

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, OCTOBER 13, 2014, 6:15 P.M.
Oakdale City Council Chambers
277 N. Second Avenue, Oakdale, CA

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| CALL TO ORDER | 1.1 | The meeting was called to order at 6:15 P.M. by Board President Diane Gilbert. |
| TRUSTEES PRESENT | 1.2 | Diane Gilbert, Mike House, Tina Shatswell, and Mike Tozzi. Student representative Rachelle Pabalan was present for open session. |
| LATE ARRIVALS | 1.3 | None |
| TRUSTEES ABSENT | 1.4 | Barbara Shook |
| VISITORS PRESENT | 1.5 | John Arsenio, Debbie Bohannon, Larry Bonds, Lance Campbell, Sandy Campbell, Melissa Clark, Rhonda Duarte, Stacy Graham, Lisa Greenhow, Kathy Jenkins, Courtney Jericoff, Nancy Kern, Linda Kraus, Tim Matthies, Catherine Medlin, Gail Minick, Mark Mutoza, Mickey Peabody, Rachelle Savage, Amy Simons, Jeannette Vessells |
| CLOSED SESSION | 2.0 | Board President Diane Gilbert adjourned the meeting into Closed Session at 6:15 p.m. Open Session reconvened at 6:30 p.m. |
| PLEDGE OF ALLEGIANCE | 3.0 | Board member Mike Tozzi introduced Magnolia Elementary students: Kaili Jericoff, Grade 4, Nicole Carter, Grade 5, and Natalia Wetenkamp, Grade 6. These students led the Pledge of Allegiance and were awarded Certificates of Appreciation for their participation. |
| ACTION FROM CLOSED SESSION | 4.0 | President Gilbert reported that the Board voted (4-0) to approve the stipulated expulsion of students for violations of Ed Code: #14-15-01 for 48900 (b), 48900 (k), 48915 (a) (2) and 48915 (b) (2) for Fall 2014 and Spring 2015 semesters. #14-15-02 for 48900 (b), 48900 (h), 48900 (k), 48900 (j), 48915 (a) (2), 48915 (b) (2), and 48915 (c) (1) for One Calendar Year; eligible to Enroll after October 8, 2015. |
| PUBLIC COMMENTS | 5.0 | President Gilbert opened the Public Comments portion of the agenda at 6:37 p.m. |
| MICKEY PEABODY | | Mickey Peabody addressed the Board regarding the co-ed freshman PE requirement, sharing her granddaughter's experience last year where she was uncomfortable with the co-ed environment and was failing PE |

because she did not want to dress out or participate. She said her granddaughter did get through it and is doing well in an Aerobics class this year, but noted a nationwide study that shows that what happens in first PE exposure in high school can have a long-term effect, and shared copies of a recent Modesto Bee article titled “Where Self Esteem Goes to Die: PE Class”.

Trustee Tozzi noted this is his 4th or 5th term as a board member and this is the first time this issue has been brought to the Board, and will read the article. Trustee Shatswell shared that she played sports with all girls and a female teacher, but also hated PE. In response to a question from Trustee Gilbert about PE grades, Superintendent Malone explained that PE grades are largely based on participation, dressing out, skills assessment component and testing. Superintendent Malone also addressed the issue of segregated versus integrated PE at the high school level explaining that the WASC (Western Association of Schools and Colleges) Accreditation process mandates that we have co-ed PE.

PAT BICKNELL

Pat Bicknell extended an invitation to the Board and administrators to attend a special event on the topic of Common Core to be hosted November 5 at 1:00 pm in Hughson and an educational forum at Modesto Center Plaza later that evening, and noted event speakers Sandra Stotsky and James Milgram were members of the Common Core validation committee who did not approve the new standards.

Public Comments closed at 6:50 p.m.

APPROVE ORDER 6.0
OF AGENDA

It was **M/S/C (House/Tozzi)** to approve the order of agenda items for this meeting. All members voted in favor.

ANNOUNCEMENTS

7.1 None

ORGANIZATION
REPORT, OTA

8.1 Stacy Graham, OTA President, introduced Linda Kraus, CTA Service Center Council Chair, who gave an update on Campaign 2014. Ms. Kraus listed the reasons for CTA’s endorsement of current incumbent Tom Torlakson for State Superintendent of Public Instruction and asked others to support him as well.

ORGANIZATION
REPORT, CSEA

8.2 Mark Mutoza, CSEA President, had nothing to report.

ORGANIZATION
REPORT, STUDENT

8.3 Rachelle Pabalan reported that OHS Homecoming activities went well, including the Powder Puff Game which the juniors won this year, the Football game against Weston Ranch which we won, royalty was crowned, there was good participation in dress up days, and a successful community oriented event with the parade. She reported there was a “sea of red” at the Levi’s Stadium game last weekend when Oakdale won their Football game against Manteca, and there will be a big game vs. Sierra this Friday. She reported the

house was packed for Drama's great first production of the year this last weekend with "Mulan". She also reported the American Heritage Scholarship program deadline this Friday, and this year's topic has to do with whether public schools have the right to seize electronic devices in order to protect a safe learning environment. Trustee Tozzi noted that he has been an American Heritage Scholarship Essay judge in the past and asked that Rachelle pick one of the OHS student essays to share with the Board. Rachelle said she would do that after the Awards Ceremony in November.

Superintendent Malone announced that Rachelle was notified today that she won a very competitive scholarship from Nordstrom's for \$10,000 and a MacBook Air. Rachelle shared that there were 12,000 applicants for the first stage of this multi-process competitive scholarship, 125 made it to the next stage, and those were narrowed down to 80 winners.

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| REMOVE ITEMS FROM
CONSENT CALENDAR | 9.1 | There were no requests to remove items from the Consent Calendar. |
| ADOPT CONSENT
CALENDAR | 9.2 | It was M/S/C (Tozzi/Pabalan) to adopt the Consent Calendar as presented. Passed unanimously. |
| ADOPT MINUTES OF
9/8/14 AS PRESENTED | 9.3.1 | On adoption of the Consent Calendar, the board adopted minutes of its regularly scheduled meeting held Monday, September 8, 2014, as presented. |
| REVIEW QTRLY. REPORT,
WILLIAMS COMPLAINTS | 9.3.2 | On adoption of the Consent Calendar, the board reviewed the Quarterly Report on Williams Settlement Complaints, as presented. |
| APPROVE INTERDISTRICT
& ALLEN BILL REQUESTS | 9.4.1 | On adoption of the Consent Calendar, the board approved interdistrict attendance or Allen Bill requests, 2014-15 school year, as presented. |
| ACKNOWLEDGE STUDENT
DISCIPLINE REPORT, 9/14 &
2-YEAR COMPARISON | 9.4.2 | On adoption of the Consent Calendar, the board acknowledged the Student Discipline Report for the month of September, 2014, and Prior Two-Year Comparison, as presented. |
| APPROVE OHS WINTER
ATHLETIC SCHEDULES | 9.4.3 | On adoption of the Consent Calendar, the board approved OHS Athletic Schedules, Winter 2014-15, as presented. |
| APPROVE OVERNIGHT
TRIPS, OHS WRESTLING TEAM | 9.4.4 | On adoption of the Consent Calendar, the board approved OHS Wrestling Team Overnight Trips, as presented. |
| APPROVE OVERNIGHT
TRIP, OHS VARSITY GIRLS
BASKETBALL TEAM | 9.4.5 | On adoption of the Consent Calendar, the board approved OHS Varsity Girls Basketball Team Overnight Trip, as presented. |

- APPROVE ADMINISTRATION PLAN FOR CALIFORNIA HEALTHY KIDS SURVEY 9.4.6 On adoption of the Consent Calendar, the board approved Administration Plan for California Healthy Kids Survey, as presented.
- APPROVE WARRANTS THRU 9/26/14, & CYCLE I & CYCLE II PAYROLL FOR SEPTEMBER 2014 9.5.1 On adoption of the Consent Calendar, the board approved district warrants prepared for payment through September 26, 2014, and Cycle I & II Payroll for September, 2014, as presented.
- APPROVE CONSULTANT AGREEMENTS 9.5.2 On adoption of the Consent Calendar, the board approved Consultant Agreements, as presented.
- APPROVE ASB ACCOUNTS, OJHS, AUGUST 2014 9.5.3 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale Junior High School, August 2014, as presented.
- APPROVE ASB ACCOUNTS, OHS, AUGUST 2014 9.5.4 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale High School, August 2014, as presented.
- AUTHORIZE DISPOSAL, OBSOLETE EQUIPMENT & MATERIALS 9.5.5 On adoption of the Consent Calendar, the board authorized Disposal of Obsolete Equipment & Materials, as presented.
- ACCEPT RETIREMENT 9.6.1 On adoption of the Consent Calendar, the Board accepted retirement of Patti Hendrix, Human Resources Specialist, effective 12/30/14, as presented:
- ACCEPT RESIGNATIONS 9.6.2 On adoption of the Consent Calendar, the Board accepted resignations, as presented:
Monique Gillotti, ASPL-1, Sierra View, effective 9/18/14
Nicole Kupper, Title 1 Instr. Aide, Sierra View, eff. 10/15/14
- APPROVE EMPLOYMENT 9.6.3 On adoption of the Consent Calendar, the Board approved employment, as presented:
Katherina Heiny, ASPL-1, Fair Oaks, eff. 10/08/14
Jennifer Hendrix, Cafeteria Clerk, Fair Oaks, eff.9/12/14
Linda Jantz, Cafeteria Clerk, Sierra View, eff. 9/17/14
Karli Leverett, RS Instr. Aide, Sierra View, eff. 10/02/14
Rhianna Miller, ASPL-1, Sierra View, eff. 10/01/14
Teresa Suniga, ASPL-1, Magnolia, eff. 10/01/14
- REPORT, 504 PLANS 11.1 Assistant Superintendent Mendonca presented a report on Section 504 Accommodation Plans, explaining that Section 504 is a federal civil rights law under the Rehabilitation Act of 1973 which provides protection against discrimination for individuals with disabilities and is designed to “level the playing field” by providing

“equal access” and “fairness” in general education to students with disabilities through what is known as a Section 504 Accommodation Plan. He noted a student is entitled to a Section 504 Accommodation Plan if they have been identified and the evaluation shows that the individual student has a mental or physical impairment that substantially limits one or more major life activities, and the determination is made by a team of knowledgeable individuals who are familiar with the student and his/her disability. He noted he is the District Coordinator of Section 504 (ADA), and introduced Tracey Jakubowski, Program Specialist for Special Education (IDEA). He noted that Ms. Jakubowski attends 300-400 IEP’s a year throughout our district as well as the county because we have students placed in regional locations throughout the county.

Mr. Mendonca reviewed distinctions between Americans with Disabilities Act of 1990 (ADA) and Individuals with Disabilities Education Act (IDEA), clarifying that ADA provides access while IDEA provides services. He also provided an overview of 504 Plans, the eligibility process and how parents refer for/access a 504 Plan, implementation of the plan, monitoring and review of such individualized accommodation plans, as well as district figures of the 91 plans currently in place.

In response to a question from Mr. Tozzi about the process being overwhelming, Mr. Mendonca noted the process can be overwhelming because the 504 process to make determination is very involved and due to provisions in law and legal requirements. He also noted the vast majority of 504’s are plans that the nature of the student disability doesn’t impact the student’s ability to be held to the student conduct code. Trustee Tozzi asked if it would be possible to see a report identifying the nature of student disabilities and where you have to make accommodations, i.e. autism, etc. Trustee Shatswell shared her personal experience with the 504 process and that the district bent over backwards to make sure her son had the right plan and appropriate program, and the paperwork alone is overwhelming.

Mr. Mendonca described the 504 process at the request of Trustee Gilbert, starting with the SST meeting; if we know student has medical or psychological condition that is impacting them at school we need to have SST or at parent request we have assessment. Once they are at that process,

there are a certain number of days to gather information and convene all relevant partners, i.e. teacher, site administrator, counselor, nurse, psychologist. In response to a question from Trustee Gilbert about who is responsible for calling a 504 meeting, Mr. Mendonca said a parent can call a 504 meeting at any time but generally a 504 meeting is scheduled annually, and that the 504 Coordinator is responsible to keep that calendar. In response to a question from Trustee Gilbert about whether a new teacher in fall would be aware of a 504 plan put in place in spring semester the previous year, Mr. Mendonca explained that within the first few days of school we want to make sure teachers know what accommodations need to be in place for that student.

REPORT, ACCOUNTABILITY
PROGRESS REPORT

- 11.2 Assistant Superintendent Rapinchuk presented a report that included changes in Accountability Progress Reporting due to the vast reduction in paper and pencil testing in California, remaining student achievement data pertinent to OJUSD program planning, and future of testing and accountability. She noted that in spring 2014 the paper and pencil testing historically included in the STAR was vastly reduced as California piloted the Smarter Balanced Assessment which is a computer based test, and the elimination of many STAR components resulted in limited Accountability Progress Reporting for California.

She shared testing data in science in grades 5, 8, and 10, noting positive results that OJUSD has a higher percentage of Advanced and Proficient and lower percentage Below Basic and Far Below Basic in grades 5 and 10 compared to the county. She felt the less favorable results for grade 8 may be an anomaly for Spring 2014. She also reported the only paper and pencil testing taking place in Spring 2015 will be for CAHSEE and that we will continue Science assessments including CST, CAPA and CMA in grades 5, 8, and 10.

She noted there are no elementary or junior high AYP or API Reports, and elementary Program Improvement Status is identical to the previous year. She also reviewed CAHSEE Pass Rates for last year's seniors, and a preview of the testing calendar for Spring 2015.

ADOPTION OF RESOLUTION
#14-15-05, RED RIBBON WEEK

- 12.1 Armida Colon, Director of State and Federal Programs, presented this item proclaiming the district's Red Ribbon Week October 27-30, and requested the board waive reading of the resolution for Red Ribbon Week.

It was **M/S/C (Tozzi/House)** to adopt Resolution #14-15-05 Proclaiming Red Ribbon Celebration. A Roll Call Vote was taken with all members voting in favor.

- PUBLIC HEARING, PRESENT INITIAL PROPOSAL TO MODIFY OTA AGREEMENT** 12.2 Assistant Superintendent Terri Taylor reported we are in the second year of a 3-year contract, with standard salary and health and welfare benefits re-openers, with 2 articles of each side's choice and 1 article by mutual agreement. Proposals will be posted at the district office for 30 days and then will begin negotiations. Lance Campbell, OTA Chief Negotiator, and Terri Taylor, Assistant Superintendent, exchanged proposals to modify the OTA agreement.
- Board President Gilbert opened Public Comments at 8:04 p.m. There being no public comments, the public hearing closed at 8:05 p.m.
- PUBLIC HEARING, PRESENT INITIAL PROPOSAL TO MODIFY CSEA AGREEMENT** 12.3 Assistant Superintendent Taylor reported we are in the year we do a successor agreement to a three-year contract and re-openers. Mark Mutoza, CSEA President and Chief Negotiator, and Terri Taylor, Assistant Superintendent, exchanged proposals to modify the CSEA agreement.
- Board President Gilbert opened Public Comments at 8:06 p.m. There being no public comments, the public hearing closed at 8:06 p.m.
- INFORMATION**
- 13.1 Secondary Fall Choir Concert, October 15, OHS Theater, 6:00 pm & 7:30 pm
 - 13.2 Red Ribbon Week, October 27 – 31
 - 13.3 OJHS Fall Band Concert, October 29, OJHS Gym, 7:00 pm
 - 13.4 Minimum Day K-12, Wednesday, October 30
 - 13.5 No School/Sites Closed, Friday, October 31
 - 13.6 Music Booster Dinner Auction, November 1, OHS Gym, 5:00 – 8:00 pm
 - 13.7 Grade 1-6 Minimum Day / Parent Teacher Conferences, November 3 – 7
 - 13.8 No School/Sites Closed, Monday, November 10
 - 13.9 Veteran's Day Holiday, Tuesday, November 11
 - 13.10 FFA All American Dinner/Fundraiser, November 12, Bianchi Center 6:00 pm

- ITEMS FOR FUTURE AGENDA
- 14.1 Report on Career Cruising (Tentative)
 - 14.2 Developer Fee Report
 - 14.3 Possible Development of Brady Road School Farm
- ADJOURNMENT
- 16.0 The meeting adjourned at 8:08 p.m.