

OAK PARK UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
AGENDA #903

DATE: December 9, 2014

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

TIME: **NO CLOSED SESSION**
6:00 p.m. Open Session – G9

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

Mary Pallant, President
Vice President
Barbara Laifman, Clerk
Drew Hazelton, Member
Allen Rosen, Member
Jake Whealen, 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
Enoch Kwok, 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: lsheridan@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

Tuesday, January 20, 2015

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

OAK PARK UNIFIED SCHOOL DISTRICT
AGENDA – ORGANIZATIONAL BOARD MEETING #903
December 9, 2014

CALL TO ORDER - Followed by Public Comments/ 6:00 p.m.
OPEN SESSION: 6:00 p.m.

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.

A. ROLL CALL

B. FLAG SALUTE

C. ADOPTION OF AGENDA

II. PUBLIC SPEAKERS: SPEAKERS ON AGENDA AND NON-AGENDA ITEMS

III. OPEN COMMUNICATIONS/PRESENTATIONS

A. BOARD REPORTS/DISCUSSION/COMMUNICATIONS

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

C. BUSINESS SESSION:

1. CONSENT AGENDA

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 Special Board Meeting November 17, 2014 and Regular Board Meeting November 18, 2014](#)
- b. [Public Employee/Employment Changes 01CL22623-01CL22629 & 01CE07062-01CE07101](#)
- c. [Approve Overnight Trip for Oak Park High School Girls' Soccer Team – December 12-14, 2014](#)
Board Policy 6153 requires Board approval for student overnight trips
- d. [Approve Notice of Completion, Project 14-25R, Classroom Building Replacement at Oak Park High School](#)
Board approval required for job completion.
- e. [Approve Change Order #1, Project 14-26F, Track Resurfacing Project at Oak Park High School](#)
Board approval required for change orders.

- f. [Approve Notice of Completion, Projection 14-26F, Track Resurfacing Project at Oak Park High School](#)

Board approval required for job completion.

- g. [Approve Out of State Travel for Classified Employee to Attend QUE Conference in Detroit, Michigan – April 28-30, 2015](#)

Board Policy 3350 required Board approval for Out of State travel for employees

ACTION

2. BOARD

- a. [Administer Oath of Office](#)

Administer Oath of Office to newly elected and appointed Board Members

- b. [Election of Officers of the Board of Education](#)

Bylaws of the Board 9320 and Education Code 35143 require the nomination and election of Board Officers annually

- c. [Confirmation and Designation of Board Representatives to District Committees](#)

Board Members will select District Committee representation for the remainder of the school year

- d. [Approve Proposed Board Meeting Schedule for Calendar Year 2014](#)

To select and approve the meeting schedule for the Governing Board for the calendar year

- e. [Approve Certification of Signatures](#)

Education Codes 42632 and 42633 require annual Certification of Signatures after election of Board Officers

- f. [Select and Approve School Board Representative to the County Committee on School District Organization](#)

Education Codes 35023 and 72403 require the Board to annually select a representative to the County committee

- g. [Approve Designation of Secretary/Authorized Agent of the Board of Education](#)

Education Codes 35025 and 35034 and Bylaws of the Board 9122 empower the Board to designate the Superintendent as its Secretary and Authorized Agent

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

1. Student Assessment Results – 2014

3. BUSINESS SERVICES

- a. [Approve Appointments to the Oak Park Citizens' Oversight Committee](#)

Board approval required for all Bond measure purchases

- b. [Approve Amendment #5 to Agreement with Balfour Beatty Construction, Inc. for Program/Construction Management Services](#)

Board Policy 3312 requires Board approval for contracts for services

- c. [Approve Agreement for Architect of Record Services in Connection with District Construction Projects](#)

Board Policy 3312 requires Board approval for contracts for services

- d. [Approve Amended Joint-Use Agreement with Rancho Simi Recreation and Park District for 2014-2017](#)

Board Policy 3312 requires Board approval for contracts for services

- e. [Approve Fiscal Year 2013-2014 First Interim Financial Report, Certification and Budget Revisions](#)

Education Code 42130 and 42131 and Board Policy 3460 require the Board to approve and certify financial reports filed on behalf of the District

- f. [Approve Addition of Crossing Guard Service at Conifer and Oakleaf Avenue](#)

Board approval required to add a crossing guard

4. CURRICULUM

a. Approve Additional Novels for Oak Park Independent School

Board approval required for addition of new books.

5. BOARD POLICIES

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

This mandated policy is being updated to expand the scope of the uniform complaint procedures to include complaints regarding a district's failure to comply with legal requirements related to the implementation of the local control and accountability plan and to reflect new Title 5 Regulations (Register 2013, No. 38) regarding noncompliance with state law prohibiting the charging of student fees.

b. Approve Amendment to Board Policy 5131.2 – Bullying – First Reading

Policy updated to provide for an informal, site-level reporting process leading to investigation of any bullying complaint pursuant to the uniform complaint procedures and to clarify when suspension and expulsion may be used as corrective action for a student who commits an act of bullying.

c. Approve Amendment to Board Policy 5145.3 – Nondiscrimination/Harassment – First Reading

Mandated policy revised to specify that discrimination includes disparate treatment and to provide for an informal, site-level reporting process leading to investigation pursuant to the uniform complaint procedures.

d. Approve Amendment to Board Policy 5145.7 – Sexual Harassment - First Reading

Mandated policy revised to provide for the use of the uniform complaint procedures to investigate and resolve sexual harassment complaints and to add language for disciplining any employee who commits sexual harassment against a student. Additionally, language formerly in policy regarding confidentiality has been moved to the regulation.

e. Approve Adoption of Board Policy 7132 – Placement of Wireless Telecommunication Towers – First Reading

At the last Board meeting, the Board discussed having a Board Policy that outlined the Board's position on cell towers proximity to district schools.

IV. INFORMATION ITEMS

- 1 Monthly Enrollment and Attendance Report**
- 2. Monthly Cash Flow Report**

V. OPEN DISCUSSION

VI. ADJOURNMENT:

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

VII. SCHOOL REPORTS/SCHOOL SITE COUNCIL REPORTS

- 1. Brookside Elementary School Report**
- 2. Oak Hills Elementary School Report**
- 3. Red Oak Elementary School Report**
- 4. Medea Creek Middle School Report**
- 5. Oak Park High School Report**
- 6. Oak View High School/Oak Park Independent School**
- 7. Oak Park Neighborhood School**

**MINUTES OF SPECIAL BOARD MEETING
BOARD OF EDUCATION**

11-17-14

#902

CALL TO ORDER/MEETING PLACE

The Board of Education President, Ms. Mary Pallant, called the special meeting to order at 4:09 p.m. at Oak Park Unified School District Office Conference Room, 5801 E. Conifer Street, Oak Park.

BOARD PRESENT

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

STAFF PRESENT

Dr. Tony Knight, Superintendent and Linda Sheridan, Executive Assistant to the Superintendent

FLAG SALUTE

Sepideh Yeoh led the Pledge of Allegiance to the Flag

PUBLIC SPEAKERS

None

ACTION

1. The Board reviewed questions for the Provisional Appointment for the Board of Education interviews
2. The Board interviewed six candidates for the Provisional Appointment to the Board of Education: Chad Skopp, Cherie Kyte, Amber Ruddock, Shary Trux, Daniel Lee, and Denise Helfstein.

There being no further business before this Board, the Board adjourned the meeting at 6:20 p.m.

Date

President of the Board

Date

Clerk or Secretary of the Board

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

11-18-14

#901

CALL TO ORDER/MEETING PLACE

The Board of Education President, Ms. Mary Pallant, called the regular meeting to order at 5:06 p.m. at Oak Park High School Presentation Room, G9, 899 N. Kanan Road, Oak Park.

BOARD PRESENT

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

PUBLIC COMMENTS

None

ADJOURN TO CLOSED SESSION

The Board adjourned to Closed Session at 5:07 p.m.

CALL TO ORDER/MEETING PLACE

The Board of Education President, Mary Pallant, reconvened the regular meeting to order at 6:02 p.m. at Oak Park High School Presentation Room, G9, 899 N. Kanan Road, Oak Park.

BOARD PRESENT

Ms. Mary Pallant, President, Ms. Sepideh Yeoh, Vice President, Ms. Barbara Laifman, Clerk, Mr. Drew Hazelton, Member, Mr. Allen Rosen, Member and Jake Whealen, Student Board Rep.

STAFF PRESENT

Dr. Tony Knight, Superintendent, Mr. Martin Klauss, Assistant Superintendent, Business Services, Dr. Leslie Heilbron, Assistant Superintendent, Human Resources, and Ms. Linda Sheridan, Executive Assistant.

FLAG SALUTE

Sepideh Yeoh led the Pledge of Allegiance to the Flag

REPORT ON CLOSED SESSION

Dr. Knight reported the Board of Education took action on Tort Claims received against the District to reject them as untimely and insufficient. The Board of Education approved the action on a vote of Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

ADOPTION OF AGENDA

On motion of Barbara Laifman, seconded by Allen Rosen, the Board of Education adopted the agenda as presented. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No – 0,

PUBLIC SPEAKERS

None

PRESENTATIONS

The Board of Education presented Partners in Education Award to Irene Lyle

Board of Education presented Award to Debi Fries, Counselor at Oak Park High School on her retirement from the District

REPORT FROM BOARD MEMBERS

Board Member Allen Rosen expressed his appreciation for the effort that Mr. Borquez and Mrs. Levine have made this year putting together the marching band. They have added to the spirit of the football games. He also thanked Ms. Yeoh for her service on the Board. Board Member Barbara Laifman also thanked Ms. Yeoh for her service. She congratulated Irene Lyle on receiving the PIE Award. Ms. Laifman reported she attended the Community Outreach Committee, the Wellness Council meetings and attended the *12 Angry Women* play at OPHS. Board Member Drew Hazelton also thanked Ms. Yeoh for her service on the Board and for giving him her guidance when he first joined the Board. He too congratulated Irene Lyle on receiving the PIE Award. Mr. Hazelton reported he attended Halloween events at the schools and has been speaking with parents and heard great comments and discussions on common core. Board Member Sepideh Yeoh stated this was her last meeting as a Board member and she wanted to congratulate Allen, Drew and Derek on their successful election results. She has been honored to serve on the Board and thanked the Board for their support over the years. Ms. Yeoh also wanted to thank the applicants who were willing to work for the good of the students in our district. And, finally, she wanted to let everyone to know that she has enjoyed every single moment of being a school board member. Ms. Yeoh also reminded everyone the International Festival will be February 27, 2015 and will be a districtwide event held at OPHS with the help of MCMS and Julie John. She also attended the Safe Kids Task Force meeting. Board Member Mary Pallant also thanked Ms. Yeoh and also thanked Derek Ross for stepping up and running for the Board when he found out that she was not running for reelection. She congratulated Derek, Drew and Allen for their successful election results. Ms. Pallant reported she attended the County Committee on School District Organization and the VCSBA Dinner Meeting where they discussed the JPA.

REPORT FROM STUDENT BOARD REP

Jake Whealen thanked Ms. Yeoh. He stated that while the football team did not have a winning season, they are headed in a good direction and the band was a good addition.

REPORT FROM SUPERINTENDENT

Dr. Knight congratulated the band and football team. While the Board is not as interested in games won or lost, the quality of the experience is more important and this year the experience has been reported to have been very positive. The addition of the band, which is building the program and doing a great job, has added to the positivity. Dr. Knight wanted to take this time to thank Sepideh Yeoh for her service on the Board of Education and to present her with an award for her service to the Board upon her resignation.

The Board received SSC Reports from BES, MCMS and OPHS.

Report from Facilities Planning Committee – Martin Klauss reported to the Board the continuing activities of the Facilities Planning Committee and that they are working on finalizing the Master Plan to present to the Board in January.

C.1. CONSENT AGENDA

On motion of Drew Hazelton, seconded by Sepideh Yeoh, the Board of Education approved the Consent Agenda. Motion carried Aye – Hazelton, Laifman, Pallant, Rosen, Yeoh, No – 0

- a. [Approve Minutes of Regular Board Meeting October 21, 2014](#)
- b. [Public Employee/Employment Changes 01CL22592-01CL22620 & 01CE07031-01CE07061](#)
- c. [Approve Purchase Orders –October 1 - 31, 2014](#)
- d. [Approve Overnight Trip for Oak Park High School Boys' Basketball Team – December 26-30, 2014](#)

- e. [Approve Overnight Trip for Oak Park High School Winter Athletic Teams Who Qualify for CIF Play-Offs and Post Season](#)
- f. [Approve Notice of Completion – Project 14-02R, Parking Lot and Playground Repairs at Brookside and Red Oak Elementary Schools](#)
- g. [Approve Notice of Completion – Project 14-07R, Roof Repairs at Red Oak Elementary School](#)
- h. [Approve Disposal of Obsolete Personal Property](#)
- i. [Approve Overnight Trip for Oak Park High School Future Business Leaders of American Members – November 22-23, 2014](#)
- j. [Approve Agreement for Testing and Inspection Services for Projection 14-29F, Solar Shade Structure Installation at Oak Park High School](#)

ACTION

2. BOARD

a. [Deliberate and Approve Appointment of Provisional School Board Member](#)

On motion of Allen Rosen, seconded by Barbara Laifman, the Board of Education nominated and approved Denise Helfstein as the Provisional School Board Member. Motion carried: Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

b. [Approve California School Boards Association - Delegate Assembly Nomination](#)

On motion of Allen Rosen, seconded by Sepideh Yeoh, the Board of Education approved the nomination of Christina Urias and John Walker to represent Subregion 11B. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

c. [Approve Selection of Annual Organizational Board Meeting – December 9, 2014](#)

On motion of Allen Rosen, seconded by Barbara Laifman, the Board of Education approved December 9, 2014 as the Annual Organizational Board Meeting. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

3. BUSINESS

a. [Approve Service Contract with Ventura County Community College District to Fund the 2014-2015 California Career Pathways Trust Grant](#)

On motion of Sepideh Yeoh, seconded by Drew Hazelton, the Board of Education approved the Service Contract with Ventura County Community College District to fund the 2014-2015 California Career Pathways Trust Grant. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

b. [Approve Project 14-32F, Baseball Infield Upgrade and Artificial Turf Installation at Oak Park High School](#)

On motion of Barbara Laifman, seconded by Allen Rosen, the Board of Education approved Project 14-32F, Baseball Infield Upgrade and Artificial Turf Installation, using Future Fill and the District will pay for, at Oak Park High School. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

c. [Approve Acceptance of Donations](#)

On motion of Sepideh Yeoh, seconded by Drew Hazelton, the Board of Education approved Acceptance of Donations. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

4. HUMAN RESOURCES

a. Approve Classified Holiday Calendar for 2015-2016

On motion of Barbara Laifman, seconded by Sepideh Yeoh, the Board of Education approved the Classified Holiday Calendar for 2015-2016. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

b. Public Disclosure and Approve Collective Bargaining Agreement Between the District and Oak Park Teachers Association

On motion of Barbara Laifman, seconded by Sepideh Yeoh, the Board of Education approved the Collective Bargaining Agreement Between the District and the Oak Park Teachers Association. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

c. Public Disclosure and Approve Collective Bargaining Agreement Between the District and Oak Park Classified Association

On motion of Sepideh Yeoh, seconded by Drew Hazelton, the Board of Education approved the Collective Bargaining Agreement Between the District and the Oak Park Classified Association. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

d. Approve Compensation Adjustment for District Administrators, Confidential and Unrepresented Employees

On motion of Allen Rosen, seconded by Drew Hazelton, the Board of Education approved Compensation Adjustment for District Administrators, Confidential and Unrepresented Employees. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

e. Approve Amendment to Employment Contract with Superintendent

On motion of Allen Rosen, seconded by Sepideh Yeoh, the Board of Education approved the amendment to Employment Contract with Superintendent. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

5. BOARD POLICIES

a. Approve Amendment to Board Policy 6154 - Homework - First Reading

On motion of Sepideh Yeoh, seconded by Drew Hazelton, the Board of Education approved the amendment to Board Policy 6152 – Homework on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No:0.

b. Approve Amendment to Board Policy 4117.3 – Personnel Reduction – First Reading

On motion of Allen Rosen, seconded by Barbara Laifman, the Board of Education approved the amendment to Board Policy 4117.3 – Personnel Reduction on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

c. Approve Amendment to Board Policy 4131.1 – Teacher Support and Guidance – First Reading

On motion of Allen Rosen, seconded by Barbara Laifman, the Board of Education approved the amendment to Board Policy 4131.1 – Teacher Support and Guidance on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

d. Approve Amendment to Board Policy 4315 – Evaluation/Supervision – First Reading

On motion of Barbara Laifman, seconded by Allen Rosen, the Board of Education approved the amendment to Board Policy 4315 – Evaluation/Supervision on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

e. Approve Amendment to Board Policy 5147 – Dropout Prevention – First Reading

On motion of Barbara Laifman, seconded by Drew Hazelton, the Board of Education approved the amendment to Board Policy 5147 – Dropout Prevention on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No: 0.

f. Approve Amendment to Board Policy 6172 – Gifted and Talented Student Program – First Reading

On motion of Allen Rosen, seconded by Drew Hazelton, the Board of Education approved the amendment to Board Policy 6172 – Gifted and Talented Student Program on first reading. Motion carried Aye: Hazelton, Laifman, Pallant, Rosen, Yeoh, No:0.

VII. INFORMATION ITEMS

- 1. Monthly Measure C6 Budget Report**
- 2. Monthly Measure R Budget Report**
- 3. Monthly Enrollment and Attendance Report**
- 4. Monthly Cash Flow Report**

VIII. OPEN DISCUSSION

The Board discussed options for new Board Members to get training as new Board members. The Board also discussed the concern about cell towers proximity to school sites.

There being no further business before this Board, the Regular meeting is declared adjourned at 8:53 p.m.

Date

President of the Board

Date

Clerk or Secretary of the Board

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.1.c. APPROVER OVERNIGHT TRIP FOR OAK PARK HIGH SCHOOL GIRLS' SOCCER TEAM – DECEMBER 12-14, 2014
CONSENT

ISSUE: Shall the Board approve an overnight trip for the Oak Park High School Girls' Soccer Team?

BACKGROUND: Principal, Kevin Buchanan, requests approval for Oak Park High School Girls' Soccer Team to attend this overnight trip for a tournament scheduled for December 12-14, 2014 in Simi Valley, CA. Approximately 20 athletes, four coaches and four parent volunteers will travel by district approved drivers in private vehicles. They will depart the morning of Friday, December 12th and return Sunday, December 14th in the morning. Coaches and team will stay at the Holiday Inn in Simi Valley. Athletes will pay approximately \$185 per student to cover the cost of the tournament, meals, transportation and lodging. 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 overnight trip as presented.
2. Do not approve overnight trip as presented.

RECOMMENDATION: Alternative #1.

Prepared by: Geri Sterling
Certified by: Kevin Buchanan

Respectfully submitted

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

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

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.1.d. APPROVE NOTICE OF COMPLETION, PROJECT 14-25R,
CLASSROOM BUILDING REPLACEMENT AT OAK PARK HIGH
SCHOOL**

CONSENT

ISSUE: Shall the Board approve the Notice of Completion for Project 14-25R, Classroom Building Replacement at Oak Park High School, contracted with Balfour Beatty Construction, Inc.?

BACKGROUND: On March 25, 2014, the Board of Education entered into a lease-lease back agreement with Balfour Beatty Construction LLC of San Diego, California for Project 14-25R, Classroom Building Replacement at Oak Park High School.

The work under this contract is now complete, and District staff has inspected the finished project and is 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 14-25R, Classroom Building Replacement at Oak Park High School, contracted with Balfour Beatty Construction LLC, of San Diego, California.
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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
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: Oak Park High School, 899 N. Kanan Road, Oak Park, CA 91377

That on or about March 25, 2014 the said Oak Park Unified School District of Ventura County entered into a contract with Balfour Beatty Construction LLC, of San Diego, California, for Project 14-25R, Classroom Building Replacement at Oak Park High School on certain real property hereinbefore described: that said building and improvements were actually completed on December 9, 2014; that the address of said Oak Park Unified School District is 5801 E. 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.

STATE OF CALIFORNIA
COUNTY OF VENTURA

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

On _____ before me, Shannan Kaesberg, 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)

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.1.e. APPROVE CHANGE ORDER 1, PROJECT 14-26F, TRACK RESURFACING PROJECT AT OAK PARK HIGH SCHOOL

CONSENT

ISSUE: Shall the Board approve Change Order 1 for Project 14-26F, Track Resurfacing Project at Oak Park High School?

BACKGROUND: On June 3, 2014, the Board of Education authorized the award of a contract for Project 14-26F, Track Resurfacing Project at Oak Park High School, to Hellas Construction, Inc., of Austin, Texas. During the course of the project, changes to the project's scope have been made for conditions unforeseen at the time the contract was awarded. The change in scope requested by the site and District staff is itemized on the attached Change Order 1.

The total amount of Change Order 1 is \$9,397, which when added to the original contract amount of \$111,500, increases the contract total to \$120,897. All work of Project 14-26F, including this change order, is funded entirely by a donation from the OPHS Athletic Boosters Club.

ALTERNATIVES:

1. Approve Change Order 1, in the amount of \$9,397, to the contract with Hellas Construction, Inc., for Project 14-26F, Track Resurfacing Project at Oak Park High School.
2. Do not approve Change Order 1.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____



Hellas Construction, Inc.
12710 Research Blvd. Suite 240
Austin, TX 78759
PH: 512-250-2910

CHANGE ORDER

No. C-01

TITLE: Oak Park HS		DATE: September 5, 2014	
PROJECT: Running Track Resurfacing		JOB #: 20140179	
TO: Mr. Jason Meskis, Asst. Principal		CONTRACT NO: P15-00003	
RE:	TO:	FROM:	NUMBER: 01

DESCRIPTION OF CHANGE: Change Order # 01 - Remove and repair damaged base mat on running track.

Cut out and remove one (1) area of the running track base mat that showed signs of tree root damage (per attached diagram and photo). Approximate size of area is 32' X 19' at SE corner of track. Replace black mat on this area. This includes shipping additional materials and using additional labor.

Remobilization Fee of \$5,000 for sending crew from Texas to California and back and not being able to complete the work due to the tree root issue found once we arrived on site.

Remobilization Fee:	\$ 5,000
Cost to remove and replace black mat base on track:	\$ 4,397
TOTAL:	\$ 9,397

The Original Contract Sum was.....	\$111,500
Net Change by Previously Authorized Requests and Changes.....	\$.00
The Contract Sum Prior To This Change Order was.....	\$111,500
The Contract Sum Will Be Increased By.....	\$ 9,397
The New Contract Sum Including This Change Order.....	\$120,897
The Contract Time Will Be Increased or Decreased By.....	As agreed
The Date of Substantial Completion as of This Change Order Therefore is..	As agreed

ACCEPTED:

Angie - Bryant, June 12, 2014
G9

Approved:
J. Meskis
A.P. OPHI.

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.1.f. APPROVE NOTICE OF COMPLETION, PROJECT 14-26F, TRACK
RESURFACING PROJECT AT OAK PARK HIGH SCHOOL**

CONSENT

ISSUE: Shall the Board approve the Notice of Completion for Project 14-26F, Track Resurfacing Project at Oak Park High School, contracted with Hellas Construction, Inc.?

BACKGROUND: On June 3, 2014, the Board of Education authorized the award of a contract for Project 14-26F, Track Resurfacing Project at Oak Park High School, to Hellas Construction, Inc., of Austin, Texas.

The work under this contract is now complete, and District staff has inspected the finished project and is 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 14-26F, Track Resurfacing Project at Oak Park High School, contracted with Hellas Construction, Inc., of Austin, Texas.
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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
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: Oak Park High School, 899 N. Kanan Road, Oak Park, CA 91377

That on or about June 3, 2014 the said Oak Park Unified School District of Ventura County entered into a contract with Hellas Construction, Inc., of Austin, Texas, for Project 14-26F, Track Resurfacing Project at Oak Park High School on certain real property hereinbefore described: that said building and improvements were actually completed on December 9, 2014; that the address of said Oak Park Unified School District is 5801 E. 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.

STATE OF CALIFORNIA
COUNTY OF VENTURA

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

On _____ before me, Shannan Kaesberg, 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)

¹TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.1.h. APPROVE OUT OF STATE TRAVEL FOR CLASSIFIED EMPLOYEE TO ATTEND THE QUE CONFERENCE IN DETROIT, MICHIGAN – APRIL 28-30, 2015

Consent

ISSUE: Shall the Board of Education approve the out of state travel for the Oak Park employee to attend the QUE Conference, in Detroit, Michigan?

STATEMENT: According to Board Policy 3350, the Board of Education must approve out of state travel for certificated and classified employees. Laura Almada will be attending this conference regarding the use of Q/Zangle Student Information Software which will be held in Detroit, Michigan, April 28-30, 2015.

ALTERNATIVES: 1. Approve the out of state travel for employee to attend the QUE Conference in Detroit.
2. Do not approve the out of state travel for employee to attend the QUE Conference in Detroit.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

¹ CS June

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.2.a ADMINISTRATION OF OATH OF OFFICE

Administration of Oath

ISSUE: To administer the Oath of Office.

**BACKGROUND/
ACTION** The Superintendent shall administer the Oath of Office to newly elected Board Members, Drew Hazelton, Denise Helfstein, Allen Rosen, and Derek Ross

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.2.b. ELECTION OF OFFICERS OF THE BOARD OF EDUCATION
Action

ISSUE: To nominate and elect officers of the Board of Education.
ELECTION OF OFFICERS

1. Approve the nomination and election of _____ as the President of the Board of Education.

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

2. Approve the nomination and election of _____ as the Vice President of the Board of Education.

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

3. Approve the nomination and election of _____ as the Clerk of the Board of Education.

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

Respectfully submitted

Anthony W. Knight, Ed.D.
Superintendent

RATIONALE: Education Code Section 5017 and Elections Code Section 10554, require newly elected or appointed Board members need to be sworn in prior to assuming their official duties. Bylaws of the Board 9320 and Education Code Section 35143 require the nomination and election of Board Officers annually.

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

SUBJECT: C.2.c. CONFIRMATION AND DESIGNATION OF BOARD REPRESENTATIVES TO DISTRICT COMMITTEES

Action

ISSUE: To confirm designation of Board representatives to District committees and/or to select as needed.

STATEMENT: In order to have Board coverage and representation to district committees, it has been our practice to select specific representatives. The Board is asked to confirm and select representation for the following committees:

Benefits Committee (TBD)
 Community Outreach Committee (monthly, 11 a.m.)
 Curriculum Council (1st Tuesday, 3:30 p.m.)
 Calendar Committee (TBD)
 DELAC/English Learning (three meetings a year, 1:00 p.m.)
 EEAC (1st Thursday, 3:15 p.m.)
 GATE DAC (3rd Thursday, 3:30 p.m.)
 Facilities Planning Committee (1st Wednesday, 4:30 p.m.)
 Friends of Oak Park Schools (3rd Monday, 7:00 p.m.)
 Oak Park MAC (4th Tuesday, 7:00 p.m.)
 Rancho Simi Recreation and Parks (2nd Thurs, Jan. Apr. Jul. Oct.)
 Safe Kids Task Force (4th Thursday, 3:30 p.m.)
 Technology Committee (2nd Monday, 3:30 p.m.)
 Wellness Council (2nd Tuesday, 9:00 a.m.)

RECOMMENDATION: As selected.

Respectfully Submitted,

 Anthony W. Knight, Ed.D.
 Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

SUBJECT: C.2.d. PROPOSED BOARD MEETING SCHEDULE FOR CALENDAR YEAR 2015

	<u>Action</u>
ISSUE:	To select the meeting schedule of the Governing Board for calendar year 2015.

BACKGROUND: The Board approved the 2014-2015 meeting schedule through June 2015 at August 19, 2014 Board Meeting. It is customary to select the Board Meeting Schedule for the remainder of the calendar year at the Organizational Meeting. It is requested that the Board consider the highlighted dates listed below beginning with August 2015.

ALTERNATIVES: To select the following schedule of the Regular Board Meetings to commence in Closed Session at 5:00 p.m. and adjourn to Open Session at 6:00 p.m. for the 2015 Calendar Year:

January 20, 2015	Regular Meeting in January
February 17, 2015	Regular Meeting in February
March 17, 2015	Regular Meeting in March
April 17, 2015	Regular Meeting in April
May 19, 2015	Regular Meeting in May
**June 2, 2015	Budget Study Session Meeting
June 16, 2015	Regular Meeting in June
July 2015 TBD	Board Retreat
August 18, 2015	Regular Meeting in August
September 15, 2015	Regular Meeting in September
October 20, 2015	Regular Meeting in October
November 17, 2015	Regular Meeting in November
*December 8, 2015	Organizational Meeting in December
(Falls within the 15 days after 1 st Friday)	
**First Tuesday of the Month	
*Second Tuesday of the Month	

Respectfully Submitted:

Anthony W. Knight, Ed.D.
Superintendent

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.2.e. APPROVE CERTIFICATION OF SIGNATURES

Action

ISSUE: To approve the authorization of the Board of Education to sign documents as submitted for Oak Park School District.

BACKGROUND: Annually at the beginning of each fiscal year, or after any reorganization or staff change, school districts need to declare the agent(s) authorized to sign orders, warrants, contracts, documents, etc. A statement of authorized agent(s) along with a verified signature must be filed with School Business and Advisory Services. The attached form is to be signed and returned to School Business and Advisory Services as any changes occur.

ALTERNATIVES: 1. Approve the authorization of the Board of Education to sign documents as submitted.
2. Deny authorization for signing of documents.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

CERTIFICATION OF SIGNATURES

I, Anthony W. Knight, Secretary to the Board of Education of the
Oak Park Unified School District of Ventura County, California certify that
the signatures shown below are the verified signatures of the members of the Governing Board of the
above-named school district (Part 1). Verified signatures of the person or persons authorized to sign
orders drawn on the funds of the school district, notices of employment, contracts, etc., appear in Part
2. These certifications are made in accordance with the provisions of Education Code Sections
indicated.* If those authorized to sign orders shown in Part 2 are unable to do so, the law requires
the signatures of the majority of the Governing Board.

These approved signatures will be considered valid for the period of 12/9/14 to 6/30/15.

Date of Board Action: 12/8/14 Signature: _____
Secretary of the Board

PART I

Signatures of Members of the Board:

Signature: _____	Signature: _____
Print/Type: _____	Print/Type: _____
President of the Board of Education	Member of the Board of Education

Signature: _____	Signature: _____
Print/Type: _____	Print/Type: _____
Clerk of the Board of Education	Member of the Board of Education

Signature: _____	Signature: _____
Print/Type: _____	Print/Type: _____
Member of the Board of Education	Member of the Board of Education

K-12 Districts*Community College Districts**

42632

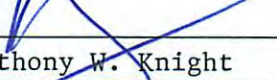
85232


42633


85233


PART 2

Signatures of Personnel and/or Members of the Governing Board authorized to sign checks, orders for salary payment, notices of employment, contracts, etc. Please list after each name **all items** that a person is authorized to sign.

Signature: 
Print/Type: Anthony W. Knight
Title: Superintendent
Authorized to Sign: A,B,C,D,E,F,G,1,2,3,4,5

Signature: 
Print/Type: Martin Klauss
Title: Assistant Superintendent, Business Services
Authorized to Sign: B,C,D,E,F,G,1,2,4,5

Signature: 
Print/Type: Leslie Heilbron
Title: Assistant Superintendent, Human Resources
Authorized to Sign: 1,2,3

Signature: 
Print/Type: Barbara Dickerson
Title: Director, Fiscal Services
Authorized to Sign: B,C,D,E

Signature: _____
Print/Type: _____
Title: _____
Authorized to Sign: _____

Please attach an extra sheet for additional signatures if needed. If the Board has given special instructions for the signing of checks or orders, please attach a copy of the resolution.

The following documents must be filed with School Business and Advisory Services:

- ❖ Authorization to sign reports, budgets, and all documents requiring signature of Secretary or Clerk.
- ❖ Authorization to approve payroll orders.
- ❖ Authorization to approve commercial check orders.
- ❖ Authorization to sign collection reports to the County.
- ❖ Authorization to sign Board approved budget transfers.
- ❖ Authorization to sign Interfund and Intrafund Transfers.
- ❖ Authorization to sign contracts after Board approval.

Examples of documents requiring District authority (not required to be filed with School Business and Advisory Services):

- ❖ Authorization to sign employment contracts.
- ❖ Appointment of authorized agents, for Federal and State applications.
- ❖ Appointment of representatives to acquire surplus property.
- ❖ Authorization to sign cafeteria reports.
- ❖ Authorization to sign checks on District bank accounts; i.e., cafeteria; clearing account.

Districts must notify School Business and Advisory Services in writing and submit Board approved signature authorization amendments as staff and/or organizational changes occur mid-year.

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.2.f. APPROVE DESIGNATION OF SECRETARY/AUTHORIZED AGENT THE BOARD OF EDUCATION

Action

ISSUE: To approve designation the Superintendent as Secretary and Authorized Agent of the Board of Trustees.

ALTERNATIVES: 1. Approve the designation of the Superintendent as Secretary and Authorized Agent of the Board of Education.
2. To make an alternate selection for Secretary and Authorized Agent the Board of Education.

RECOMMENDATION: Alternative #1.

RATIONALE: In accordance with Bylaws of the Board 9122 and Education Code Sections 35025 and 35034, the Governing Board is empowered to designate the Superintendent as its Secretary and Authorized Agent.

Respectfully submitted

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
**SUBJECT: C.2.g SELECTION OF SCHOOL BOARD REPRESENTATIVE
TO THE COUNTY COMMITTEE ON SCHOOL DISTRICT
ORGANIZATION**

Action

ISSUE: To select a Board Member as a representative in the election of the County Committee on School District Organization.

ALTERNATIVES: Select _____ as a representative to the County Committee on School District Organization for 2014.

RATIONALE: The selection of a representative is in compliance with the requirements of Education Code Sections 35023 and 72403.

Respectfully submitted

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

SUBJECT: C.3.a. APPROVE APPOINTMENT TO THE CITIZEN'S OVERSIGHT COMMITTEE

ACTION

ISSUE: Shall the Board of Education approve candidates to the Citizen's Oversight Committee?

BACKGROUND: The Board of Education Committee (Barbara Laifman and Drew Hazelton) interviewed candidates on December 3, 2014 who had applied for the Citizen's Oversight Committee. There are three openings on the committee. The following are the recommendations of the Committee to be appointed to the Citizens' Oversight Committee:

1. _____
2. _____
3. _____

ALTERNATIVES:

1. Approve the recommendations of the Board to the Citizen's Oversight Committee.
2. Do not approve the recommendations of the Board to the Citizen's Oversight Committee.
3. Seek additional applicants for the Citizen's Oversight Committee.

RECOMMENDATION: At the discretion of the Board.

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep.	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: C.3.b. APPROVE AMENDMENT #5 TO AGREEMENT FOR MEASURE R PROGRAM/CONSTRUCTION MANAGEMENT SERVICES

ACTION

ISSUE: Shall the Board approve Amendment #5 to the agreement with Balfour Beatty Construction, Inc. (BBC) for program/construction management services in connection with Measure R and Modernization facilities projects?

BACKGROUND: At its meeting on May 20, 2009, the Board entered into an agreement with BBC for program and construction management services in connection with Measure R and State Modernization Program projects. The initial one-year term of the agreement, encompassing the 2009 “quick start” projects and development of the overall Measure R and Modernization facilities improvement program, provided for renewal of the contract upon mutual agreement of the parties. Based on the success of the resulting facility program, the BBC contract has been extended annually in each subsequent year, most recently when the Board approved Amendment #4 in December 2013.

Staff and Facility Planning Committee have been pleased with the service provided by BBC and recommend the Board’s approval of Amendment 5, extending the contract for one year to December 31, 2015. It is important to note that all terms, conditions, and fees for services remain unchanged. Services and projects provided under this amendment will only be performed as authorized by the Board of Education. Unless otherwise specified by the Board, the cost of services will be funded from Measure R and the State Modernization Program. The proposed amendment is attached for the Board’s review.

ALTERNATIVES:

1. Approve Amendment #5 to the agreement with Balfour Beatty Construction, Inc. for program/construction management services.
2. Do not approve Amendment #5.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

**AMENDMENT NO. 5
TO AGREEMENT FOR PROGRAM/CONSTRUCTION MANAGEMENT SERVICES**

I. RECITALS

- A. Whereas on or about May 20, 2009, Oak Park Unified School District ("District") and Barnhart Inc. (a Heery International Company) ("Barnhart") entered into a Agreement for Program/Construction Management Services ("Agreement") related to Measure "R" Facilities Construction Bond Program;
- B. Whereas the term of the Agreement was for one year;
- C. Whereas Article 4 of the Agreement provides that the Agreement may be extended by way of written amendment to the Agreement;
- D. Whereas the District and Barnhart entered into Amendment No. 1 to extend the term of the Agreement through December 31, 2011.
- E. Whereas the District and Barnhart entered into Amendment No. 2 to extend the term of the Agreement through December 31, 2012.
- F. Whereas the District and Barnhart entered into Amendment No. 3 to extend the term of the Agreement through December 31, 2013.
- G. Whereas the District and Barnhart entered into Amendment No. 4 to extend the term of the Agreement through December 31, 2014.
- H. Whereas the District and Barnhart wish to enter into this Amendment No.5 to Agreement for Program/Construction Management Services ("Amendment") to extend the term of the Agreement and make other modifications to the Agreement as set forth herein.

II. AMENDMENT

The Agreement is hereby amended as follows:

- 1. All references in the Agreement to Barnhart shall be amended to refer to "Balfour Beatty Construction, LLC."
- 2. Pursuant to Article 4, subsection 4.2, the term of the Agreement shall be extended through December 31, 2015 ("Extension Term").
- 3. Barnhart shall be compensated for basic services (as described in Articles 2 and 3 of the Agreement) provided during the Extension Term.
- 4. To the extent they remain employed by Barnhart, Keith Henderson and Dennis Kuykendall shall remain assigned to the Project(s) contemplated under the Agreement, unless otherwise agreed by the District and Barnhart.
- 5. Except as expressly modified by this Amendment, all other terms and conditions set forth in the Agreement shall remain in full force and effect.

This Amendment No. 4 is executed and becomes part of the Agreement on December 9, 2014.

Oak Park Unified School District

Balfour Beatty Construction, LLC

Martin Klauss, Assistant Superintendent
Business and Administrative Services

Brian Cahill, President
Southwest Division

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
**SUBJECT: C.3.c. APPROVE AGREEMENT FOR ARCHITECT OF RECORD SERVICES
IN CONNECTION WITH MEASURE R CONSTRUCTION PROJECTS**

ACTION

ISSUE: Shall the Board approve an agreement for Architect of Record (AOR) services in connection with specified District and Measure R construction projects?

BACKGROUND: In mid-August the District was notified of the death of the principal and sole shareholder of KPI Architects, who served as Architect of Record (AOR) on various District and Measure R construction project. On August 27, 2014, the District received written notice that KPI had closed its business and was terminating its contract with OPUSD. The services of the AOR are required to complete or close out the following construction projects:

1. Oak Park High School Modernization Closeout (Measure R funding)
2. Oak Park High School Building I – New Classrooms (Measure R funding)
3. Oak Park High School Gym Bleachers (AYBA donation)
4. Oak Park High School Field House (Oak Park Athletic Boosters donation)
5. Oak Park Independent School Relocatable Classrooms (General Fund)
6. Red Oak Elementary School Ball Wall (PTA donation)

District staff and program/construction manager have been working with Main Street Architects & Planners, Inc. of Ventura, California, to finalize a proposed agreement and fee structure for the Board's consideration and action at this evening's meeting. Upon its completion, the proposed agreement will be forwarded to the Board in advance of this evening's meeting.

ALTERNATIVES:

1. Approve an agreement for Architect of Record services with Main Street Architects & Planners, Inc.
2. Do not approve an agreement for AOR services

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.3.d. APPROVE AMENDED JOINT-USE AGREEMENT WITH RANCHO
SIMI RECREATION AND PARK DISTRICT FOR 2014-2017**

ACTION

ISSUE: Shall the Board approve an amended joint-use agreement with Rancho Simi Recreation and Park District for 2014-2017?

BACKGROUND: The District's current joint-use agreement with RSRPD expired February 28, 2014. It is appropriate that the District enter into an amended three-year agreement with an expiration date of February 28, 2017. As this agenda was going to press, the proposed renewal agreement was still under review by Oak Park High School, who is making minor modifications to the tennis court schedule to reflect the newly adopted 2015-16 school calendar. The final agreement will be delivered to the Board under separate cover during the week of December 1, 2014, and will concurrently be available for public review on the District's website.

ALTERNATIVES:

1. Approve the amended Agreement for Joint-Use of Facilities between the District and Rancho Simi Recreation and Park District for 2014-2017.
2. Approve the Agreement with modifications
3. Do not approve the Agreement.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

AGREEMENT BETWEEN THE
OAK PARK UNIFIED SCHOOL DISTRICT
AND THE
RANCHO SIMI RECREATION AND PARK DISTRICT
FOR USE OF FACILITIES

Term March 1, 2014 to February 28, 2017

This agreement is made and entered into the date hereinafter set forth by and between the OAK PARK UNIFIED SCHOOL DISTRICT, hereinafter referred to as "School District" and the RANCHO SIMI RECREATION AND PARK DISTRICT, hereinafter referred to as "Park District."

WHEREAS, each school in the Oak Park Unified School District is designated as a community center; and

WHEREAS, the citizens of Oak Park are dedicated to the integration of community activities; and

WHEREAS, the master plan for the Oak Park community emphasizes the shared use of school and park facilities by their location, and

WHEREAS, the California Education Code and California Public Resources Code provide for cooperative use of School District and Park District facilities, and it has been a long standing policy of the Park District to make its facilities available for school use and to use School District facilities for park use, when such use can be of benefit to residents of the entities involved; and

WHEREAS, the Board of Education of the Oak Park Unified School District and the Board of Directors of the Rancho Simi Recreation and Park District have determined that it would be in the public interest to enter into an agreement for cooperative use of facilities owned by them;

NOW, THEREFORE, in consideration of the covenants, conditions, provisions, agreements, obligations assumed, and the other considerations contained herein, the parties hereto agree as follows:

1. Use of Park District Facilities: The Park District hereby grants to the School District a non exclusive permit to use the buildings, grounds, and facilities of the Park District for programs and activities of the School District, so long as such activities do not interfere with or adversely affect programs and activities sponsored by the Park District. Exceptions to this provision may be made in order to provide exclusive use of selected areas of Park District facilities on a case-by-case basis subject to the approval of the Park District Manager or appropriate designee.

2. Use of School District Facilities: The School District hereby grants to the Park District a non exclusive permit to use the buildings, grounds, and facilities of the School District for programs and activities of the Park District, so long as such activities do not interfere with or adversely affect programs and activities sponsored by the School District. Exceptions to this provision may be made in order to provide exclusive use of selected areas of School District facilities on a case-by-case basis subject to the approval of the School District Superintendent or appropriate designee.

3. Compliance: The School District agrees to comply with all Policies, Procedures, Rules and Regulations applicable to the use of buildings, grounds, and facilities owned by the Park District. Conversely the Park District agrees to comply with all Policies, Procedures, Rules and Regulations applicable to the use of buildings, grounds and facilities owned by the School District. This provision will also apply to all groups and organizations whose use of facilities is sponsored by either entity.

4. Scheduling of Use: The School District and Park District shall each designate an individual who shall be responsible for coordination of the scheduling of use of facilities under this agreement. All requests for use of School District facilities shall be routed through the Park District representative to the School District representative for consideration and scheduling. Similarly, all requests for use of Park District facilities shall be routed through the School District representative to the Park District representative for consideration and scheduling. All such requests for use of facilities shall be processed as promptly as this can reasonably be accomplished. When a use of facilities by one agency has been approved by the other agency, that use shall not be canceled or modified except when the agency owning such facilities determines that such cancellation or modification is in the best interest of its programs and activities.

5. Charges for Use: The using District shall compensate the owner District for direct costs incurred by the owner District resulting from or associated with the use of buildings, grounds and facilities under this agreement, such as the costs of utilities and expendable supplies resulting from such use and the costs of personnel for custodial care, maintenance, and supervision of use resulting from use by the using District. A one-time charge may be made for processing a request for use of facilities. When such use involves the payment of fees or other charges by participants in programs for which the facilities will be used, the owner District shall be entitled to establish

appropriate use fees. If the owner District establishes such use fees, it shall so advise the using District of those use fees sufficiently far in advance of the proposed use to enable the using District to determine whether or not to proceed with the program involved prior to the time it would be necessary to advertise or promote the program. At such times as shall be convenient to either party, but no less frequently than the last day of June and December of each year, each District shall submit to the other District a statement of charges incurred as a result of use of facilities under this agreement. The charges incurred by each District shall be payable to the other District within a period of sixty (60) days following the period for which such charges were incurred. As an alternative to the assessment of fees between the two parties, either District may compensate the other through the reciprocal use of its facilities in lieu of fee payment. This alternative shall be affected in an equitable manner and is subject to the approval of both parties.

6. Supervision and Control of Use: The supervision and control of Park District programs and activities on school grounds, buildings, and facilities under this agreement shall be the responsibility of the Park District. The supervision and control of School District programs and activities on park grounds, buildings, and facilities under this agreement shall be the responsibility of the School District. All use of buildings, grounds, and facilities under this agreement shall be supervised by the District using same through the services of responsible individuals who shall be familiar with the programs of the parties and the arrangements which have been made by the parties for the use of such buildings, grounds, and facilities. It is specifically understood that it may be necessary for either District to provide personnel to supervise the use by the other District of buildings, grounds, or facilities under this agreement. If the owner District determines that it will be necessary for it to supervise the use by the other District of buildings, grounds, or facilities under this agreement, the owner District shall so advise the using District at the time the owner District grants the using District permission to use its buildings, grounds, or facilities. At that time the owner District shall also advise the using District of the charges which will be made by the owner District for such supervision of use. Each District may also elect to monitor use by the other District under this agreement to insure that such use shall be consistent with this agreement and the public interest. During all use under this agreement, the using District and all individuals engaged in its programs and activities shall respect and

comply with the rules and regulations of the owning District and the reasonable directions and requests of the owning District's representatives.

7. Care and Repair of Property: The School District and the Park District, and their employees, agents, and representatives shall exercise appropriate care in the use of all buildings, grounds, and facilities under this agreement. Further, during such times as buildings, grounds, and facilities are being used under this agreement; the using District shall endeavor to restrain persons not affiliated with the using District from committing any waste or damage to the property so used and to buildings, grounds, and facilities in proximity to those actually being used. In the event buildings, grounds, or facilities are damaged or destroyed during use under this agreement, the using District shall immediately reimburse the owner District for such costs as shall be incurred in repairing said damage and restoring the property to its condition prior to said use and damage. As an alternative to reimbursement, the using District may, if this is acceptable to the owner District in the specific instance involved, actually repair the damage resulting from such use to the satisfaction of the owner District. The using District shall not be responsible to the owner District for reasonable wear and tear resulting from such use.

8. Modification of Property: Neither District shall modify or alter in any way the buildings, grounds, or facilities of the other District without the specific written authorization of the owner District. The using District may, with owner District approval, place on the buildings, grounds, and facilities of the owner District such reasonable and temporary decorations and displays as may be appropriate to such use. All such decorations and displays shall be placed in such a manner that their use shall not result in damage or detriment to the property of the owner District. All such decorations and displays shall be removed promptly after completion of the use for which they were intended.

9. Expendable Equipment and Supplies: Each District shall supply and furnish such expendable equipment and supplies as shall be necessary to conduct its programs and activities. It is specifically understood that this agreement shall not extend to the use of expendable equipment and supplies.

10. Non-Liability for Loss/Insurance: This agreement is made upon the express condition that the District permitting the use of its buildings, grounds, and facilities by the other District shall be free from all liability and claim for damages by reason of any injury to persons or property resulting from or associated with the use of

such buildings, grounds, and facilities by the other District. The using District hereby assumes all risk of damage to persons and property in or upon the buildings, grounds, and facilities which are the subject of this agreement during such time as said buildings, grounds, and facilities shall be used under this agreement, from any cause or source whatsoever, and the using District, and all others using said buildings, grounds, and facilities under this agreement hereby waive any and all claims against the owner District for damage to persons or property in, on, or about said buildings, grounds, and facilities. The using District shall hold the owner District harmless from any and all claims, demands, causes of action, suits, damages, costs of action, counsel fees, and all other costs and expenses, including costs of investigation arising out of or incurred in the defense of any claim, proceeding, or action brought for injury to persons or damage to property resulting from or associated with the use of said buildings, grounds, and facilities under this agreement. Further, the using District shall save and hold harmless the owner District from any and all orders, judgments, and decrees, which may be entered in such suits or actions. In order to protect each other from liability and loss in this regard, the parties shall each secure, carry, and maintain at all times during the term of this agreement, at their sole cost and expense, public liability and property damage insurance for the joint and several protection and indemnity of both Districts. Said insurance shall be in the principal amount of not less than one million dollars (\$1,000,000.00) combined single limits, as to injury to persons and/or damage to property for a single occurrence. Each District shall provide to the other District evidence of required insurance in the form of a "Certificate of Insurance" which shall provide that the other District shall be notified at least forty-five (45) days in advance of termination or cancellation of said insurance. In addition, each District shall provide to the other District a "Policy Endorsement Form" naming the other District as an additional insured.

11. Notices: All notices to be given under this agreement shall be in writing and shall be effective either upon personal delivery or upon being sent by registered mail or certified mail, return receipt requested, addressed to the party to whom such notice is given. Notice sent as above shall be deemed served forty-eight (48) hours after being deposited in the United States mail and issuance of a registered or certified mail receipt. Notice shall be delivered or mailed to the principal office of each District.

12. Oak Park High School Tennis Courts The tennis courts located on the Oak Park High School campus serve both an important school purpose and an important public recreation purpose. These provisions are

meant to prevent any conflict in use for these purposes, and also indicate specific maintenance and other responsibilities with regard specifically to the tennis courts. The following table lists regularly scheduled approved school use of the high school tennis courts. Additional school uses may be scheduled, as stated below. The tennis courts shall be available for public recreational purposes at all other times, as determined by the Park District. When all or some of the tennis courts are not being used by the School District in accordance with this schedule, they shall be available for public recreational purposes, as provided by the Park District. The “Dates” below are based upon the start and end dates of the regular school year, and will therefore vary slightly from year to year. Each year the School District will provide to the Park District the actual school year start and end dates, so that both agencies can adjust accordingly.

<i>Dates</i>	<i>Time</i>	<i>Days of Week</i>	<i>Number of Courts</i>	<i>User</i>
<i>August 20 – June 15</i>	<i>1:30 pm – 6:30 pm</i>	<i>Weekdays</i>	<i>All Courts</i>	<i>School</i>
<i>June 16 – July 26</i>	<i>3:30 pm – 6:30 pm</i>	<i>Weekdays</i>	<i>All Courts</i>	<i>School</i>
<i>Year-round</i>	<i>6:30 pm – 9:00 pm</i>	<i>Weekdays</i>	<i>One Court</i>	<i>School</i>
<i>Year-round</i>	<i>9:00 am – 6:00 pm</i>	<i>Saturday & Sunday</i>	<i>One Court</i>	<i>School</i>

- a. The school use times indicated above may include coaching by the School District’s tennis coaches, however, the age of the kids being coached must be between 13 – 19 years old. If those being coached are under or over these ages, the use will not be considered a school use and instead be considered private lessons. Unless approved by the Park District in writing, private lessons during public recreational use of the tennis courts are prohibited. Any person violating this restriction may be warned and/or cited by the Park District’s Park Rangers.
- b. During the times that the School District is using only one court it shall make best efforts to use court number 1 to help provide predictability to recreational tennis players.

- c. A schedule showing the School District's scheduled uses shall be posted in a visible location at the tennis courts, so that the public may readily determine when the tennis courts are available.
- d. All or some of the tennis courts may also be needed at other special times, for school sponsored make-up games, tournaments, or other required California Interscholastic Federation (CIF) needs. The School District will make reasonable effort to notify the Park District of these special uses 30 days prior to the special use so and the Park District will make reasonable effort to reschedule any program that may be in conflict with the School District's special use. School fund raising tournaments are expected to occur 2-3 times per year and will likely occur on a Friday from 4 pm – 8 pm, and on a Saturday and Sunday from 10 am – 5 pm.
- e. The School District and its tennis coaches will make best efforts to end practices and instruction based upon the times stated in the table above, and would definitely stop immediately if there was a public need for the courts. If no such immediate public need exists, School District and School District tennis coach use will be completed within 15 – 20 minutes of the stated time frames.
- f. RSRPD reserves the right to charge appropriate fees for use of the courts by non-school groups and/or individuals. Such fees shall be used either in whole or in part to offset the costs of utilities and ongoing maintenance of the facility. RSRPD shall be responsible for all costs of electrical service to the facility (subject to an offset for electricity costs associated with lighting any or all tennis courts used by the School), lamp replacement and electrical repairs to the facility. RSRPD shall wash all tennis courts once per month and replace tennis court nets and center straps as necessary. OPUSD shall blow off courts as necessary, spot clean spills and empty trash containers as necessary. Large-scale maintenance projects such as court resurfacing, painting, and repair/replacement of

windscreens, fencing, or other fixtures shall be funded jointly by RSRPD and OPUSD on an equal basis.

- g. Due to the composition of the court surfaces, and in an effort to avoid excessive maintenance costs, "high-impact" activities such as roller hockey and the use of remote controlled vehicles are prohibited within the fenced court area. Both OPUSD and RSRPD shall make every effort to enforce this restriction.

13. Term of Agreement: This revised agreement shall commence as of March 1, 2014, and continue thereafter for a term of three (3) years to and including February 28, 2017. This agreement may, however, be terminated by either party hereto upon the giving of ninety (90) days written notice to the other party of its intention to terminate this agreement. Such termination shall be effective upon the expiration of said ninety (90) days.

Dated: _____

OAK PARK UNIFIED SCHOOL DISTRICT

Anthony W. Knight , Superintendent

Dated: _____

RANCHO SIMI RECREATION & PARK
DISTRICT

Larry Peterson, District Manager

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

SUBJECT: C.3.e. APPROVE FISCAL YEAR 2014-15 FIRST INTERIM FINANCIAL REPORT, CERTIFICATION AND BUDGET REVISIONS

ACTION

ISSUE: Shall the Board review and certify the 2014-15 First Interim Financial Report and Budget Revisions?

BACKGROUND: After the adoption of the District's annual budget each June, State law requires the Governing Boards to subsequently review and certify the District's finances at prescribed intervals. The first of those intervals, the First Interim Financial Report is due on December 15th of each year, and reports on the budget year from July 1 through October 31. The First Interim Financial Report states the anticipated revenue and expenditures for the current fiscal year, as well as a multiyear financial projection, and includes the State's criteria and standards report.

As this agenda was going to press, the Business Office was still working on completion of the Report. It is anticipated that the Report will be delivered to the Board under separate cover during the week of December 1, 2014, and will concurrently be available for public review on the District's website.

Prepared by: Barbara Dickerson, Director, Fiscal Services
 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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
**SUBJECT: C.3.f. APPROVE ADDITION OF CROSSING GUARD SERVICE AT
CONIFER STREET AND OAKLEAF AVENUE**

ACTION

ISSUE: Shall the Board approve the addition of crossing guard service at the intersection of Conifer Street and Oakleaf Avenue?

BACKGROUND: At its meeting on June 17, 2014, the Board approved the renewal of the annual agreement with All City Management, Inc. to provide 8 crossing guards at various locations throughout the District. Subsequent to that approval, the Administration staff has become aware that although there is a painted crosswalk at the intersection of Conifer Street and Oakleaf Avenue serving Brookside Elementary, no crossing guard has been assigned to assist students crossing before and after school. As traffic on Conifer Street is extremely heavy during these times, and out of deep concern for student safety, the Administration is recommending that the Board authorize the immediate addition a crossing guard at this location. Upon the Board's approval, this would increase the number of crossing guards provided under the All City Management contract from 8 to 9. The estimated cost for this increase is \$6,077 for the balance of the 2014-15 school year. The annual cost is estimated to be \$9,040. The Administration will request reimbursement for this increased cost from the Oak Park Municipal Advisory Council (MAC), who currently reimburses the District for the expense of the 8 existing crossing guards.

ALTERNATIVES:

1. Approve the addition of crossing guard service to be provided at the intersection of Conifer Street and Oakleaf Avenue.
2. Do not approve the increase in crossing guard service.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
**SUBJECT: C.4.a. APPROVE ADDITIONAL NOVELS FOR OAK PARK
INDEPENDENT**

ACTION

ISSUE: Shall the Board of Education approve Oak Park Independent School adding two novels to its curriculum?

STATEMENT: Oak Park Independent School would like to add two novels to its program. The first, *How We Got to Now* by Steven Johnson, would be used in the tenth grade world history class to trace the historic and scientific relevance of six major innovations. The second novel, *Wonder* by R j Palacio, would be read in eighth grade English class and part of a unit developed during the Inquiry Based Learning training. Oak Park Independent School is seeking Board Approval to add both novels to their curriculum.

ALTERNATIVES: 1. Approve the addition of both novels to the curriculum at OPIS.
2. Do not approve the addition of both novels to the curriculum at OPIS.

RECOMMENDATION: Alternative No. 1.

Prepared by Leslie Heilbron, Ed.D., Assistant Superintendent, Human Resources and Curriculum and Instruction

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

Board Action: On motion of _____, seconded by _____, the Board of Education:

VOTE:	AYES	NOES	ABSTAIN	ABSENT
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.5.a. APPROVE AMENDMENT TO BOARD POLICY 1312.3 –
UNIFORM COMPLAINT PROCEDURES - First Reading**

ISSUE: Should the Board of Education approve the proposed amendment to Board Policy 1312.3 – Uniform Complaint Procedures?

BACKGROUND: Mandated Board Policy 1312.3 is being updated to expand the scope of the uniform complaint procedures to include complaints regarding a district's failure to comply with legal requirements related to the implementation of the local control and accountability plan and to reflect new Title 5 Regulations (Register 2013, No. 38) regarding noncompliance with stat law prohibiting the charging of student fees. Board Policy 1312.3 is being submitted with recommended changes from CSBA.

ALTERNATIVES:

1. Approve the amendment to Board Policy 1312.3 – Uniform Complaint Procedures.
2. Do not amend Board Policy 1312.3 – Uniform Complaint Procedures.
3. Adopt a modified version of the amendment to Board Policy 1312.3 – Uniform Complaint Procedures.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1312.3(a)

Uniform Complaint Procedures

The Governing Board recognizes the district's ***has the primary*** responsibility to ***ensure compliance*** ~~comply~~ with applicable state and federal laws and regulations governing educational programs. The ***Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.***

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

(cf. 3553 – Free and Reduced Price Meals)
(cf. 3555 – Nutrition Program Compliance)
(cf. 5141.4 – Child Abuse Prevention and Reporting)
(cf. 5148 – Child Care and Development)
(cf. 6159 – Individualized Education Program)
(cf. 6171 – Title I Programs)
(cf. 6174 – Education for English Language Learners)
(cf. 6174 – Migrant Education Program)
(cf. 6178 – Career Technical Education)
(cf. 6178.1 – Work-Based Learning)
(cf. 6178.2 – Regional Occupational Center/Program)
(cf. 6200 – Adult Education)

2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in district programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age religion, marital or parental status, physical or mental disability, sex sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 4030 – Nondiscrimination in Employment)
(cf. 4031 – Complaints Concerning Discrimination in Employment)
(cf. 5145.3 – Nondiscrimination/Harassment)
(cf. 5145.7 – Sexual Harassment)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1312.3(b)

3. Any complaint alleging bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 0r 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics

(cf. 5131.2 – Bullying)

4. Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 – Fees and Charges)

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

5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 0460 – Local Control and Accountability Plan)

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

7. Any other complaint as specified in a district policy

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

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

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

(cf. 5125 – Student Records)

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 1000

Community Relations

BP 1312.3(c)

(cf. 9001 – Disclosure of Confidential/Privileged Information)

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

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

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

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

(cf. 3580 – District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

- 1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.***
- 2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.***
- 3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.***
- 4. Any complaint alleging fraud shall be referred to the California Department of Education.***

In addition, the district's Williams Uniform Complaint Procedure, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education 35186)

(cf. 1312.4 – Williams Uniform Complaint Procedures)

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BP 1312.3(d)

~~district shall investigate any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures.~~

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

~~(cf. 0410—Nondiscrimination in District Programs and Activities)
(cf. 4031—Complaints Concerning Discrimination in Employment)~~

~~Uniform complaint procedures shall also be used to address any complaints alleging the district's failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs and the development and adoption of the school safety plan.~~

~~(cf. 0450—Comprehensive Safety Plan)
(cf. 1312.1—Complaints Concerning District Employees)
(cf. 1312.2—Complaints Concerning Instructional Materials)
(cf. 3553—Free and Reduced Price Meals)
(cf. 3555—Nutrition Program Compliance)
(cf. 5141.4—Child Abuse Reporting Procedures)
(cf. 5148—Child Care and Development)
(cf. 6159—Individualized Education Program)
(cf. 6171—Title I Programs)
(cf. 6174—Education for English Language Learners)
(cf. 6175—Migrant Education Program)
(cf. 6178—Career Technical Education)
(cf. 6178.1—Work Based Learning)
(cf. 6178.2—Regional Occupational Center/Program)
(cf. 6200—Adult Education)~~

~~The Board prohibits any form of retaliation against any complainant in the complaint process. Participation shall not in any way affect the status, grades or work assignments of the complainant.~~

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

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

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

~~(cf. 5125 Student Records)~~

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

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

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

~~(cf. 1312.4 Williams Uniform Complaint Procedures)~~

~~(cf. 6162.52 High School Exit Examination)~~

~~(cf. 6179 Supplemental Instruction)~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18179 School libraries

32289 School safety plan, uniform complaint procedure

35186 Williams uniform complaint procedure

~~37254 Intensive instruction and services for student who have not passed exit exam~~

~~41500-41513 Categorical education block grants~~

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52060-52077 Local control and accountability plan, especially

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

52160-52178 Bilingual education programs

52300-52499.6 Career-technical education

52500-52616.24 Adult schools

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BP 1312.3(f)

52800-52870 School-based coordinated programs

~~54000-54041 Economic impact aid programs~~

~~54100-54145 Miller-Unruh Basic Reading Act~~

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56885 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

~~6601-6777 Title II preparing and recruiting high quality teachers and principals~~

6801-6871 Title III, language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act, including

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title VI rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability, complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

104.7 Designation of responsible employee for Section 504

106.8 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on basis of age

Management Resources:

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

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

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

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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BP 1312.3(g)

WEB SITES

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

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

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

Adopted 2-16-93

Amended 11-8-95, 1-28-95, 9-17-02, 6-17-03, 2-15-05, 5-16-06, 9-18-12

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

SUBJECT: C.5.b. APPROVE AMENDMENT TO BOARD POLICY 5131.2 – BULLYING- First Reading

ISSUE: Should the Board of Education approve amendment to Board Policy 5131.2 – Bullying?

BACKGROUND: Board Policy 5131.2 is being updated to provide for an informal, site-level reporting process leading to investigation of any bullying complaint pursuant to the uniform complaint procedures and to clarify when suspension and expulsion may be used as corrective action for a student who commits an action of bullying. Board Policy 5131.4 is being submitted with language recommended from CSBA.

ALTERNATIVES:

1. Approve the amendment to Board Policy 5131.2 – Bullying.
2. Do not amend Board Policy 5131.2 – Bullying.
3. Adopt a modified version of the amendment to Board Policy 5131.2 – Bullying.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

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Bullying

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide a safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No ~~individual student or group of students~~ shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any ~~other~~ student or school personnel.

(cf. 5131 – Conduct)

(cf. 5136 – Gangs)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

Cybullying includes the **creation or** transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 – Freedom of Speech/Expression)

Strategies for **addressing** bullying ~~in district schools prevention and intervention~~ shall be developed with involvement of key stakeholders, **including students, parents/guardians, and staff, and mya be incorporated into the** ~~in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans, the local control and accountability plan and other applicable district and school plans. and shall be incorporated into such plans.~~

(cf. 0420 – School Plans/Site Councils)

(cf. 0450 – Comprehensive Safety Plans)

(cf. 0460 – Local Control and Accountability Plan)

(cf. 1220 – Citizen Advisory Committees)

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

(cf. 6020 – Parent Involvement)

As appropriate, the Superintendent or designee may collaborate with law enforcement, courts, social services, mental health serivces, other agencies, and community organizations in the developement and implementation of joint strategies to promote safety in schools and the

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community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 – Youth Services)

Bullying Prevention

To the extent possible, district ~~and schools strategies~~ shall focus on prevention of bullying by establishing clear rules for student conduct and **implementing** strategies to **promote** ~~establish~~ a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for **engaging in** ~~perpetrators of~~ bullying.

(cf. 5137 – Positive School Climate)

(cf. 6164.2 – Guidance/Counseling Services)

As appropriate, the district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6162.8 – Comprehensive Health Education)

(cf. 6142.94 – History-Social Science Instruction)

(cf. 6163.4 – Student Use of Technology)

~~School~~ Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective **response**. ~~prevention and intervention strategies.~~

(cf. 4131, 4231, 4331 – Staff Development)

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

Intervention

Students are encouraged to notify school staff when are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

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School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators ***and may contact*** ~~He/she may involve school counselors, mental health counselors, and/or law enforcement.~~

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

Complaints and Investigation

Any complaint of bullying, whether it is discriminatory or nondiscriminatory, ~~Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with district's uniform complaint procedures specified in AR 1312.3 – Uniform Complaint Procedures.~~

(cf. 1312.3 – Uniform Complaint Procedures)

Any student, parent/guardian, or other individual who believes that student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. Within two business days of receiving a report of bullying, the principal shall notify a district compliance officer identified in AR 1312.3. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal or district compliance officer, whether or not the alleged victim files a complaint.

~~When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.~~

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they

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feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

~~Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policy and regulations.~~

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

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

(cf. 6159.2 – Behavioral Intervention for Special Education Students)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.3 – Dismissal)

(cf. 4118 – Suspension/Disciplinary Action)

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bulling; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

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BP 5131.2(e)

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

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

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v Douglas County School District, (2013) 728 F.3d 1062

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

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

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

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten through Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

~~Center for Safe and Responsible Internet Use: <http://cyberbully.org>~~

National School Boards Association: <http://www.nsba.org>

Common Sense Media: <http://www.common sense media.org>

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

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ON/the/LINE, digital citizenship resources: <http://www.onthelineca.org>

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

Adopted: 8-21-12

Amended: 4-13

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.5.c. APPROVE AMENDMENT TO BOARD POLICY 5145.3 –
NONDISCRIMINATION/HARASSMENT – First Reading**

ISSUE: Should the Board of Education approve the proposed amendment to Board Policy 5145.3 – Nondiscrimination/Harassment?

BACKGROUND: Board Policy 5145.3 is a mandated policy being revised to specify that discrimination includes disparate treatment and to provide for an informal, site-level reporting process leading to investigation pursuant to uniform complaint procedures. Board Policy 5145.3 is being submitted with recommended changes from CSBA.

ALTERNATIVES:

1. Approve the amendment to Board Policy 5145.3 – Nondiscrimination/Harassment.
2. Do not amend Board Policy 5145.3 – Nondiscrimination/Harassment.
3. Adopt a modified version of the amendment to Board Policy 5145.3 – Nondiscrimination/Harassment.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

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Nondiscrimination/Harassment

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

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school.

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

(cf. 5131 – Conduct)

(cf. 5131.2 – Bullying)

(cf. 5137 – Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

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

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any student who files **or otherwise participates in the filling or investigation of** a complaint or report regarding an incident of discrimination. ~~harassment, intimidation, or bullying~~. **Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.**

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students,

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

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 1330 – Use of Facilities)

(cf. 4131, 4231, 4331 – Staff Development)

(cf. 6145 – Extracurricular and Cocurricular Activities)

(cf. 6145.2 – Athletic Competition)

(cf. 6164.2 – Guidance/Counseling Services)

Students who engage in ***unlawful*** discrimination, ***including discriminatory*** harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, ***which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4***. Any employee who permits or engages in prohibited discrimination, ***including discriminatory*** harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)

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

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

(cf. 5144 - Discipline)

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

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

(cf. 5145.2 – Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:

48900.3 Suspension or expulsion for act of hate violence

48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct

48907 Student exercise of free expression

48950 Freedom of speech

48985 Translation notices

49020-49023 Athletic programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

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Students

BP 5145.3(c)

PENAL CODE

422.55 Interference with constitutional right or privilege

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 197

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

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

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Final Guidance Regarding Transgender Students, Privacy, and Facilities, March 2014

~~Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013~~

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matter Surrounding Students' Sexual Orientation and Gender Identity, 2004

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January, 1999

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendment.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Adopted: 10-15-80

Amended: 5-20-86, 8-18-92, 9-17-02, 9-21-10, 8-21-12, 11-19-13, 6-17-14

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.5.d. APPROVE AMENDMENT TO BOARD POLICY 5145.7 –
SEXUAL HARASSMENT —First Reading**

ISSUE: Should the Board of Education approve the proposed amendment to Board Policy 5145.7 – Sexual Harassment?

BACKGROUND: Board Policy 5145.7 is a mandated policy revised to provide for the use of the uniform complaint procedures to investigate and resolve sexual harassment complaints and to add language for disciplining any employee who commits sexual harassment against a student. Additionally, language formerly in policy regarding confidentiality has been moved to the regulation. Board Policy 5145.7 is being submitted with recommended changes from CSBA.

ALTERNATIVES:

1. Approve the amendment to Board Policy 5145.7 – Sexual Harassment.
2. Do not amend Board Policy 5145.7 – Sexual Harassment.
3. Adopt a modified version of the amendment to Board Policy 5145.7 – Sexual Harassment.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5145.7(a)

Sexual Harassment

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any persons who files a complaint, testifies **about**, or otherwise **supports a complainant in alleging sexual harassment**. ~~participates in district complaint processes.~~

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who received a report or observes an incident of sexual harassment shall notify the principal or district compliance officer.

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

(cf. 1312.3 – Uniform Complaint Procedures)

~~(cf. 4119.11/4129.11/4319.11 – Sexual Harassment)~~

(cf. 5131 – Conduct)

(cf. 5131.2 – Bullying)

(cf. 5137 – Positive School Climate)

(cf. 5141.4 – Child Abuse Prevention and Reporting)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction)

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 – Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 – Uniform Complaint Procedures)

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5145.7(b)

harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to ***endure*** ~~tolerate~~ sexual harassment ***under any circumstance***

3. Encouragement to report observed instances of sexual harassment, even where the ***alleged*** victim of the harassment has not complained

4. ***A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved***

5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made

6. Information about the rights of students and parents/guardians to file a ***civil or*** criminal complaint, as applicable

Complaint Process

~~Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity (e.g., a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.~~

~~(cf. 1312.1—Complaints Concerning District Employees)~~

~~(cf. 5141.4—Child Abuse Prevention and Reporting)~~

~~The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.~~

Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5145.7(c)

of the incident(s) shall be taken into account.

(cf. 5144 – Discipline)

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

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

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 – Dismissal)

(cf. 4117.7 – Employment Status Report)

(cf. 4118 – Suspension/Disciplinary Action)

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

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

Confidentiality and Record-Keeping

~~All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)~~

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

~~*(cf. 5125 – Student Records)*~~

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

(cf. 3580 – District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

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Students

BP 5145.7(d)

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

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

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

Questions and Answers on Title IX and Sexual Violence, April 2014

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

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

WEB SITES

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

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

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

Adopted: 3-2-93

Amended: 9-17-02, 6-9-09, 8-21-12

TO: MEMBERS, BOARD OF EDUCATION

FROM: DR. ANTHONY KNIGHT, SUPERINTENDENT

DATE: DECEMBER 9, 2014

**SUBJECT: C.5.e. APPROVE ADOPTION OF BOARD POLICY 7132 –
PLACEMENT OF WIRELESS TELECOMMUNICATION
TOWERS – First Reading**

ISSUE: Should the Board of Education approve the proposed adoption of Board Policy 7132 – Placement of Wireless Telecommunication Towers?

BACKGROUND: Board Policy 7132 is being proposed as a Board Policy to reflect the Board's belief that Wireless Telecommunication Towers (cell towers) may be unhealthful to our students. While this has not been proven completely, rather than take a chance on our student's health and well-being, the Board would rather be pro-active.

ALTERNATIVES:

1. Approve the adoption of Board Policy 7132 – Placement of Wireless Telecommunication Towers.
2. Do not amend Board Policy 7132 - Placement of Wireless Telecommunication Towers.
3. Adopt a modified version of the amendment to Board Policy 7132 – Placement of Wireless Telecommunication Towers.

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
Hazelton	_____	_____	_____	_____
Helfstein	_____	_____	_____	_____
Laifman	_____	_____	_____	_____
Rosen	_____	_____	_____	_____
Ross	_____	_____	_____	_____
Student Rep	_____	_____	_____	_____

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 7000

Facilities

BP 7132

Placement of Wireless Telecommunication Towers

The Governing Board places the highest priority on protecting the health and safety of students. There is considerable debate and uncertainty within the scientific community as to the potential health effects to individuals, especially children, from exposure to radio frequency emissions including emissions from wireless telecommunications towers (cell towers). A wide variety of scientific and public interest organizations have called for additional research to determine short and long term effects.

In the absence of conclusive data, many organizations, including the California State PTA, have urged public agencies to adopt the precautionary principle, which states that in the absence of proof that something is safe, it is better to err on the side of caution and avoid exposure. With this principle in mind, the Board of Education prohibits the placement of cell towers on District property.

In addition, the Board of Education urges local public agencies to provide timely notification to the District when considering applications for the placement of new cell towers within 1500 feet of school sites. Upon receipt of the notification, District staff will immediately notify the school's staff and parents of the proposal.

The Oak Park Unified School District opposes the construction of any telecommunications towers (cell towers) within 1500 feet of a school and staff will work with the Municipal Advisory Council (MAC) and the County of Ventura Board of Supervisors to ensure that towers are not constructed within 1500 feet of any Oak Park Unified School District school.

Adopted.

TO: MEMBERS, BOARD OF EDUCATION
FROM: DR. ANTHONY W. KNIGHT, SUPERINTENDENT
DATE: DECEMBER 9, 2014
SUBJECT: IV.1. MONTHLY ENROLLMENT AND ATTENDANCE REPORT

INFORMATION

ISSUE: Shall the Board receive and review a status report on District enrollment and attendance through Month 3 of the 2014-15 school year?

BACKGROUND: As student enrollment and attendance plays a key factor in General Fund revenues, staffing, and expense, it is critical that the Board and Administration carefully monitor these factors in assessing both appropriate student support and the District's financial position. Accordingly, staff has prepared current enrollment and attendance information through the end of the most recent reporting period to assist in this review. Still being finalized as this agenda was going to press, the monthly report will be delivered to the Board under separate cover during the week of December 1, 2014, and will concurrently be available for public review on the District's website.

RECOMMENDATION: None. Information only.

Prepared by: Barbara Dickerson, Director, Fiscal Services
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: DECEMBER 9, 2014
SUBJECT: IV.2. MONTHLY CASH FLOW REPORT

DISCUSSION

ISSUE: Shall the Board receive and review a status report on District's actual and projected cash flow through November 30th of the 2014-15 school year?

BACKGROUND: The State's funding appropriation schedule for school districts is always challenging. In its 2014-15 adopted budget, the State has postponed the decision whether or not to defer current year cash to the subsequent fiscal year until February of 2015. As a consequence, this perpetuates the ongoing issues in the management of the District's cash flow. Continuing its practice of the last several years, the Business Office produces a cash flow report each month as an ongoing tool to assist the Administration and Board in analyzing and managing its cash and remaining cash-solvent. This report, still being finalized as this agenda was going to press, will be delivered to the Board under separate cover during the week of December 1, 2014, and will concurrently be available for public review on the District's website.

RECOMMENDATION: None. Information only.

Prepared by: Barbara Dickerson, Director, Fiscal Services
Martin Klauss, Assistant Superintendent, Business and Administrative Services

Respectfully submitted,

Anthony W. Knight, Ed.D.
Superintendent

TO: MEMBERS, BOARD OF EDUCATION
FROM: Sara Ahl, Principal, Brookside Elementary School
DATE: December 9, 2014
SUBJECT: Monthly Board Report for Brookside Elementary School

PROFESSIONAL LEARNING:

- Teachers attended session #2 of their Common Core training series on December 1st, 3rd, and 4th. This session focused on the math practices and the math standards.
- Ten Brookside teachers will continue their work with the Critical Thinking Institute (CTI) on December 16th.

SCHOOL EVENTS:

- Brookside's Book Fair was a great success. With over \$17,000 in sales, Brookside PTA brought in a healthy profit in addition to bonus "Scholastic Dollars" to purchase items for the school! In addition to the tradition of hosting our "Breakfast with Books" event (formerly, "Donuts with Dads"), this year's addition of the "Family Reading Night" was well attended and a lot of fun! The students were challenged throughout the Book Fair to read a collective 100,000 minutes, with the reward of having Mrs. Ahl participate in a challenge decided upon by the student body. We are happy to announce that the students reached the 100,000 minute goal and Mrs. Ahl obliged by dressing as "Missy Miss Mismatched" (complete with a tutu) and rode a scooter around campus. The students enjoyed it.
- Kindergarten classes attended an eco-tour at "Tree People" on December 8th. At a series of interactive "eco-stations," the students had the opportunity to see, hear, feel and understand the natural cycles of a forest – and how those cycles have been disrupted in the city and what they can do to help.
- The first grade classes all entertained parents and guests at their November 20th music performance with a series of wonderful Thanksgiving songs.
- December 4th marked "Mix It Up" at Lunch Day at Brookside, which is an event that aims to promote tolerance and encourages students to sit with students that they usually do not, even if they are from a different grade level. Students were asked to move out of their comfort zones and connect with someone new over lunch. It's a simple act with profound implications. Interactions across grade levels and outside the normal "circle of friends" can help reduce bullying and encourage the building of our Brookside community.
- Fourteen Brookside students were honored at the PTA Reflections awards ceremony for all schools in the Conejo Council November 24th. They were honored for their work in areas of: musical composition, dance choreography, film production, literature, photography, and visual arts. We are very proud of these young artists who have progressed to the next level of this competition!

PARENT ENRICHMENT:

- The Go Math! parent training on November 21st was attended by over 100 parents from Brookside and Red Oak. Parents provided positive feedback about the resources offered by the trainer.
- On December 2nd many Brookside parents attended Session #1 (of 3) of the Common Core Parent Series.

SCHOOL SITE COUNCIL:

Brookside has not had a Site Council meeting since the last Board Meeting.

EVENT HIGHLIGHTS:

December 9 & 10	5 th Grade Internet Safety Assembly (attended by parents and students) - 8:30am
December 15 & 16	Chumash presentation for 3 rd grade
December 17	Annual Kindercott Ceremony @8:30am – Room 101 – Kindergarten “authors” will present their published work
January 13	Music Van at Brookside
January 16	Annual Spelling Bee @ 1:30pm

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: December 9, 2014

SUBJECT: Monthly Board Report

Book Fair

There are many things to be thankful for at Oak Hills, and one of the most important is the continuing generosity of our parents and volunteers. The Book Fair included special events in the evening and early morning hours. We owe a huge thank you to our PTA for putting on another very successful Book Fair. I was excited to see so many books heading home with our students, as parents continue to create the literature-rich environments at home in which our students thrive! I am also especially thankful for all the families who purchased books to be donated to our classroom libraries. Great teaching requires that we have high-quality, high-interest literature to challenge readers at every level. The generous support from our parents and PTA is greatly appreciated.

Thanksgiving Celebrations

Thanksgiving is one of the great family celebrations of the year. Our Oak Hills family enjoyed a great Thanksgiving last week, including such things as pumpkin bread baking in second grade, and great performances from our kindergarteners and first graders. At each performance, the students shared what they have learned about our nation's history. As they practice their songs and plays, our students not only learn to perform, they perform to learn. They did a great job at all the shows!

Oak Hills Garden Renovations Underway

The Oak Hills Botanical Society has cleared out all our remaining summer produce and has been working hard preparing to plant our winter crops. Students have been hard at work digging and breaking apart clumps of rock-hard soil, and have mixed in organic plant-based fertilizer. Seedlings of kale, lettuce, and broccoli are in the greenhouse ready to plant.

Respectfully Submitted:

Anthony W. Knight, Ed.D.
Superintendent

TO: MEMBERS, BOARD OF EDUCATION

FROM: Jon A. Duim, Principal, Red Oak Elementary School

DATE: December 9, 2014

SUBJECT: Monthly Board Report

Report Card Conferences

Teachers used six days from November 12 to 19 to hold conference with parents regarding the educational progress of their students. Report cards were distributed at this time. The upper grade conferences also included the students so that together as a team, improvement goals could be set up to help ensure future progress.

Community Service

Red Oak continues to collect contributions to support worthy causes in our community and across the world. We have had a great outpouring of aid for military personnel stationed overseas with our collection of unwanted Halloween candy, and a huge amount of donated food came in for local needy families sponsored by the Santa Comes to Agoura organization.

Chinese Restaurant Field Trip

Each of our fifth grade classes have or will soon visit a local Chinese Restaurant, Zen Garden. Fifth grade students study Chinese and are instructed by Mrs. Yap. The students practiced the Chinese language, experienced the customs, and culture and tasted Chinese food during their Zen Garden visit. The restaurant hosted all four fifth grade classes on different dates. The restaurant is at the corner of Kanan Road and Lindero Canyon Boulevard and is close enough so that the students walked there from school. The students ate authentic Chinese food, using chopsticks. They talked in Chinese and learned about new customs associated with Chinese dining. The field trip gave the students an opportunity to experience an authentic learning.

Respectfully Submitted:

Anthony Knight, Ed.D.
Superintendent

TO: MEMBERS, BOARD OF EDUCATION

FROM: BRAD BENIOFF, PRINCIPAL, MEDEA CREEK MIDDLE SCHOOL

DATE: DECEMBER 9, 2014

SUBJECT: MONTHLY SCHOOL REPORT

6th Grade Outdoor Education Curricular Trip December 2-5: Students and MCMS faculty will spend 3 days and 4 nights at the Pali Institute in Running Springs. They will participate in lots of hands-on science, team-building activities and ropes courses.

Medea vs. Lindero December 9th: 8th graders play their annual soccer game at 3:00

Limo Lunch December 9th: for qualifying Magazine Drive students!

Chorus Concert: December 10th @ 6:00p.m.: A holiday-inspired performance, featuring the gorgeous voices of the MCMS Choir, under Elana Levine's instruction.

Winter Concert December 11th @ 6:00p.m.: Music and holiday cheer: another concert featuring beginning, intermediate, advanced and jazz band, under Elana Levine's and Zachary Borquez's musical leadership!

School Tours Continue December 16th at 9:00 a.m.: Families should meet in the main office for an informative and welcoming tour.

Quarter 2 Progress Reports are posted on Q December 12th

Respectfully submitted,

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: December 9, 2014

SUBJECT: Monthly Board Report

Fall Athletics

Fall Sports has completed its regular season with the following results:

- Girls tennis tied for first place in league
- Girls golf also tied for first place in League in their inaugural season!
- Girls Volleyball had a tough season and didn't make it to post-season playoffs
- Both boys and girls Cross Country teams qualified for CIF Finals and the XC Boys Team qualified for the State Championships

Thanks go out to Football Coach Tim Kenney who had a tough season but built some strong character among the team. Thanks to XC coaches Smith and Calce and all the dedicated parents who helped at the XC meets and those early morning practice runs. Thanks to Girls Tennis Coach Schnaible and to Patrick Quinn for his work with the Girls Volleyball this season. Winter sports are all off and running with boys and girls basketball in pre-season games under Coaches Shaw and Farrell respectively. And we are now in the third year of fielding frosh/soph boys and girls soccer teams in addition to JV and Varsity all under the capable guidance of Coaches Kai Werring and Mark Zeolla.

Evita

Casting is complete for OPPAA production of the musical *Evita* January 15 -17. This production is directed by Allan Hunt with choral and instrumental direction from Heidi Cissell and Zach Borquez along with choreography by OPHS alumnus Melissa Staab and set design by Kevin Buchanan. This promises to be a very challenging show and involves over 100 students working as cast and crew.

OPHS Band and Choir Holiday Concert

The OPHS Choir and Instrumental Winter Concerts will be held on December 9th and 10th

College Applications

Students and counselors have been very busy meeting the November 30 application deadline and more and more students are applying early action and early decision. Financial Aid workshops are scheduled as the FAFSA looms on Dec 31st.

Awareness Week

Advanced Peer Counselors under the guidance of Janet Svoboda and Julie Heeney are preparing this year's activities for the week of December 8-12. Activities include classroom visits, an assembly, a parent evening, an art and poetry contest, and a slam poetry evening all revolving around a theme of "YouNique"

Respectfully submitted:

Anthony W. Knight, Ed.D.
Superintendent

TO: Members of the Oak Park Unified Board of Education

FROM: Stewart McGugan, Director of Alternative Education

DATE: November 24th, 2014

SUBJECT: Monthly Board Report



TURKEY WALK

We are holding our 10th annual Turkey Walk this Tuesday where all students, staff, community members and parents walk to the Duck pond to participate in an all hands giving thanks. This is a very emotional time for me because the students are so honest and appreciate what our teachers and staff do for them. We will end it by having a BBQ with turkey burgers, salads, etc.

FIELD TRIP

All students went to the Long Beach Aquarium last week. All students arrived 30 minutes before school started for this field trip. To me, this shows that our students really care about the school and the education they are receiving. Ms. Allen cooked breakfast for several of the students prior to leaving. I guess this could have been the reason as well! When I talked to the students about which part they enjoyed the most, they responded that it was touching the of the tiger sharks, sting rays and other fish that they enjoyed most. They also commented that they loved seeing all of the colors of the jellyfish. We only had one near accident, when a student leaned in too far to touch one of the tiger sharks and almost fell in. Yikes!!

GARDEN

We have planted our new garden seeds for the winter. We are hoping to have some Bok Choy, Broccoli, Cauliflower, and Eggplant to name a few. We are also in the process of painting the outer fence of the garden to match the outside buildings of OPIS and OVHS. Students will be overseeing the painting and will receive community service hours for this.



OAK PARK INDEPENDENT SCHOOL



CONGRESSIONAL MEDAL

John Monday, one of our high school students, will be receiving the Congressional Medal from Julia Brownley's office. John was able to receive this medal because of his outstanding piano playing, donating his time to his equestrian center, his work in China and his athletic improvements. We are very proud of him for this wonderful achievement.

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: December 9, 2014

SUBJECT: Monthly Board Report

December already!! This school year has quickly surpassed all other years in my mind in the “It’s December already? Where did the time go?” It seems as though we just started the school year.

November has been a busy month with parent/teacher conferences, staff development, Veterans’ Day holiday, and Thanksgiving. The parent/teacher conferences were a great opportunity for the parents to meet with their child’s teacher and let the teachers know about their child. The teachers were able to share about the classroom routines and the learning taking place as the children follow directions, attend to a story, pay attention to what others are saying, build with blocks, engage in imaginative play, and a multitude of other activities that occur in the preschool day. All of the teachers were able to attend a staff development workshop on Saturday, November 1st, presented by Patricia Hunter McGrath of Reggio Inspirations.

The workshop, ***Exploring Long-Term Projects*** covered the following:

- What underlying organizational structures support long-term projects?
- How are materials used to support children’s thinking?
- How are math, literacy and the arts threaded through a long-term investigation?
- How does the curriculum evolve throughout the project?
- How does the teacher sustain and support the children’s work?
- How do we help children uncover problems to be solved?
- How do we encourage investigation, flexible thinking and tenacity through long-term investigations?
- What questions can we ask to support and deepen the children’s work?

This was a great workshop where we could see the work of the teachers and children: how the teachers recorded the children’s conversations and incorporated their ideas in the provision of materials, books available in the classroom, parent involvement, and field trips. The workshop has generated many discussions about our work with the children and their investigations.

Our Holiday Concert is December 16th at 9:30 am. Please plan on attending. I hope you all have a wonderful winter break.

Respectfully Submitted;

Anthony W. Knight, Ed.D.
Superintendent