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Enactment Date	8/22/18 os



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

# Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent  
 Marcus Battle, Chief Business Officer  
 Ofelia Roxas, Chief Financial Officer

Board Meeting Date August 22, 2018

Subject Approval of Resolution No. 1819.0003 for Fiscal Year 2018-2019 Spending Plan for Education Protection Account (Proposition 30 Fund)

**Action Requested** Approval of Resolution No. 1819.0003 for the spending plan for Proposition 30 funds for Fiscal Year 2018-2019.

**Background** On November 6, 2012, voters approved Proposition 30: The Schools and Local Public Safety Protection Act of 2012. Pursuant to Article XIII, Section 36 of the California Constitution, each school district, charter school, county offices of education, and community college district are required to determine how the funds received from the Education Protection Account (EPA) will be spent in the schools within its jurisdiction, provided that the governing board makes the spending determinations in an open session of a public meeting (see **Exhibit A**). The language in the constitutional amendment requires that funds shall not be used for the salaries and benefits of administrators or any other administrative costs. (see **Exhibit C**)

**Discussion** Proposition 30 provides that all K-14 local agencies have the sole authority to determine how the funds received from the EPA are spent. The revenues generated from Proposition 30 are deposited into a newly created state account called the Education Protection Account (EPA). School districts, county offices of education, and charter schools (LEAs) will receive funds from the EPA based on their proportionate share of the statewide revenue limit amount. A corresponding reduction is made to an LEA's Local Control Funding Formula (LCFF) EPA entitled. OUSD receives EPA payments quarterly, beginning with the 2013-14 Fiscal Year.

**Recommendation** Approval by the Board of Education of Resolution No. 1819.0003 – Spending Plan of the Education Protection Account - Proposition 30 Funds - estimated for Fiscal Year 2018-19 in the EPA entitlement amount of **\$53,060,463**. A copy of the District's EPA report for revenue and expenditure summary through June 30, 2019 is attached as **Exhibit A**.

**Attachments**

- EXHIBIT "A" (2018-2019 EPA Expenditure Summary)
- EXHIBIT "B" (2018-2019 EPA Advance Apportionment per CDE)
- EXHIBIT "C" (Approved Activities for EPA fund expenditures)
- Resolution No. 1819.0003

**BOARD OF EDUCATION OF THE  
OAKLAND UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 1819-0003  
SPENDING OF THE EDUCATION PROTECTION ACCOUNT –  
PROPOSITION 30 FUNDS – FISCAL YEAR 2018-2019**

**WHEREAS**, the voters approved Proposition 30 on November 6, 2012;

**WHEREAS**, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

**WHEREAS**, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

**WHEREAS**, before June 30<sup>th</sup> of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

**WHEREAS**, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

**WHEREAS**, all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts;

**WHEREAS**, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government;

**WHEREAS**, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

**WHEREAS**, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

**WHEREAS**, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

**WHEREAS**, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

**WHEREAS**, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

**WHEREAS**, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid

with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of **Oakland Unified School District**; and

2. In compliance with Article XIII, Section 36(e), with the California Constitution, the Governing Board of the **Oakland Unified School District** has determined to spend the monies received from the Education Protection Act – \$53,060,463.00 - attached as Exhibit “A.”

**Passed by the following vote:**

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: Student Director Chavez and Student Osmosowho

PREFERENTIAL RECUSE: None

AYES: Roseann Torres, Shanthi Gonzales, Nina Senn, James Harris, Jody London, Vice President Jumoke Hinton Hodge, President Aimee Eng

NOES: None

ABSTAINED: None

RECUSE: None

ABSENT: None

**CERTIFICATION**

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on the 22<sup>nd</sup> Day of August, 2018.

Legislative File	
File ID Number:	18-1555
Introduction Date:	August 22, 2018
Enactment Number:	18-1397
Enactment Date:	8/22/18
By:	OS

Resolution No. 1819.0003

**OAKLAND UNIFIED SCHOOL DISTRICT**



Aimee Eng  
President, Board of Education



Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education

**EXHIBIT A**

2018-19 Education Protection Account Expenditure Summary

**Oakland Unified School District  
Education Protection Account Expenditure Summary****Fiscal Year 2018-19****General Fund, Resource 1400**

Description	Function	Amount
<b>EXPENDITURES AND OTHER FINANCING USES</b>		
(Objects 1000-7999)		
Instruction	1000-1999	53,060,463.00
Instruction-Related Services		
Instructional Library, Media, and Technology	2420	0.00
Other Instructional Resources	2490-2495	0.00
Pupil Services		
Guidance and Counseling Services	3110	0.00
Psychological Services	3120	0.00
Attendance and Social Work Services	3130	0.00
Health Services	3140	0.00
Speech Pathology and Audiology Services	3150	0.00
Pupil Testing Services	3160	0.00
Pupil Transportation	3600	0.00
Food Services	3700	0.00
Other Pupil Services	3900	0.00
Ancillary Services	4000-4999	0.00
Community Services	5000-5999	0.00
Enterprise	6000-6999	0.00
Plant Services	8000-8999	0.00
Other Outgo	9000-9999	0.00
County Office of Education Only		
County Services to Districts (without regard to Function) (Goal 8600)	various	0.00
<b>TOTAL EXPENDITURES AND OTHER FINANCING USES</b>		<b>53,060,463.00</b>
<b>AMOUNT AVAILABLE FOR THIS FISCAL YEAR</b>		
Adjusted Beginning Fund Balance (Objects 9791-9795)		0.00
Revenue Limit Sources (Object 8012)		53,060,463.00
<b>TOTAL AVAILABLE</b>		<b>53,060,463.00</b>
<b>BALANCE (Total Available minus Expenditures &amp; Other Financing Uses)</b>		<b>0.00</b>

## EXHIBIT B

### Principal Apportionment Summary

#### 2018–19 Advance Apportionment

California Department of Education

Legend: AB 602 = Assembly Bill 602; ADA = Average Daily Attendance; COE = County Office of Education; LCFF = Local Control Funding Formula; PY = Prior Year; EPA = Education Protection Account; Ch = Chapter

Payment Type: 1 = Paid pursuant to *Education Code (EC)* Section 14041(a)(2); 2 = Paid pursuant to *EC* Section 14041(a)(6); 3 = Paid pursuant to *EC* Section 14041(a)(7)

County Code	District Code	School Code	Charter Number	Charter Fund Type	Local Educational Agency	District Type	EPA Entitlement as of 2018–19 Advance (1400-8012)
01	61259	N/A	N/A	N/A	Oakland Unified	UNIFIED	53,060,463

**Prepared by:**

California Department of Education

School Fiscal Services Division

July 2018

**EXHIBIT C: Approved Activities for EPA Fund Expenditures**

**Specifically, for what types of activities may EPA funds be used?**

Except as provided below for COEs, the following tables of SACS functions show the activities for which EPA funds may and may not be used:

**1000–1999 INSTRUCTION**

SACS Function	Chargeable to EPA?
1000 Instruction	Yes
1110 Special Education: Separate Classes	Yes
1120 Special Education: Resource Specialist Instruction	Yes
1130 Special Education: Supplemental Aids and Services in Regular Classrooms	Yes
1180 Special Education: Nonpublic Agencies/Schools	Yes
1190 Special Education: Other Specialized Instructional Services	Yes

**2000–2999 INSTRUCTION-RELATED SERVICES**

SACS Function	Chargeable to EPA?
2100 Instructional Supervision and Administration	No
2110 Instructional Supervision (optional)	No
2120 Instructional Research (optional)	No
2130 Curriculum Development (optional)	No
2140 In-house Instructional Staff Development (optional)	No
2150 Instructional Administration of Special Projects (optional)	No
2200 Administrative Unit (AU) of a Multidistrict SELPA	No
2420 Instructional Library, Media, and Technology	Yes
2490 Other Instructional Resources	Yes
2495 Parent Participation (optional)	Yes
2700 School Administration	No

**3000–3999 PUPIL SERVICES**

SACS Function	Chargeable to EPA?
3110 Guidance and Counseling Services	Yes
3120 Psychological Services	Yes
3130 Attendance and Social Work Services	Yes
3140 Health Services	Yes
3150 Speech Pathology and Audiology Services	Yes
3160 Pupil Testing Services	Yes
3600 Pupil Transportation	Yes
3700 Food Services	Yes
3900 Other Pupil Services	Yes

**4000–4999 ANCILLARY SERVICES**

SACS Function	Chargeable to EPA?
4000 Ancillary Services	Yes
4100 School-Sponsored Co-curricular (optional)	Yes
4200 School-Sponsored Athletics (optional)	Yes
4900 Other Ancillary Services (optional)	Yes

**5000–5999 COMMUNITY SERVICES**

**EXHIBIT C: Approved Activities for EPA Fund Expenditures**

SACS Function	Chargeable to EPA?
5000 Community Services	Yes
5100 Community Recreation (optional)	Yes
5400 Civic Services (optional)	Yes
5900 Other Community Services (optional)	Yes

**6000–6999 ENTERPRISE**

SACS Function	Chargeable to EPA?
6000 Enterprise	No

**7000–7999 GENERAL ADMINISTRATION**

SACS Function	Chargeable to EPA?
7100 Board and Superintendent	No
7110 Board	No
7120 Staff Relations and Negotiations (optional)	No
7150 Superintendent (optional)	No
7180 Public Information (optional)	No
7190 External Financial Audit—Single Audit	No
7191 External Financial Audit—Other	No
7200 Other General Administration	No
7210 Indirect Cost Transfers	No
7300 Fiscal Services (optional)	No
7310 Budgeting (optional)	No
7320 Accounts Receivable (optional)	No
7330 Accounts Payable (optional)	No
7340 Payroll (optional)	No
7350 Financial Accounting (optional)	No
7360 Project-Specific Accounting (optional)	No
7370 Internal Auditing (optional)	No
7380 Property Accounting (optional)	No
7390 Other Fiscal Services (optional)	No
7400 Personnel/Human Resources Services (optional)	No
7410 Staff Development (optional)	No
7430 Credentials (optional)	No
7490 Other Personnel/Human Resources Services (optional)	No
7500 Central Support (optional)	No
7510 Planning, Research, Development, and Evaluation (optional)	No
7530 Purchasing (optional)	No
7540 Warehousing and Distribution (optional)	No
7550 Printing, Publishing, and Duplicating (optional)	No
7600 All Other General Administration (optional)	No
7700 Centralized Data Processing	No

**8000–8999 PLANT SERVICES**

SACS Function	Chargeable to EPA?
8100 Plant Maintenance and Operations	Yes
8110 Maintenance (optional)	Yes
8200 Operations (optional)	Yes
8300 Security (optional)	Yes
8400 Other Plant Maintenance and Operations (optional)	Yes
8500 Facilities Acquisition and Construction	Yes

**EXHIBIT C:** Approved Activities for EPA Fund Expenditures

8700 Facilities Rents and Leases	Yes
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**9000-9999 OTHER OUTGO**

SACS Function	Chargeable to EPA?
9100 Debt Service	Yes
9200 Transfers Between Agencies	Yes

**County Office of Education only**

SACS Goal	Chargeable to EPA?
8600 County Services to Districts (without regard to function)	Yes