrical outlets and current is the same as the United States. Remember that you will be spending the majority of your time in the rainforest and your clothes will get dirty. Be sure to alert Finca of food allergies/dietary restrictions.**



**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.3.a. APPROVE CHANGE ORDER 2, PROJECT 12-07R, BUILDING 300 MODERNIZATION AT BROOKSIDE ELEMENTARY SCHOOL**

ACTION

**ISSUE:** Shall the Board approve Change Order 2, Project 12-07R, Building 300 Modernization at Brookside Elementary School?

**BACKGROUND:** On April 19, 2012, the Board awarded a contract for Project 12-07R, Building 300 Modernization at Brookside Elementary School, to Waisman Construction, Inc. During the course of the project, District staff and construction manager Balfour Beatty have recommended changes to the project's scope for conditions unforeseen at the time the contract was awarded. Details of proposed changes in the scope and cost to the original contract for this project are specified in the attached document for Change Order 2.

The total amount of Change Order 2 is \$22,694.00, which will increase the contract from \$649,270.00 to \$671,964.00. It is recommended by Balfour Beatty and District staff that the Board approve Change Order 2.

**ALTERNATIVES:**

1. Approve Change Order 2 to the contract with Waisman Construction, Inc., for Project 12-07R, Building 300 Modernization at Brookside Elementary School.
2. Do not approve Change Order 2.

**RECOMMENDATION:** Alternative 1.

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**Oak Park Unified School District  
5801 E. Conifer Street  
Oak Park, Ca 91377**

**CHANGE ORDER 12-07R-2-FINAL**  
10-04-12

PROJECT NO: 12-07R CHANGE ORDER NO: 2 FINAL  
PROJECT NAME: Building 300 Modernization at Brookside Elementary School  
CONTRACTOR: WAISMAN CONSTRUCTION, INC.  
SCOPE OF WORK: SEE ATTACHED

## COST:

Original Contract Amount	\$	603,000.00
Previous Approved Change Orders	\$	46,270.00
This Change Order	\$	22,694.00
Adjusted Contract Amount	\$	671,964.00

## TIME:

Original Contract Completion Date	August 10, 2012
Previous Approved Completion Extension Days	0
Completion Days Extension this Change Order	18
Adjusted Contract Completion Date	August 28, 2012

**THIS IS A FINAL PROJECT CHANGE ORDER.** IT IS AGREED BY THE CONTRACTOR THAT THE ADJUSTED CONTRACT AMOUNT AND/OR TIME, IF ANY, INCLUDES FULL AND COMPLETE EQUITABLE ADJUSTMENT AND COMPENSATION FOR ALL CONTRACT WORK AND EXTRA WORK PERFORMED ON THE PROJECT INCLUDING BUT NOT LIMITED TO CHANGES, DIFFERING SITE CONDITIONS, SUSPENSIONS, DELAYS, RESCHEDULING, ACCELERATION, IMPACT AND EXTENDED OVERHEAD. CONTRACTOR HEREBY WAIVES ANY AND ALL RIGHT TO ADDITIONAL COMPENSATION OR TIME ARISING OUT OF THE WORK AND HEREBY ACKNOWLEDGES AND AGREES THAT THE AMOUNT SHOWN ABOVE CONSTITUTES PAYMENT IN FULL ACCORDING TO THE CONTRACT DOCUMENTS.

EXCEPT TO THE EXTENT THE CONTRACT HAS BEEN MODIFIED BY PREVIOUSLY ISSUED DISTRICT CHANGE ORDERS, AND FURTHER MODIFIED BY THIS CHANGE ORDER, THE CONTRACT REMAINS IN FULL FORCE AND EFFECT.

## OAK PARK UNIFIED SCHOOL DISTRICT

By \_\_\_\_\_  
Date \_\_\_\_\_

## District Architect; KPI Architects

By \_\_\_\_\_  
Date \_\_\_\_\_

## CONTRACTOR: WAISMAN CONSTRUCTION, INC.

By \_\_\_\_\_  
Date 10/4/12

## District PM/CM; Balfour Beatty Construction

By \_\_\_\_\_  
Date 10-4-12

Change Order to Contract  
OPUSD Bid 12-07R

Oak Park Unified School District

Bid No 12-07R

35  
Change Order # 12-07R-2-FINAL

10/4/2012

Building 300 Modernization at Brookside Elementary School

WAISMAN CONSTRUCTION, INC.

Original Contract

\$ 603,000.00

Item No.	GC No.	Description	Reason	Cost
2.1	COR21R1	Furnish and install a new door and frame in the Teacher's Workroom #C16, per RFI #67	The Door Schedule in Addendum #2 does not specify this opening. It was agreed to by all parties that a door was needed in this location.	\$ 4,069
2.2	COR22R1	Abate VCT floor tile in Teacher's Workroom #C16	The contract documents showed this area as negative, but in reality the mastic was "HOT" and had to be abated.	\$ 2,661
2.3	COR27R1	Furnish and install drywall over the existing damaged vinyl coated plaster walls in the East and West hallways, per RFI #77	This was an unforeseen condition that was resolved by installing new drywall in the hallways in lieu of re-installing the damaged tack wall over a damaged sub surface.	\$ 3,120
2.4	COR33R2	Rework the locations of the existing fire alarm smoke detectors due to the new light fixture layout, per RFI #54	The existing fire alarm locations conflicted with the new light fixture layout. As a result, the fire alarm locations had to be altered.	\$ 6,595
2.5	COR38	Remove the already installed Crane lavatory and furnish and install the Ceco 553 lavatory in the girls and boys restrooms, per RFI #87	The specified sink that was installed could not satisfy the elementary level ADA requirements and therefore had to be replaced with a model that met those ADA requirements.	\$ 1,499
2.6	COR39	Install offset tail pieces to the ADA water closet flush valves in the girls and boys restrooms	The offset tail pieces had to be installed to resolve the issue of the conflicting grab bar and meet ADA requirements.	\$ 917
2.7	COR40	Install a new ground wire to the two roof exhaust fans, per RFI #68	This was an unforeseen condition that was discovered when the contractor went to replace the old exhaust fans with new and found no existing ground wires.	\$ 1,848
2.8	COR43	Relocate (2) ceiling mounted Exit signs, per RFI #91	The location of the Exit signs had to be changed because the location where they were installed did not provide the required separation between a primary and secondary fire exit.	\$ 1,233
2.9	COR44R1	Install 5400 wiremold and (3) outlets on South wall of Classroom 307 to accommodate the smartboard, per site request	This was a site request prior to school starting.	\$ 1,355
2.10	COR46	Modify the ductwork layout per RFI #65	As discussed and agreed to by all parties, at the July 6, 2012 onsite meeting, the ductwork modifications had to be done to provide proper distribution of air into the designated rooms.	\$ 3,856
2.11	COR47	Furnish and install additional fire taping and caulking on the existing gypsum board walls, cement plaster walls, and ceilings per RFI #90	This was an unforeseen condition noted by the inspector prior to closing up the ceiling. In order to maintain the integrity of the fire rated walls, the contractor was directed to patch and repair the damaged or cracked areas.	\$ 706
2.12	SOV line item #26	This is a credit for the work not performed per contract documents. The work involved with this credit includes fixing 150' of a crack in the concrete slab that was determined and agreed to by all parties as unnecessary.	This work was not performed, so line item #26 from the Schedule of Values will be credited to the District.	\$ (1,500)

2.13	split of ETA Invoice #BR- 072112	This is a credit due to the District as a result of the onsite meeting held on 8-10-12 in regards to the additional abatement testing costs incurred by the District due to test failures. During this meeting it was agreed to by all parties to perform a three way split of the ETA bill between Waisman Construction, MEC Inc., and the District.	This credit covers MEC Inc.'s portion and Waisman Construction's portion of the bill.	\$ (3,665)
2.14	Contract Time Extension	Non-compensable Contract Substantial Completion extension of 18 days. Original Substantial Completion date August 10, 2012. Revised Contract completion date is August 28, 2012	Modify Supplemental Conditions Milestone #3 to reflect Substantial Completion date of August 28, 2012.	\$ -

Total Change Order # 2

\$ 22,694

Previous CO

\$ 46,270

Original Contract

\$ 603,000

Revised Contract

\$ 671,964

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.3.b. APPROVE CHANGE ORDER 1, PROJECT 12-08R,  
 BUILDING E ADMINISTRATION MODERNIZATION AT  
 OAK PARK HIGH SCHOOL**

ACTION

**ISSUE:** Shall the Board approve Change Order 1, Project 12-08R, Building E Administration Modernization at Oak Park High School?

**BACKGROUND:** On May 15, 2012, the Board awarded a contract for Project 12-08R, Building E Administration Modernization at Oak Park High School, to Ventura Construction, Inc. During the course of the project, District staff and construction manager Balfour Beatty have recommended changes to the project's scope for conditions unforeseen at the time the contract was awarded. Details of proposed changes in the scope and cost to the original contract for this project are specified in the attached document for Change Order 1.

The total amount of Change Order 1 is \$41,417.00, which will increase the contract from \$423,600.00 to \$465,017.00. It is recommended by Balfour Beatty and District staff that the Board approve Change Order 1.

**ALTERNATIVES:**

1. Approve Change Order 1 to the contract with Ventura Construction, Inc., for Project 12-08R, Building E Administration Modernization at Oak Park High School.
2. Do not approve Change Order 1.

**RECOMMENDATION:** Alternative 1.

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**Oak Park Unified School District  
5801 E. Conifer Street  
Oak Park, Ca 91377**

**CHANGE ORDER 12-08R-1-FINAL**

10-01-12

PROJECT NO: 12-08R

CHANGE ORDER NO: 1 FINAL

PROJECT NAME: Building E/Admin Modernization at Oak Park High School

CONTRACTOR: VENTURA CONSTRUCTION INC.

SCOPE OF WORK: SEE ATTACHED

**COST:**

Original Contract Amount	\$ 423,600.00
Previous Approved Change Orders	\$ -
This Change Order	\$ 41,417.00
Adjusted Contract Amount	\$ 465,017.00

**TIME:**

Original Contract Completion Date	August 15, 2012
Previous Approved Completion Extension Days	0
Completion Days Extension this Change Order	0
Adjusted Contract Completion Date	August 15, 2012

**THIS IS A FINAL PROJECT CHANGE ORDER.** IT IS AGREED BY THE CONTRACTOR THAT THE ADJUSTED CONTRACT AMOUNT AND/OR TIME, IF ANY, INCLUDES FULL AND COMPLETE EQUITABLE ADJUSTMENT AND COMPENSATION FOR ALL CONTRACT WORK AND EXTRA WORK PERFORMED ON THE PROJECT INCLUDING BUT NOT LIMITED TO CHANGES, DIFFERING SITE CONDITIONS, SUSPENSIONS, DELAYS, RESCHEDULING, ACCELERATION, IMPACT AND EXTENDED OVERHEAD AS IT RELATES SPECIFICALLY TO ITEMS 1.1 THRU 1.8 OF THE ATTACHED LISTING. CONTRACTOR HEREBY WAIVES ANY AND ALL RIGHT TO ADDITIONAL COMPENSATION OR TIME ARISING OUT OF THE WORK SPECIFIC TO ITEMS 1.1 THRU 1.8 OF THE ATTACHED LISTING, AND HEREBY ACKNOWLEDGES AND AGREES THAT THE AMOUNT SHOWN ABOVE CONSTITUTES PAYMENT IN FULL ACCORDING TO THE CONTRACT DOCUMENTS.

EXCEPT TO THE EXTENT THE CONTRACT HAS BEEN MODIFIED BY PREVIOUSLY ISSUED DISTRICT CHANGE ORDERS, AND FURTHER MODIFIED BY THIS CHANGE ORDER, THE CONTRACT REMAINS IN FULL FORCE AND EFFECT.

**OAK PARK UNIFIED SCHOOL DISTRICT**

By \_\_\_\_\_

Date \_\_\_\_\_

**District Architect; KPI Architects**

By \_\_\_\_\_

Date \_\_\_\_\_

**CONTRACTOR: VENTURA CONSTRUCTION INC.**

By \_\_\_\_\_

Date 10/4/12

**District PM/CM; Balfour Beatty Construction**

By D. KUTHERBALL

Date 10-4-12

Change Order to Contract  
OPUSD Bid 12-08R

Oak Park Unified School District

Change Order # 12-08R-1-FINAL

Bid No 12-08R

10/1/2012

Building E/Admin Modernization at Oak Park High School

VENTURA CONSTRUCTION INC.

Original Contract

\$ 423,600.00

Item No.	GC No.	Description	Reason	Cost
1.1	COR#01	Provide and install Aqua Mix Sealer's Choice Gold penetrating sealer on the ceramic tile in the men's and women's restrooms, per the response to RFI 62.	The sealer was included as a line item on the punch list to ensure that the new ceramic tile would have better longevity and that the grout would be protected and preserved.	\$ 1,657
1.2	COR#02	This change order is the result of additional costs for changing restroom accessories manufacturers per FCD#02 and a credit for deleting one of the recessed waste receptacles in the health restroom per RFI 45.	FCD#02 was issued to provide a more suitable product for the District. In regards to removing the recessed waste receptacle and obtaining a credit, this decision was made in the field, due to conflicting amenities in this area, and was agreed to by all parties.	\$ 355
1.3	COR#03	This change order encompasses all of the additional work performed by TIP Electric, Ventura Construction's electrical subcontractor. The following is a breakdown: a) Provide and install 6 emergency ballasts and connect to new Lithonia outdoor light fixtures, per RFI #15/#21. b) Provide and install conduits, wiring, and one Exit sign per "RFI - Exit Signs". c) Installation of one 110V outlet for the refrigerator in the kitchen. d) Installation of 24 electronic ballasts to the existing light fixtures and install 5400 wiremold in the kitchen where the CMU wall exists, per RFI 54. e) Installation of conduits and boxes for additional heat detectors, per RFI 58. f) Additional work to connect fire smoke dampers to the fire alarm system. g) Installation of 4 A/C Thermostat junction boxes and conduits, per field decision. h) Provide and install fluorescent light lenses to the existing fixtures, per District request.	a) The specified outdoor light fixture is not battery backup capable. Remote battery backups were installed to remedy this issue. b) This Exit sign was added to comply with fire, life, safety requirements. c) The 110V outlet was added to provide power to the refrigerator in the kitchen. d) The electronic ballasts had to be installed at each of the "slave" fixtures to comply with the Bi-Level Switching Requirement per T-24. The wiremold had to be added because the plan showed new outlets on these walls, but the existing walls are CMU. e) The construction of new walls created new zones/pockets in the ceiling area where additional heat detectors had to be installed. This invoice is for the installation of the conduits and junction boxes portion of the work. f) The circuit needed to be added due to the requirement of one additional 110 power supply to run the fire smoke dampers not indicated in the project plans. g) These 4 T-stat locations were not shown in the plans. In order to speed up the drywall installation, the decision was made in the field to add them before written approval. h) The fluorescent light lenses were added per District request in lieu of re-using the existing lenses.	\$ 14,060
1.4	COR#05	Provide and install wiring and 11 new heat detectors that were added per RFI 58.	New zones in the ceiling area were created as a result of the location of the new walls. Heat detectors had to be added to these new cavities to comply with fire, life, safety requirements.	\$ 2,708

1.5	COR#08	Provide and install sand around underground piping per field direction.	The contractor was directed to provide sand around the underground piping in order to pass underground inspections. The sand was not shown in the project plans.	\$ 458
1.6	COR#09	This change order includes all T&M work that Ventura Construction was directed to perform for Project #12-08R. This includes all work associated with RFI's 38, 40, and 41. The majority of this work involved demolishing the existing damaged walls, installing new drywall, and texturing the wall surfaces to provide a consistent wall surface throughout the building. Other T&M work associated with this change order consists of removing the steel beam above the ceiling area to create enough room to re-install the existing light fixtures in their new locations, adding access panels in necessary locations not shown on the plans, reframing existing door openings to fit the new door frames, repairing existing damaged fire rated walls, and adding insulation that was missing in the existing ceiling areas and walls.	In lieu of the additional access panels not shown on the plans, the majority of this T&M work was due to unforeseen conditions.	\$ 23,149
1.7	COR#06	This is a credit for the two areas of concrete shown to be removed and replaced in front of the North and South doorways.	This work was agreed to by all parties as unnecessary, therefore resulting in a credit to the District.	\$ (662)
1.8	COR#07	This is a credit for two missing speakers and one missing volume control that were noted on the Engineer's Punch List.	The location of these speakers and volume control were agreed to by all parties as unnecessary and that a credit was due to the District for the work not performed.	\$ (308)

Total		\$ 41,417
Previous CO	N/A	\$ -
Original Contract		\$ 423,600
Revised Contract		\$ 465,017



**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.3.c. APPROVE CHANGE ORDER 2, PROJECT 12-10R  
 BUILDING M AND N RESTROOM MODERNIZATION AT  
 OAK PARK HIGH SCHOOL**

ACTION

**ISSUE:** Shall the Board approve Change Order 2, Project 12-10R Building M and N Restroom Modernization at Oak Park High School?

**BACKGROUND:** On April 19, 2012, the Board awarded a contract for Project 12-10R Building M and N Restroom Modernization at Oak Park High School, to Malibu Pacific Tennis Courts, Inc. During the course of the project, District staff and construction manager Balfour Beatty have recommended changes to the project's scope for conditions unforeseen at the time the contract was awarded. Details of proposed changes in the scope and cost to the original contract for this project are specified in the attached document for Change Order 2.

The total amount of Change Order 2 is \$12,449.00, which will increase the contract from \$161,500.00 to \$173,949.00. It is recommended by Balfour Beatty and District staff that the Board approve Change Order 2.

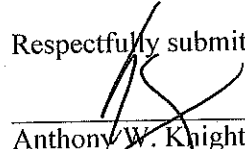
**ALTERNATIVES:**

1. Approve Change Order 2 to the contract with Malibu Pacific Tennis Courts, Inc., for Project 12-10R Building M and N Restroom Modernization at Oak Park High School.
2. Do not approve Change Order 2.

**RECOMMENDATION:** Alternative 1.

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**Oak Park Unified School District  
5801 E. Conifer Street  
Oak Park, Ca 91377**

**CHANGE ORDER 12-10R-2-FINAL**

10-01-12

PROJECT NO: 12-10R

CHANGE ORDER NO: 2 FINAL

PROJECT NAME: Building M & N Restroom Modernization at Oak Park High School

CONTRACTOR: MALIBU PACIFIC TENNIS COURTS, INC

SCOPE OF WORK: SEE ATTACHED

**COST:**

Original Contract Amount	\$	149,900.00
Previous Approved Change Orders	\$	11,600.00
This Change Order	\$	12,449.00
Adjusted Contract Amount	\$	173,949.00

**TIME:**

Original Contract Completion Date	August 6, 2012
Previous Approved Completion Extension Days	0
Completion Days Extension this Change Order	0
Adjusted Contract Completion Date	August 6, 2012

**THIS IS A FINAL PROJECT CHANGE ORDER.** IT IS AGREED BY THE CONTRACTOR THAT THE ADJUSTED CONTRACT AMOUNT AND/OR TIME, IF ANY, INCLUDES FULL AND COMPLETE EQUITABLE ADJUSTMENT AND COMPENSATION FOR ALL CONTRACT WORK AND EXTRA WORK PERFORMED ON THE PROJECT INCLUDING BUT NOT LIMITED TO CHANGES, DIFFERING SITE CONDITIONS, SUSPENSIONS, DELAYS, RESCHEDULING, ACCELERATION, IMPACT AND EXTENDED OVERHEAD AS IT RELATES SPECIFICALLY TO ITEMS 2.1 THRU 2.6 OF THE ATTACHED LISTING. CONTRACTOR HEREBY WAIVES ANY AND ALL RIGHT TO ADDITIONAL COMPENSATION OR TIME ARISING OUT OF THE WORK SPECIFIC TO ITEMS 2.1 THRU 2.6 OF THE ATTACHED LISTING, AND HEREBY ACKNOWLEDGES AND AGREES THAT THE AMOUNT SHOWN ABOVE CONSTITUTES PAYMENT IN FULL ACCORDING TO THE CONTRACT DOCUMENTS.

EXCEPT TO THE EXTENT THE CONTRACT HAS BEEN MODIFIED BY PREVIOUSLY ISSUED DISTRICT CHANGE ORDERS, AND FURTHER MODIFIED BY THIS CHANGE ORDER, THE CONTRACT REMAINS IN FULL FORCE AND EFFECT.

**OAK PARK UNIFIED SCHOOL DISTRICT**

**CONTRACTOR: MALIBU PACIFIC TENNIS  
COURTS, INC**

By \_\_\_\_\_

By \_\_\_\_\_

Date \_\_\_\_\_

Date 10/3/12

**District Architect: KPI Architects**

**District PM/CM: Balfour Beatty Construction**

By \_\_\_\_\_

By D. HUYKENDALL

Date \_\_\_\_\_

Date 10.2.12

Change Order to Contract  
OPUSD Bid 12-10R

Oak Park Unified School District

Change Order # 12-10R-2-FINAL

Bid No 12-10R

10/1/2012

Building M &amp; N Restroom Modernization at Oak Park High School

MALIBU PACIFIC TENNIS COURTS, INC

Original Contract

\$ 149,900.00

Item No.	GC No.	Description	Reason	Cost
2.1	COR#03	Remove and replace water damaged/dry rotted wood in Building M, per RFI #06	Upon opening up existing walls to perform rough plumbing, it was discovered that the existing framing was damaged or dry rotted. The damaged/dry rotted wood was replaced with new to alleviate this issue.	\$ 1,563
2.2	COR#04	Build new 6" furred wall on the West wall of the women's toilet stall at the Southwest corner of Building N, per onsite field direction.	After a Production Meeting a site walk was performed in which it was discovered that the women's water closet in the Southwest corner of Building N exceeded the limits of the requirements of an ambulatory stall. In lieu of moving the fixture, direction was given to the contractor to install the less expensive fix of building a furred wall to create the proper distance from the water closet to the wall at 18".	\$ 1,563
2.3	COR#05	Additional blocking was installed to stabilize the edges of the newly installed wonderboard.	The blocking for the wonderboard was not clearly shown on the plans and had to be added to stabilize the edges of the wonderboard, ultimately resulting in a smooth ceramic tile finish.	\$ 3,674
2.4	COR#06	Furnish and install 4 new Ives Doorstops, 2 in Building N and 2 in Building M, per RFI #20.	In order to protect the newly installed ceramic tiles from being damaged by the door swinging into the new surface, it was agreed to by all parties to install the doorstops.	\$ 498
2.5	COR#07	A) Replace one damaged water closet with one new water closet. B) Remove and replace 9 JR Smith Water Closet Flanges, Nipples, and Bolts with new.	A) It was agreed to by all parties to split the cost of one new water closet due to the condition of one of the existing water closets. B) The existing flanges at each water closet were corroded and un reusable. New flanges were installed in their place.	\$ 4,654
2.6	COR#08	Provide and install one new top rail over existing partitions to match new partition height.	This item was noted during a punch list walk. The top rail of the existing partition did not match with the new height of the top rail and therefore had to be modified to fit and satisfy the punch list item.	\$ 497

Total Change Order # 2

\$ 12,449

Previous CO

\$ 11,600

Original Contract

\$ 149,900

Revised Contract

\$ 173,949

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.3.d. APPROVE NOTICE OF COMPLETION, PROJECT 12-25R,  
ROOF REPAIR AND REPLACEMENT BUILDING E AT  
MEDEA CREEK MIDDLE SCHOOL**

ACTION

**ISSUE:** Shall the Board approve the Notice of Completion for Project 12-25R, Roof Repair and Replacement Building E at Medea Creek Middle School, contracted with Channel Islands Roofing, Inc.?

**BACKGROUND:** On April 19, 2012, the Board of Education authorized the award of Project 12-25R, Roof Repair and Replacement Building E at Medea Creek Middle School, contracted with Channel Islands Roofing, Inc.

The work under this contract is now complete, and the District's staff and construction manager Balfour Beatty have inspected the finished project and are satisfied that it has been completed in compliance with contract specifications. It is recommended that the Board approve a Notice of Completion accepting the finished project.

**ALTERNATIVES:**

1. Approve the Notice of Completion for Project 12-25R, Roof Repair and Replacement Building E at Medea Creek Middle School, contracted with Channel Islands Roofing, Inc.
2. Do not approve the Notice of Completion.

**RECOMMENDATION:** Alternative No. 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

### Notice of Completion

Notice is hereby given that the Oak Park Unified School District, a school district in Ventura County, is the owner in fee of the following described and real property, to-wit:

Description: Medea Creek Middle School, 1002 Doubletree Road, Oak Park, CA 91377

That on or about April 19, 2011 the said Oak Park Unified School District of Ventura County entered into a contract with Channel Islands Roofing, Inc. of Oxnard, California, for Bid 12-25R, Roof Repair and Replacement Building E at Medea Creek Middle School on certain real property hereinbefore described: that said building and improvements were actually completed on October 16, 2012; that the address of said Oak Park Unified School District is 5801 Conifer Street, Oak Park, CA 91377, Ventura County, California.

#### *OAK PARK UNIFIED SCHOOL DISTRICT*

By Anthony W. Knight, Ed.D., Superintendent, Secretary to  
the Oak Park Unified School District Board of Trustees

Anthony W. Knight, being first duly sworn, deposes and says: that he is secretary of the Board of Trustees of the Oak Park Unified School District, a school district of Ventura County, California: that he therefore verifies the foregoing Notice of Completion on behalf of said Oak Park Unified School District: that the Oak Park Unified School District of Ventura County, California is owner of the property described in the foregoing notice: that he has read the foregoing notice and knows the contents thereof: that he has personal knowledge of the facts therein stated: that the same are true.

\_\_\_\_\_  
Anthony W. Knight, Ed.D., Superintendent  
Oak Park Unified School District

STATE OF CALIFORNIA  
COUNTY OF VENTURA

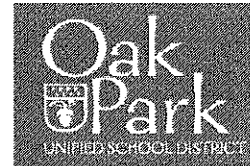
On \_\_\_\_\_ before me, Linda Sheridan, Notary Public, personally appeared Anthony W. Knight, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (SEAL)

# Balfour Beatty Construction



Oak Park Unified School District  
5801 East Conifer Street  
Oak Park, CA 91377  
Attn: Martin Klauss, Assistant Superintendent Business Services

September 21, 2012

Subject: Measure "R" Staff Support Services  
Oak Park Unified School District  
Oak Park, CA

Re: Project 12-25R Roof Repair and Replacement Building "E" 2 Story at Medea Creek  
Middle School Recommendation to Request Board approval for issuance of Notice of  
Completion

Dear Mr. Klauss,

Please accept this letter as recommendation to request Board approval for issuance of the Notice of Completions for work related to OPUSD Project 12-25R Roof Repair and Replacement Building "E" 2 Story at Medea Creek Middle School. All contract installation requirements have been satisfied by Channel Island Roofing, Inc.. The final contract amount is as follows;

Original Contract	\$ 54,887
Project Change Orders – N/A	\$ 0
Final Contract Amount	\$ 54,887

Should you have any questions, please contact me at any time.

Respectfully,

Dennis Kuykendall  
Senior Project Manager  
Balfour Beatty Construction, Inc

cc. Keith Henderson, Balfour Beatty  
Richard Jackson, Balfour Beatty  
File

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: C.3.e. APPROVE APPOINTMENT TO THE OAK PARK CITIZENS' OVERSIGHT COMMITTEE**

ACTION

**ISSUE:** Shall the Board approve an appointment to the Oak Park Citizens' Oversight Committee to replace a resigning member?

**BACKGROUND:** In August 2012, the District received a letter from one of the twelve members of the Oak Park Citizens' Oversight Committee (OPCOC), tendering her resignation from the Committee with one year remaining on her first term. At this evening's meeting, on behalf of the OPCOC, staff is requesting that the Board appoint the next available candidate from the Board's approved list of applicants interviewed in August 2011 to fill this vacancy.

At its August 2012 meeting, the Board elected to leave the OPCOC seat vacant for the 2012-13 term, and appoint a replacement during the recruitment and interview process already scheduled for Spring 2013. However, at its first meeting on October 3, 2012, the OPCOC expressed concern that proceeding with eleven members reduces the Committee quorum from 7 to 6, equivalent to the current makeup of the OPCOC subcommittees. This change imposes Brown Act requirements on the subcommittees that would reduce their efficiency, effectiveness, and flexibility in the planning and scheduling of subcommittee meetings, thereby increasing the work load of the Committee's volunteer membership. Accordingly, the OPCOC respectfully requests that the Board reconsider its earlier decision and appoint the next available and willing candidate from the Board's approved list of applicants interviewed in August 2011 to fill the current vacancy.

**ALTERNATIVES:**

1. Appoint the next available and willing candidate from the Board's approved list of applicants interviewed in August 2011 to fill the current OPCOC vacancy.
2. Leave the OPCOC seat vacant for the 2012-13 term, and appoint a replacement during the recruitment and interview process already scheduled for Spring 2013.

**RECOMMENDATION:** Alternative 1

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUEPRINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.4.a. TO REESTABLISH PARTICULAR KINDS OF SERVICE,  
INCREASE THE NUMBER OF EMPLOYEES, AND AUTHORIZE  
OFFERS OF REAPPOINTMENT TO LAID OFF CLASSIFIED  
EMPLOYEES AT BROOKSIDE ELEMENTARY SCHOOL TO BE  
PAID FOR BY BROOKSIDE PTA**

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**ACTION**

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**ISSUE:** Should the Board of Education approve To Reestablish Particular Kinds of Service, Increase the Number of Employees, and Authorize Offers of Reappointment to Laid-off Classified Employees?

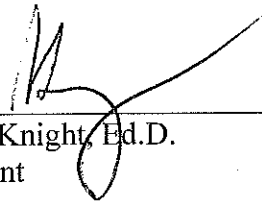
**BACKGROUND:** In considering staffing needs and budget for the 2012-13 school year, it has been determined that we are able to restore the following positions:  
Two (2) Instructional Aide I (Kindergarten Aide) positions  
One (1) Elementary School Library/Media Technician position

**ALTERNATIVES:**

1. Approve the action to Reestablish Particular Kinds of Service; Increase the Number of Employees, and Authorize Offers of Reappointment to Laid-off Classified Employees.
2. Do not approve the action to Reestablish Particular Kinds of Service; Increase the Number of Employees, and Authorize Offers of Reappointment to Laid-off Classified Employees.

**RECOMMENDATION:** Alternative #1

Respectfully submitted:

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Prepared by:  
Leslie Heilbron, Ed.D., Assistant Superintendent, HR

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_ the Board of Education:

VOTE:	Ayes	Noes	Abstain	Absent
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



**TO: BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.5.a. APPROVE DATE CHANGE FOR ORGANIZATIONAL BOARD MEETING IN DECEMBER**

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**ACTION**

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**ISSUE:** Shall the Board approve date change for the Organizational Board Meeting in December, 2012?

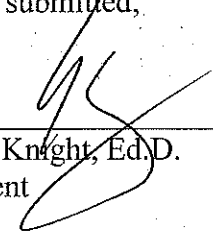
**BACKGROUND:** In reviewing guidelines for December Organizational Board Meeting it was discovered that the date chosen, December 4, 2012, is before the first Friday of the month (December 7). The Organizational Board Meeting should be held within 15 days after the first Friday of the month.

**ALTERNATIVES:**

1. Approve the date change for the December Organizational Board Meeting to December 11, 2012.
2. Do not approve the date change for the December Organizational Board Meeting to December 11, 2012.
3. Choose another date in December for the Organizational Board Meeting.

**RECOMMENDATION:** Alternative #1

Respectfully submitted,

  
 \_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student	_____	_____	_____	_____

**TO:** BOARD OF EDUCATION  
**FROM:** DR. ANTHONY W. KNIGHT, SUPERINTENDENT  
**DATE:** OCTOBER 16, 2012  
**SUBJECT:** C.5.b. REVIEW/DISCUSS/APPROVE BOARD GOALS

ACTION

**ISSUE:** Shall the Board approve Board Goals?

**BACKGROUND:** The Board will review and amend Board Goals from 2011 to create new Goals for 2012.

**ALTERNATIVES:** 1. Approve the Board Goals.  
 2. Do not approve the Board Goals

**RECOMMENDATION:** Alternative #1

Respectfully submitted,

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student	_____	_____	_____	_____

**TO: BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.5.c. APPROVE GOVERNANCE HANDBOOK**

**ACTION**

**ISSUE:** Shall the Board approve Governance Handbook?

**BACKGROUND:** The Board created a Governance Handbook and made changes at the Board Retreat. They will now review and approve the revised version of the Governance Handbook.

**ALTERNATIVES:** 1. Approve Governance Handbook.  
2. Do not approve Governance Handbook.

**RECOMMENDATION:** Alternative #1

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student	_____	_____	_____	_____

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: SEPTEMBER 18, 2012 OCTOBER 16, 2012**

**SUBJECT: C.6.a APPROVE AMENDMENT TO BOARD POLICY 5141.6 –  
STUDENT HEALTH AND SOCIAL SERVICES - First Second  
Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 5141.6 – Student Health and Social Services?

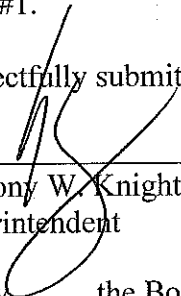
**BACKGROUND:** Board Policy 5141.6 is being updated to reflect new law (AB 499) which allows a minor age 12 and older to consent to medical care related to the prevention of a sexually transmitted disease, and exiting law which provides that minors age 12 and older can consent to mental health services under certain conditions. Board Policy 5141.6 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 5141.6 – Student Health and Social Services.
2. Do not amend Board Policy 5141.6 – Student Health and Social Services.
3. Adopt a modified version of the amendment to Board Policy 5141.6 – Student Health and Social Services.

**RECOMMENDATION:** Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.6(a)

### Student Health and Social Services

The Governing Board recognizes that good physical and mental health is critical to a student's ability to learn, and believes that all students should have access to comprehensive health services. The Board **and the Superintendent** shall collaborate with local and state agencies and health care providers to assess the health needs of students in district schools and the community. Based on **the results of** this needs assessment and the availability of resources, the Superintendent or designee shall recommend for Board approval the types of health services to be provided by the district.

(cf. 5131.6 – Alcohol and Other Drugs)  
 (cf. 5131.61 – Drug Testing)  
 (cf. 5131.62 – Tobacco)  
 (cf. 5131.63 – Steroids)  
 (cf. 5141 – Health Care and Emergencies)  
 (cf. 5141.21 – Administering Medication and Monitoring Health Conditions)  
 (cf. 5141.22 – Infectious Diseases)  
 (cf. 5141.23 – Asthma Management)  
 (cf. 5141.24 – Specialized Health Care Services)  
 (cf. 5141.26 – Tuberculosis Testing)  
 (cf. 5141.3 – Health Examinations)  
 (cf. 5141.31 – Immunizations)  
 (cf. 5141.32 – Health Screening for School Entry)  
 (cf. 5141.33 – Head Lice)  
 (cf. 5141.4 – Child Abuse Prevention and Reporting)  
 (cf. 5141.52 – Suicide Prevention)  
 (cf. 6145.2 – Athletic Competition)  
 (cf. 6159 – Individualized Education Program)  
 (cf. 6164.6 – Identification and Education Under Section 504)

Board approval shall be required for any proposed use of district resources and facilities to support school health services. The Superintendent or designee shall identify funding opportunities available through grant programs, private foundations, and partnerships with local agencies and organizations.

(cf. 1260 – Educational Foundation)  
 (cf. 1330.1 – Joint Use Agreement)  
 (cf. 3100 – Budget)  
 (cf. 7000 – Facilities Master Plan)

**School health services shall be provided or supervised by a licensed health care professional.** The Board may employ or contract with health care professionals or partner with community health centers to provide the services under the terms of a written contract of memorandum of understanding.

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.6(b)

(cf. 1020 – Youth Services)  
(cf. 3312 – Contracts)

***If a school nurse is employed by the school or district, he/she shall be involved in the planning and implementing the school health services as appropriate.***

The Superintendent or designee shall coordinate the provision of school health services with other student wellness initiatives, including health education, programs that address nutrition and physical fitness, and other activities designed to create a healthy school environment. The Superintendent or designee shall encourage joint planning and regular communications among health services staff, district administrators, teachers, counselors, other staff, and parents/guardians.

(cf. 3550 – Food Service/Child Nutrition Program)  
(cf. 5030 – Student Wellness)  
(cf. 6142.7 – Physical Education)  
(cf. 6142.8 – Comprehensive Health Education)  
(cf. 6164.2 – Counseling/Guidance Services)

### Consent and Confidentiality

The Superintendent or designee shall obtain written parent/guardian consent prior to providing services to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929 or other applicable laws.

The Superintendent or designee shall maintain the confidentiality of student health records in accordance with law.

(cf. 5125 – Student Records)

***To further encourage student access to health care services, the Superintendent or designee shall develop and implement outreach strategies to increase enrollment of eligible students from low- to moderate-income families in affordable, comprehensive state or federal health coverage programs and local health initiatives. Such strategies may include, but not be limited to, providing information about the Medi-Cal program on the application for free and reduced-price meals in accordance with law and providing students and parents/guardians with information about the low-cost Healthy Families Insurance program. The Board directs the Superintendent or designee to promote the participation by district students in affordable, comprehensive health coverage programs such as Healthy Families, Medi-Cal for Children and other health coverage programs to children of low to moderate income working families.***

(cf. 1020 – Youth Services)

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.6(c)

*(cf. 3553 – Free and Reduced Price Meals)***Program Evaluation**

*In order to continuously improve school health services, the Board shall evaluate the effectiveness of such services and the extent to which they continue to meet student needs.*

*The Superintendent or designee shall provide the Board with periodic reports that may include, but not necessarily be limited to, rates of participation in school health services; changes in student outcomes such as school attendance or achievement; feedback from staff and participants regarding program accessibility and operations, including accessibility to low-income and linguistically and culturally diverse students and families; and program costs and revenues.*

*(cf. 0500 – Accountability)*

## Legal Reference:

**EDUCATION CODE**

8800-8807 Healthy Start support services for children

49073-49079 Privacy of student records

49423.5 Specialized physical health care services

49557.2-49558 Eligibility for free and reduced price meals/sharing information with Medi-Cal

**FAMILY CODE**

6920-6929 Consent by minor for medical treatment

**GOVERNMENT CODE**

95020 Individualized family service plan

**HEALTH AND SAFETY CODE****104830-104865 School based application of fluoride or other tooth decay-inhibiting agent**

121020 HIV/AIDS testing and treatment; parental consent for minor under age 12

123110 Minor's right to access health records

123115 Limitation on parent/guardian access to minor's health records

123800-123995 California Children's Services Act

124025-124110 Child Health and Disability Prevention Program

124172-124174.5 Public School Health Center Support Program

**124260 Mental health services; consent by minors age 12 and older**

130300-130317 Health Insurance Portability and Accountability Act (HIPAA)

**WELFARE AND INSTITUTIONS CODE**

14059.5 Definition of "medically necessary"

14100.2 Confidentiality of Medi-Cal information

14115 Medi-Cal claims process

14124.90 Third-party health coverage

14132.06 Covered benefits; health services provided by local educational agencies

14132.47 Administrative claiming process and targeted case management

**CODE OF REGULATIONS, TITLE 10**

2699.6500-2699.6815 Healthy Families Program

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.6(d)

*CODE OF REGULATIONS, TITLE 17*

2951 Testing standards

688-6874 Child Health and Disability Preventing Program

*CODE OF REGULATIONS, TITLE 22*

51009 Confidentiality

51050-51192 Definitions of Medi-Cal providers and services

51200 Requirements for providers

51231.2 Wheelchair van requirements

51270 Local educational agency provider; conditions for participation

51304 Limitations on specified benefits

51309 Psychology

51323 Medical transportation services

51351 Targeted case management services

51360 Local educational agency; types of services

51491 Local educational agency eligibility for payment

51535.5 Reimbursement to local educational agency providers

*UNITED STATES CODE, TITLE 20*

1232g Family Education and Privacy Act (FERPA)

*UNITED STATES CODE, TITLE 42*

1320c-9 Prohibition against disclosure of records

1397aa-1397jj State Children's Health Insurance Program

*CODE OF FEDERAL REGULATIONS, TITLE 42*

431.300 Use and disclosure of information on Medicaid applicants and recipients

*CODE OF FEDERAL REGULATIONS, TITLE 45*

164.500-164-534 Health Insurance Portability and Accountability Act (HIPAA)

*Management Resources:**CSBA PUBLICATIONS*

Expanding Access to School Health Services: Policy Considerations for Governing Boards, Policy Brief, November 2008

Promoting Oral Health for California's Student: New Role, New Opportunities for Schools, Policy Brief, November 2008

Providing School Health Services in California: Perceptions, Challenges and Needs of District Leadership Teams, 2008

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**Health Framework for California Public Schools, Kindergarten through Grade Twelve, 2003**CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS*

LEA Medi-Cal Provider Manual

California School-Based Medi-Cal Administrative Activities Manual

*DEPARTMENT OF HEALTH SERVICES POLICY LETTERS*

00-06 Managed Care Plan Relationships with Local Education Agency Providers, December 11, 2000

*NATIONAL ASSEMBLY ON SCHOOL-BASED HEALTH CARE PUBLICATIONS*

A Guidebook for Evaluation School-Based Health Centers

*NATIONAL CENTER FOR YOUTH LAW PUBLICATIONS*

Minor Consent, Confidentiality, a Child Abuse Reporting in California, October 2006

*WEB SITES*CSBA: <http://www.csba.org>CSBA, PractiCal Program: <http://www.csba.org/Services/Services/District Services/PractiCal.asp>



## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 5000*

*Students*

*BP 5141.6(e)*

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California County Superintendents Educational Services Association: <http://www.ccsesa.org>  
CDE, Health Services and School Nursing: <http://www.cde.ca.gov/ls/he/hn>  
California Department of Health Care Services: <http://www.dhcs.ca.gov>  
California Department of Public Health: <http://www.cdph.ca.gov>  
California School Health Centers Association: <http://www.schoolhealthcenters.org>  
California School Nurses Organization: <http://www.csno.org>  
Center for Health and Health Care in Schools: <http://www.healthinschools.org>  
Centers Disease Control and Prevention, School Health Policies and Programs (SHPPS) Study:  
<http://www.cdc.gov/HealthyYouth/shpps>  
Centers for Medicare and Medicaid Services: <http://www.cms.hhs.gov>  
Healthy Families Program: <http://www.healthyfamilies.ca.gov>  
National Assembly on School-Based Health Care: <http://www.nasbhc.org>  
National Center for Youth Law: <http://www.youthlaw.org>

Adopted: 10-15-80

Amended: 5-15-84, 8-18-92, 9-17-02, 4-21-09

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: ~~SEPTEMBER 18, 2012~~ OCTOBER 16, 2012**

**SUBJECT: C.6.b. APPROVE AMENDMENT TO BOARD POLICY 1330 – USE OF SCHOOL FACILITIES - ~~First~~ Second Reading**

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**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 1330 – Use of School Facilities?

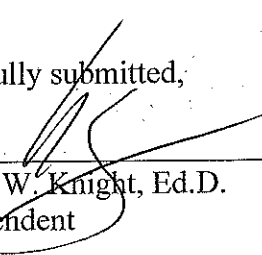
**BACKGROUND:** Board Policy 1330 is being submitted change wording on Exhibit to more closely align to the Board Policy and Administrative Regulation. Board Policy 1330 is being submitted with recommended changes from the Business Office base on the Board Policy.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 1330 – Use of School Facilities .
2. Do not amend Board Policy 1330 – Use of School Facilities.
3. Adopt a modified version of the amendment to Board Policy 1330 – Use of School Facilities.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1330(a)

### Use Of School Facilities

The Governing Board recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

*(cf. 6145.5 - Student Organizations and Equal Access)*

All school-related activities (clubs, class events etc.) shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use of facilities shall be on a first-come, first-served basis.

The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Aid, encourage and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary.

*(cf. 0450 - Comprehensive School Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work.

### Fees

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs or associations organized to promote youth and school activities. These groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teacher associations, school-community advisory councils, Oak Park Municipal Advisory Council and Community Foundation for Oak Park. Other groups requesting the use of school facilities under the Civic Center Act shall be charged at least direct costs.

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

Legal Reference:

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1330(b)

*EDUCATION CODE*

10900-10914.5 Community Recreation Programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

*BUSINESS AND PROFESSIONS CODE*

25608 Alcoholic beverage on school premises

*MILITARY AND VETERANS CODE*

1800 Definitions

*UNITED STATES CODE, TITLE 20*

7905 Equal access to public school facilities

*COURT DECISIONS*

Good New Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District (1993) 113 S.Ct. 2141

Cole v. Richardson, (1972) 405 U.S. 676, 92 S.Ct. 1332

Connell v. Higgenbotham, (1971) 403 U.S. 207, 91 S.Ct. 1772

ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal.2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

*ATTORNEY GENERAL OPINIONS*

82 Ops.Cal.AttyGen. 90 (1999)

79 Ops.Cal.AttyGen. 248 (1996)

## Management Resources:

*CDE LEGAL ADVISORIES*

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

*WEB SITES*CSBA: <http://www.csba.org>California Department of Education: <http://222.cde.ca.gov>

Adopted: 2-22-78

Amended: 10-4-83, 12-17-85, 5-15-90, 4-2-91, 9-26-95, 9-17-02, 11-18-03

## OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 1000

Community Relations

AR 1330(a)

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### Use Of School Facilities

#### Application for Use of Facilities

Any persons applying for the use of any school facility or grounds on behalf of any society, group or organization shall present written authorization from the group or organization to make the application.

Persons or organizations applying for the use of school facilities or grounds shall submit a statement of information indicating that the organization upholds the state and federal constitutions and does not intend to use school premises to commit unlawful acts.

#### Civic Center Use

Subject to district policies and regulations, school facilities and grounds shall be available to citizens and community groups as a civic center for the following purposes: (Education Code 38131, 32282)

1. Public, literary, scientific, recreational, educational or public agency meetings
2. The discussion of matters of general or public interest
3. The conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization
4. Child care programs to provide supervision and activities for children of preschool and elementary school age

*(cf. 5148 – Child Care and Development)*

*(cf. 5148.2 – Before/After School Programs)*

5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies
6. Supervised recreational activities including, but not limited to, sports league activities that are arranged for and supervised by entities, including religious organizations or churches, and in which youths may participate regardless of religious belief or denomination
7. A community youth center

## OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

*Series 1000*

*Community Relations*

*AR 1330(b)*

*(cf. 1020 - Youth Services)*

8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

9. A ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization

A veterans' organization means the American Legion, Veterans of Foreign Wars, Disabled American Veterans, United Spanish War Veterans, Grand Army of the Republic, or other duly recognized organization of honorably discharged soldiers, sailors, or marines of the United States, or any of their territories. (Military and Veterans Code 1800)

10. Other purposes deemed appropriate by the Governing Board

The district may grant the use of the school facilities on those days on which the public school is closed. (Education Code 37220)

### Restrictions

School facilities shall not be used for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law
2. Any use which is inconsistent with the use of the school facility for school purposes or which interferes with the regular conduct of school or school work
3. Any use which involves the possession, consumption or sale of alcoholic beverages or any restricted substances, including tobacco use

*(cf. 3513.3 - Tobacco-Free Schools)*

The district may exclude certain school facilities from non-school use for safety or security reasons.

## OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 1000

Community Relations

AR 1330(c)

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### Damage and Liability

Groups, organizations, or persons using school facilities or grounds shall be liable for any property damages caused by the activity. The Board may charge the amount necessary to repair the damages and may deny the group further use of school facilities.

Any group or organization using school facilities or grounds shall be liable for any injuries resulting from its negligence during the use of district facilities or grounds. The group shall bear the cost of insuring against this risk and defending itself against claims arising from this risk. (Education Code 38134)

Groups or organizations shall provide the district with evidence of insurance against claims arising out of the group's own negligence. Groups or organizations shall also be required to include the district as an additional insured on their liability policies for claims arising out of the negligence of the group.

As permitted, the Superintendent or designee may require a hold harmless agreement and indemnification when warranted by the type of activity or the specific facility being used.

Adopted: 2-22-78

Amended: 9-17-02, 11-06, 9-09

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.c APPROVE AMENDMENT TO BOARD POLICY 4111/4211/4311 –  
RECRUITMENT AND SELECTION – First Reading**

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**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4111/4211/4311 – Recruitment and Selection?

**BACKGROUND:** Board Policy 4111/4211/4311 is being revised to reflect new court decision which found that districts could be vicariously liable for negligence of administrators and supervisors in hiring, training, and supervision. Board Policy 4111/4211/4311 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4111/4211/4311 – Recruitment and Selection.
2. Do not amend Board Policy 4111/4211/4311 – Recruitment and Selection.
3. Adopt a modified version of the amendment to Board Policy 4111/4211/4311 – Recruitment and Selection.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4111/4211/4311(a)

### Recruitment And Selection

The Governing Board *is committed to employing suitable, qualified individuals to carry out the district's mission to provide high quality education to its students and to ensure the efficient running of district operations.* ~~desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in district operations.~~

(cf. 0100 – Goals for the School District)

(cf. 4000 - Concepts and Roles)

(cf. 4100 - Certificated Personnel)

(cf. 4200 - Classified Personnel)

(cf. 4300 - Management, Administrative and Supervisory and Confidential Personnel)

(cf. 9000 – Role of the Board)

*The Superintendent shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that employees are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.*

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

*When a vacancy occurs, the Superintendent or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position.* ~~recruit candidates for open positions based on an assessment of the district's needs for specific skills, knowledge and abilities. He/she shall develop job descriptions that accurately describe all essential and marginal functions and duties of each position, and shall disseminate job announcements to ensure a wide range of candidates.~~

*The district's selection procedures shall include* ~~The Superintendent or designee shall develop selection procedures that each position based on screening processes, interviews, observations and recommendations from previous employers as necessary to identify the best possible candidate for a position. He/she~~ *The Superintendent or designee* ~~may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.~~

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4111/4211/4311(a)

discrimination prohibited by state or federal law.

For each position, the Superintendent or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent or designee.

*(cf. 4112 - Appointment and Conditions of Employment)*

*(cf. 4112.2 - Certification)*

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

*(cf. 4212 - Appointment and Conditions of Employment)*

*(cf. 4312.1 - Contracts)*

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

**44740-44741 Personnel management assistance teams**

44750-44754.5 Regional Teacher recruitment **resource** centers

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

52051 Academic Performance Index

#### GOVERNMENT CODE

**815.2 Liability of public entities and public employees**

12900-12996 Fair Employment and Housing Act, including:

12940-12956 Discrimination prohibited; unlawful practices

#### UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens

1324b Unfair immigration related practices

#### UNITED STATES CODE, TITLE 42

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

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

#### COURT DECISIONS

**C.A. v. William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1**

### Management Resources:

#### CSBA PUBLICATIONS

Maximizing School Board Leadership: Human Resources, 1996

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 4000*

*Personnel*

*BP 4111/4211/4311(a)*

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### *WEB SITES*

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

Education Job Opportunities Information Network: <http://www.edjoin.org>

Teach USA: <http://www.calteach.org>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Adopted: 11-17-82

Amended: 3-6-84, 7-23-85, 1-21-92, 9-17-02

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.d APPROVE AMENDMENT TO BOARD POLICY 4119.1 – CIVIL AND LEGAL RIGHTS– First Reading**

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**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4119.1 – Civil and Legal Rights?

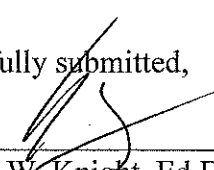
**BACKGROUND:** Board Policy 4119.1 is being revised to new court decision which held that supervisors with authority to take personnel actions may be held liable for their acts of retaliation against employees who disclose improper governmental action, and adds statement about the right of an employee to seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her. Policy also revised to reflect law providing that an employee is not protected against liability if his/her misconduct occurred during background investigation or other actions involved in the employee's hiring. Board Policy 4119.1 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4119.1 – Civil and Legal Rights.
2. Do not amend Board Policy 4119.1 – Civil and Legal Rights.
3. Adopt a modified version of the amendment to Board Policy 4119.1 – Civil and Legal Rights

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.1, 4219.1, 4319.1(a)

### Civil And Legal Rights

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the employee's performance of his/her duties.

An employee's ***personal beliefs and activities, including*** religious, or political. ***Cultural, social, or other beliefs or activities***, or lack thereof, shall not be grounds for any discrimination or disciplinary action ***against the employee***, by the district, provided that ***the beliefs or these*** activities do not violate law, Board policy or administrative regulation.

(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

***The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.***

***No employee shall be disciplined or retaliated against solely for acting to protect a student engaged in conduct authorized under Education 48907 and 48950.***

~~A teacher shall have the right to refuse to submit to any evaluation or survey conducted by the district concerning personal values, attitudes and beliefs; sexual orientation; political affiliations or opinions; critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs. (Education Code 49091.24)~~

~~Employees do not have a reasonable expectation of privacy with regards to district property under an employee's control including, but not limited to, desks, classrooms, offices, file cabinets, computers, or phones. As~~ ***When*** necessary to protect the health, welfare, or safety of students and staff, school officials may search ***district property under an employee's control***. ~~such items in order to uncover evidence that the employee is violating the law, Board policy, administrative regulator, or other rules of the district or school.~~

(cf. 3515 - Campus Security)  
(cf. 4040 - Employee Use of Technology)

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.1, 4219.1, 4319.1(b)

### Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When an employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation or noncompliance with a state or federal rule or regulation, he/she has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.8)

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

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

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

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, **he/she the employee** may also file a copy of the complaint with local law enforcement **and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her**, in accordance with Education Code 44114.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4144/4244/4344 - Complaints)*

### Protection Against Liability

No employee shall be liable for harm caused by his/her act or omission when **he/she is acting within the scope of employment or district responsibilities; when the employee's act or omission is in conformity with federal or state law, district policy, or administrative regulation; or when the employee's act or omission is in**. For the protection against liability to apply, the act or

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.1, 4219.1, 4319.1(c)

~~omission must be in conformity with federal, state and local laws and must be in furtherance of an effort to control, discipline, expel or suspend a student, or to maintain order or control in the classroom or school. (20 USC 6736)~~

*(cf. 3320 - Claims and Actions Against the District)*

*(cf. 9260 - Legal Protection)*

The protection against liability shall not apply when: ~~(20 USC 6736)~~

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities
4. The employee was found by a court to have violated a federal or state civil rights law
5. The employee was under the influence of alcohol or any drug at the time of the misconduct
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court
7. The misconduct involved a sexual offense for which the employee has been convicted in a court
- 8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.**

*(cf. 4030 - Nondiscrimination in Employment)*

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

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

7050-7058 Political activities of school officers and employees

44040 Unlawful to discriminate solely because of employee's appearance before certain boards or committees

44110-44114 Reporting by school employees of improper governmental activity

**48907 Student freedom of expression; employee's protection of student rights**

49091.24 Teacher rights to refuse evaluation/survey of personal life

#### CIVIL CODE

51 Unruh Civil Rights Act

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 4000*

*Personnel*

*BP 4119.1, 4219.1, 4319.1(d)*

*GOVERNMENT CODE*

815.3 Intentional torts

820-823 Tort Claims Act

825.6 Indemnification of public entity

3540.1 Public employment definitions

3543.5 Interference with employee's rights prohibited

***12650-12656 False claims act***

12940-12951 Discrimination prohibited; unlawful practices

*LABOR CODE*

1102.5-1106 Whistleblower protections

*UNITED STATES CODE, TITLE 18*

16 Crime of violence defined

*UNITED STATES CODE, TITLE 20*

6731-6738 Teacher liability protection

*UNITED STATES CODE, TITLE 42*

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

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

2000h-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

*COURT DECISIONS*

***Harnett v. Crosier, (2012) 205 Cal.App.4<sup>th</sup> 685***

***Johnson v. Poway Unified School District, (2011) 658 F.3d 954***

***Ohton v. CSU San Diego, (2007) 56 Cal.Rptr.3d 111***

Garcetti v. Ceballos, (2006) 543 U.S. 1186

O'Conner v. Ortega, (1987) 480 U.S. 709

New Jersey v. T.L.O., (1985) 468 U.S. 325

Management Resources:

*WEB SITES*

California Attorney General: <http://caag.state.ca.us>

Adopted: 1-25-78

Amended: 11-17-82, 7-23-85, 1-21-92, 9-17-02, 3-16-04, 4-15-08



**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.e APPROVE AMENDMENT TO BOARD POLICY  
4119.21/4219.21/4319.21 – PROFESSIONAL STANDARDS - First  
Reading**

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**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4119.21/4219.21/4319.21 – Professional Standards?

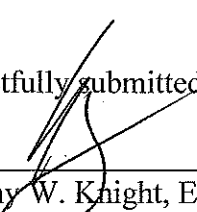
**BACKGROUND:** Board Policy 4119.21/4219.21/4319.21 is updated and reorganized to clarify expectations for appropriate employee conduct and expands list of prohibited conduct. Materials addressing discipline adds the possibility of report to the Commission on Teacher Credentialing (CTC) or referral to law enforcement and provides that an employee who has knowledge of misconduct but fails to report it also may be subject to discipline. Board Policy 4119.21/4219.21/4319.21 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4119.21/4219.21/4319.21 – Professional Standards.
2. Do not amend Board Policy 4119.21/4219.21/4319.21 – Professional Standards.
3. Adopt a modified version of the amendment to Board Policy 4119.21/4219.21/4319.21 – Professional Standards.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.21, 4219.21, 4319.21(a)

### Professional Standards

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and 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 advance the goals of the district's educational programs, **and contribute to a positive school climate.** 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.

(cf. 0200 – Goals for the School District)

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

(cf. 5131 – Conduct)

(cf. 5137 – Positive School Climate)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by **educational or** professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

**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.**

(cf. 4112.2 - Certification)

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

**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.**

(cf. 0450 – Comprehensive Safety Plan)

(cf. 4158/4258/4358 – Employee Security)

**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.**

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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BP 4119.21, 4219.21, 4319.21(b)

*(cf. 0410 – Nondiscrimination in District Programs and Activities)**(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)**(cf. 5131.2 – Bullying)**(cf. 5145.3 – Nondiscrimination/Harassment)**(cf. 5145.7 – Sexual Harassment)*

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 view 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*  
*(cf. 3513.3 – Tobacco-Free Schools)*  
*(cf. 4020 – Drug and Alcohol Free Workplace)*  
*(cf. 4112.41/4212.41/4312.41 – Employee Drug Testing)*
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*  
*(cf. 3580 – District Records)*  
*(cf. 4119.23/4219.23/4319.23 – Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5125 – Student Records)*  
*(5125.1 – Release of Directory Information)*
11. *Using district equipment or other district resources for the employee's own commercial purposes or for political activities*

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

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BP 4119.21, 4219.21, 4319.21(c)

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

**12. Using district equipment or communication devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessary**

*Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent*

*(cf. 4040 – Employee Use of Technology)*

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

**14. Wearing inappropriate attire**

*(cf. 4119.22/4219.22/4319.22 – Dress and Grooming)*

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.

*(cf. 1312.1 – Complaints Concerning District Employees)*

*(cf. 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.**

*(cf. 4117.4 – Dismissal)*

*(cf. 4117.7 – Employment Status Reports)*

*(cf. 4118 – Suspension/Disciplinary Action)*

*(cf. 4218 – Dismissal/Suspension/Disciplinary Action)*

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

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.21, 4219.21, 4319.21(d)

*The district prohibits retaliation against anyone who files a complaint against an employee or reports and 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.*

### Staff Conduct with Students

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

*(ef. 0410—Nondiscrimination in District Programs and Activities)*

*(ef. 4040—Employee Use of Technology)*

*(ef. 5131—Conduct)*

*(ef. 6163.4—Student Use of Technology)*

*Any employee who is found to have engaged in inappropriate conduct with a student in violation of law or this policy shall be subject to disciplinary action.*

*(ef. 4118—Suspension/Disciplinary Action)*

*(ef. 4218—Dismissal/Suspension/Disciplinary Action)*

#### Legal Reference:

##### **EDUCATION CODE**

200-262.4 Prohibition of discrimination on the basis of sex

**44242.5 Reports and review of alleged misconduct**

##### **PENAL CODE**

11164-11174.4 Child Abuse and Neglect Reporting Act

##### **CODE OF REGULATIONS, TITLE 5**

80331-80338 Rules of conduct for professional educators

#### Management Resources:

**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

**California Standards for the Teaching Profession, 2009**

**COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS**

**Education Leadership Policy Standards: ISLLC 2008, 2008**

**Standards for School Leaders, 1996**

**NATIONAL EDUCATION ASSOCIATION PUBLICATIONS**

**Code of Ethics of the Education Profession, 1975**

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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*BP 4119.21, 4219.21, 4319.21(e)*

***WESTED PUBLICATIONS***

*Moving Leadership Standards into Everyday Work: Description of Practice, 2003*

***WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS***

*California Professional Standards for Educational Leaders, 2001*

***CDE PUBLICATIONS***

*California Professional Standards for Educational Leaders, 2001*

***WEB SITES***

CDE: <http://www.cde.ca.gov>

Association of California School Administrators: <http://www.acsa.org>

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

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

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

Council of Chief State School Officers: <http://www.ccsso.org>

***WestEd: <http://www.WestEd.org>***

Adopted: 11-17-82

Amended: 7-23-85, 1-21-92, 9-17-02, 10-20-09

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.f APPROVE AMENDMENT TO BOARD POLICY  
4119.41/4219.41/4319.41 – EMPLOYEES WITH INFECTIOUS  
DISEASES - First Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4119.41/4219.41/4319.41 – Employees with Infectious Diseases?

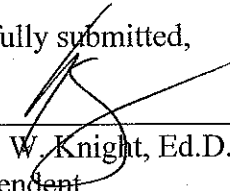
**BACKGROUND:** Board Policy 4119.41/4219.41/4319.41 is updated to add board philosophical statement, definitions of infectious and communicable infectious disease, legal requirement for job applicants to provide evidence that they are free of communicable diseases prior to beginning employment, new material on disease prevention and on addressing communicable disease outbreaks in the district's emergency preparedness plan, and legal requirement to report communicable infectious disease to local health office. Board Policy 4119.41/4219.41/4319.41 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4119.41/4219.41/4319.41 – Professional Standards.
2. Do not amend Board Policy 4119.41/4219.41/4319.41 – Professional Standards.
3. Adopt a modified version of the amendment to Board Policy 4119.41/4219.41/4319.41 – Professional Standards.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

**VOTE:**      AYES      NOES      ABSTAIN      ABSENT

Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.41, 4219.41, 4319.41(a)

### Employees With Infectious Disease

The Governing Board *desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.* encourages each employee to inform the district as soon as possible if he/she contracts an infectious disease which creates a physical or mental disability. The Board will reasonably accommodate the needs of such individuals.

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

(cf. 4261.1 - Personal Illness/Injury Leave)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

*An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communication infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.*

*In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.*

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

*To prevent outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.*

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(4131/4231/4331 - Staff Development)

*Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.*

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.31 - Immunizations)



## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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Personnel

BP 4119.41, 4219.41, 4319.41(b)

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*The Superintendent or designee shall immediately report to the local health office the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health office. (17 CCR 2508)*

*(cf. 5141.6 – School Health Services)*

### *Nondiscrimination/Reasonable Accommodation*

*The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)*

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4031 – Complaints Concerning Discrimination in Employment)*

*Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 – Reasonable Accommodation.*

*(cf. 4032 – Reasonable Accommodation)*

~~The Board may reassign or grant disability leave to an employee who is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others.~~

~~No employee will be discriminated against because of his/her disability. Legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases.~~

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

~~*(cf. 4112.4/4212.4/4312.4 – Health Examinations)*~~

~~When informed that an employee has a disabling infectious disease, the Superintendent or designee may request that the employee sign a release form to provide confidential medical~~

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4119.41, 4219.41, 4319.41(c)

information and records.

~~In determining a reasonable accommodation of the employee's condition, the Superintendent or designee may consult with public health officials or physicians with expertise in the diagnosis and treatment of infectious disease. The Superintendent or designee may also communicate with the employee's physician regarding the employee's ability to perform the essential requirements of the job with reasonable accommodation and without posing significant health or safety risks to the employee or others.~~

~~The Superintendent or designee shall prepare a confidential report which includes his/her recommendation and the medical information upon which it is based. These recommendations shall take into consideration:~~

- ~~1. The nature of the disease and the probability of its being transmitted, including the duration and severity of the risk~~
- ~~2. The physical condition of the employee, including diagnosis, treatment, and prognosis of the condition~~
- ~~3. The actual requirements of the employee's job and the expected type of interaction with others in the school setting~~

~~This report shall be forwarded to the Board for confidential review and action.~~

~~The job assignment of an employee with a disabling infectious disease shall be reevaluated whenever there is a change in medical knowledge or in the employee's medical regimen or health which might affect his/her assignment.~~

### Confidentiality

~~The Board and the Superintendent or designee shall ensure that employee rights to confidentiality are strictly observed. The district shall disclose medical record information only to the extent required or permitted by law. The medical records of any employee with a disabling infectious disease shall be held in strict confidence.~~

Legal Reference:

#### **EDUCATION CODE**

*44839 Medical certificate; periodic medical examination*

*44839.5 Requirements for employment of retirant*

*49406 Examination for tuberculosis (employees)*

#### **CIVIL CODE**

*56-56.37 Confidentiality of medical information*

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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**GOVERNMENT CODE**

12900-12996 Fair Employment and Housing Act

**HEALTH AND SAFETY CODE**

120975-121020 Mandated blood testing and confidentiality to protect public health

**CODE OF REGULATIONS, TITLE 2,**7293.5-7294.2 *Discrimination based on disability et seq.***CODE OF REGULATIONS, TITLE 5**5502-5504 *Medical certification***CODE OF REGULATIONS, TITLE 17**2500 *Reportable diseases and conditions*2508 *Report of communicable diseases; duty of schools***UNITED STATES CODE, TITLE 29**

701-797a Rehabilitation Act of 1993

**UNITED STATES CODE, TITLE 42**

12101-12213 Americans with Disabilities Act

**COURT DECISIONS***Cheron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045**School Board of Nassau County, Fla. v. Arline, 408 U.S. 273 (1987)***Management Resources:****CSBA PUBLICATIONS***H1N1 Influenza (Swine Flu), Fact Sheet, April 2009**Pandemic Influenza, Fact Sheet, September 2007***CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS***California HIV/AIDS Laws, 2009, January 2010***EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS***Enforcement Guidance: Reasonable Accommodations and Undue Hardship under the Americans with Disabilities Act, October 2002***WEB SITES**CSBA: <http://www.csba.org>California Department of Public Health: <http://www.cdph.ca.gov>California School Nurses Organization: <http://www.csno.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>Equal Employment Opportunity Commission: <http://www.eeoc.gov>U.S. Department of Health and Human Services: <http://www.hhs.gov>

Adopted: 2-25-92

Amended: 9-17-02

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.g. APPROVE AMENDMENT TO BOARD POLICY 4112.9/ 4212.9/ 4312.9 – EMPLOYEE NOTIFICATIONS– First Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4112.9/4212.9/4312.9 – Employment of Relatives?

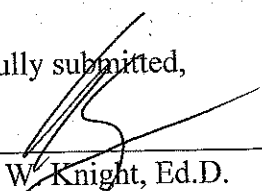
**BACKGROUND:** Board Policy 4112.9/4212.9/4312.9 contains Board philosophical statement regarding the importance of clear communications with staff and the circumstances under which employees will be asked to sign an acknowledgment that they have received notifications. Board Policy 4112.9/4212.9/4312.9 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4112.9/4212.9/4312.9 – Employment of Relatives.
2. Do not amend Board Policy 4112.9/4212.9/4312.9 – Employment of Relatives.
2. Adopt a modified version of the amendment to Board Policy 4112.9/4212.9/4312.9 – Employment of Relatives.

**RECOMMENDATION:** Approval of Alternative #1.

Respectfully submitted,

  
 \_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 4000*

*Personnel*

*BP 4112.9/4212.9/4319.9(a)*

### Employee Notifications

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications he/she believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

*(cf. 3580 - District Records)*

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

#### Legal Reference:

#### *EDUCATION CODE*

- 231.5 Sexual harassment policy
- 17612 Notification of pesticide use
- 22455.5 STRS information to potential members
- 22461 Postretirement compensation limitation
- 35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services
- 35171 Notice of regulations pertaining to certificated employee evaluations
- 37616 Notice of public hearing on year-round schedule
- 44031 Personnel file contents, inspection
- 44663-44664 Evaluation of certificated employees
- 44842 Reemployment notices, certificated employees
- 44896 Transfer of administrator or supervisor to teaching position
- 44916 Written statement of employment status
- 44929.21 Reelection or nonreelection of probationary employee after second year
- 44934 Notice of disciplinary action for cause
- 44938 Notice of unprofessional conduct and opportunity to correct
- 44940.5-44941 Notification of suspension and intent to dismiss
- 44948.3-44948.5 Dismissal of probationary employees
- 44949 Cause, notice and right to hearing
- 44951 Continuation in position unless notified, administrative or supervisory personnel
- 44954 Nonreelection of temporary employees
- 44955 Reduction in number of employees
- 45113 Notification of charges, classified employees
- 45117 Notice of layoff, classified employees
- 45169 Employee salary data, classified employees
- 45192 Industrial and accident leave
- 45195 Additional leave
- 46162 Notice of public hearing on block schedule
- 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

#### *GOVERNMENT CODE*

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4112.9/4212.9/4319.9(b)

- 
- 1126 Incompatible activities of employees
  - 3100-3109 Oath or affirmation of allegiance
  - 8355 Certification of drug-free workplace, including notification
  - 12950 Sexual harassment
  - 54957 Complaints against employees; right to open session
  - 54963 Unauthorized disclosure of confidential information
  - HEALTH AND SAFETY CODE*
  - 104420 Tobacco-free schools
  - 120875 Information on AIDS, AIDS-related conditions, and hepatitis B
  - 120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B
  - LABOR CODE*
  - 2800.2 Notification of availability of continuation health coverage
  - 3550-3553 Notifications re: workers' compensation benefits
  - 5401 Workers' compensation; claim form and notice of potential eligibility
  - PENAL CODE*
  - 11165.7 Child Abuse and Neglect Reporting Act; notification requirement
  - 11166.5 Employment; statement of knowledge of duty to report child abuse or neglect
  - UNEMPLOYMENT INSURANCE CODE*
  - 2613 Disability insurance; notice of rights and benefits
  - CODE OF REGULATIONS, TITLE 2*
  - 7288.0 Sexual harassment training, provision of district policy
  - CODE OF REGULATIONS, TITLE 5*
  - 4622 Uniform complaint procedures
  - 80303 Reports of change in employment status, alleged misconduct
  - CODE OF REGULATIONS, TITLE 8*
  - 3204 Employees exposed to bloodborne pathogens, access to exposure and medical records
  - 5193 California bloodborne pathogens standard
  - UNITED STATES CODE, TITLE 38*
  - 4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement
  - UNITED STATES CODE, TITLE 41*
  - 8101-8106 Drug-Free Workplace Act
  - CODE OF FEDERAL REGULATIONS, TITLE 29*
  - 825.300 Family and Medical Leave Act; notice requirement
  - CODE OF FEDERAL REGULATIONS, TITLE 34*
  - 104.8 Nondiscrimination
  - 106.9 Dissemination of policy, nondiscrimination on basis of sex
  - CODE OF FEDERAL REGULATIONS, TITLE 40*
  - 763.84 Asbestos inspections, response actions and post-response actions
  - 763.93 Asbestos management plans
  - CODE OF FEDERAL REGULATIONS, TITLE 49*
  - 382.601 Controlled substance and alcohol use and testing notifications

Adopted:

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.h APPROVE AMENDMENT TO BOARD POLICY 4121 –  
TEMPORARY/SUBSTITUTE PERSONNEL – First Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 4121– Temporary/Substitute Personnel?

**BACKGROUND:** Board Policy 4121 is being revised to contain material formerly in AR that reflect requirements for board action. Policy also reflects (1) new court decision which clarifies that the number of temporary teachers cannot exceed the total number of employees on leave at any one time and that a district is not required to grant probationary status to an employee based solely on the fact that he/she served as a temporary employee for more than one year, (2) new court decision which held that employee in a categorically funded program cannot be terminated through procedures applicable to temporary employees if the employee is being terminated before the end of the contract between the district and agency providing categorical funds, and (3) new court decision which determined that June 30 is the date by temporary employees must be notified of the district's decision not to reelect them for the following school year. Board Policy 4121 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 4121– Temporary/Substitute Personnel.
2. Do not amend Board Policy 4121– Temporary/Substitute Personnel.
3. Adopt a modified version of the amendment to Board Policy 4121– Temporary/Substitute Personnel.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

**VOTE:** AYES NOES ABSTAIN ABSENT

Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4121(a)

### Temporary/Substitute Personnel

The Governing Board recognizes that substitute and temporary personnel perform an essential role in promoting student achievement and desires to employ highly qualified, appropriately credentialed employees to fill such positions.

*(cf. 4112.2 - Certification)*

### Hiring

The Superintendent or designee shall recommend candidates for substitute or temporary positions for Board approval, and shall ensure that all substitute and temporary employees are assigned in accordance with law and the authorizations specified in their credential.

*(cf. 4113 - Assignment)*

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

*(cf. 4117.14/4317.14 - Postretirement Employment)*

Permanent or probationary certificated employees who were laid off pursuant to Education Code 44955 and who have a preferred right of reappointment shall be given priority for substitute service in the order of their original employment. (Education Code 44956, 44957)

*(cf. 4117.3 - Personnel Reduction)*

### Classification

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

The Board may classify as substitute personnel a teacher hired to fill the position of a regularly employed person who is absent from service. (Education Code 44917)

The Board may classify as a temporary employee a teacher who is employed for at least one semester and up to one complete school year based on the need for additional certificated



## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

*Series 4000*

*Personnel*

*BP 4121(b)*

employees when regular employees are absent due to leaves or long-term illness. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed, which shall not exceed the identified need based on the absence of regular employees. (Education Code 44920)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day-to-day during the first three months of any school term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any school term (Education Code 44919)

2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)

3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)

5. Serve only for the first semester because the district expects a reduction in student enrollment during the second semester due to midyear graduations (Education Code 44921)

For purposes of classifying employees pursuant to item #1 or 2 above, the school year shall not be divided into more than two school terms. (Education Code 44919)

Any employee hired to provide services in a categorically funded program or project may be employed for a period less than a full school year. He/she may be classified as a temporary employee if the period of employment will end at the expiration of that program or project. (Education Code 44909)

### Salary and Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s)

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4121(c)

for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

Substitute and temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.

### Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the regular schools of the district are maintained. After serving 75 percent of the number of days that district schools are maintained during one school year, a temporary employee may be released as long as he/she is notified, before the last day of June, of the district's decision not to reelect him/her for the following school year. (Education Code 37200, 44954)

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

### Reemployment as a Probationary Employee

Unless released from employment pursuant to Education Code 44954, any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant position requiring certification qualifications, be classified as a probationary employee. With the exception of on-call, day-to-day substitutes, if a temporary or substitute employee performs the duties normally required of certificated employees for at least 75 percent of the number of days the regular schools of the district were maintained in that school year and is then employed as a probationary employee for the following school year, his/her previous employment as a temporary or substitute employee shall be credited as one year's employment as a probationary employee for purposes of acquiring permanent status. (Education Code 44917, 44918, 44920)

(cf. 4116 - Probationary/Permanent Status)

Vacant position means a position in which the employee is qualified to serve and which is not filled by a permanent or probationary employee. It shall not include a position which would be filled by a permanent or probationary employee except for the fact that such employee is on leave. (Education Code 44920, 44921)

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4121(d)

A temporary employee hired pursuant to item #1 or #2 in the section "Classification" above shall be classified as a probationary employee if the duties continue beyond the time limits of the assignment. (Education Code 44919)

A person employed pursuant to item #5 in the section "Classification" above who is then continued in employment beyond the first semester shall be classified as a probationary employee for the entire school year and shall be reemployed to fill any vacant positions in the district for which he/she is certified. Preference for available positions shall be determined by the Board as prescribed by Education Code 44845 and 44846. (Education Code 44921)

With the exception of on-call, day-to-day substitutes, a temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served for two consecutive school years, for at least 75 percent of each year, shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

### Legal Reference:

#### EDUCATION CODE

- 22455.5 Provision of retirement plan information to potential members
- 22515 Irrevocable election to join retirement plan
- 37200 School calendar
- 44252.5 State basic skills assessment required for certificated personnel
- 44300 Emergency teaching or specialist permits
- 44830 Employment of certificated persons; requirements of proficiency in basic skills
- 44839.5 Employment of retiree
- 44845 Date of employment
- 44846 Criteria for reemployment preferences
- 44909 Employees providing services through categorically funded programs
- 44914 Substitute and probationary employment computation for classification as permanent employee
- 44915 Classification of probationary employees
- 44916 Time of classification; statement of employment status
- 44917 Classification of substitute employees
- 44918 Substitute or temporary employee deemed probationary employee; reemployment rights
- 44919 Classification of temporary employees
- 44920 Employment of certain temporary employees; classifications
- 44921 Employment of temporary employees; reemployment rights (unified and high school districts)
- 44953 Dismissal of substitute employees
- 44954 Release of temporary employees
- 44955 Layoff of permanent and probationary employees
- 44956 Rights of laid-off permanent employees to substitute positions
- 44957 Rights of laid-off probationary employees to substitute positions
- 44977 Salary schedule for substitute employees
- 45030 Substitutes

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 4000

Personnel

BP 4121(e)

- 45041 Computation of salary
- 45042 Alternative method of computation for less than one school year
- 45043 Compensation for employment beginning in the second semester
- 56060-56063 Substitute teachers in special education

## *GOVERNMENT CODE*

- 3540.1 Educational Employment Relations Act, definitions

## *CODE OF REGULATIONS, TITLE 5*

- 5502 Filing of notice of physical examination for employment of retired person
- 5503 Physical examination for employment of retired persons
- 5590 Temporary athletic team coach
- 80025-80025.5 Emergency substitute teaching permits

## *COURT DECISIONS*

- McIntyre v. Sonoma Valley Unified School District (2012) 206 Cal.App.4th 170
- Stockton Teachers Association CTA/NEA v. Stockton Unified School District (2012) 204 Cal.App.4th 446
- Neily v. Manhattan Beach Unified School District, (2011) 192 Cal.App.4th 187
- California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135
- Bakersfield Elementary Teachers Assn. v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260, 1277
- Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911

Management Resources:

## *WEB SITES*

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

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

Adopted:

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.6.i APPROVE AMENDMENT TO BOARD POLICY 5141.33 – HEAD LICE - First Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 5141.33 – Head Lice?

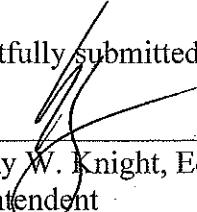
**BACKGROUND:** Board Policy 5141.33 is being submitted to reflect new state guidance from the California Department of Public Health (CDPH) on head lice prevention and control in schools. In accordance with CDPH guidance, policy (2) deletes routine screening by schools and the school's responsibility to check siblings of infected students, (2) adds provision of information to parents/guardians to encourage at-home screening and inspection, (2) allows student found with active head lice to stay in school until the end of the school day, and (4) gives discretion to principal or designee to determine whether to send notification and information to parents/guardians when students in a class or school are found infested with head lice.. Board Policy 5141.33 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 5141.33 – Head Lice.
2. Do not amend Board Policy 5141.33 – Head Lice.
3. Adopt a modified version of the amendment to Board Policy 5141.33 – Head Lice.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Panec	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.33(a)

### Head Lice

The Governing Board *recognizes that head lice infestations among students require treatment but do not pose a risk of transmitting disease. The Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.* believes that the district's head lice management program should emphasize the correct diagnosis and treatment of head lice in order to minimize disruption of the education process and to reduce the number of student absences resulting from infestation. In consultation with the school nurse, the Superintendent or designee may establish a routine screening program to help prevent the spread of head lice.

*The Superintendent or designee may distribute information to parents/guardians of preschool and elementary students regarding routine screening, symptoms, accurate diagnosis, and proper treatment of head lice infestations. The*

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse or designee shall examine the student and any siblings of affected students or members of the same household.

If a student is found with active, adult head lice, he/she shall be *allowed to stay in school until the end of the school day.* ~~excluded from attendance.~~ The parent/guardian of *any such student* ~~an excluded student shall be given~~ receive information about recommended treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. *The parent/guardian also shall be informed that the student shall be check* upon return to school the next day and allowed to remain in school if no active head lice are detected. ~~procedures and sources of further information. The student shall be allowed to return to school the next day following treatment and shall be checked by the nurse or designee before returning to class. Once he/she is determined to be free of active, adult head lice, the student shall be rechecked weekly for up to six weeks.~~

*Upon the student's return to school, the school nurse or designee shall check the student for active head lice. If it is determined that the student remains infected with head lice, the school nurse or designee shall contact the student's parent/guardian to discuss treatment. As needed, he/she may provide additional resources and/or referral to the local health department, health care providers, or other agencies.*

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - Student and Social Services)

The Superintendent or designee shall send home the notification required by law for excluded students. (Education Code 48213)

The principal and school nurse shall work with the parents/guardians of any student who has been deemed to be a chronic head lice case in order to help minimize the student's absences from

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5141.33(b)

~~school.~~

~~(cf. 5112.2 – Exclusions from Attendance)~~

~~(cf. 5145.6 – Parental Notifications)~~

When *it is determined that one* ~~two~~ or more students in ~~a any~~ class *or school are infested with* have been identified as having head lice infestation, all students in the class shall be examined, in consultation with the school nurse, the principal *or designee* may, *at his/her discretion, notify* parents/guardians of students in that class *or school and provide them with* also send information about *the detection and treatment of* head lice ~~home to all~~.

Staff shall maintain the privacy of students identified as having head lice ~~and excluded from attendance.~~

~~(cf. 5125 – Student Records)~~

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

Legal Reference:

EDUCATION CODE

48210-48216 Persons excluded

**48320-48325 School attendance review boards**

49451 Physical examinations: parent's refusal to consent

Management Resource:

~~AMERICAN ACADEMY OF PEDIATRICS~~

Lice, Nits, and School Policy, Official Journal of the American Academy of Pediatrics, May 2001

CALIFORNIA DEPARTMENT OF HEALTH SERVICES

Guidelines for Parents on Control of Head Lice, 2006

**Guidelines on Head Lice Prevention and Control for School Districts and Child Care Facilities, rev. March 2012**

**A Parent's Guide to Head Lice, 2008**

CALIFORNIA SCHOOL NURSES ORGANIZATION

Position Statement: Pediculosis Management, 2005

**Pediculosis Management, Position Statement, rev. 2011**

WEB SITES:

**American Academy of Pediatrics:** <http://www.aap.org>

California Department of Health: <http://www.dhs.ca.gov>

California School Nurses Organization: <http://www.scno.org>

Centers for Disease Control and Prevention, Parasitic Disease Information, Head Lice:

<http://www.cdc.gov/parasites/lice/head>

Adopted: 8-18-92

Amended: 9-17-02, 11-14-06

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT**

**DATE: JUNE 10, 2008**

**SUBJECT: C.6.j. APPROVE AMENDMENT TO BOARD POLICY 6178 – CAREER TECHNICAL EDUCATION – First Reading**

**ISSUE:** Should the Board of Education approve the proposed amendment to Board Policy 6178 – Career Technical Education?

**BACKGROUND:** Board Policy 6173.1 is updated to list types of career technical education (CTE) programs that may be offered, reflects concepts of linked learning based on definition in new law (AB 2730, 2011) which establishes a pilot project, reflects new law (AB 1330, 2011) which allows district to establish CTE as an optional graduation requirement, and reflects new law (AB 1304) which authorizes the CTC to issue a “recognition of study in linking learning” following a teacher’s completion of an approve course.. Board Policy 6178 is being submitted with recommended changes from CSBA.

**ALTERNATIVES:**

1. Approve the amendment to Board Policy 6178 – Career Technical Education.
2. Do not amend Board Policy 6178 – Career Technical Education.
2. Adopt a modified version of the amendment to 6178 – Career Technical Education.

**RECOMMENDATION:** Approval of Alternative #1.

Respectfully submitted,

\_\_\_\_\_  
 Anthony W. Knight, Ed.D.  
 Superintendent

**Board Action:** On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Panec	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6178(a)

### Career Technical Education

The Governing Board desires to provide a comprehensive career technical education (CTE) program in ***secondary grades*** ~~grades 7-12~~ which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program shall be designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. The program shall include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

(cf. 6143 - Courses of Study)

(cf. 6200 - Adult Education)

***The District's CTE program shall focus on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs or orientation to apprenticeships, regional occupational centers or programs, tech prep programs, charter schools, small learning communities, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.***

(cf. 6178.2 – Regional Occupational Center/Program)

The Board shall review and approve all district plans and applications for the use of state and/or federal funds supporting CTE.

The Board shall adopt standards for CTE which meet or exceed the state's model content standards and describe the essential knowledge and skills that students enrolled in these courses are expected to master. The course curriculum shall be aligned with district-adopted standards and the state's curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

The Superintendent or designee shall develop partnerships with local businesses and industries to ensure that ***course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments*** have real-world relevance and reflects labor market needs and priorities. He/she also shall work to develop connections with ***businesses, postsecondary institutions, community organizations, and/or*** employers to provide students with ***actual and simulated*** work-based learning opportunities.

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Series 6000

Instruction

BP 6178(b)

*(cf. 1700 - Relations Between Private Industry and the Schools)**(cf. 5113.2 - Work Permits)**(cf. 6178.1 - Work-Based Learning Experience Education)*

The Superintendent or designee shall collaborate with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. ***Articulation opportunities may include dual or concurrent enrollment in community college courses.***

*(cf. 6172.1 - Concurrent Enrollment in College Classes)*

***The Superintendent or designee shall inform all secondary students and their parents/guardians about the CTE experiences available in the district, CTE courses that satisfy college admission criteria, and, if applicable, CTE courses that satisfy high school graduation requirements. In addition, secondary students shall receive individualized career guidance and academic counseling which provides information about academic and CTE opportunities related to the student's career goals.***

*(cf. 5145.6 - Parental Notifications)**(cf. 6164.2 - Guidance/Counseling Services)*

The Superintendent or designee shall ensure that teachers of CTE courses possess the qualifications and credentials necessary to teach their assigned courses. He/she also shall provide teachers and administrators with professional development designed to enhance their knowledge of standards-aligned CTE and ***shall provide opportunities for CTE teachers to collaborate with teachers of academic courses in the development and implementation of integrated curriculum models.*** ~~ways to integrate technical and occupational instruction with academic instruction.~~

*(cf. 4112.2 - Certification)**(cf. 4131/4331 - Staff Development)*

The district shall provide services to support students in the CTE program, including comprehensive career guidance and academic counseling. The Superintendent or designee shall provide counselors with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work experience opportunities, and postsecondary education and employment options following high school.

*(cf. 5145.6 - Parental Notifications)**(cf. 6164.2 - Guidance/Counseling Services)*

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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Instruction

BP 6178(c)

***The Superintendent or designee shall provide counselors and other guidance personnel with professional development that includes, but is not limited to, information about current workforce needs and trends, requirements of the district's CTE program, work-based learning opportunities, and postsecondary education and employment options following high school.***

The Superintendent or designee shall regularly assess district needs for facilities, technologies, and equipment to increase students' access to the district's CTE program.

*(cf. 0440 - District Technology Plan)*

*(cf. 3440 - Inventories)*

*(cf. 3512 - Equipment)*

*(cf. 7110 - Facilities Master Plan)*

### Nondiscrimination

The district's program shall provide equal access to and shall not unlawfully discriminate against students who are members of special populations. Special populations include, but are not limited to, students with disabilities; students from economically disadvantaged families, including foster youth; single parents and single pregnant females; displaced homemakers; students with limited English proficiency; and students preparing for nontraditional fields.

***Nontraditional fields include occupations or fields of work, including careers in computer science, technology, and other emerging high-skill occupations, for which individuals from one gender constitute less than 25 percent of the individuals employed in each such occupation or field of work. (20 USC 2302, 2354, 2373)***

Prior to the beginning of each school year, the Superintendent or designee shall advise students, parents/guardians, employees, and the general public that all CTE opportunities are offered without regard to ***any actual or perceived characteristic protected from discrimination by law.*** ~~race, color, national origin, sex, or disability.~~ (34 CFR 100.B, 104.8, 106.9)

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

The above notification shall be disseminated in languages other than English as needed and shall state that the district will take steps to ensure that the lack of English language skills will not be a barrier to admission and participation in the district's CTE program. (20 USC 2354)

### School and Community Involvement Advisory Committee

The Board shall appoint a CTE advisory committee to develop recommendations on the district's CTE program and to serve as a liaison between the district and potential employers. The

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BP 6178(d)

committee shall consist of *at least one student, teacher, business representative, industry representative, school administrator, member of the general public knowledgeable about the disadvantaged, and representative of the field office of the California Employment Development Department.* one or more representatives of the general public knowledgeable about the disadvantaged; students; teachers; business; industry; school administration; (Education Code 8070)

(cf. 1220 - Citizen Advisory Committees)

This committee may be expanded to include parents/guardians, representatives of labor organizations, representatives of special populations, and other interested individuals in order to involve them in the development, implementation, and evaluation of CTE programs funded through the federal Carl D. Perkins Career and Technical Education Act.

### Program Evaluation

The Board shall monitor and evaluate the achievement of students participating in the district's CTE program. The Superintendent or designee shall annually report to the Board on program enrollment and completion rates, including enrollment and completion of programs in nontraditional fields as defined in 20 USC 2302; student academic assessment results; attainment of career and technical skill proficiencies; attainment of a high school diploma or equivalent; graduation rates; and subsequent placement in postsecondary education or advanced training, military service, or employment.

(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)  
(cf. 6162.5 - Student Assessment)  
(cf. 6162.51 - Standardized Testing and Reporting Program)  
(cf. 6162.52 - High School Exit Examination)

At least every three years, the Board shall compare the district's curriculum, course content, and course sequence of CTE with the model state curriculum standards. (Education Code 52376)

The Superintendent or designee shall systematically review the district's CTE classes to determine the degree to which each class may offer an alternative means for completing and receiving credit for specific portions of the course of study prescribed by the district for high school graduation. The Board shall ensure that these classes are equivalent in content and rigor to the courses prescribed for graduation. (Education Code 52376)

(cf. 0500 - Accountability)  
(cf. 6146.11 - Alternative Credits Toward Graduation)

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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~~(cf. 6190—Evaluation of the Instructional Program)~~

Legal Reference:

*EDUCATION CODE***1205 Classification of counties**

8006-8156 Career technical education

17078.70-17078.72 Career technical education facilities

33430-33432 Health science and medical technology grants

**35168 Inventory of equipment**

41505-41508 Pupil Retention Block Grant

41540-41544 Targeted instructional improvement block grant

**44257.3 CTC recognition of student in linked learning teacher methods**

44260-44260.1 Designated subjects career technical education credential

44260.9 Designated subjects career technical education credential

48430 Legislative intent; continuation education schools and classes

48980 Parental notifications

51220-51229 Courses of study, grades 7-12

51760-51769.5 Work experience education

52300-52499.66 Career technical education

52519-52520 Adult education, occupational training

53080-53084 School-to-career initiatives

53086 California Career Resource Network

54690-54697 California Partnership Academies

**54750-54760 California Partnership Academies, green technology and goods movement occupations**

56363 Related services for students with disabilities; specially designed career technical education

66205.5-66205.9 Approval of career technical education courses for admission to California colleges

88500-88551 Community college economic and workforce development program

*GOVERNMENT CODE*

54950-54963 Brown Act

*LABOR CODE*

3070-3099.5 Apprenticeships

*CODE OF REGULATIONS, TITLE 5*

1635 Credit for work experience education

3051.14 Specially designed career technical education for students with disabilities

10070-10075 Work experience education

10080-10092 Community classrooms

10100-10111 Cooperative vocational education

11500-11508 Regional occupational centers and programs

11535-11538 Career technical education contracts with private postsecondary schools

11610-11611 Regional adult and vocational education councils

*CODE OF REGULATIONS, TITLE 8*

200-240 Apprenticeships

*UNITED STATES CODE, TITLE 20*

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

6301-6578 Improving the Academic Achievement of the Disadvantaged

*CODE OF FEDERAL REGULATIONS, TITLE 34***76.730-76.731 Records related to federal grant programs**

80.32 Equipment acquired with federal funds

## OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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**80.42 Record retention**

100.B Appendix B Guidelines for eliminating discrimination in career technical education programs

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX

**Management Resources:****CSBA PUBLICATIONS**

Orientation to Apprenticeship Overview, Construction Management Task Force Fact Sheet, November 2007

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

2008-2012 State Plan for Career Technical Education

***Multiple Pathways to Student Success; Envisioning the New California High School, 2010******Regional Occupational Centers and Programs Operations Handbook March 2008******Model Programs and Practices; Setting Standards for Regional Occupational Centers and Programs (ROCPs), rev. October 2007***

Career Technical Education Framework for California Public Schools, Grades Seven Through Twelve, January 2007

California Career Technical Education Model Curriculum Standards, Grades Seven Through Twelve, May 2005

Management of Vocational Education Equipment, April 2000

**CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, DIVISION OF APPRENTICESHIP STANDARDS PUBLICATIONS**

Orientation to Apprenticeships: A Guide for Educators, January 2001

**WEB SITES**CSBA: <http://www.csba.org>Association for Career and Technical Education: <http://www.acteonline.org>California Association of Regional Occupational Centers and Programs: <http://www.carocp.org>California Career Resource Network: <http://www.californiacareers.info>California Department of Education, Career Technical Education: <http://www.cde.ca.gov/ci/ct>California Department of Employment Development: <http://www.edd.ca.gov>California Department of Industrial Relations: <http://www.dir.ca.gov>California Workforce Investment Board: <http://www.calwia.org>Commission on Teacher Credentialing: <http://www.ctc.ca.gov>***University of California, a-g Course Submissions: [http://ucop.edu/a-gGuide/ag/course\\_submissions](http://ucop.edu/a-gGuide/ag/course_submissions)***

U.S. Department of Education, Office of Vocational and Adult Education:

<http://www.ed.gov/about/offices/list/ovae/pi/cte/index.html>U.S. Department of Labor, Bureau of Labor Statistics: <http://www.bls.gov>

Adopted:

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**

**DATE: OCTOBER 16, 2012**

**SUBJECT: C.3.I. APPROVE AMENDMENT OF BYLAWS OF THE BOARD 9321 –  
CLOSED SESSION PURPOSES AND AGENDAS - First Reading**

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**ISSUE:** Should the Board of Education approve the proposed amendment to Bylaws of the Board 9321 – Closed Session Purposes and Agendas?

**BACKGROUND:** Board Bylaw 9321 is amended to reflect new Attorney General opinion which concludes that only three specified subjects related to real property negotiations may be considered in closed session. Bylaw also (1) includes board philosophical statement expressing commitment to transparency and compliance with open meeting law, (2) includes requirement to reconvene in open session to report decision of closed session with link to BB 9321.1 – Closed Session Actions and Reports, and (3) revises section on “Pending Litigation” to add definitions of “party” and “significant exposure to litigation”. Board Bylaw 9321 is being submitted with recommended language from CSBA.

**ALTERNATIVES:**

1. Approve the amendment of Bylaws of the Board 9321 – Closed Session Purposes and Agendas.
2. Do not approve the amendment Bylaws of the Board 9321 – Closed Session Purposes and Agendas.
3. Adopt a modified version of the amendment to Bylaws of the Board 9321 – Closed Session Purposes and Agendas.

**RECOMMENDATION:**  
Approval of Alternative #1.

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

Board Action: On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Iceland	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Pallant	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Yeoh	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

Series 9000

Bylaws of the Board

BB 9321(a)

### Closed Session Purposes And Agendas

The Governing Board *is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall* may hold closed sessions only for purposes *authorized by* identified in law. ~~The Board may hold~~ A closed session *may be held* at any time during a regular, or special, meeting and during *or* emergency meeting in accordance with law. (Government Code 54956.5, 54957.7, 54962)

The *Each* agenda shall contain a brief general description of all *each* closed session item to be discussed *at the meeting, as required by law.* (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The Board shall disclose in open *session* meeting the items to be discussed in closed session. In the closed session, the Board may consider only those matters covered in its statement. *After closed session, the Board shall reconvene in open session before adjourning the meeting, and, when applicable, shall disclose any action taken in the closed session, in the matter prescribed by Government Code 54957.1.* (Government Code 54957.7)

*The Board shall not disclose any information that is protected by state or federal law. In addition, no* No agenda, notice, announcement or report required by the Brown Act need identify any victim or alleged victim of tortious sexual conduct or child abuse *shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act,* unless the identity of the person has *previously* been publicly disclosed. (Government Code 54957.7, 54961)

(cf. 1340 - Access to District Records)

~~In accordance with law,~~ A Board member shall not disclose confidential information received in a closed session unless the Board authorizes the disclosure of that information. (Government Code 54963)

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

### Personnel Matters

The Board may hold closed sessions to consider the appointment, employment, evaluation of performance, discipline or dismissal of an employee. These *Such a closed* session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957)



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(cf. 2140 - Evaluation of the Superintendent)  
 (cf. 4115 - Evaluation/Supervision)  
 (cf. 4118 - Suspension/Disciplinary Action)  
 (cf. 4215 - Evaluation/Supervision)  
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
 (cf. 4315 - Evaluation/Supervision)

The Board may also hold closed sessions to hear complaints or charges brought against an employee by another person, unless the employee requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Government Code 54957)

(cf. 1312.1 - Complaints Concerning District Employees)  
 (cf. 4112.9/4212.9/4312.9 - Employee Notifications)

The Board may hold closed sessions to discuss a district employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

Agenda items related to public **district** employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal or release require no additional information. (Government Code 54954.5)

### Negotiations/Collective Bargaining

Unless otherwise agreed upon by the parties involved, the following shall not be subject to the Brown Act: (Government Code 3549.1)

1. Any meeting and negotiating discussion between the district and a recognized or certified employee organization
2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process
3. Any hearing, meeting or investigation conducted by a factfinder or arbitrator

## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

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4. Any executive (closed) session of the district or between the district and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives

*(cf. 4140/4240/4340 – Bargaining Units)*

*(cf. 4143/4243 - Negotiations/Consultation)*

*(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)*

The Board may meet in closed session ~~with the Board's designated representative regarding to~~ **review the Board's position and/or instruct its designated representative regarding** employee salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees. These **Any closed session held for this purpose** ~~closed sessions~~ may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the **Board's** ~~district's~~ designated representative. (Government Code 54957.6)

For represented employees, the Board may also meet in closed session to hear any other matter within the statutorily provided scope of representation. (Government Code 54957.6)

~~Closed sessions shall be for the purpose of reviewing the Board's position and instructing the Board's designated representative.~~ Closed sessions may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees. For unrepresented employees, closed sessions held pursuant to Government Code 54957.6 shall not include final action on the proposed compensation of one or more unrepresented employees. (Government Code 54957.6)

The Board also may meet in closed session with a state conciliator or a mediator who has intervened in these proceedings **regarding any of the purposes enumerated in Government code 54957.6.** (Government Code 54957.6)

Agenda items related to negotiations shall specify the name of the district's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations. (Government Code 54954.5)

## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

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### Matters Related to Students

The Board shall meet in closed session to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

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

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

The Board shall meet in closed session to **address any student matter that may involve disclosure of confidential student information, or to** consider a suspension, disciplinary action, or any other action, except expulsion, against a student when a public hearing on the matter would violate student privacy rights. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. (Education Code 35146, 48912, **49070** ~~49073-49079~~)

*(cf. 5117 - Interdistrict Attendance)*

*(cf. 5119 - Students Expelled from Other Districts)*

*(cf. 5125.3 - Challenging Student Records)*

*(cf. 5144 - Discipline)*

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing," "grade change appeal," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

*(cf. 5125 - Student Records)*

### Security Matters

The Board may meet in closed session with the Attorney General, district attorney, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or to the public's right of access to public services or public facilities. (Government Code 54957)

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*(cf. 0450 - Comprehensive Safety Plan*

*(cf. 3515 - Campus Security)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

The Board may meet in closed session during an emergency meeting held pursuant to Government Code 54956.5 to meet with law enforcement officials for the emergency purposes specified in Government Code 54957 if agreed to by a two-thirds vote of the Board members present. If less than two-thirds of the members are present, then the Board must agree by a unanimous vote of the members present. (Government Code 54956.5)

Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the Board will consult. (Government Code 54954.5)

### Conference with Real Property Negotiator

The Board may meet in closed session with the Board's real property negotiator prior to the purchase, sale, exchange or lease of real property by or for the district in order to grant its negotiator the authority regarding the price and terms of the property. (Government Code 54956.8)

Before holding the closed session, the Board shall hold an open and public session to identify its negotiator(s) and the property under negotiation and to specify the person(s) with whom the negotiator may negotiate. (Government Code 54956.8)

For purposes of real property transactions, negotiators may include members of the Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the district negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

### Pending Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or

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receive advice from its legal counsel regarding pending litigation when a discussion of the matter in open session would prejudice the *district's* Board's position in the *litigation* ease. For this purpose, "litigation" includes *means* any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered "pending" when *in* any of the following circumstances exist:

1. Litigation to which the Board is a "party" has been initiated formally. (Government Code 54956.9(a))
2. A point has been reached where, in the Board's opinion based on the advice of legal counsel ~~and on~~ *regarding* the "existing facts and circumstances", there is a "significant exposure to litigation" against the district, or the Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(b))

*Existing facts and circumstances for these purposes are limited to the following: (Government Code 54956.9)*

~~"Existing facts and circumstances" authorizing a closed session pursuant to Government Code 54956.9(b) as described in item #2 above are limited to the following: (Government Code 54956.9)~~

- a. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiffs and which do not need to be disclosed.
- b. Facts and circumstances including, but not limited to, an accident, disaster, incident or transactional occurrence which might result in litigation against the district, which are already known to potential plaintiffs and which must be publicly disclosed before the closed session or specified on the agenda.
- c. The receipt of a claim pursuant to the Tort Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.

*(cf. 3320 - Claims and Actions Against the District)*

- d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the board.

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e5. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. The above *Such* record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on his/her behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.

3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(c))

Before holding a closed session pursuant to *the pending litigation exception*, this section, the Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(a), the Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the district's ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)

Agenda items related to "pending litigation" shall be described as a conference with legal counsel regarding "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties and case or claim number, unless the Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(b) and shall specify the potential number of cases. When the district expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(c) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information pursuant to items #2-5 above. (Government Code 54954.5, Government Code 54956.9(b)(3)(B-E))

### Joint Powers Agency *Issues* /Self Insurance Liability Claims

The Board may meet in closed session to discuss a claim ~~against a joint powers authority or self-insurance authority of which it is a member~~, for the payment of tort liability losses, public liability losses or workers' compensation liability *incurred by a joint powers agency (JPA)*

## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

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*formed for the purpose of insurance pooling or self-insurance authority of which the district is a member.* (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)

~~(cf. 3320 - Claims and Actions Against the District)~~  
(cf. 3530 - Risk Management/Insurance)

When the board of the JPA has so authorized and upon advice of district legal counsel, the Board may meet in closed session in order to receive, discuss and take action concerning information obtained in a closed session of the JPA. During the ~~district's~~ **Board's** closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

The Board member may also disclose the confidential JPA information to district legal counsel in order to obtain advice on whether the matter has direct financial or liability implications for the district. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall specify the closed session description used by the JPA and the name of the **Board Member representing** the district representative on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)

### Review of Audit Report from Bureau of State Audits

Upon receipt of a confidential final draft audit report from the Bureau of State Audits, the Board may meet in closed session to discuss its response to that report. After public release of the report from the Bureau of State Audits, any Board meeting to discuss the report must be conducted in open session, unless exempted from the requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the Bureau of State Audits shall state "Audit by Bureau of State Audits." (Government Code 54954.5)

### Review of Assessment Instruments

## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

Series 9000

Bylaws of the Board

BB 9321(i)

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

*(cf. 6162.5 - Student Assessment)*

Agenda items related to the review of student assessment instruments shall state that the Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

### Legal Reference:

#### *EDUCATION CODE*

35145 Public meetings

35146 Closed session (re student suspension)

44929.21 Districts with ADA of 250 or more

#### **48912 Governing board suspension**

48918 Rules governing expulsion procedures; hearings and notice

#### **49070 Challenging content of students records**

~~49073 Release of directory information~~~~49076 Access to records by persons without written parental consent~~~~49079 Notification to teacher re: students whose actions are grounds for suspension or expulsion~~

60617 Meetings of governing board

#### *GOVERNMENT CODE*

3540-3549.3 Educational Employment Relations Act

6250-6268 California Public Records Act

54950-54963 The Ralph M. Brown Act

#### *COURT DECISIONS*

Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners (2003) 107 Cal.app.4<sup>th</sup> 860

Bell v. Vista Unified School District, (2001) 82 Cal.App. 4th 672

Fischer v. Los Angeles Unified School District, (1999) 70 Cal.App. 4th 87

Furtado v. Sierra Community College District, (1998) 68 Cal. App. 4th 876

Roberts v. City of Palmdale, (1993) 5 Cal.4th 363

Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

#### *ATTORNEY GENERAL OPINIONS*

**94 Ops. Cal. Atty. Gen. 82 (2011)**

86 Ops. Cal. Atty. Gen. 210 (2003)

78 Ops. Cal. Atty. Gen. 218 (1995)

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

### Management Resources:

#### *CSBA PUBLICATIONS*

The Brown Act: School Boards and Open Meeting Laws, 2003

#### *ATTORNEY GENERAL PUBLICATIONS*

The Brown Act: Open Meetings for Legislative Bodies, 2002



## OAK PARK UNIFIED SCHOOL DISTRICT BYLAWS OF THE BOARD

*Series 9000*

*Bylaws of the Board*

*BB 9321(j)*

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*LEAGUE OF CALIFORNIA CITIES PUBLICATIONS*

Open and Public III: A User's Guide to the Ralph M. Brown Act, July 2010

*WEB SITES*

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

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

*League of California Cities: <http://www.cacities.org>*

Adopted: 3-12-02

Amended: 9-17-02, 3-22-05

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT**  
**DATE: OCTOBER 16, 2012**  
**SUBJECT: VII.1. MONTHLY GENERAL FUND STATUS REPORT**

INFORMATION

**ISSUE:** Shall the Board receive and review a status report on General Fund expenditures through September 30th of the 2012-13 fiscal year?

**BACKGROUND:** The Board maintains its awareness of the State's financial position and its significant impact on K-12 education, and more particularly on the Oak Park Unified School. It is critical that the Board and Administration carefully monitor the District's budget and expenditures to insure fiscal solvency. As a tool to assist in this process, the Administration has developed the attached General Fund Status Report, which will provide the Board with the most current budget and expenditure information available. This report will be updated and reported to the Board every month at its regular meeting, accompanied by staff analysis of the information.

The Business Office was still finalizing the monthly update as this agenda was going to press. The report will be delivered to the Board upon its completion and will be made available for public review at the same time.

**RECOMMENDATION:** None. Information only.

Prepared by: Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

**TO: MEMBERS, BOARD OF EDUCATION**  
**FROM: Debra A. Burgher, Principal, Brookside Elementary School**  
**DATE: October 16, 2012**  
**SUBJECT: Monthly Board Report**

**SCHOOL SITE COUNCIL MEETING:** Brookside School Site Council will meet on October 9, 2012. Parent members are: Sherry Roetman, Tammy Elbaum, Sandra Ritvo and Tanya Tong. Staff members are: Debra Burgher, Patti Kolb, Barbie Lee and Virginia Standring. Meetings will be on Tuesdays at 2:45 pm.

**ABILITIES AWARENESS WEEK:** Parent volunteers will rotate through classrooms to teach lessons and present a video about what it means to have a disability. On October 19, there will be an abilities awareness assembly in the MPR for 4 & 5 grade.

**RED RIBBON WEEK:** BES student council members will lead the Monday morning assembly to kick off Red Ribbon Week. They will provide information and encourage students to make a promise to lead a healthy and active lifestyle, free from alcohol, drugs and tobacco.

**HEAT INDEX:** Brookside students had indoor P.E. and indoor lunch in response to the recent high temperatures/humidity. New guidelines have been helpful to our P.E. Coach and yard supervisors. Parent feedback has been very positive.

**TECHNOLOGY:** In the computer lab students are using the formatting tools in Microsoft Word. They are using the center, bold, italics and underline functions along with changing font and adding color and borders. Students in grades 4 & 5 locate images on the internet and then insert them into projects. Kindergartners are learning to use a mouse and finding the letters in their first names. First graders are being introduced to touch typing and basic word building by labeling pictures they create.

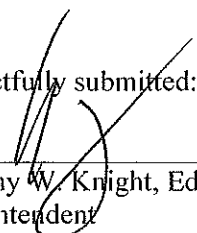
**MEET OUR LIBRARIAN & MUSIC TEACHER:** Mrs. Kelly Shaver is the new Brookside Librarian. Kelly has a degree in Fashion Merchandising from San Diego State University. Mrs. Sandy Wahl is teaching music at Brookside. Mrs. Wahl holds a Bachelor of Arts degree in Music. Mrs. Wahl has experience teaching music classes, band and chorus. Welcome to our new staff members!

**TEACHING AND LEARNING:** Math and Literacy Intervention Aides are working with students in small groups. Fifth graders will visit Santa Cruz Island on October 26<sup>th</sup>. Debbie West is providing background learning before the island trip. Fourth grade is finishing geography and will soon make landform maps of California. Third grade is working on launching Writer's Workshop and the FOSS Matter Unit. Second Graders are being introduced to the Icons of Depth and Complexity while writing about their lives. FOSS science unit Pebbles, Sand and Silt will be taught this month. First Graders are working on the Matter Unit, which will culminate with centers about solids and liquids.

**HAPPENINGS:**

- Oct 15-19 Abilities Awareness Week
- Oct 18 Great California Shake Out
- Oct 22-26 Red Ribbon Week
- Oct 25 Random Acts of Character Assemblies 9:00 & 11:00 in the MPR
- Oct 26 Santa Cruz Island Trip – 5<sup>th</sup> Grade

Respectfully submitted:

  
 Anthony W. Knight, Ed.D.  
 Superintendent

**TO: Members of the Oak Park Unified School District Board of Education**

**FROM: Erik Warren, Principal, Oak Hills Elementary School**

**DATE: October 16, 2012**

**SUBJECT: Monthly Board Report**

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### **Back-to-School Night**

Back to school night was a great success. We held two sessions, K-2<sup>nd</sup> and 3<sup>rd</sup>-5<sup>th</sup>. Each group began with a brief general meeting and then proceeded to the classrooms to meet with their teacher. The presentations in each classroom were professionally done, informative, and positive. The parents were pleased to learn about the exciting learning opportunities that await their children over the course of the year. They left reassured that their child not only be appropriately challenged by an engaging teacher, but also cared for by a teacher who is approachable and communicative. The teachers especially appreciated visits from Board members and District staff, especially on such a busy night.

### **Student Council**

The Oak Hills student council is off to a great start. Students from each homeroom class are selected by their classmates to represent their class at our monthly meetings. Officers are then selected from among the representatives. All students who are interested in running for any position are welcome to participate as a member at large, regardless of the outcome of the elections. The spring semester officers are:

President:	Reese Wallace	
Vice-President:	Havi Rubenfeld	
Secretary:	Jonah Joelson	
Treasurer:	Jackson Finch	
Publicists:	Alex Gaspar	Nico Arledge
	Brooke LaTorra	Rylan Andresen
	Amber Arquilevich	

Congratulations to all of our candidates for delivering inspirational speeches, and running honorable campaigns. We look forward to their service and leadership.

### **Oak Hills Family Picnic**

On Friday evening, September 28<sup>th</sup>, the entire Oak Hills community gathered on the playground for the Oak Hills Family Picnic. We enjoyed food, dancing, a bake sale (with a wide variety of gluten free desserts), and a costume photo booth! This proved to be a great opportunity to welcome all newcomers, as well as spend time with old friends.

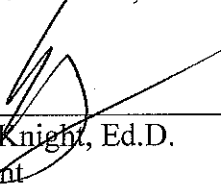
### **Music Van**

Our students enjoyed a two-day visit from the New West Symphony Music Van last week. The children gained hands-on experience with an extensive variety of instruments as they rotated between the brass, woodwinds, strings, and percussion sections. Students are becoming very good at identifying specific instruments just from hearing the sound each one produces. We are looking forward to our before/after-school chorus and instrumental music programs beginning soon.

**Walk to School Wednesday**

On Wednesday the streets around Oak Hills were unusually crowded. But this time, instead of cars it was the impressive number of pedestrians who were lining the sidewalks in every direction. Many students joined up with staff members to walk in from every direction. Some families who commute in from a distance too far to walk, dropped off their children to walk the last mile to campus. With well over 500 students, even cutting a mile off the daily commute can make a positive difference. Students arrived to school, in the (relatively) cool morning air refreshed and energized for the school day! Everyone was treated to a healthy snack before heading off to class.

Respectfully Submitted;



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Anthony W. Knight, Ed.D.  
Superintendent

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: Jon A. Duim, Principal, Red Oak Elementary School**

**DATE: October 16, 2012**

**SUBJECT: Monthly Board Report**

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**Back-to-School Night**

Back-to-School Night was held on September 19 for all grade levels. Discovery Kindergarten, Kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grades made their presentations at 6:00. A short, but informative half hour parent meeting at 7:00 was held in the Multipurpose Room prior to our upper grade classroom presentations at 7:30. The principal welcomed the parents and talked about the value of parental involvement at Red Oak Elementary School. Kevin Harold spoke representing Oak Park Schools Foundation and the Parent Faculty Association. He informed parents about the purpose of their organizations and to ask for support. Throughout the night, teachers made presentations individually in their classrooms and also as a grade level group in our Multi-purpose Room. All the presentations at Back-to-School nights were well attended by parents. The superintendent, various school board members made classroom visitations.

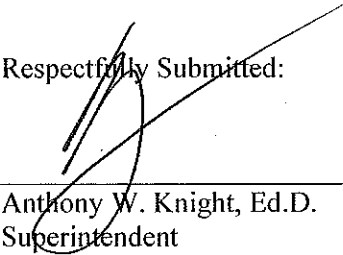
**Spirit Assemblies**

Our first monthly Spirit Assemblies were held on September 27 and 28. The Spirit Assemblies recognize those students who best embodied the targeted positive monthly character traits. A new student body leadership team ran the assemblies and gave out the awards.

**School Site Council**

Our School Site Council met for the first time this school year on September 24. We had one new faculty member, and three new parent members. Our SSC purpose statement was reviewed and the bylaws were passed out. New additions to our staff were introduced, enrollment reviewed and the work that was done this summer to improve our facilities was explained. Leaders were selected to report, record and lead our SSC.

Respectfully Submitted:

  
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Anthony W. Knight, Ed.D.  
Superintendent

**TO: MEMBERS, BOARD OF EDUCATION**

**FROM: BRAD BENIOFF, PRINCIPAL, MEDEA CREEK MIDDLE SCHOOL**

**DATE: OCTOBER 16, 2012**

**SUBJECT: MONTHLY SCHOOL REPORT**

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**International Walk To School Day October 3, 2012:** Join us as we work toward reducing our carbon footprint. Walk to school—today and many days!

**MCMS 8<sup>th</sup> Grade GATE Students Document the 5<sup>th</sup> grade Santa Cruz Island October 17 and 24 2012:** MCMS students accompanied the 5<sup>th</sup> graders, mentoring them, as well as putting together a project about the Island by documenting their hiking adventure. Students are using this experience to demonstrate their work “thinking like a naturalist, marine biologist” etc. They will share this project with the MCMS community later in the school year.

**Great California Shake Out October 18, 2012:** MCMS will review Emergency Procedures during this State-wide event. The MCMS Student Safety Squad has been instrumental in helping us prepare our supplies.

**Special Interests Clubs at MCMS are up and Running!** From Movies to Chess, to Walking, to Art and Recycling and to Fitness—Clubs, sponsored by MCMS Staff are engaging students during lunch.

**First ASB Dance of the Year October 12, from 5:30-8:00:** ASB sponsors the first in a series of hugely popular school dances.

**MCMS Goes to Mt. SAC October 12<sup>th</sup>:** Many thanks to our Coaches along with parents, for getting a large number of 6<sup>th</sup>-8<sup>th</sup> graders to compete in this year's event. Good Luck, everyone!

**Chinese Cultural Dance October 12<sup>th</sup> 8:30-9:00 a.m.:** This is a great opportunity to experience a refined slice of Chinese culture. Thanks to Helen Yapp for arranging this and dancer Pheobe Li for donating her time and talent.

**Catalina Information Night: October 16<sup>th</sup> at 6:30 in the Gym:** Parent information night about the upcoming trip.

**Astrocamp Information Night: October 17<sup>th</sup> in the Gym:** Parent/student information night about the upcoming trip

**Outdoor Education Information Night October 18<sup>th</sup> at 6:00 in the gym:** An information night about the November trip to Pali Institute in Running Springs, CA.

**Make-up Picture Day October 19<sup>th</sup>:** A chance for students who have enrolled since September and faculty and staff to have their pictures taken.

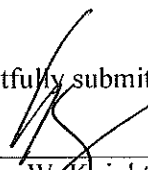
**7<sup>th</sup> Grade Catalina Curricular Trip October 22nd-24<sup>th</sup> and 24<sup>th</sup>-26<sup>th</sup>:** Here we go again!!!! Many thanks to a host of parent chaperones, as well as our own Cindy Ligeti, Kelly Johnson, Jessica Vaughn, Robert Large, Malia Cadle, Kyle Kegley, Jessica Kudlacek, Lindsay Steinman, Aaron Ferguson, Maria Jimenez and Melissa Bayles for helping to make this exceptional learning adventure possible.

**Astrocamp Curricular Trip October 31-November 2nd:** 8<sup>th</sup> graders are led by science teachers Marta Graves and Roger Newell and assisted by parent chaperones as they explore physical science in the mountains of Idyllwild.

**Thank you to Counselors, Dianne Large, Carol Bailey and Jeremy Rogers** for visiting each 6<sup>th</sup> grade Humanities class this month, reviewing safe behavior and school resources at school to help ensure that students have a part in creating a successful year and a positive school climate.

**Congratulations to MCMS for winning an award from the 2012 Heal The Bay Event:** On September 15 – International Coastal Clean Up Day, 62 MCMS students met at Surf Rider Beach in Malibu. As in the past, MCMS cleaned the beach with a fine-tooth comb. Along with styrofoam, aluminum, paper, glass and other items, students also collected 1895 cigarette butts on a smoke free beach. With that, our students brought back the 2012 Coastal Clean Up First Place Team Trophy!

Respectfully submitted,



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Anthony W. Knight, Ed.D.  
Superintendent



**TO: Members of the Oak Park Unified Board of Education**  
**FROM: Kevin Buchanan, Principal, Oak Park High School**  
**DATE: October 16, 2012**  
**SUBJECT: Monthly Board Report**

### **Back to School Activities**

OPHS held a very successful back to school night with great turnout and I received many very positive comments from parents about teachers who did a great job of showcasing what students will be learning in their classes this year. The overall consensus was that students can be successful and teachers and staff will provide the support to students who need it.

ASB held a very spirited Back to School rally. Club week was held in the Pavilion and the students were out in force with all sorts of clubs ranging from Beekeeping to Operation Smile.

### **NEW STUDENT LUNCHEON**

Advanced Peer Counselors invited all new students to a luncheon on the great lawn over two days in September. Freshmen enjoyed Tony's Pizza on the first day, and sophomores through seniors gathered on the second day.

### **NATIONAL MERIT SCHOLARSHIP PROGRAM**

This year, in addition to the six OPHS seniors selected as Semi-finalists for the 2013 National Merit Scholarship Program, seventeen students were also recognized as National Merit Commended Scholars. Semi-finalists represent the top 1% of each state's high school seniors, and Commended Scholars the top 3%.

### **COLLEGE KNOWLEDGE NIGHT**

Oak Park High School is hosting an evening of workshops ranging from financial aid and essay writing, to the application process of public and private colleges and universities for parents and students from all local schools at on October 11. College Knowledge Night is a collaborative effort of the Parent Faculty Clubs of Calabasas, Oak Park, and Agoura High Schools.

### **OPHS MAC REPRESENTATIVE**

We are currently reviewing several student applications for the position of representative to the MAC through an application process that includes a written statement of intent and interview. The selected student will be in the position in time for the October 23<sup>rd</sup> MAC meeting and will be chosen based on his or her understanding of school and community issues and their commitment to improvement on both fronts.

### **SAFE SCHOOL AMBASSADORS**

OPHS Safe School Ambassadors will hold their annual Kick-Off event on October 12, and promises to be a very positive start to this year's program.

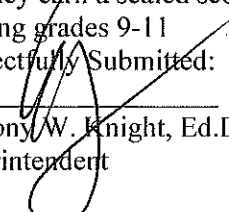
### **SCHOOL SAFETY**

We have focused our attention this October on school safety with several activities including a full review of our safety and disaster procedures. OPHS will participate in the Great Shake Out on October 18. The Principal's message in the PFC newsletter this month is also devoted to emergency preparedness and procedures.

### **GOLDEN STATE SEAL MERIT DIPLOMA**

In accordance with BP 5126, 171 seniors have been identified as having demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. These students will be recognized by having a special Merit Seal affixed to their graduation diploma and a list of honorees being posted outside the College and Career Center. Students qualify for the Merit Seal if they earn a scaled score of 370 or higher on six CSTs including US History, English, science, and math, during grades 9-11

Respectfully Submitted:

  
 Anthony W. Knight, Ed.D.  
 Superintendent

**TO: Members of the Oak Park Unified Board of Education**

**FROM: Lou Tabone, Principal, Oak View High School/Oak Park Independent School**

**DATE: October 16, 2012**

**SUBJECT: Monthly Board Report**

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Oak View High School

We are pleased to welcome Nicole Simmons, our .7FTE science teacher! Our enrollment has increased to 47 students and we are excited to have Nicole join our team.

Randi Liepman attended a very good inservice at VCOE, in preparation of providing prevention and intervention education and activities to address tobacco and drug use. Our district was awarded a TUPE grant of \$80,000 for three years.

Our site council is up and running and we are looking forward to an enthusiastic year!

Back to School was well attended and I believe worthwhile for the parents (and students) in attendance.

Our WASC midterm review is in progress, as we are in contact with the chairperson in preparation of the February 28, 2013 one-day visit.

Independent School

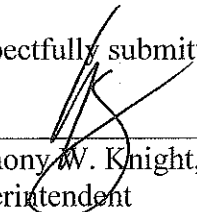
We are pleased to welcome Carolyn Purkey and Daniel O'Brien as new OPIS teachers. Also, we are welcoming Cristina Sanchez as our additional student services assistant. We have grown to an enrollment of 168 students. It is very enjoyable to work with our very diverse student population, including our working actors and high-level athletes.

Our full WASC review is in process, with meetings focused on reviewing data and developing new goals for the program.

We are collaborating with Oak Park High School to increase the availability of more courses available to OPIS students. Kevin and Stew have been really great in this project.

Students enjoyed the field learning experience to the Fashion Institute in Los Angeles.

Respectfully submitted,

  
\_\_\_\_\_  
Anthony W. Knight, Ed.D.  
Superintendent

**TO: Members of the Oak Park Unified School District Board of Education**

**FROM: Kim Gregorchuk, Director, Oak Park Neighborhood School**

**DATE: October 16, 2012**

**SUBJECT: Monthly Board Report**

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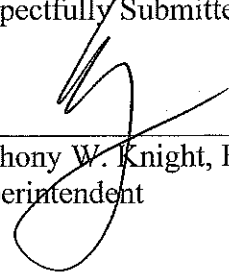
OPNS has had a wonderful beginning and the teachers and children are settling into the routine. We had very little separation anxiety and we're able to quickly begin our work. We have forty-seven children enrolled at this time. Our Monday, Wednesday, Friday class in Room 17 is full and there is room for an additional five children in the Tuesday, Thursday class. Room 17 has 10 M-F children enrolled, 9 MWF children enrolled, and 3 T/Th children enrolled. Room 16 has 5 M-F children enrolled, 10 MWF children enrolled, and 9 T/Th children enrolled. We are able to accommodate an additional 5 full time students in Room 16. We were at capacity in August, but had several families move from the area or change from full time to part time. Our caseload for special education is at eight students and looks like it will remain there until January.

The teachers are glad to be back and looking forward to a productive, busy year. We will all be attending a workshop, October 20<sup>th</sup>, on incorporating electricity into the preschool science program. We're eagerly looking forward to this because it is totally hands on and an area that we all want to include in our preschool program. They are also preparing for Parent/Teacher Conferences taking place the week of October 8 – 12. This first conference is an opportunity for the parents to tell us about their child and their expectations for the year.

Our Parent Advisory Board will have its first meeting on October 5<sup>th</sup>. Our executive board did not have any carry over parents from last year, but several returning and new parents are fulfilling the positions. We hope to get a volunteer to represent OPNS at the EEAC, two volunteers to serve on the NFL Steering Committee, and volunteers to head up our Gardening and Recycle programs.

We will be having a Halloween Parade at 9:30am on October 30 and 31, followed by a party planned by the Parent Advisory Board.

Respectfully Submitted;



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Anthony W. Knight, Ed.D.  
Superintendent