

MINUTES

REGULAR MEETING OF THE BOARD OF TRUSTEES

MONDAY, FEBRUARY 9, 2009, 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 Mike Tozzi. |
| TRUSTEES PRESENT | 1.2 | Pam Antinetti, Bill Dyer, Rick W. Jones, and Mike Tozzi, Trustee House arrived at 6:05 p.m. Student representative Evan Boggs was present for Open Session. |
| TRUSTEES ABSENT | 1.3 | None |
| VISITORS PRESENT | 1.4 | Jan Alstad, Jeff Aprile, Mary Ann Baley, Maggie Banducci, Shelly Crist, Ken Coughran, Barbara Denys, Micki Dias, Laurel Doerksen, Robert Fyke, Kristi Gorman, Esperanza Gutierrez-Jackson, Kathy Jenkins, Danessa Jepson, Davia Kirkpatrick, Linda Kraus, Kathy May, Michael McKibban, Annette & Mark Mutoza, Gina Niendorf, Elliot Norton, Nancy Osmundson, Debbie Potter, Mearl Richison, Shauna Rico, Cesar Ruvalcaba, Adam Schmidt, Mike & Peggy & Mason Schmidt, Rachelle Sierra, Becky Simoncini, Cheryl Thompson, Crystal Tredway, Gillian Weggener |
| CLOSED SESSION | 2.0 | President Tozzi 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 Jones introduced Magnolia Elementary students: Dominic Antinetti, Grade K, Jackson Ruvalcaba, Grade 1, Grace Verdegaal, Grade 2, and Zac Richison, Grade 3. These students led the Pledge of Allegiance and were awarded Certificates of Appreciation for their participation. |
| ACTION FROM CLOSED SESSION | 4.0 | President Tozzi reported that in Closed Session the Board voted 4-0 to approve the stipulated expulsion agreement for student #08-09-06 for Violation of Education Code 48900 (b), 48900 (k), 48915 (a) (2) and 48915 (b) (2) for the spring 2009 and fall 2009 semesters; and for student # 08-09-07 for Violation of Education code 48900 (c), 48900 (k), and 48915 (b) (1). |

- PUBLIC COMMENTS 5.0 President Tozzi opened the Public Comments portion of the agenda at 6:40 p.m. There being none, Public Comments closed at 6:41 p.m.
- APPROVE ORDER OF AGENDA 6.0 It was **M/S/C (Jones/House)** to approve the order of agenda items for this meeting. All members voted in favor.
- RECOGNITION OF DONATION 7.1 Superintendent Rich recognized a donation of \$2,440 from from *The Songbirds and Friends* Christmas Concert to the elementary music teachers to use as they see fit for the benefit of their students. Trustee Rick W. Jones extended special thanks to Barbara Findlay, Shannon (Duncan), Greg Rivera, and many others involved.
- RECOGNITION, COUNTY HONOR BAND 7.2 OHS students Michael Alstad and Adam Schmidt were presented with plaques recognizing their selection to participate in the Stanislaus County Honor Band, and each played a musical selection for the audience.
- RECOGNITION, EMPLOYEES MAKING A DIFFERENCE PROGRAM 7.3 Plaques were presented to two OJUSD employees recognized in the county-wide Employees Making A Difference program sponsored by the Stanislaus County Office of Education and the Association of California School Administrators: Shelly Crist, Lead Custodian, Oakdale Junior High
Gina Niendorf, Bilingual Aide, Fair Oaks
- RECOGNITION, CHAMBER YOUTH ACHIEVEMENT AWARD 7.4 Jennie Paugh was presented with a plaque in recognition of being the recipient of the Oakdale Chamber of Commerce Youth Achievement Award.
- RECOGNITION, OTHER Trustee Tozzi noted the OHS Wrestling Team winning the Section Championship as well as the OHS Academic Decathlon team winning the county championship for the 9th straight year. The Aca Deca team will continue on to the State Championship next month.
- ORGANIZATION REPORTS, OTA 8.1 Linda Kraus reported she met with the negotiating team last week to develop ideas for possible cuts to stay away from the classroom as much as possible, met with Mr. Rich and Mr. Malone to share ideas and thoughts, and hoped those suggestions were shared with the board. Ms. Kraus stated that OTA is not asking for layoffs from any group, is trying to preserve jobs for all groups, and is scheduled to meet with district negotiators on February 11. Ms. Kraus reported she surveyed Kindergarten teachers last week about a proposed modified schedule to help reduce transportation costs and will send the results to Mr. Malone.

Ms. Kraus reported OTA nominated the Oakdale Educational Foundation for a CTA State Award in the nonprofit organization category and hopes to have results later this week; OTA also nominated Pete Simoncini for a NEA Award for Teaching Excellence, he has made it to the next level and has been granted an interview on February 23.

Ms. Kraus extended an invitation to the superintendent and board to the annual CTA School Boards' Dinner on March 31, 6:30 p.m., at On Broadway in Turlock; and she announced nominations for voting for CTA school bell awards, with the nominees to be recognized at the School Bell Awards Dinner on May 8, at Seasons in Modesto.

Trustee Tozzi expressed his appreciation for OTA's input, and noted the board has always taken the budget very seriously.

ORGANIZATION
REPORTS, CSEA

- 8.2 Mark Mutoza thanked union members for being in attendance, and noted the last month has been one of the most trying times for him since he has been elected president of this union. He reported that a special meeting was held with members about budget cuts we are about to face, felt that all of us can work together to make this work for all involved, noted the fault for the situation is not within our district but with the state legislature, and has faith in the board and superintendent that they will make the right decisions that will have the least impact on employees in this district.

ORGANIZATION
REPORTS, STUDENT

- 8.3 Student representative Evan Boggs reported on activities at the high school which included Winter Homecoming, the OHS Wrestling Team winning the Section Championship, and the OHS Academic Decathlon team successfully defended Superintendent Rich's honor in winning the county championship and will go on to compete in the state competition in Sacramento March 13-16. In response to questions from board members, Mr. Boggs noted the Aca Deca team broke the county record for most points, and that he personally medaled in 8 out of 10 subjects.

REMOVE ITEMS FROM
CONSENT CALENDAR

- 9.1 Trustee Dyer requested Item 9.4.6 and Trustee House requested Item 9.5.5 be removed from the Consent Calendar.

ADOPT CONSENT
CALENDAR

- 9.2 It was **M/S/C (Jones/House)** to adopt the amended Consent Calendar. Passed unanimously.

ADOPT MINUTES OF
1/12/09 AS PRESENTED

- 9.3.1 On adoption of the Consent Calendar, the board adopted minutes of its regularly scheduled meeting held Monday, January 11, 2009, as presented.

- ADOPT MINUTES OF 1/26/09 AS PRESENTED 9.3.2 On adoption of the Consent Calendar, the board adopted minutes of its special board meeting held Monday, January 26, 2009, as presented.
- ADOPT REVISED BOARD MEETING CALENDAR FOR JUNE 2009 9.3.3 On adoption of the Consent Calendar, the board adopted a revised Board Meeting Calendar for June 2009, as presented.
- APPROVE INTERDISTRICT TRANSFER REQUESTS 9.4.1 On adoption of the Consent Calendar, the board approved interdistrict attendance transfer requests, 2008-09 or 2009-10, as presented.
- APPROVE SPRING ATHLETIC SCHEDULES 9.4.2 On adoption of the Consent Calendar, the board approved Spring Athletic Schedules, as presented.
- ACCEPT DONATION OF PRINTERS TO SIERRA VIEW 9.4.3 On adoption of the Consent Calendar, the board accepted a Donation of Printers from Lexmark Corporation to Sierra View, as presented.
- ACCEPT DONATION OF MATERIALS TO MAGNOLIA 9.4.4 On adoption of the Consent Calendar, the board accepted a Donation of Materials from Synopsys Outreach Foundation to Magnolia, as presented.
- ACCEPT DONATION OF MATERIALS TO MAGNOLIA 9.4.5 On adoption of the Consent Calendar, the board accepted a Donation of Materials from Sierra Pacific Warehouse Group to Magnolia, as presented.
- ACCEPT CASH DONATION TO CLOVERLAND, MAGNOLIA & SIERRA VIEW LIBRARIES 9.4.6 Trustee Dyer noted the significant contributions of this local service group and thanked the Kiwanis for their donation.

It was **M/S/C** (Dyer/Antinetti) to accept a Cash Donation from Kiwanis to Cloverland Library, Magnolia Library, and Sierra View Library, as presented. Passed unanimously.
- APPROVE FIELD TRIP, OHS COLOR GUARD, MARCH 21-22, 2009 9.4.7 On adoption of the Consent Calendar, the board approved the OHS Color Guard Trip, March 21-22, 2009, as presented.
- APPROVE ENGLISH LEARNER MASTER PLAN 9.4.8 On adoption of the Consent Calendar, the board approved English Learner Master Plan, as presented.
- APPROVE LOCAL EDUCATION AGENCY PLAN 9.4.9 On adoption of the Consent Calendar, the board approved Local Education Agency Plan, as presented.
- ACKNOWLEDGE STUDENT DISCIPLINE REPORT, JANUARY 2009 9.4.10 On adoption of the Consent Calendar, the Board acknowledged the Student Discipline Report for the month of January 2009, and Prior Two-Year Comparison, as presented.

APPROVE WARRANTS THRU 2/4/09, CYCLE I AND CYCLE II PAYROLL FOR JANUARY 2009 9.5.1 On adoption of the Consent Calendar, the board approved district warrants prepared for payment through February 4, 2009, and Cycle I and Cycle II Payroll for January, 2009, as presented.

APPROVE CONSULTANT AGREEMENTS 9.5.2 On adoption of the Consent Calendar, the board approved Consultant Agreements, as presented.

APPROVE ASB ACCOUNTS, OHS, DEC. 2008 9.5.3 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale High School, December 2008, as presented.

APPROVE ASB ACCOUNTS, OJHS, DEC. 2008 9.5.4 On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale Junior High School, December 2008, as presented.

APPROVE ADDENDUM TO MEDI-CAL MASTER CLAIMING AGREEMENT 9.5.5 Trustee House asked for clarification of this item. Superintendent Rich explained that legislation provides medi-care billing payments to the district and that we belong to a joint powers agreement that calculates state reimbursements for us. Due to uncertainty of the legislation, the JPA has opted to go for a set fee rather than a graduated fee to cover costs.

Trustee House noted a discrepancy between the flat rate amount listed on the cover memo (\$10,981.50) versus the amount listed on the agreement (\$14,642). Mr. Hern indicated the correct amount is listed on the agreement, would be less than the 10% fee we had previously paid, and that due to the uncertainty of when legislation will sunset, we continue to get extensions to allow billing to continue.

It was **M/S/C** (House/Jones) to approve the Addendum to the Master Claiming Agreement for Medi-Cal Administrative Activities, 2008-09, as presented. Passed unanimously.

APPROVE UNPAID LEAVE OF ABSENCE 9.6.1 On adoption of the Consent Calendar, the board approved unpaid leave of absence, as presented:
Linda Morris, SDC Inst. Aide, Oakdale Jr. High,
3/6/09 – 3/20/09
Elaine McConnell, Inst. Aide, Fair Oaks,
3/11/09 – 3/13/09

- ACCEPT RETIREMENT 9.6.2 On adoption of the Consent Calendar, the board accepted retirement of Jeannie Hoeh, Computer Education Instructor and Yearbook Teacher, Oakdale High, effective 7/22/09, as presented:
- REPORT, DRIVE TO SURVIVE PROGRAM 11.1 Assistant Superintendent Barbara Shook presented a report on the campaign to bring back the science of driving to young students and presented the district action plan to better prepare student drivers. Ms. Shook noted the considerable donation from Sunrise Rotary will provide education for over 400 students, extending over a year's time starting with summer school this year. Classes will also be offered '0' period and '7th' period, as well as other activities throughout the year, and students will receive certificates for reduced rate behind-the-wheel instruction.
- REPORT, SARC UPDATE 11.2 Assistant Superintendent Barbara Shook presented an update on the 2008 School Accountability Report Card, sharing Oakdale High's SARC as an example. Ms. Shook reported all site SARC's are available for viewing on the district website, and noted posted data is based on previous year's information.
- REPORT, MAGNOLIA SITE PLAN 11.3 Due to technical difficulties, it was suggested that this report be tabled until the next meeting. Principal Julie Minabe acknowledged the attendance of Magnolia staff in the audience.
- It was **M/S/C (House/Antinetti)** to table the Report on Magnolia Site Plan: Meeting the Educational Needs of Students until the next meeting. Passed unanimously.
- REPORT, FIRST READING, BOARD POLICY UPDATE, 2000 SERIES 11.4 Marc Malone, Assistant Superintendent of Human Resources, presented updated board policies and administrative regulations, Administration, 2000 Series, for first reading. Trustee Rick W. Jones will e-mail input to Assistant Superintendent Malone.
- REPORT, FIRST READING, BOARD POLICY UPDATE, BP/AR 6179, SUPPLEMENTAL INSTRUCTION 11.5 Assistant Superintendent Barbara Shook presented updated board policy and administrative regulation 6179, Supplemental Instruction, for first reading. Ms. Shook explained this is being brought forward at this time because we need policy in place to cover hourly supplemental and intervention programs, such as additional remediation time for CAHSEE, summer

school, and after school programs. Trustee Antinetti suggested clarification of student grade level under AR 6179(a), Supplemental Instruction Based on Retention or Academic Deficiencies, #1, and Ms. Shook will clarify for second reading.

RATIFICATION OF TENTATIVE 12.1
AGREEMENT, CSEA

Assistant Superintendent Malone reported that CSEA Chapter #830 members have voted in favor of ratification of the tentative agreement with the district; the agreement does not include any monetary compensation, and shall remain in force through June, 2010.

It was **M/S/C (Jones/Antinetti)** to approve the Ratification of Tentative Agreement Between Oakdale Joint Unified School District and CSEA Chapter #830. Passed unanimously.

RATIFICATION OF TENTATIVE 12.2
AGREEMENT, OTA

Assistant Superintendent Marc Malone reported that OTA members have voted in favor of ratification of the tentative agreement with the district, which includes a 0.0% salary increase. Board members commented on the cooperation and professionalism of both bargaining units, and that both should be commended for their willingness to negotiate and come to agreement.

It was **M/S/C (House/Dyer)** to approve the Ratification of Tentative Agreement Between Oakdale Joint Unified School District and OTA. Passed unanimously.

APPROVE RESOLUTION 12.3
#08-09-08, SCHOOL CASH
RESERVE PROGRAM

Assistant Superintendent Hern presented this resolution for approval, reporting one of the state budget strategies is to defer revenue payments to districts. In the event the state defers February revenue payments to April or July, districts need to be prepared to meet cash flow needs that may occur as a result of the timing mismatch between receipt of revenues and expenditure of general fund moneys, such as payroll. Through participation in this program, up to a \$5 million loan will be available to the District at little to no cost, and ensure a positive cash flow through the school year if necessary.

It was **M/S/C (Dyer/House)** to approve Resolution #08-09-08, Authorizing Participation in the 2009/10 California School Cash Reserve Program. A Roll Call Vote was taken with all board members voting in favor. Passed unanimously.

APPROVE RES. #08-09-09,
BEHAVIOR INTERVENTION
PLANS MANDATED COST
CLAIM SETTLEMENT

- 12.4 Larry Mendonca, Director of Pupil Services provided background on this settlement that reimburses districts for past costs associated with behavioral intervention plans required under state law, ending a fourteen-year dispute regarding special ed funding for the state in excess of federal law. Mr. Mendonca reported that under this settlement, the district will receive \$74,637 annually, for a six-year period, starting in 2009-10. By approving the resolution, the Board approves the settlement agreement and agrees to waive ability to file future mandated cost claims on this statute.

It was **M/S/C (Jones/Antinetti)** to approve Resolution #08-09-09, Approving Behavior Intervention Plans (Hughes Bill) Mandated Cost Claim Settlement. A Roll Call Vote was taken with all board members voting in favor. Passed unanimously.

ADOPTION,
BP/AR 1000 SERIES

- 12.5 Assistant Superintendent Malone presented updated board policies/administrative regulations, Community Relations, 1000 Series, for second reading and adoption.

It was **M/S/C (Dyer/Antinetti)** to approve Second Reading and Adoption, Updated Board Policies/Administrative Regulations, Community Relations, 1000 Series. Passed unanimously.

APPROVE RES. #08-09-10,
AWARD OF BID, OHS
VISITOR'S BLEACHERS

- 12.6 Assistant Superintendent Hern presented this resolution authorizing award of contract for Oakdale High School Visitor's Bleachers Package "A" to Accelerated Concrete Cutting (\$8,697.50) and Package "B" to Kel-Tec Builders, Inc. (\$234,579). Mr. Hern reported thirteen bid packages were requested, 18 vendors attended pre-bid site inspection job walk, and six bid packages were received. Mr. Hern noted the initial "pending" approval of this bid award had to do with getting total release from Southern Bleachers for their design. In response to a question about project completion date, Construction Manager Ron Holcombe reported the intent is to finish before graduation if possible.

It was **M/S/C (Jones/Dyer)** to approve Resolution #08-09-10, Award of Bid, OHS Visitor's Football Bleachers. A Roll Call Vote was taken with all members voting in favor. Passed unanimously.

APPROVE CSBA
DELEGATE NOMINATION

- 12.7 Superintendent Rich requested the Board's action to vote on two candidates to represent the CSBA Sub-Region 8C (Stanislaus County) Delegate Assembly.

Board members voted on the two candidates they'd like to submit: Eileen Hamilton (5); Mark Hughes (4); Cynthia Lindsey (1).

It was **M/S/C (Jones/House)** to submit the names of Eileen Hamilton and Mark Hughes to the CSBA Delegate Assembly Election. Passed unanimously.

INFORMATION

- 13.1 Sober Grad Night Fundraiser at Red Robin Restaurant in Riverbank, February 10, 5-9:00 p.m.
- 13.2 Missoula Children's Theatre/Oakdale Educational Foundation/Magnolia Elementary Parent Teacher Club present "Rumpelstiltskin" Friday, February 13, Magnolia Auditorium, 7:00 p.m.
- 13.3 OHS Drama Production of "Noises Off", Public Performances: Friday & Saturday, Feb. 27 & 28, 7:00 p.m.
Sunday, March 1, 2:00 p.m.
- 13.4 Oakdale High Sports Boosters Dinner, March 7, FES Hall, 6:00 p.m.
- 13.5 Band-O-Rama, March 10, OJHS Gym, 7:00 p.m.
- 13.6 OHS/OJHS Choral Concert, March 11, OHS Theater, 6:00 & 7:30 p.m.

ITEMS FOR NEXT AGENDA

- 14.1 Report on Power of One Program/Cyber Bullying Education
- 14.2 Report on Fair Oaks Site Plan: Meeting the Educational Needs of Students
- 14.3 Second Interim Financial Report
- 14.4 Report on Magnolia Site Plan: Meeting the Educational Needs of Students (*tabled from 2/9/09*)
- 14.5 Trustee Tozzi asked about the impact of the state budget on the Nutrition Program. Assistant Superintendent Hern explained that the state will probably not pay about two months worth of free and reduced meal apportion, we have had to raise meal prices because of food costs, and have to be careful on the cost of foods we are receiving.

ADJOURNMENT

- 16.0 The meeting adjourned at 7:55 p.m.