

# PALERMO UNION SCHOOL DISTRICT

7390 Bulldog Way  
Palermo, CA 95968-9700  
(530) 533-4842  
Fax (530) 532-1047

Superintendent  
Dr. Bryan L. Caples

Board of Trustees  
Debbie Hoffman  
Loretta Long  
Susan Short  
William Bynum  
Jessica King

Helen Wilcox School  
5737 Autrey Lane  
Oroville, CA 95966  
(530) 533-7626  
Fax (530) 533-6949  
Heather Scott, Principal

Honcut School  
68 School Street  
Oroville, CA 95966  
(530) 742-5284  
Fax (530) 742-2955  
Heather Scott, Principal

Palermo School  
7350 Bulldog Way  
Palermo, CA 95968  
(530) 533-4708  
Fax (530) 532-7801  
Kathleen Noland, Principal

Golden Hills School  
2400 Via Canela  
Oroville, CA 95966  
(530) 532-6000  
Fax (530) 534-7982  
Carol Brown, Principal

## BOARD MEETING AGENDA January 18, 2017 Place: District Office 7390 Bulldog Way, Palermo, CA 95968 6:00 p.m.

[Note: The Board of Trustees may take action on any item posted on this Agenda. Members of the public may directly address the Board concerning any item on this Agenda prior to or during the Board consideration of that item, as determined by the Board President. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in these meetings, please contact the Superintendent's Office (530) 533-4842, ext. 7. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to these meetings. This Agenda and all supporting documents are available for public review at the District Office, 7390 Bulldog Way, Palermo, CA. Documents that have been distributed to the Board less than 72 hours before the meeting are available for public inspection at the District Office, 7390 Bulldog Way, Palermo, CA 95968]

### INTRODUCTION

1. **Call to Order.** (Time \_\_\_\_\_)
2. **Flag Salute.**
3. **Roll Call.**
4. **Approval of Agenda.**

ACTION \_\_\_\_\_ MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ VOTE \_\_\_\_\_

5. **Audience with the Board.**

### **Non-Agenda Items:**

At this time the Board President will invite anyone in the audience wishing to address the Board on a matter not listed on the agenda to stand, state your name for the record and make your presentation. Presentations may be limited to five (5) minutes. The Brown Act, however, does not allow the Governing Board to discuss or take action on any item that is not on the posted agenda. The item may, by Board direction, be placed on a later Board Meeting Agenda for discussion and/or action. The Board may direct the Superintendent to investigate the subject and present a follow-up report at a future Board Meeting.

6. **Audience with the Board.**

### **Agenda Items:**

This is the time the Board President will invite anyone in the audience wishing to address the Board on a matter that is on the agenda to state your name and the agenda item on which you wish to speak. When that item comes up on the agenda you will be asked to stand and repeat your name for the record, and make your presentation [five (5) minute time limit per person].

7. **CONSENT AGENDA**

The consent agenda will be approved by a single motion and vote unless items are removed by a Board member and placed on the regular agenda for discussion and action.

**Action Items**

- a. Minutes of January 4, 2017 Regular Board Meeting.

**Reports**

- b. Events Calendar.

REFERENCE #1

- c. 2016 District-Wide Discipline Report December 2016.

REFERENCE #2

- d. Donation from Box Tops for Education in the amount of \$939.90 to Helen Wilcox School.
- e. Donation from Box Tops for Education in the amount of \$204.80 to Golden Hills School.

ACTION\_\_\_\_MOTION\_\_\_\_SECOND\_\_\_\_VOTE\_\_\_\_\_

8. **ITEMS REMOVED FROM CONSENT AGENDA**

- a. ACTION\_\_\_\_MOTION\_\_\_\_SECOND\_\_\_\_VOTE\_\_\_\_\_

- b. ACTION\_\_\_\_MOTION\_\_\_\_SECOND\_\_\_\_VOTE\_\_\_\_\_

9. **Staff Reports/Business Items.**

- a. Joshua Sasaki, Community Day School Teacher to report on the Community Day School program.
- b. Ruthie Anaya, Chief Business Official to report on the Butte Schools Self-Funded Program (BSSP) Joint Powers Authority (JPA).
- c. Ruthie Anaya, Chief Business Official to report on the Governor's Proposals for the 2017-18 Budget and Education

9. **Staff Reports/Business Items.**

- d. It is recommended that the Memorandum of Understanding between the Oroville City Elementary School District and Palermo Union School District to provide Speech Services for a St. Thomas student for 2016-2017 be approved.

ACTION\_\_\_\_\_MOTION\_\_\_\_\_SECOND\_\_\_\_\_ VOTE\_\_\_\_\_

REFERENCE #3

- e. California School Employees Association, Bargaining Unit 366.  
(Comments from CSEA, if any, to the Governing Board.)
- f. Palermo Teachers Association Bargaining Unit (PTA/CTA/NEA).  
(Comments from PTA, if any, to the Governing Board.)

10. **Board Policies and Administrative Regulations.**

11. **Correspondence.**

12. **Superintendent's Reports.**

13. **Board Items.**

14. **CLOSED SESSION** (Time\_\_\_\_\_)

1. Closed session regarding matters of personnel/employment/ resignation/retirement(teacher/ Instructional aide) all in accordance with Government Code Section 54957.
2. Matters of negotiations with the Palermo Teachers Association (PTA/CTA/NEA) and Classified School Employees Association, Bargaining Unit 366, in accordance with Government Code Section 54957.6, with designated representative Dr. Bryan Caples, Superintendent; and matters of negotiations with unrepresented groups, certificated management and classified management/ confidential, in accordance with Government Code Section 54957.6, with designated representative Dr. Bryan Caples, Superintendent.

**OPEN SESSION** (Time\_\_\_\_\_)

**REPORT ON ACTION(S) TAKEN IN CLOSED SESSION**

**ACTION ITEMS**

15. **Personnel – Recommendation: Approval.** (Pending successful completion of pre-employment requirements.)

**Certificated:**

- a. Request from Stefanie McCoy, teacher, for .29 FTE unpaid leave of absence for the 2017/2018 school year to teach .71 FTE effective August 14, 2017.
- b. Retirement from Linda McCoy, teacher, effective June 16, 2017.
- c. Certificated substitute, Sara Higgins, effective January 17, 2017.

**ACTION ITEMS**

15. **Personnel – Recommendation: Approval.** (Pending successful completion of pre-employment requirements.)

**Classified:**

- d. Instructional Aide – Reading Intervention, Shawna Smith, Class I, Step 1, effective January 19, 2017.

**Certificated Management:**

- e. Approve post-employment retiree health benefits for Carol Brown effective July 1, 2017.

ACTION \_\_\_\_\_ MOTION \_\_\_\_\_ SECOND \_\_\_\_\_ VOTE \_\_\_\_\_

**ADJOURNMENT** (Time \_\_\_\_\_)

**REGULAR BOARD MEETING**

1. President Debbie Hoffman called the meeting to order at 6:01 p.m., and welcomed those in attendance.
2. President Debbie Hoffman led those in attendance in the flag salute.
3. Members of the Governing Board in attendance were: Debbie Hoffman, Loretta Long, Susan Short and William Bynum. Jessica King was absent.

Others present were: Dr. Bryan Caples, Ruthie Anaya, Carol Brown, Victoria Ryan and Cindy Daniluke.

4. A motion was made by Susan Short, seconded by Loretta Long, recommending that the agenda be approved. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.

5. **Certificate of Appointment and Oath of Office**

Announcement by Board Secretary, Dr. Bryan Caples, that Loretta Long has fulfilled all of the requirements set forth by the Butte County Clerk as an appointed in lieu of election member of the Governing Board. Dr. Bryan Caples performed the swearing-in duties and the appointed Board Member was officially seated as a member of the Palermo Union School District Governing Board.

6. **Audience with the Board.**

**Non-Agenda Items:**

No one had business to bring before the Board.

7. **Audience with the Board.**

**Agenda Items:**

Victoria Ryan requested to reserve the right to speak on item 10a.

**REGULAR BOARD MEETING****8. CONSENT AGENDA**

A motion was made by Susan Short, seconded by Loretta Long, recommending that the following consent agenda items be approved. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.

**Action Items**

- a. Minutes of December 14, 2016 Regular Board Meeting.
- b. Minutes of December 27, 2016 Special Board Meeting.
- c. Warrants:  
Warrant Numbers 00806300-00808270, funds 1, 12, 13, in the amount of \$123,471.23
- d. Surplus/Obsolete Requests:

Surplus/Obsolete Items:

(2) Tables #3800328, #3800053, Table/Stand #3800985,(2) Table/Workcenters #3800984, #3800987  
(11) Keyboards, #3036, 3965, #11943, #1551, #1556, #1552, #1554, #1399, #2568, #2620, #13691  
PC Tower #1821,(2) Projector #3269, #2999,Switch #3464

**Reports**

- e. Events Calendar
- f. 2016 District-Wide Discipline Report November 2016
- g. Staff Development Reports – November, December 2016
- h. Enrollment Report for Month 4
- i. New library books for Palermo School was presented for information and 30 day review.
- j. Palermo School Activity Account Ledger November 1, 2016 – November 30, 2016

**REGULAR BOARD MEETING****9. ITEMS REMOVED FROM CONSENT AGENDA**

There were no items removed from the consent agenda.

**10. Staff Reports/Business Items.**

- a. A motion was made by Susan Short, seconded by Loretta Long, recommending the Collective Bargaining Agreement between the Palermo Union School District and the Palermo Teachers Association CTA/NEA dated March 2016, and the Certification of Acceptance by the Board of the Proposed Collective Bargaining Agreement be approved. The agreement is effective July 1, 2016 through June 30, 2019. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum vote aye. Motion unanimously carried. Jessica King was absent.
- b. A motion was made by Susan Short, seconded by Loretta Long, recommending the 2015-2016 Audit Report by KCOE ISOM LLP, be approved. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.
- c. Addition of Article II – Recognition Clause to negotiations proposal for 2016/2017 from the Palermo School District to the Palermo Teachers Association was presented for public information (sunshining).
- d. A motion was made by Susan Short, seconded by Loretta Long, recommending Board Resolution No. 16-17, Education Code 44256(b), Departmentalized Classroom Assignment, be approved. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.
- e. A motion was made by Susan Short, seconded by Loretta Long, recommending Board Resolution No. 16-18, Education Code 44258.3, Departmentalized Classroom Assignment, be approved. Debbie Hoffman, Loretta Long, Susan Short, and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.
- f. There were no comments from the California School Employees Association Bargaining Unit 366.
- g. There were no comments from Palermo Teachers Association Bargaining Unit (PTA/CTA/NEA).

**REGULAR BOARD MEETING****11. Board Policies and Administrative Regulations.**

None.

**12. Correspondence.**

None.

**13. Superintendent's Reports.**

None.

**14. Board Items.**

William Bynum discussed scheduling a Board Retreat.

**15. CLOSED SESSION**

1. The Board recessed into closed session at 6:50p.m. regarding matters of personnel/ employment/ retirement (teacher, instructional aide child development, and personnel technician/receptionist) all in accordance with Government Code Section 54957.
2. Matters of negotiations with the Palermo Teachers Association (PTA/CTA/NEA) and Classified School Employees Association, Bargaining Unit 366, in accordance with Government Code Section 54957.6, with designated representative Dr. Bryan Caples, Superintendent; and matters of negotiations with unrepresented groups, certificated management and classified management/ confidential, in accordance with Government Code Section 54957.6, with designated representative Dr. Bryan Caples, Superintendent and for the purpose of public employee performance evaluation (Superintendent), in accordance with Government Code Section 54957.2.

**OPEN SESSION**

The Board reconvened into open session at 8:15 p.m.

**REPORT ON ACTION(S) TAKEN IN CLOSED SESSION**

No action was taken in closed session.



**REGULAR BOARD MEETING****ACTION ITEMS****16. Personnel – Recommendation: Approval.**

A motion was made by Susan Short, seconded by Loretta Long, recommending that the following personnel items be approved (pending successful completion of pre-employment requirements). Debbie Hoffman, Loretta Long, Susan Short and William Bynum voted aye. Motion unanimously carried. Jessica King was absent.

**Certificated:**

- a. Korinne Pyle-Sewell, home and health teacher, placement for 2<sup>nd</sup> and 3<sup>rd</sup> Trimesters 2016/2017 school year
- b. Harold McCoy, temporary history teacher, class III, step 14, effective January 3, 2017.

**Classified:**

- c. Katie Clark, change in contract days from 203 to 261, effective January 3, 2017.
- d. Adele Sahagun, substitute instructional aide, effective December 15, 2016.

**Classified Management/Confidential**

- e. Jessica Sorenson, personnel technician/receptionist, class I, step 1, effective January 5, 2017.

**ADJOURNMENT**

President Debbie Hoffman declared the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Bryan L. Caples, Ed.D  
Secretary to the Governing Board

## EVENTS CALENDAR

January 16, 2017	Martin Luther King Jr. Day	<i>No school students, teachers or staff</i>
January 25, 2017	Palermo Chess Tournament	<i>Palermo School 4:00pm-5:30pm</i>
February 17, 2017	Lincoln's Birthday	<i>No school students, teachers or staff</i>
February 20, 2017	Washington's Birthday	<i>No school students, teachers or staff</i>
February 17-24, 2017	Intercession	<i>No school students, teachers</i>

Revised: 1/12/16 cc: L. Storrs; L. Davis; D. Dudley; C. Wiemers; R. Anaya; K. Ray; Cindy Daniluke

**PALERMO UNION SCHOOL DISTRICT  
DISTRICT-WIDE DISCIPLINE REPORT:**

DECEMBER 2016									
INFRACTION	K	1	2	3	4	5	6	7	8
<b>In School Suspensions</b>									
<b>Grounds for Suspension/Expulsion</b>									
(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.						1	2	2	
(a) (2) Willfully used force or violence upon the person of another, except in self-defense.									
(b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object without written permission from a certificated employee and concurrence by the principal or his designee.									
(c) Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind.									
(d) Unlawfully offered or arranged or negotiated to sell any controlled substance, an alcoholic beverage, or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.									
(e) Committed or attempted to commit robbery or extortion.									
(f) Caused or attempted to cause damage to school property or private property.									
(g) Stole or attempted to steal school property or private property.									
(h) Possessed or used tobacco.									
(i) Committed an obscene act or engaged in habitual profanity or vulgarity.									
(j) Unlawfully offered, arranged or negotiated to sell any drug paraphernalia.									
(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties.									
(l) Knowingly received stolen school property or private property.							1	6	2
(m) Possessed an imitation firearm.									
(n) Committed or attempted to commit a sexual assault or committed a sexual battery.									
(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness, or retaliating against that pupil for being a witness, or both.									
(r) Engaged in an act of bullying, including bullying committed through electronic means.									
(48900.2) Sexual Harassment (Excluding grades K-3, inclusive)									
(48900.3) Causing, threatening to cause or participating in an act of hate violence. (Excluding grades K-3, inclusive)									
(48900.4) Intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile education environment. (A pupil or pupils enrolled in any of grades 4-12, inclusive.)									
.7 Made terroristic threats against school officials or school property.									
<b>Total Number of Incidents</b>	0	0	0	0	0	1	3	8	2

**PALERMO UNION SCHOOL DISTRICT  
DISTRICT-WIDE DISCIPLINE REPORT:**

INFRACTION	Out of School Suspensions								
Grounds for Suspension/Expulsion	K	1	2	3	4	5	6	7	8
(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.				1		1		3	
(a) (2) Willfully used force or violence upon the person of another, except in self-defense.				1					
(b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object without written permission from a certificated employee and concurrence by the principal or his Designee.									
(c) Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind.									
(d) Unlawfully offered or arranged or negotiated to sell any controlled substance, an alcoholic beverage, or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.									
(e) Committed or attempted to commit robbery or extortion.									
(f) Caused or attempted to cause damage to school property or private property.									
(g) Stole or attempted to steal school property or private property.									
(h) Possessed or used tobacco.									
(l) Committed an obscene act or engaged in habitual profanity or vulgarity.						1			
(j) Unlawfully offered, arranged or negotiated to sell any drug paraphernalia.									
(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties.							2		5
(l) Knowingly received stolen school property or private property.									
(m) Possessed an imitation firearm.									
(n) Committed or attempted to commit a sexual assault or committed a sexual battery.									
(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness, or retaliating against that pupil for being a witness, or both.									
(r) Engaged in an act of bullying, including bullying committed through electronic means.									
(48900.2) Sexual Harassment (Excluding grades K-3, inclusive)									
(48900.3) Causing, threatening to cause or participating in an act of hate violence. (Excluding grades K-3, inclusive)									
(48900.4) Intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile education environment. (A pupil or pupils enrolled in any of grades 4-12, inclusive.)									
.7 Made terroristic threats against school officials or school property.									
<b>Total Number of Incidents</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>5</b>

**PALERMO UNION SCHOOL DISTRICT  
DISTRICT-WIDE DISCIPLINE REPORT:**

INFRACTION	Number of referrals to AEP								
Grounds for Suspension/Expulsion	K	1	2	3	4	5	6	7	8
(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.								4	
(a) (2) Willfully used force or violence upon the person of another, except in self-defense.									
(b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object without written permission from a certificated employee and concurrence by the principal or his Designee.									
(c) Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind.									
(d) Unlawfully offered or arranged or negotiated to sell any controlled substance, an alcoholic beverage, or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage, or intoxicant.									
(e) Committed or attempted to commit robbery or extortion.									
(f) Caused or attempted to cause damage to school property or private property.									
(g) Stole or attempted to steal school property or private property.									
(h) Possessed or used tobacco.									
(l) Committed an obscene act or engaged in habitual profanity or vulgarity.					3				
(j) Unlawfully offered, arranged or negotiated to sell any drug paraphernalia.									
(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, or other school personnel engaged in the performance of their duties.		1	1		3	2	14	17	3
(l) Knowingly received stolen school property or private property.									
(m) Possessed an imitation firearm.									
(n) Committed or attempted to commit a sexual assault or committed a sexual battery.									
(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness, or retaliating against that pupil for being a witness, or both.									
(r) Engaged in an act of bullying, including bullying committed through electronic means.					1	2			1
(48900.2) Sexual Harassment (Excluding grades K-3, inclusive)									
(48900.3) Causing, threatening to cause or participating in an act of hate violence. (Excluding grades K-3, inclusive)									
(48900.4) Intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile education environment. (A pupil or pupils enrolled in any of grades 4-12, inclusive.)									
.7 Made terroristic threats against school officials or school property.									
<b>Total Number of Incidents</b>	0	1	1	0	7	4	14	21	4

**PALERMO UNION SCHOOL DISTRICT  
DISTRICT-WIDE DISCIPLINE REPORT:**

<b>Number of Days Suspended</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
1 Day				1		2	1		
2 Days									1
3 Days				1				1	
4 Days							1		
5 Days								2	4
<b>Total Days</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>2</b>	<b>5</b>	<b>13</b>	<b>22</b>
Superintendent/Designee Alternative to Suspension/Expulsion # of Students (extensions beyond 5 days)									

**SUMMARY OF BUS VIOLATIONS**

	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>FIRST VIOLATION:</b> Warnng by Principal, notification of parent.			1	1		1	1		
<b>SECOND VIOLATION:</b> Student will not be permitted on ANY bus for five (5) school days, and until the parents and student have had a conference with the Principal.									1
<b>THIRD VIOLATION:</b> Exclusion from riding ANY bus for the reaminder of the school year unless reinstated by the Principal.			1						
<b>FOURTH VIOLATION:</b> Exclusion from riding ANY bus for ANY reason. (Minimum exclusion shall be until the last day of the trimester following the trimester in which the exclusion ocorred.)								1	
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
OROVILLE CITY ELEMENTARY SCHOOL DISTRICT AND  
PALERMO UNION ELEMENTARY SCHOOL DISTRICT  
2016-17**

**PARTIES**

This Memorandum of Understanding (MOU) is entered into between the Oroville City Elementary School District hereinafter referred to as "OCESD" and Palermo Union Elementary School District, hereinafter referred to as "DISTRICT."

**PURPOSE**

Whereas, OCESD and the DISTRICT have worked together to meet the needs of children in Butte County,

Be it resolved that OCESD shall provide speech services to a student of the DISTRICT who is attending nonpublic or private school within the OCESD boundaries.

**OPERATIONAL AGREEMENT**

OCESD agrees to do the following:

- Provide speech services to the DISTRICT's student.

**FISCAL**

The DISTRICT shall reimburse OCESD the actual cost of services. The current cost per hour of the certificated staff assigned is \$81.36/hour including benefits. The IEP currently prescribes 30 minutes per week of speech services. OCESD will invoice the DISTRICT quarterly for actual time spent providing services.

Should the minutes of service change, all parties will be notified immediately and the amounts billed will change accordingly.

**TERM**

This MOU is entered into and effective through June 30, 2017 or until the student's IEP or school of attendance have changed; whichever is soonest.

**MODIFICATION**

This MOU constitutes the entire agreement and understanding of the parties. All prior understandings, terms or conditions are deemed merged into this MOU. Any changes to this MOU must be agreed to in writing by both parties. Should changes in legislation or the State budget occur that necessitate revision of this MOU, the DISTRICT and OCESD shall meet to revise accordingly.

**INDEMNIFICATION**

OCESD agrees to defend, indemnify, and hold harmless DISTRICT (including its directors, agents, officers and employees), from any claim, action, or proceeding arising from any actual or alleged acts or omissions of OCESD, its director, agents, officers, or employees arising from OCESD's duties and obligations described in this agreement or imposed by law.

**INDEPENDENT AGENTS**

This MOU is by and between two independent agents, OCESD and DISTRICT, and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture and/or association between the two independent agents. OCESD and DISTRICT shall be expected to independently comply with all relevant laws, including, but not limited to those regarding fingerprinting and criminal background checks.

IN WITNESS WHEREOF, the parties hereto execute this Memorandum of Understanding this \_\_\_\_\_ day of \_\_\_\_\_ 2016, in \_\_\_\_\_, California

**SIGNATURES**

\_\_\_\_\_  
Penny Chennell-Carter  
Superintendent  
Oroville City Elementary School District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signer's Name and Title