

MINUTES

REGULAR MEETING OF THE BOARD OF TRUSTEES

MONDAY, DECEMBER 14, 2009, 6:15 P.M.

Oakdale City Council Chambers
277 N. Second Avenue, Oakdale, CA

- CALL TO ORDER 1.1 The meeting was called to order at 6:17 P.M. by President Mike Tozzi.
- TRUSTEES PRESENT 1.2 Bill Dyer, Mike House, and Mike Tozzi. New board member Diane Gilbert and Student Representative Michael Homer were present for Open Session.
- TRUSTEES ABSENT 1.3 Pam Antinetti
- VISITORS PRESENT 1.4 Jeff Aprile, Maggie Banducci, Tom Berryhill, Guy Fowler, James Gilbert, Terry & Maureen Harrity, Linda Kraus, Claudia Spaulding, and Terrance Trowbridge
- CLOSED SESSION 2.0 President Tozzi adjourned the meeting into Closed Session at 6:17 p.m. Open Session reconvened at 6:30 p.m.
- PLEDGE OF ALLEGIANCE 3.0 President Tozzi introduced Sierra View elementary students Hope Kindred, Grade 4, Collin Harrity, Grade 5, and Makayla Johnson, 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: Bill Dyer and Mike House. Assemblyman Tom Berryhill administered the Oath of Office to newly elected board member Diane Gilbert. All three will serve a four-year term, which expires November 30, 2013.
- 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 (Dyer/House)** to nominate Mike Tozzi for President. The nomination was accepted and passed unanimously.

It was **M/S/C (House/Homer)** to nominate Bill Dyer for Clerk. The nomination was accepted and passed unanimously.

It was **M/S/C (Dyer/House)** to nominate Diane Gilbert as Trustee Representative to vote for members of the County Committee on School District Organization. The nomination was accepted and passed unanimously.

AUTHORIZATION OF SIGNATURES 12.3 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, Fred Rich
 Assistant Superintendent/Business Services Tim Hern
 Assistant Superintendent/Curriculum Barbara Shook
 Assistant Superintendent/Human Resources Marc Malone
 Senior Director of Fiscal Services Susan Dyke

It was **M/S/C (Dyer/House)** to designate District Office employees named above as authorized to sign orders and warrants in the name of the district, and designate Superintendent Fred Rich as the authorized agent of the district. Passed unanimously.

ACTION FROM CLOSED SESSION 4.0 President Tozzi reported that the Board voted (3-0) to approve the stipulated expulsions for the remainder of the Fall 2009 and Spring 2010 semesters for: Student **#09-10-07** for violation of Ed Code 48900 (a) (1), 48900 (a) (2), 48900 (k), 48915 (b) (2); Student **#09-10-08** for violation of 48900 (a) (1), 48900 (k), 48900.4, 48915 (b) (1), 48915 (b) (2); Student **#09-10-09** for violation of 48900 (h), 48900 (i), 48900 (k), 48915 (e) (1); Student **#09-10-10** for violation of 48900 (c), 48900 (d), 48900 (k), 48915 (b) (1), 48915 (b) (2).

PUBLIC COMMENTS 5.0 President Tozzi opened the Public Comments portion of the agenda at 6:53 p.m. There being none, Public Comments closed at 6:53 p.m.

APPROVE ORDER OF AGENDA 6.0 It was **M/S/C (Dyer/House)** to approve the order of agenda items for this meeting. All members voted in favor.

ANNOUNCEMENTS 7.1 Superintendent Rich reported on a Fair Oaks student and his younger brother who had been hit in a crosswalk on their way to school. The younger brother had been released with no serious injuries, and the older brother required surgery for a broken leg. Mr. Rich noted a great deal of concern expressed about the young man's well-being, as well as general concerns about student safety while walking to and from school. Mr. Rich reported the principal and vice principal are working together with Oakdale Police Department and will continue to make efforts for student safety. Currently, OPD

officers have been manning some crosswalks, and OPD will have city employees manning crosswalks after the start of the new year. It was noted the incident took place at a four-way stop, and the driver was not cited; this intersection was not a particular intersection that was thought to have been unsafe, and where there is not normally traffic control or crossing guards. Vice Principal Hamby reported that a group of parents have expressed interest in volunteering to help students safely cross at that intersection.

7.2 Trustee Dyer reported on the absence of Trustee Antinetti due to being hospitalized the past three weeks; Trustee Tozzi also commented that our thoughts and prayers are with her.

7.3 Trustee Tozzi reported that he and Superintendent Rich visited school board meetings in Valley Home and Knights Ferry, and it was really nice to hear Superintendents of those two districts complement OJUSD teachers and administrative staff for the cooperation given their districts when they need something, and that those Boards and Superintendents appreciate the assistance and cooperation given them.

ORGANIZATION REPORT, OTA

8.1 Linda Kraus reported they have been very busy meeting with members to discuss concerns about possible budget cuts, and procedures regarding layoffs and rights for rehire. Ms. Kraus noted that everything at this point is pure speculation, but that it is not too late for everyone to contact the Governor's office and state legislators to urge them to make education funding a priority. Ms. Kraus reported they have been involved in a book drive to support Family Support Network. They would like to create a quiet reading corner in honor of a former OHS student who passed away a few years ago, Amanda Clark. Donations may be sent to Linda Kraus at Sierra View.

ORGANIZATION REPORT, CSEA

8.2 None

ORGANIZATION REPORT, STUDENT

8.2 Michael Homer reported that elementary schools held annual parent-teacher conferences last month. He also reported that all schools have been having a canned food drive, noting the OHS Leadership class, Service Club and Interact Club collected over 300 cans while *Caroling for Cans* last Friday. He reported that the Drama Department had holiday plays last week, and auditions for "*The Crucible*" are being held this week; winter concerts last week and this week; announcement of competing Aca Deca team members who hope to lead the team to a "Decade of Dominance"; and that OHS students

received half of the 18 awards presented in the American Heritage Scholarship Essay Contest, earning \$7,300 out of \$9,000 awarded in this county-wide contest.

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| REMOVE ITEMS FROM CONSENT CALENDAR | 9.1 | There were no requests to remove items from the Consent Calendar, but Superintendent Rich offered a brief explanation of Item 9.4.3, CAHSEE Score Waivers, which are given to students identified through IEP or 504 Plan for extended time or different testing environment. He also noted that this year it is not required for those students to pass CAHSEE. |
| ADOPT CONSENT CALENDAR | 9.2 | It was M/S/C (House/Dyer) to adopt the Consent Calendar as presented. Passed unanimously. |
| ADOPT MINUTES OF 11/19/09 AS PRESENTED | 9.3.1 | On adoption of the Consent Calendar, the board adopted minutes of its regularly scheduled meeting held Monday, November 19, 2009, as presented. |
| APPROVE INTERDISTRICT & ALLEN BILL REQUESTS | 9.4.1 | On adoption of the Consent Calendar, the board approved interdistrict attendance and Allen Bill transfer requests, 2009-10 school year, as presented. |
| ACKNOWLEDGE STUDENT DISCIPLINE REPORT, NOVEMBER 2009 | 9.4.2 | On adoption of the Consent Calendar, the Board acknowledged the Student Discipline Report for the month of November 2009, and Prior Two-Year Comparison, as presented. |
| APPROVE CAHSEE WAIVERS | 9.4.3 | On adoption of the Consent Calendar, the Board approved CAHSEE Score Waivers, as presented. |
| APPROVE SPRING 2009-10 ADULT ED COURSES | 9.4.4 | On adoption of the Consent Calendar, the board approved Spring Semester 2009-10 Adult Education Courses, as presented. |
| APPROVE WARRANTS THRU 12/4/09, CYCLE I & II PAYROLL FOR NOVEMBER 2009 | 9.5.1 | On adoption of the Consent Calendar, the board approved district warrants prepared for payment through December 4, 2009, and Cycle I and II Payroll for November 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, OJHS, OCTOBER 2009 | 9.5.3 | On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale Junior High School, October 2009, as presented. |
| APPROVE ASB ACCOUNTS, OHS, AUGUST - OCTOBER 2009 | 9.5.4 | On adoption of the Consent Calendar, the Board approved Student Body Accounts, Oakdale High School, August - October 2009, as presented. |

- AUTHORIZE DISPOSAL OF OBSOLETE EQUIPMENT & MATERIALS 9.5.5 On adoption of the Consent Calendar, the board authorized Disposal of Obsolete Equipment and Materials, as presented.
- ACCEPT RESIGNATIONS 9.6 Human Resources: None
- REPORT, SITE HIGHLIGHTS, ALTERNATIVE ED 11.2 Principal Mike Riley presented an overview of the four alternative education programs: East Stanislaus High School, Valley Oak Junior and Senior High School, Oakdale Charter High School, and Oakdale Vocational Education. He reviewed staff, criteria for enrollment, and special aspects of each site. Several board members noted improvements to alternative education over the years and their strong support of alternative education in meeting needs of students. Mr. Riley credited much of the success to the teachers. Superintendent Rich noted they had three teachers in core academic subjects last year, and went through the DAPSE process to make sure they had enrollment to support the addition of a science teacher. Mr. Rich also noted the changed perception of alternative education, the engagement level of students on his site visits, and that it is a place where students are there to get an education.
- REPORT, FIRST READING, BOARD POLICY UPDATE, 5000 – 5123 (g) SERIES 11.2 Assistant Superintendent Marc Malone presented updated board policies/administrative regulations, Students, 5000 – 5123 (g) Series, for first reading, and gave a brief review of the board policy update process. Superintendent Rich noted that if the board feels they need more time to review updated policies, we will adjust the review schedule.
- APPROVAL, FIRST INTERIM FINANCIAL REPORT 2008-09 12.4 Assistant Superintendent Hern presented an overview of the First Interim Financial Report for 2009-10, which included a Multi-Year Projection, conclusions from June Budget Adoption, Five-Year Enrollment History, Enrollment by Grade, Deficit Spending Chart, General Fund Balances (including Mandated 3% Designated for Economic Uncertainty, Ending Balance with and without Reductions, and with \$2.4 Million Plug), and Cash Flow.
- Mr. Hern noted that through carry-over, sweeps and \$2.4 Million reductions, the district was well prepared for further State deficit funding, but must make reductions to the 2010-12 fiscal years to remain in positive certification. The district is looking at reductions in expenditures and will come to the board with

recommendations for reductions to keep the district financially sound after the Governor's Budget is published in January.

Trustee Tozzi indicated that he will be asking a lot of questions about the 3% Mandated Designated for Economic Uncertainty at the Board Budget Workshop in January. It was noted that it takes well over \$2 Million to meet district payroll each month, which is more than the 3% reserve. It was also noted that if we cannot meet financial obligations, the district would go into receivership; the Superintendent would be released of duties and the Board would only be advisory, with a Trustee appointed and paid by the district.

Linda Kraus commented on the budget situation, citing NCLB as an example of setting schools up for failure, questioned teachers being held accountable while other resources for student support are not, and that the legislature needs to hear they are not doing their jobs rather than telling teachers how to do theirs. Trustee Tozzi suggested making an appointment to meet with someone in Sacramento to convey concerns. Ms. Kraus suggested that everyone can write their legislators even if they cannot make an appointment to meet with someone.

It was **M/S/C (Dyer/Homer)** to approve the First Interim Financial Report, as of October 31, 2009, for fiscal year 2009-10, and certify that the district is able to meet its financial obligations. Passed unanimously.

ADOPTION, BP/AR
4300 – 4331 (c) SERIES

12.5 Assistant Superintendent Marc Malone presented updated board policies/administrative regulations, All Personnel, 4300 – 4331 (c) Series, for second reading and adoption.

It was **M/S/C (House/Dyer)** to approve the Second Reading and Adoption of Updated Board Policies & Administrative Regulations, All Personnel, 4300 – 4331 (c) Series. Passed unanimously.

APPROVAL, CHANGE ORDER,
DEIDE CONSTRUCTION,
OJHS CLASSROOM PROJECT

12.6 Assistant Superintendent Hern presented this OJHS classroom project change order, noting this will be the last change order for this project as we are very close to being done. Board members expressed interest in a tour of the project sometime in January.

It was **M/S/C (House/Dyer)** to approve Change Order #3-G to Deide Construction, OJHS Classroom Project, #07/08E-1, Package A. Passed unanimously.

INFORMATION

- 13.1 Elementary Winter Band Concert, December 16, Magnolia Auditorium, 7:00 p.m.
- 13.2 Elementary Winter Choral Concert, December 17, Magnolia Auditorium, 6:00 (Grade 3) and 7:30 p.m. (Grades 4-6)
- 13.3 Schools Closed for Winter Break: December 21, 2009 - January 8, 2010
- 13.4 Board Budget Workshop, January 25, 2010, OJUSD Technology & Staff Development Center, 6:00 p.m. Fred asked Board members to e-mail Debbie with any questions they would like addressed at the workshop.

ITEMS FOR NEXT AGENDA

- 14.1 Approval of Graduation Dates and Board Assignments
- 14.2 Quarterly Report on Williams Settlement Complaints
- 14.3 Site Highlights: Magnolia
- 14.4 Discussion on High School Closed Campus (Tozzi)

ADJOURNMENT

- 16.0 Open Session adjourned into Closed Session at 8:21 p.m.