

MINUTES
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, DECEMBER 9, 2013, 5:30 P.M.
Oakdale City Council Chambers
277 N. Second Avenue, Oakdale, CA

- CALL TO ORDER 1.1 The meeting was called to order at 6:03 P.M. by Board President Mike Tozzi.
- TRUSTEES PRESENT 1.2 Diane Gilbert, Mike House, Tina Shatswell and Mike Tozzi. Student Representative Dylan Hawksworth-Lutzow was present for Open Session.
- TRUSTEES ABSENT 1.3 None
- VISITORS PRESENT 1.4 Jeff Aprile, Larry Bonds, James Curtis, Kalkidan Curtis, Teri Curtis, Stacy Graham, Dee Hawksworth, Alex Keyser, Linda Kraus, James Markel, Edith Mendezk, Vivina Mendez, Mark Mutoza, David Snyder, Gillian Wegener
- CLOSED SESSION 2.0 Board President Tozzi adjourned the meeting into Closed Session at 6:03 p.m. Open Session reconvened at 6:30 p.m.
- PLEDGE OF ALLEGIANCE 3.0 Trustee Gilbert introduced Sierra View elementary students Victoria Blanc, Grade 4, Annilese Pennell, Grade 5, and Chandler Neal, Grade 6, who led the Pledge of Allegiance.
- OATH OF OFFICE 12.1 President Mike Tozzi administered the Oath of Office to re-elected members of the Board of Trustees: Diane Gilbert and Mike House, and to new member Barbara Shook. All three will serve a four-year term, which expires November 30, 2017.
- ELECTION OF BOARD OFFICERS 12.2 As required each year, the annual organizational meeting of the Board was held, which included election of school board officers and a trustee representative to vote for members of the County Committee on School District Organization.
- It was **M/S/C (Tozzi/House)** to nominate Diane Gilbert for President and the nomination was accepted. Motion passed unanimously.
- It was **M/S/C (Gilbert/Shook)** to nominate Tina Shatswell for Clerk and the nomination was accepted. Motion passed unanimously.
- It was **M/S/C (House/Shook)** to nominate Mike Tozzi as Trustee Representative to vote for members of the County Committee on School District Organization. The nomination was accepted and motion passed unanimously.

- AUTHORIZATION OF SIGNATURES 12.2 The Board was asked to designate District Office employees authorized to sign orders and warrants in the name of the district, and designate an authorized representative of the district as:
- Superintendent Marc Malone
 - Assistant Superintendent Kristi Rapinchuk
 - Assistant Superintendent Terri Taylor
 - Assistant Superintendent Larry Mendonca
 - Chief Business Officer Susan Dyke
- It was **M/S/C (Hawksworth-Lutzow/Tozzi)** to designate District Office employees named above as authorized to sign orders and warrants in the name of the district, and designate Superintendent Marc Malone as the authorized agent of the district. Passed unanimously.
- ACTION FROM CLOSED SESSION 4.0 Board President Gilbert reported that the Board voted (4-0) to approve the stipulated expulsions for Ed Code violations for students: **#13-14-06** for 48900 (b), 48900 (c), 48900 (k), 48915 (a)(2), 48915 (a)(3) and 48915 (b)(2) for Fall 2013 and Spring 2014. **#13-14-07** for 48900 (c), 48900 (i), 48900 (j), 48900 (k), 48915 (b)(1), and 48915 (b)(2) for Fall 2013 and Spring 2014.
- Board President Gilbert also reported that the Board conferred with Assistant Superintendent Taylor regarding negotiations with the district's bargaining units, OTA and CSEA, but no action was taken.
- PUBLIC COMMENTS 5.0 President Gilbert opened the Public Comments portion of the agenda at 6:43 p.m.
- PAT BICKNELL Pat Bicknell addressed the Board regarding Common Core standards, citing an article by Dr. Sandra Stotsky who served on the Common Core State Standards Initiative Validation Committee, and Jane Robbins, a senior fellow at the American Principles Project. She read from the article that people who wrote the standards do not represent the most important stakeholders and were not qualified to draft standards, the Validation Committee work was misleading, ELA standards were created with no input from secondary English teachers and are deficient in meeting college-readiness standards, there is lack of rigor, minimal content and lack of research support, that parent groups are concerned about lack of transparency, and states should reconsider Common Core adoption.
- DAVE SNYDER David Snyder reported that the OHS band has participated in the Santa Cruz Band Review the last three years and placed 10 points higher this year; they also placed first in the Lincoln Band Review.
- Public Comments Closed at 6:51 p.m.

- APPROVE ORDER 6.0 OF AGENDA It was **M/S/C (Shatswell/House)** to approve the order of agenda items for this meeting. Passed unanimously.
- ANNOUNCEMENTS, 7.0 OEF DONATION Frank Clark, OEF Treasurer, presented the district with a check for \$110,000. He noted that since its inception 10 years ago, OEF has raised over \$500,000 which has been given back to schools through innovative grants awarded to teachers that will impact the most number of students. He also noted some of these funds came from the *Support Our Schools Fun Run* which is now in its 5th year and has raised over \$40,000.
- RECOGNITION, 7.1 AMERICAN HERITAGE SCHOLARSHIP WINNERS Oakdale High School students were presented with certificates recognizing American Heritage Scholarship Series Awards for essays on the presidential election.
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| - Alex Keyser | \$500.00 |
| - Adam Jensen | \$1,000.00 |
| - Dylan Hawksworth-Lutzow | \$2,000.00 |
- Trustee Tozzi commented that he had previously been one of the judges who has reviewed the essays, and noted the essays are anonymous.
- RECOGNITION, 7.2 SEAL OF MULTILINGUAL PROFICIENCY AWARDS Oakdale High School students were presented with certificates recognizing Seal of Multilingual Proficiency Awards:
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| - Onasis Becerra (Spanish) | - Fernando Cruz (Spanish) |
| - Kalkidan Curtis (Spanish) | - Sabrina Franciosa (Spanish) |
| - Viviana Mendez (Spanish) | - Alejandro Rodriguez (French) |
- ORGANIZATION 8.1 REPORT, OTA Linda Kraus reported on the Tentative Agreement reached between OTA and the district on December 5; members have been provided with the Tentative Agreement as well as two calendar options to vote on and there will be two informational meetings for general membership December 11 and 12 where they will answer questions members may have, a ratification vote will be held December 16 and 17, and she will notify Ms. Taylor of the results once ballots are counted December 17.
- She also reported that OTA has been gathering donations for staff and students of Sonora Elementary which experienced a fire over Thanksgiving Break, and if anyone has school supplies or Accelerated Reader books they would like to donate they may drop off donations to the Sierra View office by December 12, and a group of 4th – 6th grade students will deliver to Sonora on December 13.
- ORGANIZATION 8.2 REPORT, CSEA Mark Mutoza reported that over the past four years as CSEA President he has had a great relationship with administration, and they reached Tentative Agreement last Thursday. He

thanked Terri Taylor and Susan Dyke for their hard work and making negotiations run very efficiently. CSEA will hold a ratification meeting next Wednesday and he will notify Ms. Taylor of the results. He congratulated Ms. Gilbert and Mr. House for their re-election, and Ms. Shook for being elected as a new board member. He also reported CSEA gave out seven scholarships to high school students, the most they have awarded in one year.

ORGANIZATION REPORT, STUDENT	8.2	Dylan Hawksworth-Lutzow reported on activities at Cloverland, Fair Oaks, Oakdale Junior High, and Oakdale High. Activities include the Elementary Band Concert Dec. 10 and Elementary Choir Concert Dec. 19. Cloverland held a Toy Drive and Santa's Workshop, and is preparing to go to Outdoor Ed in January. Fair is doing a Holiday-in-A-Shoebox, and this month's character trait is "generosity". The Junior High is doing a Toy Drive, a Spirit Tree, collecting items for Sonora Elementary, and Boys Basketball is starting. Oakdale High is doing a Toy Drive, Fall Sports have finished their seasons, Boys and Girls Basketball are beginning, and Renaissance is having a "Doing High School Right" breakfast Dec. 12.
REMOVE ITEMS FROM CONSENT CALENDAR	9.1	Trustee Shook requested removal of Item 9.4.3, from the Consent Calendar.
ADOPT CONSENT CALENDAR	9.2	It was M/S/C (Tozzi/Shatswell) to adopt the amended Consent Calendar as presented. Passed unanimously.
ADOPT MINUTES OF 11/4/13 AS PRESENTED	9.3.1	On adoption of the Consent Calendar, the board adopted minutes of its regularly scheduled meeting held Monday, November 4, 2013, as presented.
APPROVE INTERDISTRICT & ALLEN BILL REQUESTS	9.4.1	On adoption of the Consent Calendar, the board approved interdistrict attendance or Allen Bill transfer requests, 2013-14 school year, as presented.
ACKNOWLEDGE STUDENT DISCIPLINE REPORT, OCTOBER 2013	9.4.2	On adoption of the Consent Calendar, the board acknowledged the Student Discipline Report for the month of October 2013, and Prior Two-Year Comparison, as presented.
APPROVE BOYS BASKETBALL SCHEDULE	9.4.4	On adoption of the Consent Calendar, the board approved Boys Basketball Schedule, as presented.
APPROVE WARRANTS THRU 11/24/13, CYCLE I & II PAYROLL FOR NOVEMBER 2013	9.5.1	On adoption of the Consent Calendar, the board approved district warrants prepared for payment through November 26, 2013, and Cycle I and II Payroll for November 2013, 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, OCTOBER 2013 9.5.3 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale Junior High School, October 2013, as presented.
- APPROVE ASB ACCOUNTS, OHS, OCTOBER 2013 9.5.4 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale High School, October 2013, as presented.
- APPROVE JOB TITLE CHANGE 9.6.1 On adoption of the Consent Calendar, the board approved change of job title of Armida Colon from Director of Categorical Programs to Director of State and Federal Programs, as presented:
- APPROVE INTERIM APPOINTMENT 9.6.2 On adoption of the Consent Calendar, the board approved interim appointment of Dan Casey, current Director of Maintenance & Operations, to Director of Maintenance, Operations & Transportation, effective 1/1/14, as presented:
- ACCEPT RETIREMENT 9.6.3 On adoption of the Consent Calendar, the board accepted retirement of Don Barkley, Director of Transportation, effective 12/30/13, as presented:
- APPROVE EMPLOYMENT 9.6.4 On adoption of the Consent Calendar, the board approved employment, as presented:
Esther Flores-Rupe, ASPL-1, Cloverland, eff. 11/12/13
Kathie Hager, Cafeteria Assistant, OHS, eff. 11/12/13
Shana Hinojosa, ASPL-1, Cloverland, eff. 11/12/13
Sarah Joseph, ASPL-1, Sierra View, eff. 11/19/13
Johnny Shatswell, RS Instr. Aide, OJHS, eff. 11/12/13
- ACCEPT RESIGNATION 9.6.5 On adoption of the Consent Calendar, the board accepted resignation of Johnny Shatswell, ASPL-1, Cloverland, effective 11/8/13, as presented:
- APPROVE PROMOTION 9.6.6 On adoption of the Consent Calendar, the board approved promotion of Angela Machado, from ASPL-1 to ASPL-2, Cloverland, effective 10/17/13, as presented:
- DISPOSITION OF ITEMS REMOVED FROM CONSENT, 9.4.3, APPROVE SITE PLANS 10.0 Trustee Shook recognized the work that goes into School Site Plans and noted that she likes the new format and that it is easier to understand. It was noted that site plans for all school sites are available on the district website.

It was **M/S/C (Tozzi/Shatswell)** to approve 2013-14 School Site Plans, as presented.

REPORT, SOCIAL MEDIA
RESPONSIBILITIES &
STUDENT CONFIDENTIALITY

- 11.1 Chet Quaide, district legal counsel, presented a report to the Board about student records in regards to complying with the Family Educational Rights and Privacy Act, social media responsibility, California Education Code and the state constitution's legal requirements. He noted that student disciplinary actions are to remain private and cannot be shared with other parties. He also noted that in his review of student internet postings and free speech, California has additional laws protecting people's free speech rights over and above federal law, and that for the school or district to become involved in discipline or prohibition of speech regarding student involvement in social media issues, especially if done off campus, there has to be actual "substantial disruption" to the orderly operation of school or to a student's educational experience. He stated that if anyone has questions they can contact district administration who can then forward questions on to him.

REPORT, UNHEALTHY AIR
AFFECT ON STUDENT HEALTH

- 11.2 Larry Mendonca, Assistant Superintendent of Pupil Services and Facilities, presented a report on the Air Quality Flag Program used by the district. He reviewed the types of issues that affect air quality, the notification process each morning that triggers raising of the appropriate colored flag at all school sites which informs staff, students and nearby communities.

Trustee Tozzi commented that 73 well permits were granted by the County between October and November, that pasture and rice land is being converted to orchards, and wondered how effective the flag program will be during harvest because of the dust. Mr. Mendonca noted that the Asthma Coalition takes into consideration harvest time, certain acreage, and would anticipate they would use that information to be used in alerts, and that school site administrators may exercise discretion in instances such as heavy smoke from a nearby fire or excessive nut harvest dust and change the air quality flag to an unhealthy color level and keep students indoors.

REPORT, LEA PLAN & TITLE
III IMPROVEMENT PLAN
ADDENDUMS

- 11.3 Director Armida Colon presented a report on LEA Plan Addendum and Title III Improvement Plan Addendum, noting requirements that Local Educational Agencies (LEA's) identified for Program Improvement develop an LEA Plan Addendum and that LEA's that have failed to

meet Title III Annual Measurable Achievement Objectives (AMAO's) for four consecutive years to develop an Improvement Plan Addendum. She noted both Addendums include district-defined goals, activities, timelines, fiscal sources, responsible personnel, and both Addendums were developed through a comprehensive needs assessment process involving the use of self-study tools, data analysis, and stakeholder input. She also provided an update on progress made toward completing the activities delineated.

She introduced district Intervention Specialists, Gillian Wegener at OJHS and Lissa Jones at OHS, who were present to talk about the work they are doing to engage EL students, implement secondary ELD curriculum, provide IS⁴ training for new teachers, complete Teachers Visiting Teachers program, Close Reading staff development, K-6 and 7-12 Common Core Meetings, Secondary Common Core Transition, and revision of benchmarks and development of Common Formative Assessments.

APPROVAL, FIRST INTERIM
FINANCIAL REPORT 2013-14

- 12.4 Chief Business Officer Susan Dyke presented an overview of the First Interim Financial Report for 2013-14, which included Adopted Budget vs. First Interim, Changes in Budget Revenues and Expenditures, Three-Year Enrollment History, Multi-Year Projection, Projected Cash Flow, and Deferrals. She noted the Governor releases his 2014-15 budget proposal by January 10, the 2nd Interim will reflect additional changes in operational costs and revenues for the remainder of the year, the multiyear projection will be updated using the District's current financial information and will include the Governor's proposal for Local Control Funding Formula gap movement toward the implementation target, and budget development for 2014-15 will begin in late January pending the State Board of Education release of regulations for the Local Control and Accountability Plan (LCAP) which now drive school district budgets.

She also noted it will take approximately eight years to get up to target year funding of 2007-08, and the 2007-08 target will be inflated by whatever COLA is proposed that year. We will have to take on a year-by-year basis to see if the economy agrees with the state. She also noted that financial information is posted on the district website.

It was **M/S/C (Tozzi/Shatswell)** to approve the First Interim Financial Report, as of October 31, 2013, for fiscal year 2013-14, and certify that the district is able to meet its financial obligations. Passed unanimously.

APPROVAL TO SUBMIT
CONSTRUCTION PLANS FOR
CENTRAL KITCHEN PROJECT

- 12.5 Assistant Superintendent Larry Mendonca presented construction plans completed by Architect Gary Gery which the Board is being asked to approve to submit to the City and County. Once we have approval we can go forward with the contractor to get actual pricing.

It was **M/S/C (House/Shook)** to approve Submission of Construction Plans for the Central Kitchen Project. Trustee Shatswell recused herself from voting on this item. Passed 5-0; Ayes: Gilbert, House, Shook, Tozzi, Hawksworth-Lutzow (Advisory); Abstained: Shatswell

APPROVAL TO SUBMIT
PLANS TO MOVE RELOCATABLE
CLASSROOMS AT CLOVERLAND

- 12.6 Assistant Superintendent Larry Mendonca presented plans completed by Architect Gary Gery to move relocatable classrooms from the approved multi-purpose site at Cloverland Elementary which the Board is being asked to approve to submit to the Department of State Architect. In response to a question from Trustee Tozzi, Mr. Mendonca stated there were no substantial changes from what the Board has previously seen.

It was **M/S/C (Tozzi/House)** to approve Submission of Plans to Move Relocatable Classrooms from the Approved Multi-Purpose Room Site at Cloverland Elementary School. Trustee Shatswell recused herself from voting on this item. Passed 5-0; Ayes: Gilbert, House, Shook, Tozzi, Hawksworth-Lutzow (Advisory); Abstained: Shatswell

APPROVAL, RFP FOR
MULTI-YEAR E-RATE
WAN SERVICES

- 12.7 Assistant Superintendent Kristi Rapinchuk presented this item to request proposals for a multi-year contract for E-Rate eligible wide area network services. She explained the district has nine schools, operational facilities and District Office that are connected by a network provider which is currently AT&T. The district wishes to receive vendor proposals for a two-year period and additional contract extension; there are only two providers of services being used by districts of our size in the county: AT&T and Comcast. We will publish in the Dec. 16 and Dec. 23 editions of the Modesto Bee, requesting proposals by January 9, and will bring to the Board to award contract. In response to a question from

Trustee Tozzi about why we publish in only the Modesto Bee, it was explained that was a collaborative decision at the District Office.

It was **M/S/C (Tozzi/Shatswell)** to approve Request for Proposal #E17OJUSD Multi-Year Contract for E-Rate Eligible Wide Area Network (WAN) Services. Passed unanimously.

INFORMATION

- 13.1 Elementary Band Concert, OJHS Gym, Dec. 10, 7:00 pm
- 13.2 OEF Grant Awards Reception, OHS Library, December 11, 3:30 pm
- 13.3 OJHS Band and OHS Band, Jazz Band & Drumline, Magnolia, Dec. 12, 7:00 pm
- 13.4 OHS Drama Production “Scrooge Has Left the Building” & “A Christmas Carol, OHS Theater, December 13 & 14, 7:00 pm, December 15, 2:00 pm
- 13.5 OHS/OJHS Holiday Choir Concert, OHS Theater, December 17, 6:00 & 7:30 pm
- 13.6 Grade 7-12 Minimum Day, December 18 & 19
- 13.7 Elementary Choir Concert, Magnolia, December 19, 6:00 & 7:30 pm
- 13.8 K-12 Minimum Day, December 20
- 13.7 Schools Closed for Winter Break: December 23, 2013 - January 3, 2014

ITEMS FOR NEXT AGENDA

- 14.1 Approval of Graduation Dates and Board Assignments
- 14.2 Quarterly Report on Williams Settlement Complaints
- 14.3 Strategic Plan (added by Malone)

ADJOURNMENT

- 16.0 The meeting adjourned at 8:38 p.m.