OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To	Board of Education
From	Antwan Wilson, Superintendent Vernon Hal, Deputy Superintendent, Senior Business Officer Ruth Alahydoian, Chief Financial Officer
Board Meeting Date	September 24, 2015
Subject	Approval of Resolution No. 1516-0031 for Fiscal Year 2015-16 Spending Plan for Education Protection Account (Proposition 30 Fund)

Action Requested	Approval of Resolution No. 1516-0031 for the spending plan for Proposition 30 funds for Fiscal Year 2015-16.
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). Local education agency (LEA), School districts, county offices of education, and charter schools (LEAs) receive funds from the EPA based on their proportionate share of the statewide Local Control Funding Formula (LCFF) amount. A corresponding reduction is made to an LEA's LCFF EPA entitled. OUSD receives EPA payments on a quarterly basis, beginning with the 2013-14 Fiscal Year.
Recommendation	Approval by the Board of Education of Resolution No. 1516-0031 - Spending of Education Protection Act Account – Proposition 30 Funds – Fiscal Year 2015-16, in the amount of $47,055,246.00.
Fiscal Impact	Oakland Unified School District estimated 2015-16 EPA entitlement is $47,055,246.00. A copy of the District's EPA report for revenue and expenditures through June 30, 2016 is attached as Exhibit "A"
Attachments	• **EXHIBIT "A"** (2015-16 EPA Estimated Revenue and Expenditure Plan) • **EXHIBIT "B"** (2015-16 EPA Advance Apportionment per CDE) • **EXHIBIT "C"** (Approved Activities for EPA fund expenditures) • **Board Resolution No.** 1516-0031

GOVERNING BOARD OF THE OAKLAND
UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 1516-0031

SPENDING OF THE EDUCATION PROTECTION ACT -
PROPOSITION 30 FUNDS - FISCAL YEAR 2015-2016

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 30th 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;

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 as specified in Exhibit A (attached).
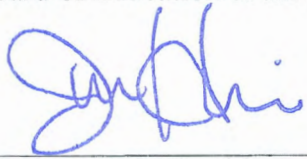
PASSED BY THE FOLLOWING VOTE:

Ayes: Nina Senn, Aimee Eng, Shanthi Gonzales, Jumoke Hinton Hodge, Vice President Jody London, President James Harris
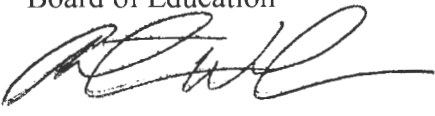
Nays: None

Abstained: None

Absent: Roseann Torres

We, James Harris and Antwan Wilson, President and Secretary of the Governing Board of the Oakland Unified School District, respectively, do herby certify that the foregoing Resolution was duly approved and adopted by the Governing Board of said District at a Regular Meeting held on the 24th day of September, 2015, with a copy of the Resolution being on file in the Office of the Board of Education of the District.

By: _____
James Harris, President
Board of Education

_____
Antwan Wilson, Secretary
Board of Education

Bd. Office Use.:	Legislative File No.
File ID Number	15-1471
Introduction Date	9/24/15
Enactment Number	15-1519
Enactment Date	09/24/2015

EXHIBIT A

2015-16 Education Protection Account
Program by Resource Report (Detail Expenditures by Function)

Oakland Unified School District
Expenditures through: June 30, 2016
For Fund 01, Resource 1400 Education Protection Account

Description	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR		
Adjusted Beginning Fund Balance	9791-9795	
Revenue Limit Sources	8010-8099	$ 47,055,246.00
Federal Revenue	8100-8299	
Other State Revenue	8300-8599	
Other Local Revenue	8600-8799	
All Other Financing Sources and Contributions	8900-8999	
Deferred Revenue	9650	
TOTAL AVAILABLE		$ 47,055,246.00
	Function Codes	**Amount**
EXPENDITURES AND OTHER FINANCING USES		
Instruction	1000-1999	$ 47,055,246.00
Instruction-Related Services	2100-2150	
Instruction Supervision and Administration	2100-2150	
AU of a Multidistrict SELPA	2200	
Instruction Library, Media, and Technology	2420	
Other Instructional Resources	2490-2495	
School Administration	2700	
Pupil Services		
Guidance and Counseling Services	3110	
Psychological Services	3120	
Attendance and Social Work Services	3130	
Health Services	3140	
Speech Pathology and Audiology Services	3150	
Pupil Testing Services	3160	
Pupil Transportation	3600	
Food Services	3700	
Other Pupil Services	3900	
Ancillary Services	4000-4999	
Community Services	5000-5999	
Enterprise	6000-6999	
General Administration	7000-7999	
Plant Services	8000-8999	
Other Outgo	9000-9999	
TOTAL EXPENDITURES AND OTHER FINANCING USES		$ 47,055,246.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)		$ -

EXHIBIT B

California Department of Education
Advance Principal Apportionment Summary
Fiscal Year 2015-16

Legend:

AB 602: Assembly Bill 602, **PY**: Prior Year,

Payment Type: * = Paid pursuant to California *Education Code (EC)* Section 14041(a)(7), ** = Paid pursuant to *EC* Section 14041(a)(8), Blank = Not Paid pursuant to *EC* sections 14041(a)(7) or 14041(a)(8)

County Code	District Code	School Code	Charter Number	Fund Type	Local Educational Agency	District Type	Education Protection Account (EPA) Entitlement as of 2015-16 Advance (1400-8012)
01	10017				Alameda Co. Office of Education	CO OFFICE	$3,375,168
01	10017	0112607	0811	D	Envision Academy for Arts & Technology	UNIFIED	557,025
01	10017	0123968	1284	D	Community School for Creative Education	UNIFIED	240,128
01	10017	0124172	1296	L	Yu Ming Charter	CO OFFICE	318,594
01	10017	0125567	1383	D	Urban Montessori Charter	UNIFIED	333,431
01	10017	0131581	1707	D	Oakland Unity Middle School	UNIFIED	0
01	10017	6001788	0740	D	Cox Academy	UNIFIED	720,371
01	10017	6002000	1464	D	Lazear Charter Academy	UNIFIED	538,951
01	61119				Alameda Unified	UNIFIED	12,097,855
01	61119	0119222	1066	D	Nea Community Learning Center	UNIFIED	621,415
01	61119	0122085	1181	D	The Academy of Alameda	UNIFIED	643,792
01	61119	0130609	0352	D	Alameda Community Learning Center	UNIFIED	511,663
01	61119	0130625	0398	D	Alternatives in Action	UNIFIED	213,910
01	61119	0131805	1718	D	The Academy of Alameda Elementary School	UNIFIED	0
01	61127				Albany City Unified	UNIFIED	4,987,844
01	61143				Berkeley Unified	UNIFIED	13,049,269
01	61143	0122689	1254	D	REALM Charter Middle	UNIFIED	395,367
01	61143	0122697	1255	D	REALM Charter High	UNIFIED	522,901
01	61150				Castro Valley Unified	UNIFIED	12,082,974
01	61168				Emery Unified	UNIFIED	750,077
01	61176				Fremont Unified	UNIFIED	43,754,357
01	61176	0130534	0152	L	Circle of Independent Learning	UNIFIED	343,465
01	61192				Hayward Unified	UNIFIED	26,495,648
01	61192	0108670	0684	D	Leadership Public Schools - Hayward	UNIFIED	766,871
01	61192	0113902	0836	D	Impact Academy of Arts & Technology	UNIFIED	691,706
01	61192	0119248	1067	D	Golden Oak Montessori of Hayward	UNIFIED	263,447
01	61192	0127696	1514	D	Knowledge Enlightens You (KEY) Academy	UNIFIED	50,206
01	61192	0127944	1543	D	Silver Oak High Public Montessori Charter	UNIFIED	21,100
01	61200				Livermore Valley Joint Unified	UNIFIED	16,008,803
01	61200	0107839	1565	D	Livermore Valley Charter	UNIFIED	1,394,816
01	61200	0120931	1124	D	Livermore Valley Charter Preparatory High	UNIFIED	608,754
01	61218				Mountain House Elementary	ELEMENTARY	4,292
01	61234				Newark Unified	UNIFIED	8,153,706
01	61242				New Haven Unified	UNIFIED	16,226,471
01	61259				Oakland Unified	UNIFIED	47,055,246
01	61259	0100065	0510	D	Oakland Unity High	UNIFIED	442,245
01	61259	0100123	0499	D	East Oakland Leadership Academy	UNIFIED	165,261
01	61259	0106906	0661	D	Bay Area Technology	UNIFIED	357,695
01	61259	0108944	0700	D	Lighthouse Community Charter High	UNIFIED	382,808
01	61259	0109819	0726	D	Aspire Berkley Maynard Academy	UNIFIED	700,800
01	61259	0111476	0780	D	Achieve Academy	UNIFIED	933,264
01	61259	0111856	0765	D	American Indian Public High	UNIFIED	324,487
01	61259	0114363	0882	D	American Indian Public Charter School II	UNIFIED	812,208

Prepared by:

California Department of Education
School Fiscal Services Division
July 2015

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

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

8700 Facilities Rents and Leases	Yes

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