

# Oxnard Union High School District

## Oxnard, California

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### REGULAR BOARD MEETING

January 25, 2017

- 1. CALL TO ORDER** The Regular Board Meeting of the Board of Trustees of the Oxnard Union High School District was called to order by President Herrera on January 25, 2017 at 4:00 p.m., in the District Office Board Room, 220 South K Street, Oxnard, California.
- Trustees present:** Beatriz R. Herrera, President  
Dr. Gary Davis, Vice President  
Karen M. Sher, Clerk  
Dr. Steve Hall, Member  
Wayne Edmonds, Member
- Administration present:** Dr. Penelope A. DeLeon, Superintendent of Schools  
Stephen Dickinson, Assistant Superintendent-Administrative Services  
Dr. Tom McCoy, Assistant Superintendent-Educational Services  
Dr. Rocky Valles, Jr., Assistant Superintendent-Human Resources  
Maureen Sheldon, Executive Assistant
- Translators present:** David Gala, Moira Gallo.
- Guests present:** Jake Wallace, Wes Davis, Joshua Koenig-Brown, Reina Bejerano, Stephanie Gillenberg, Diana Batista, Ken Goeken, Gary Mayeda, the HHS band, and other interested parties.
- 2. PLEDGE OF ALLEGIANCE** President Herrera asked Dr. Tom McCoy to lead the Pledge of Allegiance to the flag.
- 3. ADOPTION OF AGENDA** Motion: Moved by Trustee Hall to approve the Agenda dated January 25, 2017. Seconded by Dr. Davis and carried unanimously. Vote 5/0.
- 4. PUBLIC COMMENTS ON CLOSED SESSION ITEMS** No public comment.
- 5. CLOSED SESSION** President Herrera stated that the Board would adjourn to Closed Session at 4:04 p.m. to discuss confidential material relating to the following items noted below.
- A.** Public Employee Discipline/Dismissal/Release/Resignation/Appointment/Reassignment/Employment/Evaluation [Government Code Section 54957(b)(1)]
- B.** Conference with Labor Negotiator(s) [Government Code Section 54957.6] - Agency Negotiator: Rocky Valles, Ed.D., Assistant Superintendent - Human Resources o Employee Organization: Oxnard Federation of Teachers and School Employees (OFTSE) \* Certificated Bargaining Unit \* Paraeducator Bargaining Unit
- C.** Public Employee Performance Evaluation [Government Code Section 54957(b)(1)]\*Superintendent
- D.** Student Personnel: [Education Code §35146, 48912, 48919]
- E.** Consideration of Confidential Student Issues Other Than Expulsion and Suspension, Pursuant to Education Code §35146

- F.** Conference with Real Property Negotiator (Govt. Code § 54956.8) PROPERTY: 50-acres of 107.25 acres located at or near 1825 Camino del Sol, Oxnard, CA (southeast corner of N. Rose Ave. and Cesar Chaves Dr.) Ventura County Assessor Parcel No. 214-0-020-595 AGENCY NEGOTIATOR: Steve Dickinson, Asst. Superintendent Admin. Services NEGOTIATING PARTIES: Brian Edward Maulhardt, as Trustee of the Brian Edward Maulhardt Children’s Support Trust UNDER NEGOTIATION: Price and terms of payment
- G.** Conference with Real Property Negotiator (Govt. Code § 54956.8) PROPERTY: An approximate 5-acre portion of 49.36-acre Bell Ranch Property (agricultural property adjacent to Rancho Campana High School); Ventura County Assessor Parcel No. 156-0-180-385 AGENCY NEGOTIATOR: Steve Dickinson, Asst. Superintendent Admin. Services NEGOTIATING PARTIES: City of Camarillo UNDER NEGOTIATION: Price and terms of payment CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
- H.** CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section Govt. Code § 54956.9(d)(4): One Case
- I.** Conference with Real Property Negotiator (Govt. Code § 54956.8) PROPERTY: Multiple District-owned parcels, including: (1) Bell Ranch Property, Assessor Parcel No. (“APN”) 156-0-180-385, Camarillo, California; (2) South of Oxnard High School, APN 183-0-030-180; (3) District Office Campus, 220, 309, and 315 South K Street, Oxnard, CA, APNs 202-0-010-630 & -740; (4) Hueneme Road Adult School, 527 W Hueneme Road, Oxnard, CA, APN 222-0-082-625; (5) 280 and 300 Skyway Drive, Camarillo, CA, APN 230-0-130-105; and (6) 15 Stearman Street, Camarillo, CA, APN 230-0-130-115 AGENCY NEGOTIATOR: Steve Dickinson, Asst. Superintendent, Admin. Services NEGOTIATING PARTIES: To be determined UNDER NEGOTIATION: Price and terms of payment.

**6. RECONVENE IN PUBLIC: REPORT ON CLOSED SESSION ACTION**

The Board reconvened at 5:15 p.m. President Herrera reported out that no action was taken. She stated that the Board would reconvene to Closed Session at the end of Open Session to conclude their business.

**7. RECOGNITION – Student Celebrations: Bijou Beltran HHS Marching Band – “Don’t Ever Give Up Attitude”**

This is the first year the Hueneme High School Viking Marching Band & Auxiliary had a high enough enrollment to qualify to compete in field show season. Though they had a difficult and sometimes disappointing field show season, it was noted that they are a resilient and determined group of students, with a “Don’t Ever Give Up” attitude. Under the leadership of Drum Major Michael Petris, Assistant Drum Major Jonah Tuazon, Drum Captains Jesus “Barnie” Luna, and Gilbert Melendrez, and Auxiliary Captain Joselyn Meza-Robles, with Co-Captain Melissa Cantu, that Viking spirit and commitment helped the group win the following awards including: (1) 1st place High School Band and 1st place for Assistant Drum Major Jonah Tuazon in the Oxnard Christmas Parade; (2) 2nd place High School Band and 3rd Place Drum Major in the Band Review, during which bands are required to play a traditional march (this year our selection was “National Emblem March” by E. E. Bagley), and marches in a precision format (think Rose Parade) for a review by a panel of Judges under the captions of Music, Showmanship, Esprit de Corps, Marching, Drum Major, and Auxiliary Units, and (3) a three-peat of the coveted “Walter Brennan Award” for the best display of the Christmas Spirit, Musical Selection, costume, and representation of the parade theme, this year “A Rockin’Christmas.”

Drs. Gary Davis, Tom McCoy, and Penelope DeLeon presented the drum majors with a recognition plaque, and encouraged them to keep up the good work despite the challenges they have faced. Dr. DeLeon read the words on the plaque that was presented “Don’t Ever Give Up Attitude”. She also thanked the parents and boosters for attending.

President Herrera also thanked the band for their performance as well as the parents and boosters.

## 8. PUBLIC COMMENTS TO ADDRESS THE BOARD OF TRUSTEES

- Diana Batista noted that she was very appreciative of the opportunity to speak to colleagues, the board and the community. She indicated she now has the opportunity to work under the Adult Ed Block Grant. Dr. DeLeon spoke on behalf of the board and thanked Ms. Batista for all of the great work that she has done, at both of our campuses, and on behalf of our community doing 'generational work'. She added that the more we build up our community the better for our kids, and that she is glad Diana will be doing this work at the state level. Diana Batista also thanked the board for having the mariachis play in her honor.
- Mr. Efrain Cazares -- a HHS Booster, noted he has served as the president for the last 3 years and has supported the band in any way possible, participating during the events, and going to all of their competitions. He asked that the board please continue to maintain and support the art and music programs at HHS and our other sites. He also thanked the board for their support for HHS band members just receiving new uniforms for the first time in 25 years, in addition to all student parents. He noted that his daughter, Alyssa, was the winner of the essay writing sponsored by California State University, Sacramento through the "LegiSchool Project". Because of that, she was invited to the Student Legislative Summit at the State Capital on March 8, 2017 at no cost to her. Her father stated that she is so honored and proud to go representing Hueneme High along with other 9 students from around the State of California.

## 9. SUPERINTENDENT'S REPORT

Presented by Superintendent of Schools, Dr. Penelope DeLeon.

### HIGHLIGHTS:

As she began her presentation Dr. DeLeon noted that Mr. Cazares' daughter would be brought back to be individually recognized before the board for her accomplishments.

*College, Career and Life Readiness for every student... [BG 1] Teacher and administrator leadership capacity...[BG3]*

- RCHS ASB Visit: Dr. DeLeon stated that she was invited to speak to our ASB Student Government at RCHS. She said the students were very articulate and well-researched, and that they had a great debate about why campuses aren't open for lunch. She further stated that this reminds us of how our students are advocating for themselves and being active at their sites.
- Future Administrators Academy – Dr. DeLeon noted that the next FAA meeting is on February 14. We are beginning our work around the characteristic of transformative leadership, which will result in change in a sustainable way.

*Implement procedures to enrollment growth....including the acquisition of property for a new high school in the Oxnard area... (BG 4)*

- Dr. DeLeon discussed procedures for enrollment growth, to include the acquisition of property in the Oxnard area. Due to an improved inter and intra district transfer policy, she indicated that *we will not need to implement boundary changes this year* and can close out that topic. We are able to get our numbers to a satisfactory place, and we have fewer requests than we did previously.

*Community Outreach & Increased Communication with all Stakeholders (BG 6)*

- Dr. DeLeon noted that at PHS on January 21, a Ventura County EL and Migrant Family Conference was held, and that hundreds of parents and students attended

from all over the county. She expressed her thanks to Joe Mendoza and our EL Department.

- She stated that this Saturday, January 28, the 1<sup>st</sup> Annual STEM Day for Girls would be held at PHS. The hope is to increase interest amongst our female students for STEM districtwide, to include engineering and mathematics.
- Dr. DeLeon noted that OUHSD was featured in EdSource Magazine as part of one of their sessions. We were highlighted as a trailblazer district in the California Linked Learning certification project.
- She congratulated Dr. Gary Davis who was the recipient of the Oxnard Rotary Paul Harris award for 'outstanding service above self' and always going the extra mile.
- Dr. DeLeon concluded her remarks by noting that the current artwork displayed was that of HHS, and that next month CIHS will display their artwork. She also commended Nutrition Services for the food selections provided for the public.

**10. STUDENT REPRESENTATIVE REPORT TO THE BOARD – Reanna Norman**

Reanna updated the board on events that have taken place at the various sites since the last OUHSD board meeting on January 18, 2017. Norman indicated that she had a short report as many ASBs are planning for the next semester.

She personally thanked Dr. DeLeon for coming to RCHS's ASB meeting, noting the ASBs really appreciated her attitude and energy. She added that they can't wait for her to come back and that she wants all of the RCHS students to meet Dr. DeLeon.

**11. CONSENT CALENDAR**

Motion: Trustee Hall moved to approve the Consent Calendar, as presented, with the exception of pulling Item #11D for a separate motion. Seconded by Trustee Sher and carried unanimously. Vote 5/0.

**A. Consideration of Approval of Purchase Orders and Direct Pays, January 6 - January 12, 2017**

Purchase Orders totaling \$105,314.52 be approved, as presented.

**B. Consideration of Approval of Stipulated Student Expulsions by Agreement of the School Principal, the Student, and the Student's Parent/Guardian, as per Board Policy 5144, Section 22**

It is the recommendation of the Administrative Staff that the Board of Trustees approve the Stipulated Student Expulsions by Agreement of the School Principal, the Student, and the Student's Parent/Guardian, as per Board Policy 5144, Section 22, as presented.

**C. Consideration of Approval of a Hearing Panel's Recommendation to Expel a Student as per Board Policy 5144 and Education Code 48918**

It is the recommendation of the Administrative Staff that the Board of Trustees approve the Hearing Panel's Recommendation to Expel a Student as per Board Policy 5144 and Education Code 48918, as presented.

**D. Consideration of Approval of Certificated and Classified Personnel**

Motion: Trustee Hall moved that the Board of Trustees approve the personnel items, as presented, with the exception of the Leave of Absence without pay for the individual Eric Montijo. He stated that he believes more information is needed before is comfortable passing that one item. Seconded by Dr. Davis and carried unanimously. Vote 5/0.

*Approved*

### 13. ACTION

A. Consideration of Acceptance of Oxnard Union High School District's 2015-2016 Annual Financial Report (Audit), as prepared by Vavrinek, Trine, Day & Co., LLP

Steve Dickinson introduced Matt Miller, Partner, Vavrinek, Trine, Day & Co. LLP. It was noted that he has been with the firm 30 years, and is now the lead partner for the Audit of Oxnard Union High School District this year. Miller stated that he came out in spring to review for compliance at our individual sites, controls at district level and in August, reviewed Federal Funds and in October/November, reviewed in detail our financials. He stated that the key thing is the main opinion noted on page 2 which indicated that OUHSD financial statements were in order and in accordance with all mandated guidelines.

He stated that internal controls do look at all systems receiving/expending money, and that they pull samples throughout all areas of activity. All items in this area were also found to be in accordance with guidelines. He stated there was one mention of control on the deficit spending for Nutrition Service, however, all controls for all other departments to include Payroll, our Receipt process, Disbursements and Human Resources were also found to be in accordance with all guidelines. Mr. Miller addressed the Student Body funds, indicating that materials are fine, however, these should be addressed for better controls.

Matt Miller noted that per Federal funds, the overall was about \$13M in federal funding. His firm did special testing on 20% of our expenditures depending on where we are in rotation from past years. The level is now \$750K. Anything over this amount is now considered a major item, and the firm selects 20% of that amount for review. No deficiencies were found in this area. State Awards – Miller stated there are guidelines to go through attendance process down to the teachers, how they take information and compile it. They are required to review about 25% of this data throughout the year. Miller noted there was no deficiency in this area.

Miller did state that one item from last to this year had to do with the report last year as we had new government accounting in the areas of PERS and STRS, and any amount unfunded in the area of retirements. These had to be reported as a liability. Overall in 2015 there were \$93M unfunded \$93M; this went up to \$128M for the unfunded portion. Miller stated that proportionately we increased with what we saw throughout the state and we will go up to 19%.

Trustee Hall asked about if the increase in rates in our budget are based on the rates based by the state of California. Steve Dickinson explained that the whole district is in a net negative financial position. When financials are put together, due to the new 'GASB 34', it includes all capital assets and liabilities. Due to the PERS and STRS number jumping over \$30M, this pushes our unrestricted amount to a higher deficit. The revenue stream went up fast but is now leveling off. We will see the short incline for the revenue, but the PERS and STRS will continue to go up at a sharper incline.

Trustee Davis commented on the findings regarding the cafeteria fund (pg. 100/101) going up the last 3 years, and that this fund has encroached on the general fund. As we approach budgeted planning for 17/18, this is a topic that the board must discuss with staff. He added that part of this \$308K is due to retiree benefits, but not the entire number. Trustee Hall added that the cafeteria deficit has increased up to \$1.3M. We gave a 7% raise to all employees. He asked at some point, how much of the increase in the deficit was due to that, versus the amount spent on the food itself. Steve Dickinson said he would review this, per request, and see how much is due to the different cafeteria/nutrition services structure, opportunities for us to gain more sales through increasing prices, and other items that could impact this figure.

President Herrera noted with respect to the ASB Accounts that the site bookkeepers maintain better controls. She also requested know where those controls and measures in place are and asked for an update on such procedures. She further inquired if unused vacation time in the amount of \$1.8M is a routine issue that is a problem. Miller indicated this this item is something that is disclosed. He further stated that some districts put

restraints on what can be carried over year to year. Herrera further asked what the implication is. Miller stated that usually they see a normal pattern of what is being used year to year. If someone leaves their balances are 'paid out'. That amount is then shown as a liability. Steve Dickinson stated that he doesn't know what that average runs year-to-year, however he would find out, indicating this information is all spelled out in our contracts. Dr. DeLeon stated that this number is capped for certificated management at 42 days. This avoids capping 100 plus days of liability, and therefore minimizes the problem. It was indicated that possibly we could have this information as part of the budget.

**Motion:** Trustee Hall moved that the Board of Trustees accept the 2015-2016 Annual Financial Report (Audit), as prepared by Vavrinek, Trine, Day & Co., LLP, as presented. Seconded by Trustee Edmonds and carried unanimously. Vote 5/0.

B. Consideration of Acceptance of 2015-2016 Proposition 39 Measure H Financial and Performance Audit, as prepared by Vavrinek, Trine, Day & Co., LLP

*Approved*

Steve Dickinson stated that after acceptance of this audit, the bond oversight committee will then come and present their annual report. Miller noted that this is a stand alone audit (1) financial – what is in the Measure H Bond Building Fund; what exactly is recorded in our financials. (2) performance audit: his firm drill down to specific expenses to pull and identify what they are and tie them to the measure on the ballot. Through this process his firm pulled a sample of 29 transactions...with \$22M worth of testing. Again, Miller stated they made sure all expenses were in accordance with the wording of the ballot. He concluded by stating that OUHSD did not have any adjustments and of the \$22M, they tested 95%. Everything was in accordance with what was authorized with the bond project.

**Motion:** Trustee Davis moved for approval that the Board of Trustees accept the 2015-2016 Proposition 39 Measure H Financial and Performance Audit, as presented, incorporating the final comments from page 5 at the end of the report: "The results of our tests indicated, that in all significant respects, the Oxnard Union High School District has properly accounted for the expenditures held in the Building Fund (Measure H), and that such expenditures were made for authorized bond projects." Seconded by Trustee Hall and carried unanimously. Vote 5/0.

C. Consideration of Approval of Revision of Board Policy 5030, Wellness Policy [First Reading]

*Approved*

Stephanie Gillenberg reviewed that structure of the policy and revision, stating that within each school site there is a District Wellness Committee, as well as those at each school site to promote and follow through with those from the District Wellness Committee. Starting in March, the committee would like to have a wellness committee policy at each school site, and to coordinate this with each School Site Council and discuss their goals. It was also noted that the role of the Nutrition Advisory Council was stated within the policy.

President Herrera stated that she had a concern under 'monitoring and sustaining' in the last section. She noted that page 32 addresses involvement, however, in viewing the fourth paragraph she expressed that more clarity was needed regarding communications with our parents and students regarding our food services program.

**Motion:** Trustee Edmonds moved that the Board of Trustees approve the revision of Board Policy 5030, Wellness Policy [First Reading], as presented, to include the additional comments requested by Trustee Herrera regarding communications with our parents and students so they are clearly stated. Seconded by Trustee Davis and carried unanimously. Vote 5/0. Trustee Hall noted that he has heard nothing but positive comments since we left our food vendor and wanted to thank Ms. Gillenberg for her leadership and direction. President Herrera thanked all members of her Nutrition Committee as well.

**D. Consideration of Approval of Revision to Board Policy 0420.4 Charter Schools [Second Reading]**

*BP Approved by separate motion  
AP Approved by separate motion*

Dr. McCoy noted that the District's Charter School Board Policy was originally approved on March 10, 1999. In the interim resulting case law has created a need for a more comprehensive policy to insure that charter petitions brought to the District are considered within statutory timelines and regulations.

Dr. Davis noted that in the first sentence of the proposed policy that he doesn't know of the importance of such a statement in the policy, as this board has not discussed this and come to such a conclusion. He stated that he would like the policy to begin with the second sentence and delete the first sentence. Dr. Hall expressed his agreement. In the fourth paragraph Dr. Davis asked that the sentence starting with 'the board shall ensure...' contain wording regarding the outcomes of that program and specific multiple measures for evaluating students. Trustee Hall indicated that this would be consistent with law and the guidelines we have. Dr. Davis also commented, and Trustee Sher concurred that there should be an explanation stipulating as to 'what type of reports' will be provided to the board.

Dr. McCoy stated that we will have a MOU with each entity we charter that details the topics for the report, adding that this information was received via a weekly update to the board. He added that we will bring a detailed MOU in March for CAPE and ACE. He requested that board members forward topics for review by directors at each site, and indicated that would be brought to the board in a compiled slide. He added that he would memorialize those topics in an MOU for each site as trustees may want more from a particular charter than another, adding that currently both of our charters are very well functioning.

Questions were raised by some board members regarding whether this item was time sensitive, and if tabled to February 15, would this impact the charter application. Dr. DeLeon noted that staff would like it approved, as there will be a public hearing on this matter on February 15. It would be better to have this item passed prior to the date of the hearing night. Dr. Davis indicated he did not need to see another version, however, requested the feedback of all colleagues. It was agreed to have separate motions on the BP and AP.

**BP 0420.4**

Motion: Dr. Davis moved to accept the revisions to Charter Schools with the understanding that the first sentence as presented, be deleted, and the second sentence begin with 'The charter schools operate', and that in the fourth paragraph more detail regarding plans for parent involvement as well as multiple measures regarding student outcomes be included. Seconded by Trustee Sher and carried unanimously. Vote 5/0.

There was additional discussion regarding how information for the Public Hearing would be made accessible to the public, and what the role of the charter would be during the process. McCoy stated that during the Public Hearing, the charters would bring these parties to the hearing to speak on behalf of the petition. It is incumbent upon the entity bringing the petition to do so, as we have in the past. It was noted that staff will also provide their opinion on the petition, most likely after the public hearing.

**AP 0420.4**

Motion: Trustee Hall moved that the Board of Trustees approve the Revision to Board Policy 0420.4 Charter Schools [Second Reading], as presented. Seconded by Trustee Edmonds and carried unanimously. Vote 5/0.

**E. Consideration of Approval of Revision of BP 5116.1 Intra-District Open Enrollment [First Reading]**

*Approved*

Dr. McCoy noted that the major change in the policy is the current window period – it was February and is now January to better match what we are doing in the district. He stated that the deadline for transfers is January 23. He noted that this information has been disseminated via radio to other districts. He stated that information concerning the period has been received by the community since November 2016, and that we have done our due diligence via radio, website, site websites, and the newspaper to ensure this information got out there. Dr. DeLeon added that we are trying to control the

overcrowding at our sites and had a realization that we needed a policy for this and to limit the enrollment at PHS and OHS, and that the policy hadn't been updated. Trustee Hall did comment that he had been contacted by a number of parents who were all aware of the January 23 deadline.

Dr. McCoy addressed questions pertaining to transportation needs in response to Trustee Sher's inquiry. The process by which we select transfers and determine priority was communicated in detail by James Koenig, Trustee Hall asked that we follow up and obtain data regarding those transfer requests received and those denied, in order to follow up with students to determine if they remain in or leave the district.

Motion: Trustee Hall moved that the Board of Trustees approve the Revision of BP 5116.1 Intra-District Open Enrollment [First Reading], as presented, waiving the [Second Reading]. Seconded by Dr. Davis and carried unanimously. Vote 5/0.

F. Consideration of Approval of School Site's 2015-16 School Accountability Report Card (SARC)

Motion: Dr. Davis moved that the Board of Trustees approve the School Site's 2015-16 School Accountability Report Card (SARC), as presented. Seconded by Trustee Sher and carried unanimously. Vote 5/0.

*Approved*

G. Consideration of Approval of Revisions to ASB Accounts Clerk Job Description, [Second Reading]

Motion: Trustee Edmonds moved that the Board of Trustees approve the revisions to ASB Accounts Clerk Job Description, [Second Reading], as presented. Seconded by Trustee Hall and carried unanimously. Vote 5/0.

*Approved*

H. Consideration of Revisions to Paraeducator IV [Physically/Severely Handicapped] Job Description, [Second Reading]

Motion: Trustee Sher moved that the Board of Trustees approve the revisions to the Paraeducator IV [Physically/Severely Handicapped] Job Description, [Second Reading], as presented. Seconded by Trustee Hall and carried unanimously. Vote 5/0.

*Approved*

I. Consideration of Approval of Paraeducator IV/Licensed Vocational Nurse New Job Description, [First Reading]

Motion: Trustee Davis moved that the Board of Trustees approve the Paraeducator IV/Licensed Vocational Nurse New Job Description, [First Reading], waiving the [Second Reading], as presented. Seconded by Trustee Hall and carried unanimously. Vote 5/0.

*Approved*

It was noted that on the bottom of page one on the policy, that 'salary' should say per hour.

J. Consideration of Adoption of Board Policy 3515.3 District Procedures for Response to ICE (Immigration and Customs Enforcement) Requests [First Reading]

On December 14, 2016, the Board of Education approved Resolution 16-36 Regarding the Development of District Procedures for the Response to ICE (Immigration and Customs Enforcement) Requests. After much research into all applicable law relating to public school districts' legal obligation related to ICE requests, Dr. DeLeon stated that Board Policy 3515.3 was developed to outline the district procedures for such requests.

*Approved*

Dr. Davis had several comments. With respect to the first paragraph he stated that 'immigration officials or representatives should notify the Superintendent's office' be changed to read 'Superintendent'. Similarly, in the second paragraph the word office should also be removed. Dr. Davis also noted that wording be added reflecting 'if the Superintendent is not available', or 'in the absence of the Superintendent', the 'Superintendent or designee or similar wording' should be inserted in order to be more comprehensive.



Dr. Davis also asked whether wording regarding request to access records of information, in the second paragraph from the bottom, was necessary regarding student birthplace, and whether we needed 'birth country' as well. Dr. DeLeon noted that she is revising the Student Records Board Policy to be in alignment. She further stated that by law we cannot purge a cumulative file which is where the transcripts are held. This document is referring to written lists, and stated that the district does not request social security numbers or birth certificates for cumulative files for enrollment. Dr. DeLeon stated that we do not want subsequent lists of kids to track, and for any future paperwork, we are concerned about any lists that would reveal immigration status.

Motion: Trustee Sher moved that the [First Reading] be approved, as presented, waiving the [Second Reading]. Seconded by Trustee Edmonds and carried unanimously. Vote 5/0.

**K. Consideration of Revision of Board Policy 5145.3 Nondiscrimination/Harassment [First Reading]**

*Approved*

Motion: Trustee Sher moved that the Board of Trustees approve the revision to Board Policy 5145.3 Nondiscrimination/Harassment [First Reading], as presented, waiving the [Second Reading]. Seconded by Trustee Edmonds and carried unanimously. Vote 5/0.

Dr. DeLeon noted that on December 14, 2016, Resolution #16-36 was approved regarding procedures and response to ICE. She noted that this revision adds a reference to ICE in this policy to ensure those protections extend to ALL students. Specifically, the wording 'immigration status' was included in this BP 5145.3 which already existed.

**13. REPORTS TO THE BOARD**  
**A. Update on 2017-2018 Governor's Budget Proposal - Steve Dickinson**

*President Herrera requested a 5 minute break at 7:05 pm. Open Session resumed at 7:11 p.m.*

**Highlights:**

At 2<sup>nd</sup> Interim in March we will be forced to discuss our most current assumptions as we require a multi-year projection.

- Theme for budget: broad recognition of increased risk as we move out into the future, as expected revenue has slowed way down, and is under their forecast.
- The Governor's budget is just proposing for public education funding that it increase by only a COLA amount of 1.48%.
- Governor's budget also stated that this is a good time to be building our reserves. Will be advising that we don't spend any of that \$17M.
- 1.48% COLA will be applied to some of the other revenue streams, which is good as several of these have received no additional monies at all, an example being SPED.
- 1.48% COLA: average estimate of \$127/student. 15,600ADA; an increase of about \$2M in our LCFF monies.
- In perspective, our LCFF funding numbers: total statewide money for 17/18 the state is planning to spend \$744M more toward the LCFF which represents the 1.48% COLA, which is much smaller than in prior years.
- Trustee Hall asked if the \$2M LCFF funds for next year of the \$2M would cover increased costs. Dickinson responded 'no', and indicated this would most certainly turn the 17/18 into a deficit.
- Discretionary funds are a much lower amount than we've seen in the past 3-4 years or \$48/student.
- Career Education Funding – this has slowed way down. In 18/19 we will have to take on all of these costs if this plan doesn't change. These monies will come from our own General Fund, or we will have to look at new funding sources.
- Federal Programs: we must continue to keep abreast of what is happening at the national level with respect to Nutrition Services funds and Title funds, for example.
- Action item will be presented next month authorizing us to participate in a TRANs if needed.
- Trustee Hall asked regarding the TRANs request and what the deferral is statewide. Dickinson stated that this shifts \$859M or about \$2M for us.

Dickinson also noted that our STRS rates – saw a release that STRS will consider decreasing their investment assumption which would mean higher rates for us. The schedule is set for 19.1% by 2021, however, for two more years they could go up to 20 ¼%.

#### 14. BOARD MEMBERS' REPORTS AND COMMUNICATIONS

- A. Trustee Hall
  - No report
- B. Trustee Edmonds
  - Trustee Edmonds referenced the audit report and unfunded liability for unused vacation. He stated that the Superintendent mentioned the policy for a cap at 42 days for Certificated Management. He noted that at one time we had no such policy for Classified Managers. He asked if we have an unfunded liability for this group, and requested information on this in a weekly update.
- C. Trustee Sher
  - No report.
- D. President Herrera
  - No report.
- E. Vice President Davis
  - Dr. Davis requested that the board be forwarded a copy of the final document of the charter policy with all revisions. Trustee Hall also requested that this be posted on Granicus in order that the applicant know this is our final policy.

#### 15. ITEMS FOR FUTURE CONSIDERATION

- No items.

#### 16. ADJOURNMENT

President Herrera reported the meeting was adjourned at 7:25 p.m. Closed session resumed at and concluded at 9.15 p.m.

#### BOARD OF TRUSTEES

  
Karen M. Sher, Clerk

Approved as presented

March 1, 2017

  
Dr. Penelope A. DeLeon, Secretary  
and Superintendent of Schools

Board meetings are video recorded and are available at:  
<http://www.ouhsd.k12.ca.us/about/schoolboard/datesagendas.htm>