

# Oakland Unified School District

Board of Education  
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## **Meeting Minutes Long - Final**

**Monday, March 6, 2017**

**6:00 PM**

**KDOL TV Studio, B-237, Met West High School Entrance, 314 East 10th Street,  
Oakland, CA 94606-2291**

## **Audit Committee**

***Dan Lindheim, Chair***  
***Gregory Redmond, Vice Chair***  
***Beverly Hansen, Secretary***  
***Members: Frank Tsai, (Vacancy)***

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អ្នកណាដែលត្រូវការសេវាបកប្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខណ៍អក្សរ ឬត្រូវការការជួយសម្រេចសម្រួលយ៉ាងសមរម្យមួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំសាធារណៈ ត្រូវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រុមប្រឹក្សាអប់រំ ឱ្យបានចិតសិចពី (72) ម៉ោងមុនកិច្ចប្រជុំ តាមរយៈទូរស័ព្ទលេខ (510) 879-8199 ឬតាមរយៈអ៊ីមែល boe@ousd.org ឬទូរស័ព្ទ eTTY/TDD លេខ (510) 879-2300 ឬទូរសារលេខ (510) 879-2299។

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## A. Call to Order

*Chairperson Dan Lindheim called the meeting to order at 6:01 P.M.*

## B. Roll Call

**Present** 3 - Member Frank Tsai  
 Secretary Beverly Hansen  
 Chairperson Dan Lindheim  
**Absent** 1 - Vice Chairperson Gregory Redmond

## C. Speaker Request Cards/Modification(s) To Agenda

*The Committee considered the Agenda in the following order:*

*After considering Item E, the Committee considered Item F in the following order (17-0428, 17-0424, 17-0246, 17-0443, 17-0444 and 17-0452). The remainder of the Agenda was taken up in the order as printed.*

## D. Adoption of Committee Minutes



[17-0249](#)

### Minutes - Audit Committee - December 5, 2016

Approval by the Audit Committee of its Regular Meeting Minutes of December 5, 2016.

**Attachments:** [17-0249 Minutes - Audit Committee - December 5, 2016](#)

**A motion was made by Member Tsai, seconded by Secretary Hansen, that this Minutes, Committee be Adopted . The motion carried by the following vote.**

**Aye:** 3 - Member Frank Tsai  
 Secretary Beverly Hansen  
 Chairperson Dan Lindheim

**Absent:** 1 - Vice Chairperson Gregory Redmond

**Non-voting:** 0

Enactment No: 17-0266

## E. Unfinished Business

[17-0247](#)

### Progress Report - Chief Financial Officer - Fund 76 - Payroll Warrant Pass-Through Fund

A Report from the Chief Financial Officer or designee regarding the reconciliation of Fund 76 - Payroll Warrant Pass-Through Fund

*Gloria Gamblin, Interim Chief Financial Officer, made the staff presentation. Gamblin said she had no new update to report on, it's the same as it was last year. Staff is still working on this. The Payroll Department has more involvement with the reporting after discrepancies are identified. Still outstanding issues in Fund 76.*

*Lindheim said the issue is not the substance, but rather the reconciliation. He asked if*

there are items staff can't reconcile?

Gamblin said it takes time, in that staff has other tasks they are responsible for, but this is urgent. She said reconciliation for the last several years has brought the process down to where staff knows the person who can solve the issue.

Chairperson Lindheim said the Auditors made this a major item and the Controller said he had it under control.

Gamblin said compared to several years ago, she can see how that statement is accurate at this time.

Chairperson Lindheim asked for a more detailed account from staff in the next update.

**Discussed**

## F. New Business



[17-0424](#)

### Measure G Financial Audit - Vavrinek, Trine, Day & Co., LLP - Fiscal Year Ending June 2016

Presentation to Audit Committee of the Measure G Financial Audit Report for the Fiscal Year Ending June 2016 by Vavrinek, Trine, Day & Co., LLP ("VTD").

**Attachments:** [17-0424 Measure G Financial Audit - Vavrinek, Trine, Day & Co., LLP - Fiscal Year Ending June 2016](#)

Daniel Menyon made the staff presentation.

Menyon reported the Auditors are not present today. Menyon provided copies of the Measure G and Measure N Parcel Tax Audit Report to Committee Members and said he is happy to answer questions.

Lindheim said Committee Members have not had the opportunity to review the Audits and requested Menyon provide updates on any outstanding issues in the Audits.

Menyon talked about the Measure G Audit Finding – Page 4, administrative fee for Measure G charged by Alameda County.

Findings as printed in Audit Report.

County Collection Fee – We note the amount of the collection fee paid to Alameda County for Measure G was \$279,991. Per review of actual invoices received from the County, the actual charges to Measure G were \$346,934. For Measure N we noted the same fee charged as Measure G (the \$279,991). In actuality, the Measure N fee from the County was \$213,048. The collection fees charged for Measures N and G were \$559,982. The District initially posted these charges to the two Measures on a 50-50 basis. We pointed this matter out to the District and they have made the correction to transfer the correct amount of fee to each of the two Measures. Our expenditure summary reflects the corrected amounts. The amount of the transfer is \$66,943.

Menyon said staff took the fee and split 50/50 (50% in Measure G and 50% in Measure N). That is not the correct procedure. Fees are based on the value of the Measure. The finding has been corrected.

*Finding # 3 - Program 9000 - The District has 2 parcel tax measures, Measure G and Measure N. The County of Alameda bills the District a collection fee for collecting and remitting the parcel tax proceeds. We note that for this year, the District initially split the total collection fee 50-50 between the two Measures. In essence, Measure N was allocated too much fee and Measure G allocated too little. The amount of misallocation is \$66,943. We have discussed this matter with District staff and they concur and have agreed to make the necessary correction. Our expenditure summary reflects the corrected amounts.*

**Discussed**



**[17-0426](#)**

**Measure N Financial Audit - Vavrinek, Trine, Day & Co., LLP - Fiscal Year Ending June 2016**

Presentation to Audit Committee of the Measure N Financial Audit Report for the Fiscal Year Ending June 2016 by Vavrinek, Trine, Day & Co., LLP (“VTD”).

**Attachments:** [17-0426 Measure N Financial Audit - Vavrinek, Trine, Day & Co., LLP - Fiscal Year Ending June 2016](#)

*Daniel Menyon made the staff presentation.*

*Measure N Findings as printed in the Audit Report.*

*Page 4 – Finding #1 and #2 are related to one another and he will defer to the auditors for an explanation*

*Finding #1 - Program 1414 – This program contains all the Administrative costs of Measure N. The ballot language states that no more than 10% of Measure Proceeds can be spent on administrative overhead. For the current year, after the adjustment noted above we have calculated approximately \$509,000 in Administrative cost. The 10% factor is based on proceeds so, technically, since the parcel tax proceeds for the year were in excess of \$11,000,000, the District is in compliance with the 10% factor. However, the District needs to implement a procedure to rack the administrative cost on a cumulative basis. For example, it appears that Program 1414 costs will accelerate in future years since the 2015-16 expenditures are not indicative of what would be incurred in a full year. However the parcel tax proceeds are for a full year therefore it is likely the Administrative cost percentage will increase as full implementation of Measure N goals takes place. \$965,243 for verification. In total we selected 53% of the total expenditures for the 2016 fiscal year. Our Findings are noted below:*

*Finding # 2 - Program 1414 – Per review of the detailed payroll expenditures with District personnel, it was noted that one employee, Claire Shorall, had a portion of her salary and benefits allocated to Measure N in error. This was noted by OUSD personnel in our review of the expenditure detail. The total amount of the correction is \$104,468. We have discussed this matter with the District and they have agreed to make the appropriate adjustment.*

*Finding # 4 - Program 9000 – Transfers to Charter Schools – During the year the District transferred \$377,200 in Measure N parcel tax proceeds to six participating Charter Schools. We noted the payments made and we verified the amounts to a summary of the allocations prepared by the District. However, we did not receive any documentation to support how the amounts were arrived at. Therefore we were not able to determine if the allocation was made in an equitable manner. We request the District provide us with the appropriate backup make the documentation to support the amounts transferred to these six schools. Beyond District’s responsibility. When the Measures are issued, some fund are transferred to charter schools. When we give the funds to charter schools, we don’t*

have the resources to make sure they are spending the funds based on the language of the Measure.

Menyon said when the Bond Measures are issued, some of the funds are transferred to charter schools. When the District gives the funds to charter schools, it does not have the resources or the jurisdiction to audit charter schools to ensure they are spending the funds based on the language of the Measure.

Lindheim asked how does the District know how much to allocate to which charter school?

Menyon said it is formula driven. The District has the enrollment figures at each charter schools. He said in this audit finding, close to \$400,000 was allocated to charter schools. The auditors want the District or the charter school audit firm to audit that portion of the allocation to ensure it complies with the Bond Measure language.

Gamblin said the Curriculum Department and the Budget Office are in discussions to look at alternatives where the District has more oversight and are able to validate the expenditures.

Hansen said she previously asked that the Committee be given the amount of money the District provides to charter schools.

Menyon said today's report is regarding Measure N only for 2015/2016.

Hansen she said it sounds like it's at the District's discretion regarding the six charter high schools receiving Measure N funding.

Gamblin said staff will research this.

Tsai asked if the District is tracking what happens with the funds?

Menyon said the District does track the funds, in terms of the statistical results, he was not sure. Said staff can research this.

Edgar Rakestraw, Executive Assistant to the Board, said there is a Oversight Committee which has the responsibility for the oversight of Measure N Funds and there is a Measure G Commission as well. The responsibilities of the Measures and Committees are spelled out in the Measure as passed by the voters. He said the District has to come up with a more effective mechanism to oversee the responsibilities the District has regarding the use of funds by the charter schools.

#### **Discussed**



[17-0428](#)

#### **E-RATE Program Overview - Deputy Chief, Technology Services**

Presentation to the Audit Committee of E-RATE Program Overview by the Deputy Chief, Technology Services.

**Attachments:** [17-0428 E-RATE Program Overview - Deputy Chief, Technology Services](#)

Susan Beltz made the staff presentation. Beltz reported that E-Rate was established by the FCC in 1996.

- Administered by Universal Service Administrative Company (USAC)
- Schools and Libraries Division (SLD) of USAC responsible for E-Rate
- Provides discounts to schools and libraries for eligible services

- *Category 1: Telecommunications and Internet Access*
- *Category 2: Internal Network Infrastructure and Services*
- *Discount rates based upon:*
  - Percentage of students eligible for the National School Lunch Program*
  - Urban vs. Rural (Rural up to 10% higher based on tier and category)*
- *Discount Rates:*
  - Category 1: 20% to 90% Discount (0% to 40% for Voice Services)*
  - Category 2: 20% to 85% Discount*
  - OUSD receives 80% discount for Category 1 and 2 (40% for Voice Services in 2016-17, 20% in 2017-18, 0% in 2018-19)*
- *Form 486 is filed to indicate invoices can be paid (July-June)*
- *USAC can then pay vendor invoices (Form 473 filed by vendor)*
- *Deadline is the later of 120 days after receiving services or FCDL*

*Chairperson Lindheim asked about the RFP and who would be hired?*

*Beltz said Form 470 includes the type(s) and amount(s) of services requested. For category 2 E-Rate, you indicate how many school sites, you need a certain number of switches, routers, installation, and document the service provided for auditing purposes. Outlining what you are looking for and posting 28 days prior to filing Form 471, the selected service providers. OUSD recently filed 470 and the RFP is available though OUSD.org. All bids will be collected, reviewed, weighed, select the vendor(s) and get Board approval. Next step is to get a funding commitment decision letter from the firm that administers the District's E-Rate funding. Work starts after that and you file Form 486 when ready to pay vendor invoices for the work.*

#### *E-Rate process and overview*

*Form 470 and RFP are filed to open competitive bidding (Dec-Feb)*

- *Includes types and amounts of services requested*
- *Must be posted at least 28 days before filing Form 471*
- *Form 471 is filed to identify selected service providers (Mar-May)*
- *Details the services and specific schools that will receive them*
- *Calculates the amount of funding sought through E-Rate*
- *Funding Commitment Decision Letter (FCDL) (May-TBD)*
- *Contains decisions on approved and denied funding*
- *Issued to District and also to Service Provider(s)*

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#### *OUSD E-Rate Category 1 Funding*

*E-Rate Funding Formula for Category 1 (telecommunications)*

- *80% of eligible services*

- *Funding for Voice Services being reduced until eliminated in 2018*
- *Discounts applied directly to AT&T, Comcast & Verizon bills after funding; district reimbursed for paid bills*
- *Current Category 1 funding and projections:*

*In 2016/2017 - \$2.5 million was filed, no funding loss because it is over five years. District can claim all E-Rate funding in the first year or in the last year*

*Lindheim asked was there a reason for not filing?*

*Beltz said she thinks it had to do with the amount of work done in 15/16 to get were the District needed to be with certain things. Continuing to settle that out, run the networking equipment, handle the configuration, etc.*

*Lindheim asked Benz was there a cash flow loss of \$2 million?*

*Beltz said "no". She said because the District did not file a RFP in 2016/2017 does not mean the District has less money through E-Rate as a result. She said you claim what you are eligible for over a period of five years. You can claim all in one year and have the same overall funding in E-Rate for category 2.*

*Lindheim asked for the total amount for five years?*

*Beltz said based on allocation of \$150 dollar discount rate per student on the pre-discount amount. You multiply that by 37,000 (students) that equals approximately \$5 million total linked to student enrollment over a period of five years.*

*Lindheim said of that \$5 million plus, the \$2.5 was received in 2015/2016 and the remainder is received in the remaining funding years.*

*Beltz said the District expects to claim another large amount in 2017/2018. She said we will need to see where the bids land, that will indicate what the costs are for the RFP.*

*Committee Member Hansen asked about if something is not completed or does not occur because the funds are not claimed one year?*

*Beltz said the current RFP is filed to complete the work that still needs to be done. Various planning capacities, nothing was filed least year, but moving forward.*

*Hansen asked who completes the work?*

*Beltz said the project management is done by District staff, installation and configuration is done by the vendor.*

*Current E-Rate RFP*

*Form 470 and RFP were filed to open competitive bidding on Feb 24*

- *RFP available at: <http://www.ousd.org/Page/792>*
- *RFP is for infrastructure upgrades at 78 OUSD PK-12 sites*
- *The goal is to replace all legacy switches, routers, and power supplies*
- *Will improve network performance and reliability at these sites*
- *Vendors are asked to provide:*
  - Network hardware equipment*
  - Installation and configuration services*
  - Documentation to support future audits*

- *Timeline for 471 Filing*



- March 24: Due date for vendor proposals and bids
- March 29: Due date for vendor selections and Board memo
- April 12: Board Approval of E-Rate Annual Update
- April 13: Form 471 Filing (contingent upon Board Approval)

Committee Member Frank Tsai asked if the RFP is for five years of improvements or for one year?

Beltz said overall for a five year cycle.

Tsai asked if another RFP will be necessary to finalize?

Beltz said not this particular network modernization. If the quotes come back and the District has money remaining in the five year cycle, staff will look for the opportunity to bid leveraging those funds for further improvements as needed. This round is expected to be close to where the District would be at the five year cycle.

#### **Discussed**

### **17-0443**

#### **Report - District's 2016-2017 Budget Status - Chief Financial Officer**

Presentation to the Audit Committee by the Chief Financial Officer or designee on the District's 2016-2017 Budget Status.

Gamblin made the staff presentation.

Gamblin said the First Interim Report for 2016/2017 was presented to the Board at the December 2016 Board Meeting. Originally certified "Positive", but the County Office of Education contacted the District prior to the Report being submitted to the Board and the certification was changed to "Qualified". On Wednesday, the 2nd Interim Report will be submitted to the Board with a "Negative" certification. She said due to the "Qualified" certification in December, the District is now required to submit to the County Office of Education three Interim Reports for the 2016/2017 fiscal year. She said anytime you have a "Qualified" or "Negative" certification, you must submit a 1st, 2nd and 3rd Interim Report. The 3rd Interim Reporting will be as of April 30th and must be submitted to the County Office of Education by June 1st. The last Board Meeting in May, the 3rd Interim Report will be submitted to the Board for approval.

Lindheim asked if she had an explanation regarding the "Negative" certification?

Gamblin said usually the County Office of Education is looking for trends and patterns. Example: Fund balance going down over current year, spending more than we are receiving in revenues, and other factors.

Lindheim asked was this is the District's certification?

Gamblin said the certification was in conjunction with the Alameda County Office of Education. The District submitted its 2nd Interim Report to the County last Thursday or Friday. The County reviewed the Report and notified District leadership.

Lindheim said the District did not self-certify the "Negative" certification?

Gamblin said because of the conversation with the County, the District changed the certification to "Negative" based on the information the County shared with the District. When the 2nd Interim Report is submitted to the Board for approval, the certification will be "Negative". Because of the conversation with the County, we were looking at a different certification and wanted to confirm how the County viewed the 2nd Interim Report

*Lindheim said the news of a "Negative" certification and it is disheartening Gamblin cannot talk about the report.*

*Gamblin said if she had information to share with the Committee, she would. When she has more information to share with the Committee, she will share that information.*

*Lindheim said that is not acceptable. He said when staff come to committee meetings on something astounding as this information, you can come and say "I don't know". He said it is not okay.*

*Gamblin said she was not privileged to all the conversations and cannot share with the committee what she does not know. She said she will see if Senior Business Officer, Vernon Hal, can come and provide more detailed information.*

*After reporting on 17-0452, Student Body Funds, Gamblin returned to the podium to correct the earlier statement she made. She said Senior Business Officer, Vernon Hal, provided her with updated information about the 2nd Interim Report. Gamblin said the District certified a "Positive" 2nd Interim Report. That certification was changed to "Qualified" by Alameda County Office of Education. The District will not submit a "Negative" certification as previously stated, it will submit a "Qualified" certification.*

#### **Discussed**

#### **17-0444**

#### **Report - District's 2017-2018 Budget Development Process - Senior Business Officer**

Presentation to the Audit Committee by the Chief Financial Officer or designee of the District's 2017-2018 Budget Development Process.

*Gloria Gamblin made the staff presentation on the 2017/2018 budget development process.*

*Gamblin said staff have begun to have budget sessions with school sites; central office has not received their allocations yet. The Governor's Office is reporting things will be stagnant, conservative budget going forward. The Governor has a May Revised Budget that will be available on May 15th, based on that information some assumptions may change. The District is moving forward with the information shared at the January Governor's preliminary workshop*

*Lindheim said given the District is upside down as of the 2nd Interim, how will the District balance the budget for 2017/2018? He said Vernon Hal reported the last time he attended an Audit Committee Meeting the "Qualified" certification was unnecessary, but it was done because the County insisted on because of the uncertainty of where the District would make cuts from. He said Hal identified where the cuts would come from and indicated everything was going to be just fine and gave the indication that there was going to be a "Positive" certification unless the County still had some qualms. He said there was no indication that this would be a "Negative" certification.*

*Gamblin said she agreed, she said that was for 2016/2017. On 2017/2018, we are moving forward with the budget the District began to develop based on the Governor's budget. She said the cuts mentioned by Mr. Hal was for the 2017/2018 budget year. Those cuts are being incorporated into the budget cycle for 2017/2018.*

*Tsai asked about enrollment.*

*Gamblin said the current year's enrollment is lower than projected. Will provide more details at a future meeting.*

*Menyon said when developing a budget, the District has to do multi-year projections. The State of California says you must develop your budget and wants to make sure you can run the District in the current year and the subsequent two years. That is where the County Office stepped in and said "you look okay for this year, we don't think you can make it two years down the line". Menyon explained that the District can have a "Positive" certification at the 2nd Interim and the County can certify the District with a "Negative" certification if the projected two subsequent years the county does not think you can't make it.*

**Discussed**

**17-0452**

**Report - Chief Financial Officer - Associated Student Body Funds**

A Report to the Audit Committee from the Chief Financial Officer or designee regarding efforts to bring Associated Student Body Funds into Audit compliance.

*Daniel Menyon made the staff report.*

*Menyon said this has not been as easy as staff thought it would be. He said staff needed to make sure it knew how much money was at the school sites by determining what activity each school has. A survey was sent to schools and many said they did not have ASB Funds. There was follow-up with specific questions to make the determination. Vernon Hal directed staff to work with Network Superintendents to get information from principals.*

*Hansen asked which schools have Treasurers?*

*Menyon said treasurers are at high schools.*

*Hansen noted a lot of time has been given to resolving this issue.*

**Discussed**

**G. Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee**

**17-0433**

**Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Audit Committee - March 6, 2017**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Audit Committee - March 6, 2017.

*None.*

**H. Introduction of New Legislative Matter**

*Gloria Gamblin announced Daniel Menyon is leaving the District for a position as CBO in Marin County.*

*Parting words from Menyon. Menyon said tonight will be his last Audit Committee Meeting. Said he will miss the team and OUSD. Promised to will follow-up with Fund 76 and ASB Funds.*

*Lindheim thanked Menyon for his service to the Audit Committee.*

## **I. Adjournment**

*Chairperson Lindheim adjourned the meeting at 7:01 P.M.*

Prepared By: \_\_\_\_\_

Approved By: \_\_\_\_\_