

*Learning for all – no
limits, no excuses,
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Oak Run Elementary School District
Board of Trustees

Special Board Meeting Agenda Minutes

Governance Team
Shawn Hill, President
Dede Masala, Clerk
Sean Kittrell, Member
Candace Maurer, Member
Misti Livingston, Superintendent

Monday, April 1, 2024
5:00 PM
Oak Run Elementary School
27635 Oak Run to Fern Rd.
Oak Run, CA 96069
ORESD Office

Our Mission

To Ensure Learning For All, No Limits, No Excuses & Unlimited Possibilities.

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providing more time & support, meeting the needs of the whole child, & being persistent & passionate about children.*

Open Session 5:00 PM

1. OPENING BUSINESS

1.1. Call to Order

1.2. Roll Call / Establish Quorum

Shawn Hill, President

Sean Kittrell, Member

Misti Livingston, Superintendent/Secretary

Dede Masala, Clerk

Candace Maurer, Member

, Member

Staff & Public in Attendance:

Wayne Freeman, Jessica Bigby, Mike Freeman

1.3. Pledge of Allegiance

1.4. Approval of Agenda

2. CONSENT ITEMS

Items listed under the Consent Calendar are considered to be routine and it is understood that the Administration recommends approval on all consent items. The Board of Trustees in one-motion takes action on consent items. There is no discussion of these items before the Board votes unless a Trustee, staff member, or public citizen requests specific items be discussed and/or removed from the Consent Calendar. Each item on the Consent Calendar that is approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

2.1 Approval of Consent Items

None at this time.

3. CELEBRATION

3.1 *Recognition:* Happy Easter!

4. PUBLIC COMMENT

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Agenda Items: The public may address agenda items in the Action, Non-Action, and Reports/Comments portions of the meeting, before board discussion on the topic, when recognized by the chairperson. Speakers are asked to identify themselves before they begin their comments and are allowed to speak one time per agenda item for up to two minutes.

Non-Agenda Items: The Board will listen to public comment on any item of interest not on the agenda that is within their jurisdiction. The Board may limit public comments to no more than 2 minutes pursuant to Board policy. *The Board may not respond to public comments on an item not on the agenda.* Questions, concerns and requests directed to the board will usually be deferred pending administrative and board consideration at a later meeting.

Process: Comments or suggestions may be made orally at the meeting or in writing (letter or e-mail). Suggestions or Comments can be made in the Suggestion Box in the school office or by e-mailing suggestions@oakrunschool.org. Staff will report on the progress of parent/community suggestions and, if needed, they will be added to the board agenda in the future.

5. ACTION ITEMS

5.1 Action/ Discussion Item: 1st Interim Budget

Jessica Bigby: We prepare your financials for you. We, from the county office have to certify you for everything that goes to the state. So we certify whether we believe them to be accurate or false. You can file them with us or you can hire someone else but it still has to go through us. We have been in communications with your team and we are charged with auditing your ADA. We are looking for who has been immunized. We are required to audit numbers if we do not feel confident in what you are doing. We did not have any master agreements that met the requirements to count for your ADA. This budget is built off what Ada we could substantiate. That was within the band one. You are a necessary small school. We could substantiate 12.95. We will be including 5 homeless. Technically, if you look at the audit, this budget is built off of the ADA that we have established. You have 30 days to get them immunized.

Misti Livingston: Is this the state law or the county guidance, for the 30 day idea.

Jessica Bigby: I do not actually know. We provided you guidance of 30 days.

Misti Livingston: Well I have been to many law conferences and training with the county, and although there is a due diligence clause, there is no actual timeline within the law to have homeless students immunized. Only that we need to be doing due diligence to get our students immunized, which we are doing and have been doing. We try very hard to have all students

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immunized. (Mike Freeman shaking his head in agreement.)

Candace Maurer: In the big picture, this is a very unique situation. It is very different. Maybe there are some schools like this. The school is the heart and you do whatever you can to get those kids in to have them have fed, loved, and taken care of.

Jessica Bigby: We are not attempting to not serve Oak Run. If you look at other school districts throughout the state, they are a lot bigger. One of the pros of being small is that you have local control and you can move to serve those kids as you deem most appropriate.

Mike Freeman: In a small school district, you know their needs, unfortunately in order to get the money; we have to play by the rules.

Jessica Bigby: The budget is already past due.

Misti Livingston: When were the deadlines for the two budgets, 1st and 2nd interim?

Jessica Bigby: 2nd interim was due 3/15.

Inaudible mumbles.

Misti Livingston: And when was the 1st one due?

Jessica Bigby: The 1st one was due December 15. You are only funded on the children we can count right now. Moving forward we hope that your numbers can come up. You have money in the bank and you are just spending it down. Independent Study has always been a sticky situation.

*Ms. Bigby made a note about our I.S. documents not having been audited outside of the county office.

Misti Livingston: Sorry, you said that our Independent Study documents have only been audited by you (gesturing toward Ms. Bigby with straight fingers out and together and palm facing up) the county office. And no other person has seen our documents?

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Jessica: Correct. Oak Run's budget is based on the Independent Study that the county deemed okay and all 5 of the homeless kids were included.

Misti Livingston: We have fourteen (14) homeless students.

Mike: Homeless is a broad definition... (note: did not get all of the description that Mr. Freeman explained about what classifies student as homeless, but Oak Run staff are aware of the classifications).

Misti Livingston: So these budgets that have been provided are inaccurate? (Ms. Bigby sighed, tightened her lips, lifted both hands just a bit out of her lap and placed them back down, rolled her eyes a little up and over to look toward but not at Mr. Freeman, and tilted her head and left shoulder in Mr. Freeman's direction.)

Board members ponder for a bit.

Shawn Hill: So our contracted audit... Is his audits word. Is his audits the final word. On his last audit, if he reported everything good, (Ms. Bigby interrupted)...

Jessica Bigby: He will take sample audits, so it's not detailed. His audits do not supersede our audits.

Dede Masala: I just want to show you a few pictures that I took (looks to the Board and asks if it is okay to show our guests and all members shake heads yes and say sure). She gets up and slowly walks over to Ms. Bigby and Mr. Freeman to explain what "The Hole" is and that some staff have to drive down into the scary parts of Oak Run to pick up students and get them to school. She explains that when a stranger goes down those roads that you will most likely hear a chk-chk sound, as she motions like she is cocking a shotgun. She said, I am not trying to scare anyone, but I am telling you that we go to great lengths to get our kids to school so they can learn and be loved. Shawn Hill sometimes gets called down there and he won't even go to some of those places, but our staff will because they care about our kids.

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Wayne Freeman: When I first started coming up here in 2016. Me and my biker friends say we can't go down there. It's the real deal.

Misti Livingston: Kindly asking: Yes we do take care of our kids and do everything we can to get them to school and fed; however, can we please go back around to the budget. I'd like to hear about the actual numbers of the budget (as the 1st Interim Budget was displayed on the T.V. screen in the room, at the place where one would first see numbers in it).

Jessica: Smiles and giggles a little and said, Oh yes, where was I...and then talks more about the I.S. Contracts, but not about the actual numbers.

Misti Livingston: Oh yes, about the contracts that our budget is based off of. Office procedures. I guess I'm confused because I have personally asked for assistance with things in the office. As Ms. Bigby moves her head as to partially express a 'no' sentiment, I state, Oh yes, I've asked you personally and emailed you directly, I've asked Mr Freeman (as I gesture with an open hand and palm toward the ceiling), Will Barnett, and even Judy.

Jessica Bigby: No, you did not.. Mr. Freeman cuts her off by speaking up and extending his hand with fingers out straight and palm facing the floor, moving toward her as if to say 'please be quiet.'

Mike Freeman: While gesturing towards Ms. Bigby he very kindly, while moving his head in an affirming manner up and down said, Yes she did ask. Yes she did. Yeah she did. (Ms. Bigby stopped speaking altogether for a few moments and sat up a little more straight than she previously was.)

Jessica Bigby: We cannot give you contracts for Independent Study contracts. This is why we recommend that you speak with other school districts and to also speak with your legal counsel. And we do not have an Independent Study contract to give you. We don't necessarily have those items that we can give you.

Misti Livingston: But if you can audit our Independent Study documents and count 37 things wrong with our contract then you can give advice on what to include in them, back when we

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asked.

Mike Freeman: Well, we can talk a lot about this, but we'd rather not take up the Board time.

Shawn Hill: So where does this fic-mat come into play (as he looks at Mrs. Livingston and asks if he is saying it correctly, and she verifies that it is correct)? Who are these folks and do they have the final say of what happens?

Jessica Bigby: FCMAT is a financial guide. They do not have the final say.

Misti Livingston: But they will classify us as a high risk or low risk, which is a final say, though?

Jessica Bigby: Correct, but they do not have the final say. They are more of a guide that the state goes off of. And, in most cases, their guidance is listened to and followed.

Misti Livingston: Okay, so, if FCMAT does not have the final say then why are they being called in to analyze our financials? Who are the departments in the state that you are speaking with that do have the final say?

Jessica Bigby: Sounding confused: Well, I don't remember the departments, I just know the humans I am speaking with.

Misti Livingston: Kindly and calmly asks: Ohh, who are the humans that you are speaking with?

Jessica Bigby: Oh umm, they are John Miles, Aaron – a higher level director, Elizabeth Dearhorn...(she trails off as the present Board Members quietly communicate through the line they are sitting).

Jessica Bigby: So do you guys have the Budgets as an action item on the agenda.

Misti Livingston: Yes, and based on the inaccurate Budgets provided and the fact that the Board wishes to speak with FCMAT before making a decision, I would make a recommendation to table these budgets, even though it says to approve. I think we'd like a second opinion.

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Ms. Bigby: Briefly rifling through her things in front of her: In the case of you not approving the budgets, I would recommend you read this before you make a decision here (she hands a copy of the California Education Codes 42128 and 42129 to all present).

The Board and Mrs. Livingston read the printed document which has two things highlighted in yellow

- "...shall not make any apportionment or state or county school money for the particular school district..." and
- "...withhold payment of any stipend, expenses, or salaries to the district superintendent..."

Dede Masala: So if we table the budgets today, how long do we have before this goes into effect?

Jessica Bigby: "I don't know," as she cups her hands together in front of her.

The Board and Mrs. Livingston speak quietly through the line in which we are seated.

Jessica Bigby: Interrupts the silence as she admits, "It is good that you don't sign off on something you don't understand. That's kind of why you're in this mess," as she smiles and giggles a little bit.

Misti Livingston: (Gesturing to acknowledge Ms. Bigby's declaration) Again, I would recommend these two Budgets to be Tabled simply based on the fact that they are inaccurate Budgets.

*In the Board's quiet conversation, the Oak Run School Board notes that Ms. Bigby and/or Mr. Freeman, the two representatives of the county who were present, did not explain the actual numbers to the budget as requested in this meeting, which is pertinent information for a business entity to approve a budget. It was only stated that the county does the budgets. It was explained in a manner to suggest that it doesn't matter if this business entity agrees with the budget or not, and that the Budgets should be approved regardless of if the Governing Board and management

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agrees or not.

*The Oak Run School Board acknowledges that Oak Run School Administration and Board Members did not receive sufficient information about the 1st and 2nd Interim budgets, in a timely manner, that would serve as an explanation and discussion of the actual numbers included, even though a conversation was asked for prior to the March Regular Board Meeting and during this Special Board Meeting.

Based on the budgets provided not being accurate, the Board wanting to talk with FCMAT prior to approving the Budgets presented, and the Board wanting a second analysis of Oak Run Elementary School's Independent Study documents and procedures done by someone outside of the Shasta County Office of Education and unaffiliated with Ms. Jessica Bigby; the Board wishes to table the 1st and 2nd Interim Budgets.

A motion to table item 5.1 was made by Dede Masala and Sean Kittrell to 2nd it. 4-0 in favor of this motion.

5.2 **Action/ Discussion Item: 2nd Interim Budget**

Based on the budgets provided not being accurate, the Board wanting to talk with FCMAT prior to approving the Budgets presented, and the Board wanting a second analysis of Oak Run Elementary School's Independent Study documents and procedures done by someone outside of the Shasta County Office of Education and unaffiliated with Ms. Jessica Bigby; the Board wishes to table the 1st and 2nd Interim Budgets.

A motion to table item 5.2 was made by Dede Masala and Sean Kittrell to 2nd it. 4-0 in favor of this motion.

6. **NON-ACTION ITEMS:**

None to Report

7. **OTHER REPORTS / COMMENTS**

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None at this time.

8. NEXT MEETING

8.1 Regular Board Meeting – Wednesday April 10, 2024 @ 4:00 pm

9. ADJOURN TO CLOSED SESSION - N/A

9.1 **54957 (b)(1)** Personnel – To discuss the appointment, employment, performance, evaluation, discipline, complaints about of dismissal of specific employee or potential employee.

10. REPORT OUT OF CLOSED SESSION – N/A

11. ADJOURN @ 5:53pm.