

MINUTES  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
MONDAY, APRIL 14, 2014, 5:30 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 5:30 P.M. by President Diane Gilbert.   |
| TRUSTEES PRESENT           | 1.2 | Diane Gilbert, Tina Shatswell, Barbara Shook and Mike Tozzi. Student representative Dylan Hawksworth-Lutzow was present for Open Session.  |
| TRUSTEES ABSENT            | 1.3 | Mike House   |
| VISITORS PRESENT           | 1.4 | Nancy Adian, Jeff Aprile, Chris Arsenio, John Arsenio, Maggie Banducci, Denise Bianchi, Larry Bonds, Rhonda Duarte, Lisa Greenhow, Karen Hart, Dee Hawksworth, Russ Herrington, Deborah Hicks, Kathleen Jenkins, Alex Keyser, Linda Kraus, Myeshiea Lee, Karyn Miller, Cameron Nickerson, Shauna Rico, Marlo Smith, Diane Stevenson, Lauren Tanis, Jeannette Vessells  |
| CLOSED SESSION             | 2.0 | President Gilbert adjourned the meeting into Closed Session at 5:30 p.m. Open Session reconvened at 6:30 p.m.  |
| PLEDGE OF ALLEGIANCE       | 3.0 | Trustee Tozzi introduced Sierra View elementary students: Leslie Valenzuela Franco, Grade 3, Bailey Johnson, Grade 2, and Jayci Volonte, Grade 1. These students led the Pledge of Allegiance were presented Certificates for their participation.   |
| ACTION FROM CLOSED SESSION | 4.0 | President Gilbert reported that in Closed Session the Board voted (4-0) to approve the stipulated expulsion of a student for the spring semester 2014 and fall semester 2014:<br>#14-15-014 for Violation of Education Code 48900 (a) (1), 48900 (k), and 48915 (b) (1).<br><br>President Gilbert reported the board had discussion on the Volz Scholarship selection but no action was taken.<br><br>President Gilbert also reported the Board had discussion on Public Employee Evaluation for the Superintendent but no action was taken. |
| PUBLIC COMMENTS            | 5.0 | President Gilbert opened the Public Comments portion of the agenda at 6:39 p.m.  |
| FRED YERZEY                |     | Assistant Superintendent Teri Taylor recognized Oakdale Junior High School staff that performed emergency CPR procedures on OJHS teacher   |

Fred Yerzy on March 6: Denise Bianchi, Rosaura Contreras, Karen Hart, Rachel Walsh-Ponce, and Jon Webb. It was noted that the quick actions of these staff members helped save Mr. Yerzey's life. Mr. Yerzey was in the audience and expressed his thanks to these staff for assisting him, as well as John Simons and Becky Simoncini, and expressed appreciation for everyone's efforts and the tsunami of support he has received.

RUSS HERRINGTON

Russ Herrington, parent of an OJUSD student, addressed the board to follow up on communication he started with the Board about two months ago and hadn't heard any follow-up. He stated that on February 6 his son had a fever and was sent home that day because the site nurse determined he had not been "fever-free" long enough and missed his GATE play and Science Olympiad practice which caused great angst for his son. He contacted the site and was told there is a section called "*Is your child too sick for school*"; he looked it up and then contacted Mr. Mendonca and asked for the equivalent policy for teachers/district employees and was told no such policy existed. Mr. Herrington stated that he feels that anyone who sets foot on school sites should be subject to the same criteria as students are. Today he contacted Superintendent Malone and this was reiterated by the Superintendent that: "This right is afforded certificated staff by the collective bargaining agreement between the OTA and the Oakdale Joint Unified School District" and that "The Oakdale Joint Unified School District will continue to practice the *fever free for 24 hours* as recommended by the national association of school nurses and uphold the labor agreement between Oakdale Joint Unified School District and OTA."

Mr. Herrington's concern is that when you don't have spelled out standards you run into the situation where you put your employees in a tight spot that the criteria is so vague and arbitrary that employees don't have anything to measure whether they are too sick. He also stated that in corresponding with Mr. Malone he was told that employees are expected to use their "professional judgment", and Mr. Herrington questioned whether staff who is not medical personnel is qualified to make a determination whether they are too sick to be at school. Mr. Herrington also stated that since we have standards that are set by school nurses for students; why not let them also set standards for employees. He also stated that there was a teacher at his school site who had a child at school in the same situation as his son and that child was not sent home, and he questioned why the community is being held to a higher standard and criteria than district employees are. He also feels the school district and Board owes the community a fact filled response as to why there seems to be a double standard on this issue and why the district seems to be hesitant to hold employees to the same health standards as students. He asked if he would be getting a response in writing because he hasn't heard anything since e-mail communication stopped two months ago.

Board President Gilbert addressed Mr. Herrington to say that she did communicate with him several times, as did Trustee Shook, and that in his e-mail he was looking for resolution in board policy; and her response to him, as well as Mr. Mendonca's and Ms. Shook's response, was that it is not contained in policy but is contained in the OTA agreement which was sent to him. Mr. Herrington stated that information did not correspond and he asked what guidelines teachers or any employee use when they judge whether they are too sick. He stated that the district website has the 24 hour fever policy for students but not for employees, and feels the board owes it to the community to rectify and explain why they are allowed to do that. Ms. Gilbert reiterated that teachers use professional discretion as spelled out in the OTA agreement.

LINDA KRAUS

Linda Kraus, OTA President, responded to Mr. Herrington's comments and stated that if he were a retired teacher she would be willing to bet that he did not check in to nurses every day when he went to work nor did he wear a forehead thermometer and walk around campus, and stated that our teachers will not agree to such an agreement.

Public Comments closed at 6:53 p.m.

APPROVE ORDER 6.0  
OF AGENDA

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

RECOGNITION, ACA  
DECA STATE TEAM

7.1 Members of the OHS Academic Decathlon state competing team and coach were recognized, and it was noted the OHS Academic Decathlon team has won the county championship for fourteen consecutive years:

- |                           |                     |
|---------------------------|---------------------|
| - Ashley Caron            | - Alex Keyser       |
| - Eva Galindo             | - Taryn Lane        |
| - Caitlin Golding         | - Jared Medeiros    |
| - Dylan Hawksworth-Lutzow | - Cody Peterson     |
| - Adam Jensen             | - Coach Linda Dodge |

RECOGNITION,  
OCCUPATIONAL  
OLYMPICS AWARDS

7.2 Oakdale High School students were recognized for 1st – 3rd place awards they received at the 29<sup>th</sup> Annual Stanislaus County Occupational Olympics held on March 26:

- |                       |   |
|-----------------------|---|
| Automotive Technology | - Brent Downs, 1 <sup>st</sup> Place          |
|                       | - Anthony Solis, 2 <sup>nd</sup> Place        |
|                       | - Samuel Lubbers, 3 <sup>rd</sup> Place       |
|                       | - Advisor Josh Bennett                        |
| Business Applications | - Katie Homer, 1 <sup>st</sup> Place          |
|                       | - Advisor Kellie Felix                        |
| Medical Occupations   | - Aaron Aquino, 1 <sup>st</sup> Place         |
|                       | - Jessica Stevenson, 2 <sup>nd</sup> Place    |
|                       | - Advisor Mike Brennan<br>(formerly Em Rippe) |

ORGANIZATION  
REPORT, OTA

- 8.1 OTA President Linda Kraus reported on participation in the LCAP presentation at the OTA Site Rep Council meeting on March 13 and that staff were able to provide input on an online survey. On March 17 Diane Stevenson and Pete Simoncini were selected as School Bell Award recipients and will be recognized at the annual dinner on May 2 at Seasons in Modesto. She also reported on attending the Occupational Olympics on March 26, as she has a number of years in CTA capacity, and got to see a lot of administrators present this year to support students and check out the competition. She reported that OTA elected new officers for the 2014-15 school year and is happy to present the list to Ms. Taylor, Mr. Malone, and Ms. Gilbert.

Superintendent Malone noted Ms. Kraus will be stepping down as OTA President next year and, on behalf of Cabinet and the Board, thanked her for the relationship she forged with Cabinet and the Board and expressed appreciation for Linda's service and willingness to work with the district. He also noted OTA will be in good hands with Stacy Graham as President next year.

ORGANIZATION  
REPORT, CSEA

- 8.2 None

ORGANIZATION  
REPORT, STUDENT

- 8.3 Student representative Dylan Hawksworth-Lutzow reported on activities at Magnolia, Oakdale Jr. High, and Oakdale High. Magnolia held a *Pennies for Patients* drive for the Leukemia and Lymphoma Society, PTC held a Bingo Night March 28 and raised funds to purchase playground equipment, friends and families held a school cleanup on April 12, they are doing Project Alert presentations for 6<sup>th</sup> graders to prevent drugs and alcohol, they and all elementary schools will participate in Drugstore Project on May 6, the Science Olympiad team won some medals, they had a Rodeo Spirit Day on April 11, they had CST's and Common Core testing, Ag Day is May 2, they will hold a 4<sup>th</sup>-6<sup>th</sup> grade Track and Field Day on May 16, and Open House is on May 8.

The Junior High also held a *Pennies for Patients* drive for Leukemia and Lymphoma Society, Common Core and CST testing, held the last junior high dance of the year on April 11, held their first annual talent show, and are taking signups for the 8th grade trip to *Funworks*.

The high school held a Prom Fashion Show and Prom Movie Night, Prom on May 3, Gay/Straight Alliance Day of Silence, will hold a Boys Power Puff Volleyball Game sometime in May, Rainbow Prom is April 19, Spring sports continue, Science Olympiad went to state, and Spring break starts Friday.

- REMOVE ITEMS FROM CONSENT CALENDAR 9.1 Trustee Tozzi requested Item 9.4.3 and Trustee Gilbert requested Item 9.3.4 be removed from the Consent Calendar.
- ADOPT CONSENT CALENDAR 9.2 It was **M/S/C (Tozzi/Shook)** to adopt the amended Consent Calendar as presented. Passed unanimously.
- ADOPT MINUTES OF 3/10/14 AS PRESENTED 9.3.1 On adoption of the Consent Calendar, the Board adopted minutes of its regularly scheduled meeting held Monday, March 10, 2014, as presented.
- ADOPT MINUTES OF 3/28/14 AS PRESENTED 9.3.2 On adoption of the Consent Calendar, the Board adopted minutes of the special meeting held Friday, March 28, 2014, as presented.
- APPROVE QTRLY. REPORT WILLIAMS COMPLAINTS 9.3.3 On adoption of the Consent Calendar, the Board approved the Quarterly Report on Williams Settlement Complaints, as presented.
- APPROVE INTERDISTRICT & ALLEN BILL REQUESTS, 2013-14 OR 2014-15 9.4.1 On adoption of the Consent Calendar, the Board approved interdistrict attendance transfer or Allen Bill requests, 2013-14 or 2014-15 school year, as presented.
- ACKNOWLEDGE STUDENT DISCIPLINE REPORT, FEBRUARY 2014 9.4.2 On adoption of the Consent Calendar, the Board acknowledged the Student Discipline Report for the month of February, 2014, and Prior Two-Year Comparison, as presented.
- APPROVE WARRANTS THRU 4/4/14, AND CYCLE I & II PAYROLL FOR MARCH 2014 9.5.1 On adoption of the Consent Calendar, the Board approved district warrants prepared for payment through April 4, 2014, and Cycle I and II Payroll for March 2014, as presented.
- APPROVE CONSULTANT AGREEMENTS 9.5.2 On adoption of the Consent Calendar, the board approved Consultant Agreements, as presented.
- AUTHORIZE DISPOSAL OF OBSOLETE EQUIP. & MATERIALS 9.5.3 On adoption of the Consent Calendar, the Board authorized Disposal of Obsolete Equipment and Materials as presented.
- APPROVE ASB ACCOUNTS, OJHS, FEBRUARY 2014 9.5.4 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale Junior High School, February 2014, as presented.
- REJECT CLAIM FOR INJURY 9.6.1 On adoption of the Consent Calendar, the Board Rejected Claim for Injury/Damages, Case # 140023-K, as presented.
- REJECT CLAIM FOR INJURY 9.6.2 On adoption of the Consent Calendar, the Board Rejected Claim for Injury/Damages, Case # 140023-F, as presented.
- APPROVE LEAVE 9.6.3 On adoption of the Consent Calendar, the Board approved 16-Day Intermittent Leave of Absence for Jane Gonzales for the 2014-15 School Year, as presented:

- APPROVE JOB DESCRIPTION & POSITIONS, ACADEMIC COACH 9.6.4 On adoption of the Consent Calendar, the Board Approved Academic Coach Job Description and Positions, as presented.
- APPROVE ASSIGNMENT, K. BELAND & L. KRAUS, ACADEMIC COACHES, 2014-15 9.6.5 On adoption of the Consent Calendar, the Board Approved Temporary assignment of Keeli Beland, OJHS, and Linda Kraus, Sierra View, to Academic Coach positions for the 2014-15 school year, as presented.
- APPROVE CONTINUING ASSIGNMENT, L. JONES & G. WEGENER, INST. INTERVENTION SPECIALISTS, 2014-15 9.6.6 On adoption of the Consent Calendar, the Board Approved continuing temporary assignment of Lissa Jones, OHS, and Gillian Wegener, OJHS, to Instructional Intervention Specialist positions for the 2014-15 school year, as presented.
- ACCEPT RESIGNATION 9.6.7 On adoption of the Consent Calendar, the Board accepted resignations, as presented:  
Suzanne Lelieur, Noon/Yard Duty, Cloverland, eff. 5/22/14  
Bruce Reeh, Custodian, Fair Oaks, effective 3/31/14
- ACCEPT RETIREMENT 9.6.8 On adoption of the Consent Calendar, the Board accepted retirement effective 6/30/14, as presented:  
James Cox, PE/Work Experience Teacher, Oakdale High  
Debbie Cuculich, Resource Teacher, Cloverland  
Julie Granzella, English Teacher, East Stanislaus  
Kent Mitchell, District Psychologist  
Diane Noon, Transitional Kindergarten Teacher, Sierra View
- ACCEPT RETIREMENT 9.6.9 On adoption of the Consent Calendar, the Board accepted retirement, as presented:  
Fred Ditko, Groundsworker, OHS, effective 6/30/14  
Annette Kimball, Supervisor of After School Programs, Magnolia, effective 5/22/14  
Lorrayne Ripley, Resource Inst. Aide, Cloverland, eff. 5/22/14
- APROVE EMPLOYMENT 9.6.10 On adoption of the Consent Calendar, the Board accepted employment, as presented:  
Linda Martinez, Health Clerk, Cloverland, effective 4/1/14
- DISPOSITION OF ITEMS REMOVED FROM CONSENT, 9.3.4, APPROVE RESOLUTION #13-14-11, EXCUSE ABSENCES 10.0 Board President Gilbert removed from consent to approve absences of Trustee House from the special board meeting on March 28 and the regularly scheduled board meeting on April 14 through Roll Call vote.

It was **M/S/C (Shook/Shatswell)** to approve Resolution # 13-14-11, to Excuse Absences of Board Member, as presented. A Roll Call Vote was taken and approved 4-0 (Ayes: Gilbert, Shatswell, Shook, Tozzi; Absent: House).

9.4.3, ACCEPT DONATION OF  
PIANO TO MAGNOLIA ELEM.

Trustee Tozzi requested background on this donation. Superintendent Malone explained that Coach Norm Antinetti contacted the district with the desire to donate his late wife's piano to Magnolia Elementary School. It was noted that Pam Antinetti had been a long-time teacher, principal and board member and her piano has found a wonderful home at Magnolia.

It was **M/S/C (Tozzi/Shook)** to accept donation of piano from Norm Antinetti to Magnolia Elementary School, as presented. Passed unanimously.

REPORT, FACILITIES  
UPDATE

- 11.1 Larry Mendonca, Assistant Superintendent of Pupil Services and Facilities, presented an update on facilities projects, including Central Kitchen location at Cloverland, Central Kitchen Floor Plan, and Development of Guaranteed Maximum Price. He noted that Central Kitchen final plans have moved forward and been approved and will present Guaranteed Maximum Price to the Board for approval in May, and plan to break ground this summer. He reported that Cloverland multi-purpose room location and site plan have been approved and they will move portable classrooms to another area this summer to make room for the new building to be constructed.

Superintendent Malone noted we will have the opportunity to utilize the multi-purpose room like Sierra View does, and that our goal is parity at all elementary sites.

The potential location of the Fair Oaks multi-purpose room at the south campus was reviewed as well as floor plan coordination to work for both Cloverland and Fair Oaks, and DSA plan approval is anticipated within weeks.

Mr. Mendonca stated that we are about a month behind where we anticipated the project initially, but still have plenty of time to break ground this summer. In response to a question about timeline, Ron Holcombe stated it will take about a year, but with luck we may have a crossover to the new Central Kitchen in December.

Superintendent Malone noted there has been board action for Central Kitchen and Cloverland multi-purpose room, but we do not have board approval on the Fair Oaks multi-purpose room yet; he wants to hold off until we have an opportunity to see how it will fit at that location but plans to bring to the Board soon.

In response to a question from Trustee Tozzi about parking at Fair Oaks, Superintendent Malone reported the district negotiated a contract with FES for parking in their lot in return for fixing gates, grading and keeping potholes to a minimum.

APPROVAL OF THIRD QTR.  
DEVELOPER FEES REPORT

- 12.1 Susan Dyke, Chief Business Officer, presented the Quarterly Developer Fees Report for Board approval. She noted that third quarter collections this year are better than last year at this time.

It was **M/S/C (Tozzi/Shook)** to approve the Third Quarter Developer Fee Report. Passed Unanimously.

PUBLIC HEARING,  
LEVEL I SCHOOL  
FACILITIES FEE INCREASE

- 12.2 Assistant Superintendent Mendonca presented a report on the Developer Fee Justification Study and Proposed Increase of Level I School Facilities Fees. Board President Gilbert opened the Public Hearing on 2014 Developer Fee Justification Study and Proposed Increase of Level I School Facilities Fees at 7:40 p.m. There being no comments, Public hearing closed at 7:40 p.m.

ADOPTION OF RESOLUTION  
#13-14-10, LEVEL I SCHOOL  
FACILITIES FEES INCREASE

- 12.3 Board President Gilbert waived reading of the resolution and requested adoption of Resolution # 13-14-10, Establishing an increase to Level I School Facilities Fees which will increase fees from \$3.20 to \$3.36 per square foot residential and from \$ 0.51 to \$ 0.54 per square foot commercial effective June 13, 2014.

It was **M/S/C (Tozzi/Shatswell)** to adopt Resolution #13-14-10, Establishing an Increase to Level I School Facilities Fees. A Roll Call Vote was taken with all Board members voting in favor. Ayes: Gilbert, Shatswell, Shook, Tozzi; Hawksworth-Lutzow (Advisory); Absent: House

INFORMATION

- 13.1 Spring Break, April 18 – 25
- 13.2 Relay for Life, OHS Soccer Field, Saturday, April 26 – Sunday, April 27
- 13.3 Ag Day / Magnolia and Sierra View, May 2
- 13.4 CTA School Bell Dinner, Seasons Event Center, May 2, 6-9:00 pm
- 13.5 OHS Senior Award Night, Bianchi Center, May 6, 6:30 pm
- 13.6 Combined OHS Band and Jazz Band Concert, OHS Theater, May 7



- 13.7 FFA Awards Banquet, Bianchi Center, May 7
- 13.8 K-6 Minimum Day / Open House at Elementary Sites, 6:30 – 7:30, May 8
- 13.9 OHS Senior Honors Assembly, May 12, 11:02 – 11:42 am
- 13.10 Retirees Reception, May 12, 2012, OJUSD Technology & Staff Development Center, 5:00–6:30 pm. / Board Meeting, 6:30 pm

## ITEMS FOR NEXT AGENDA

Board President Gilbert noted the next meeting will be chaired by student board member Dylan Hawksworth-Lutzow.

- 14.1 Retirement Recognition
- 14.2 Public Hearing on LCAP Review
- 14.3 Public Hearing on District Budget
- 14.4 Approval of Guaranteed Maximum Price Contract for Central Kitchen Project

## ADJOURNMENT

- 16.0 The meeting adjourned at 7:43 p.m.