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Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Michael L. Smith, Interim General Counsel

Board Meeting Date 5/8/2019

Subject Amendment, Board Policy – Business and Noninstructional Operations – BP 3460 Financial Reports And Accountability

Action Requested and Recommendation Approval by the Board of Education of amendments to Board Policy – Business and Noninstructional Operations – BP 3460 Financial Reports And Accountability

Background and Discussion Periodically modifications to board policies are recommended to align with changes in law or recommended best practices. The proposed modifications to the board policies reflect the District’s standards and are based on the California School Boards Association’s model policies.

The changes to the policy are shown on the attachment. The proposed deletions are indicated with **blue strikeouts**. The recommended additions are shown in **red**.

Fiscal Impact No direct funding implications

Attachments Board Policy BP 3460 Financial Reports And Accountability

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Business and Noninstructional Operations

BP 3460

Financial Reports and Accountability

The Governing Board is committed to ensuring public accountability and the fiscal health of the district ~~and providing public accountability.~~ The Board shall adopt sound fiscal policies, oversee the district's financial condition, and ensure that continually evaluate whether the district's budget and financial systems operations support the district's goals for student achievement.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures/~~Expending Authority and Purchases~~)

(cf. 3430 - Investing)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

~~The Superintendent or Deputy Superintendent of Business Services shall regularly keep the Board informed about the district's finances and shall submit timely financial reports so that the Board can take appropriate action to ensure the district's financial stability.~~

~~The Superintendent or Deputy Superintendent of Business Services~~ The Superintendent or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education.— (CDE). He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

(cf. 3400 - Management of District Assets/Accounts)

~~*(cf. 3440 - Inventories)*~~

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When any such report must be approved by the Board prior to its submission to a local, state, and/or federal agency, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report and meet any applicable submission deadline.

The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability.

(cf. 1340 - Access to District Records)

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

(cf. 9322 - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent under the authority granted to him/her pursuant to Education Code 42131.

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

At any time during the year when the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after he/she has determined that the district's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendation. (Education Code 42637)

Audit Report

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

The Board shall not select any public accounting firm to provide audit services if the lead or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions

identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

The Board may ~~establish~~appoint an audit committee composed of staff knowledgeable ~~in~~about fiscal matters, other staff, and representatives of the community.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9130 - Board Committees)

(cf. 9140 - Board Representatives)

The committee shall serve in an advisory capacity ~~to the Board~~ and ~~shall~~may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and ~~Oakland Unified School District Administrative Regulations~~administrative regulations to recommend any revisions needed to ensure effective financial reporting
6. Provide input on the effectiveness of the independent auditor
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

~~Fiscal Policy Team~~

~~The Board may establish a fiscal policy team to periodically review the district's fiscal policies and procedures and advise the Board regarding long-range fiscal management plans. The fiscal policy team may be assigned to examine the fiscal and economic information needs of the district, the impact of budget allocations on district priorities, the financial health of the district, or other duties specified by~~

the Board. The team shall work with the district's budget and audit committees and appropriate staff in carrying out its functions.

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools

14500-14508 Financial and compliance audits

17070.10-17079.30 Leroy F. Greene School Facilities Act

17150-17150.1 Public disclosure of non-voter-approved debt

17170-17199.5 California School Finance Authority

33127 Standards and criteria for local budgets and expenditures

33128 Standards and criteria; inclusions

33129 Standards and criteria; use by local agencies

35035 Powers and duties of superintendent

41010-~~41023~~41024 Accounting system and audits

41326 Emergency apportionment

41344 Repayment of apportionment significant audit exceptions

41344.1 Appeals of audit findings

41455 Examination of financial problems of local districts

42100-42105 Requirement to prepare and file annual statement

~~42127.6 School district operations monitoring; financial obligation nonpayment~~

42120-42129 Budget requirements

42130-42134 Financial reports and certifications

42140-42142 Public disclosure of fiscal obligations

42637 County superintendent review of district's financial and budgetary conditions

42652 Revocation or suspension of warrant authority

48300-48316 Student attendance alternatives

52060-52077 Local control and accountability plan

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment

7900-7914 Appropriations limit

16429.1 Local agency investment fund

53646 Reports of investment policy and compliance

CODE OF REGULATIONS, TITLE 52

1859.104 Leroy F. Greene School Facilities Program, reporting requirements

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure

15070 Submission of reports using standardized account code structure

15440-15451 Criteria and standards for school district budgets

15453-~~15463~~15464 Criteria and standards for school district interim reports

19810-19816.1 Audits

UNITED STATES CODE, TITLE 31

7501- 7507 Single audits of federal program funds

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

[New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007](#)
[Audit Resolution Process: Repayment Plans, December 8, 2000](#)

[FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS](#)

[Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006](#)

[GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS](#)

[Statement 75, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2015](#)

[Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009](#)

[Statement 34, Basic Financial Statements –and Management's Discussion and Analysis - For State and Local Governments, June 1999](#)

[U.S. GENERAL ACCOUNTING OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY \(PCIE\) PUBLICATIONS](#)

[Financial Audit Manual, 2001](#)

[STATE CONTROLLER PUBLICATIONS](#)

[Standards and Procedures for Audits of California K-12 Local Educational Agencies \(annual publication\)](#)

[CSBA PUBLICATIONS](#)

[Maximizing School Board Leadership: Finance, 1996](#)

[CDE COMMUNICATIONS](#)

[1208-00-U.S. GOVERNMENT ACCOUNTABILITY OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY \(PCIE\) PUBLICATIONS](#)

[Government Auditing Standards, 2011](#)

[Financial Audit Resolution Process: Repayment Plans Manual, revised 2008](#)

[WEB SITES](#)

[Governmental Accounting Standards Board CSBA: <http://www.gasbcsba.org>](#)

[CDE, California Association of School Fiscal Business Officials: <http://www.casbo.org>](#)

[California County Superintendents Educational Services Association: <http://www.ccsesa.org>](#)

[California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fiscalfg>](#)

[State Controller's Office: <http://www.sco.ca.gov>](#)

[Education Audit Appeals Panel: <http://www.eaap.ca.gov>](#)

[Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>](#)

[California County Superintendents Educational Services Association: <http://www.ccsesa.org>](#)
[Governmental Accounting Standards Board: <http://www.gasb.org>](#)

[School Services of California: <http://www.sscal.com>](#)

[California Association of School Business Officials: <http://www.casbo.org>](#)
[State Controller's Office: <http://www.sco.ca.gov>](#)

[U.S. Government Accountability Office: <http://www.gao.gov>](#)

[U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>](#)

[7/14/04; 5/8/19A](#)

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Business and Noninstructional Operations

BP 3460

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3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
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7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

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 15070 Submission of reports using standardized account code structure
 15440-15451 Criteria and standards for school district budgets
 15453-15464 Criteria and standards for school district interim reports
 19810-19816.1 Audits
UNITED STATES CODE, TITLE 31
 7501- 7507 Single audits of federal program funds
CODE OF FEDERAL REGULATIONS, TITLE 2
 200.0-200.521 Federal uniform grant guidance

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 School Services of California: <http://www.sscal.com>
 State Controller's Office: <http://www.sco.ca.gov>
 U.S. Government Accountability Office: <http://www.gao.gov>
 U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>


 _____ 5/9/19
 Aimee Eng
 President, Board of Education


 _____ 5/9/19
 Kyla Johnson-Trammell
 Secretary, Board of Education

7/14/04; 5/8/19A