

## **DRAFT Minutes**

### **AMPHITHEATER PUBLIC SCHOOLS Tucson, Arizona**

#### **MINUTES OF REGULAR PUBLIC MEETING OF THE GOVERNING BOARD**

##### **Place, Date and Time of Meeting**

Wetmore Center, 701 West Wetmore Road, July 3, 2012, 5:30 p.m.

##### **Board Members Present**

Mrs. Susan Zibrat, Vice President  
Dr. Kent Paul Barrabee, Member  
Mr. Jeff Grant, Member  
Dr. Linda Loomis, Member

##### **Board Member Absent**

Mrs. Diana Boros, President

##### **Central Administrators Present**

Mr. Patrick Nelson, Superintendent  
Todd A. Jaeger, J.D., Associate to Superintendent and General Counsel  
Mr. Scott Little, Chief Financial Officer

##### **Central Administrator Absent**

Ms. Monica Nelson, Associate Superintendent

##### **OPENING OF MEETING - Call to Order**

Mrs. Zibrat called the meeting to order at 5:30 p.m.

##### **1. Executive Session**

A. Motion to Recess Open Meeting and Hold an Executive Session for:

1. Determination of Whether to Hold an Expulsion Hearing and Designate a Hearing Officer to Hear Evidence, Prepare a Record and Bring a Recommendation to the Board, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30004538; b. Student # 30007467; and c. Student # 30033341.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30009046; b. Student # 330036366; c. Student # 30034913; d. Student # 330042104; e. Student # 30012466; f. Student # 30013714; and g. Student # 30041068; h. Student #30037175 and i. Student #30040649

A motion was made by Dr. Loomis that the Board recess into Executive Session pursuant to A.R.S. §15-843(F)(2), as presented. Mr. Grant seconded the motion and it passed unanimously, 4-0. Mrs. Zibrat called a recess at 5:31 p.m. for the purpose of holding Executive Session for student disciplinary action.

B. Motion to Close Executive Session and Reconvene Open Meeting

Upon return to the Board Room, a motion was made by Mr. Grant and seconded by Dr. Loomis that the meeting reconvenes into open session; the motion passed, unanimously, 4-0. Mrs. Zibrat declared the meeting in open session. The time was 7:03p.m.

## **OPENING OF MEETING**

### **Call to Order and Signing of Visitors' Register**

Mrs. Zibrat called the meeting to order at 7:03 p.m. and asked members of the audience to sign the visitors' register. Procedures for addressing the Board were described.

**Note:** Mrs. Zibrat stated that it was her privilege to welcome Patrick Nelson, as new Superintendent, to the dais. Mr. Nelson was extended a warm round of applause by all in attendance.

### **Pledge of Allegiance**

Mr. Nelson led the Pledge of Allegiance.

### **Announcement of Date and Place of Next Special Governing Board Meeting**

Mrs. Zibrat announced the next regular meeting of the Governing Board: Tuesday, August 7, 2013, 7:00 p.m., Wetmore Center, 701 W. Wetmore Road.

## **PUBLIC COMMENT**

There were no comments from the public.

## **2. CONSENT AGENDA**

Mrs. Zibrat asked if there were Board member requests to have items addressed separately; there were none. A motion was made by Dr. Loomis to approve the Consent Agenda items A-X, as presented. The motion was seconded by Mrs. Zibrat, and it passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

### **A. Approval of Minutes**

The minutes of the June 19, 2012, Regular Governing Board meeting and Executive Session were approved, as submitted.

### **B. Approval of Appointment of Personnel**

Certified and classified personnel were appointed, as listed in Exhibit 1.

### **C. Approval of Addendum to Personnel Changes**

Certified and classified personnel were appointed, as listed in Exhibit 2.

### **D. Approval of Leave(s) of Absence**

Leave of Absence requests were approved for certified and classified personnel, as listed in Exhibit 3.

### **E. Approval of Addendum to Separation(s) and Termination(s)**

Certified and classified personnel separations were approved, as listed in Exhibit 4.

### **F. Approval of Essential Recruitment Stipend for Occupational Therapists**

Board Book information: *In response to IDEA, Amphitheater provides a full continuum of services to address the needs of our special education students which includes occupational therapy. However, it has been difficult to recruit and retain qualified occupational therapists due to the scarcity of graduates and private industry wages. This often results in Amphitheater using outside consulting firms to offset this shortage. Costs incurred for utilizing consultant occupational therapists has ranged from \$150,000 to \$350,000 per year.*

*The District is projecting the need for nine occupational therapists for fiscal year 2012-2013. We currently have six on staff and have been recruiting for an additional three for an extended period of time. If the District is unable to hire three additional therapists, the cost to fill those positions via an outside agency will be \$287,000.*

*Beginning in May of 2004, the administration has recommended Essential Recruitment Stipends for those positions that the District has great difficulty in hiring and retaining qualified candidates. This stipend, applied*

*now to several hard to fill vacancies, has assisted us in recruiting and retaining qualified candidates in key areas.*

The Governing Board approved the Essential Recruitment Stipend in the amount of \$10,000 be applied to qualified occupational therapists effective with the 2012-2013 school year.

**G. Approval of 2012-2013 Fiscal Year Salary Schedules**

Board Book information: *The 2012-2013 fiscal year salary schedules for the following employee groups: Support Staff/Classified; Certified; Professional Non-teaching; Professional Exempt; Administrative Cabinet/Senior Staff; Athletic Addendum; and, Non-athletic Addendum are presented for review and approval. These schedules incorporate the changes approved by the Governing Board on April 10, 2012 as a result of the Salary and Benefits/Meet and Confer package.*

*Changes reflect the increased salary amounts resulting from Arizona State Retirement System contribution rate corrections and previous/historical Board actions.*

The Governing Board approved the salary schedules as submitted for the 2012-2013 school year and effective July 1, 2012. (Exhibit 5, pp. 1-14)

**H. Approval of Vouchers Totaling and Not Exceeding Approximately \$4,167,012.85 (Final Total)**

A copy of vouchers for goods and services received by the Amphitheater Schools and recommended for payment has been provided to the Governing Board. The following vouchers were approved as presented and payment authorized:

<u>2011-2012 Fiscal Year</u>		<u>2011-2012 Fiscal Year Encumbrances</u>	
Vo. 416	\$ 273,558.00	Vo. 419	\$ 777,753.75
Vo. 417	\$ 159,390.43	Vo. 420	\$ 374,890.51
Vo. 418	\$ 790,534.30	Vo. 421	\$1,788,633.76
 <u>2012-2013 Fiscal Year</u>			
Vo. 500	\$ 2,252.10		

**I. Approval of Parent Support Organizations for 2012-2013**

The Governing Board approved the Annual Application for Governing Board Approval (Parent Support Organizations pursuant to District Policy KBE-R) submitted by the IRHS Boys Soccer Booster Club.

**J. Award of Contracts for Electrical Maintenance Supplies and Equipment Based on Responses to Request for Bid (RFB) 11-0068**

Board Book information: *Request for Bid (RFB) 11-0068 for wiring devices, boxes and covers, conduit and fittings, fuses, PVC conduit, switch gear and circuit breakers, wire, wire mold and miscellaneous supplies was mailed to sixteen electrical supply vendors serving the Tucson Metropolitan area. The bid text asked vendors to price 287 line items.*

*Seven vendors responded with priced bids. Hussar Electric and Border States Electric were the low responding vendors for eight of the nine categories. Crescent Electric was the low responding vendor for the fuses with pricing almost 30% below the other responding vendors. The award recommendation for fuses is to Crescent Electric with a primary award to Hussar Electric with a secondary award to Border States Electric for the remaining eight categories. A complete spreadsheet comparing all seven vendor's priced responses is on file in the Purchasing Department.*

The Governing Board approved the award of contract for or Electrical Maintenance Supplies and Equipment to Hussar Electric, Border States Electric, and Crescent Electric based on their responses to RFB 11-0068.

**K. Award of Contract for Paper Products Based on Responses to Request for Bid (RFB) 11-0073**

Board Book information: *Request for Bid (RRB) 11-0073 for Paper Products for was mailed to fourteen vendors; 2 vendors responded with priced bids, Spicers Paper and Unisource. Spicers Paper was the low responding vendor. Please see the attached spreadsheet.*

The Governing Board approved the award of contract for Paper Products for Graphics & Printing to *Spicers Paper* based on their response to RFB 11-0073.

**L. Approval to Recycle Surplus Electronic Equipment**

The Governing Board approved the recycling of the following surplus electronic equipment through the District's contracted vendor E-Waste Harvesters:

ITEM	QUANTITY	ITEM	QUANTITY
Computers	87	Mice	36
Monitors	69	Cables	11 Boxes
Printers	13	Network Switches	10
Scanners	5	Fax Machines	2
Key Boards	89		

**M. Approval of Food Program Permanent Service Agreement Pertaining to School Year 2012-2013**

Board Book information: *The Child Nutrition Programs of the Arizona Department of Education has requested that the District approve a Service Agreement to be effective in the 2012-2013 school year. The District has complied with all provisions of the Food Programs as designated through ADE Contract No. ED09-0001.*

The Governing Board approved the Agreement between the Arizona Department of Education and Amphitheater Public Schools for the Food Program, Permanent Service Agreement ADE Contract No. ED09-001, as submitted. (Exhibit 6, pp. 1-3)

**N. Verification of Desegregation Funding Matters and Submission of Desegregation Funding Report, Pursuant to A.R.S. §15-910(J)(3)**

Board Book information: *As the Board is aware, A.R.S. § 15-910 permits Arizona school districts to:*

*"... budget for expenses of complying with or continuing to implement activities which were required or permitted by a court order of desegregation or administrative agreement with the United States department of education office for civil rights directed toward remediating alleged or proven racial discrimination which are specifically exempt in whole or in part from the revenue control limit and the capital outlay revenue limit...."*

*During the 2004-2005 legislative session, the above-quoted statute was amended to mandate annual school district reporting and verification of data and other information concerning desegregation expenditures made by any school district pursuant to § 15-910. This requirement of verification has continued since and, each year, the District submits them requisite verification to the Department of Education.*

*This agenda item will provide some history of the bases for the District's desegregation funding and also detail the verifications now required under the desegregation statute quoted above. The Board's approval of the attached verifications and reporting, to be submitted under the Board President's signature, is also required.*

**Desegregation Funding, Generally.** *The purpose of the desegregation funding mechanism is to enable school districts which are subject to court orders and U.S. Department of Education Office for Civil Rights (OCR) agreements to comply with those orders and agreements. Compliance with court orders and compliance agreements typically represent new expenses for school districts, because by their very nature, they mandate doing things differently from, and in addition to, those things already being done and funded under existing district budgets.*

*Without the funding made possible by A.R.S. §15-910(G), districts would have to fund the supplemental programs and activities required by the applicable court orders and OCR agreements, by diverting funds from their regular capital and maintenance and operations budgets. With other programs services already dependent upon the regular maintenance and operations budget, funding of desegregation activities through diversion of funds would jeopardize the ability of districts to just maintain the status quo in terms of educating students. The resulting and proverbial "borrowing from Peter to pay Paul" would result in a dilution of existing services or the quality thereof,*

*perhaps even exposing districts to further claims of inadequate service like those that led to desegregation complaints in the first place.*

*While there has historically been some degree of legislative criticism of the desegregation funding mechanism as extraneous or unnecessary, the legislature has notably taken a different posture with regard to state programs which are subject to new mandates. For example, during the 2002-2003 legislative year, the legislature passed HCR 2022. HCR 2022 placed a referendum on the 2004 General Election Ballot which would have required any new initiative or referendum proposing a mandatory expenditure of state revenues or allocating state funding for any specific purpose also provide for the increased revenues necessary to cover the new costs.*

*In the case of HCR 2022, the legislature determined that new programs which go beyond the level, type and form of existing state programs should have their own funding source, so as not to burden the state and its current and continuing programs. In the very same way, the cost of new programs or services mandated or permitted by OCR agreements or desegregation court orders should have their own source of additional revenue, rather than burdening the existing and continuing programs and services of a school district. Presumably, the legislature agreed when it originally placed A.R.S. § 15-910 into law.*

### **The Bases for Amphi's Desegregation Funding.**

*Amphi's desegregation activities, and consequently its expenses under the statute, arise from two administrative agreements between Amphi and OCR. These agreements are known as "Corrective Action Agreements".*

#### ***Amphi's Lau Corrective Action Agreement.***

*The first of the OCR agreements requiring or permitting desegregation activities as contemplated by §15-910 followed an extensive OCR investigation of Amphi educational programs and services in Compliance Review No. 08925002 ("the Lau Review"). This review initiated in November 1991 and concerned issues not too dissimilar from the allegations raised by the plaintiffs in the Flores litigation against the State of Arizona. In short, the inquiry of this OCR review was whether Amphi provided students who are Limited English Proficient ("LEP") with sufficient educational services to allow them educational opportunities equal to non-minority students.*

*The Lau Review lasted for more than two years and resulted in findings in January 1994 from OCR that Amphi had denied LEP students an equal opportunity to meaningfully participate in District programs, in violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act. OCR therefore required corrective action by Amphi. Failure of Amphi to take corrective action would have potentially subjected Amphi to loss of federal funds and civil penalties for civil rights violations. Consequently, the District entered into a Corrective Action Agreement in January 1994 ("the Lau Agreement").*

*In summary, the Lau agreement required the District to ensure that LEP students and students whose primary home language was other than English ("PHLOTE" students) have equal access to educational programs and services. There were three main components in the Lau Agreement. The first component was the development of a comprehensive plan for providing specific programs and services to all LEP students. The agreement required that the comprehensive plan include specific procedures for consistent, reliable and timely identification and assessment of students whose language is other than English. The plan was also required to include:*

- Timely provision of ESL services for Limited English Proficient students as the appropriate level, i.e., beginner, intermediate or advanced*
- A method for collecting and recording follow-up data on students who have left the ESL program*
- A provision for students who re-enter the program, if necessary*
- Program evaluation to determine its effectiveness*
- Elimination of barriers which might exclude LEP students from receiving gifted education services*
- Expansion of gifted education identification and assessment process to ensure access of LEP students*

*The second component of the Lau Agreement was a requirement that Amphi develop a plan to ensure appropriate placement of special-needs LEP students, whether enrolled at the time of the Lau Agreement or thereafter. The third component was mandated development of plans to improve services to LEP students. Also required by the Lau Agreement was translation of parental notices into home languages.*

*As required by the Lau Agreement, the comprehensive plan described above was developed and implemented in the years that followed. Implementation continues today and takes many forms required or permitted by the Lau Agreement, the majority of which consist of:*

- Sufficient levels of specially trained teachers provide specialized instruction to LEP students, in Sheltered English Immersion classrooms in accordance with Proposition 203, to ensure timely provision of services to LEP students.
- Bilingual instructional assistants assist teachers in Sheltered English Immersion/ESL classrooms.
- Additional special education teachers have been placed at schools with high numbers of ESL students to ensure prompt access to special education services by ESL students and families.
- At schools with significant LEP populations, regular classroom teachers and administrators also play key roles in the provision of educational services, monitoring of student success, and assurance of LEP student access to other District services including special and gifted education.
- An ESL department, staffed by a director and support staff, operates to coordinate ESL programs and services, collect and record data regarding student participants and their families, monitor student success, and improve program performance.
- Bilingual clerks are hired to assist in data collection necessary to evaluate program effectiveness and student success. Bilingual clerks also enable the District to comply with the requirement to translate parental notices and other important district materials.
- Some district central office administrators monitor continuing compliance with the Lau Agreement and remain responsible for supervision of those efforts.
- An Equal Opportunity Office has been established to ensure that parents and other members of the public can raise complaints and concerns about educational opportunities for LEP students within Amphi, including gifted and special education.
- Recurring staff development, through both "in-house" and external means takes place to maintain and improve program effectiveness.
- Provision of necessary supplies and other support materials for the mandated or permitted services.

**Amphi's Student Discipline Corrective Action Agreement.**

The second of the two OCR agreements requiring or permitting Amphi's desegregation activities as funded by §15-910 followed an OCR investigation of OCR Complaint No. 08925002 which concerned, among other things not relevant here, a parent's complaint that the District engaged in disparate treatment of minority students in terms of discipline ("the Discipline Investigation"). The investigation began in September 1992. After several months of investigation, OCR concluded that it was unable to make any substantive determination on the merits of the parent complaint because Amphi's student discipline record keeping at the time was so substandard that OCR was simply unable to investigate.

OCR required corrective action in Amphi record keeping practices that would enable OCR to investigate and determine district compliance with pertinent civil rights laws in the future. Failure of the District to take corrective action might have subjected Amphi to loss of federal funds and/or civil penalties for civil rights violations. Consequently, the District entered into a Corrective Action Agreement on or about April 5, 1993 ("the Discipline Agreement"). The Discipline Agreement required Amphi to substantially improve its student record keeping practices with the obvious goal of documenting and ensuring equity in student discipline matters.

Desegregation activities required or permitted by the Discipline Agreement consist of the following:

- Maintenance of a computerized student information system that provides timely, complete and accurate disciplinary records for students, particularly with regard to disabled or minority students.
- Retention of personnel and service providers responsible for ensuring accurate, timely student data which can be examined and evaluated on race, national origin and disability status.
- Placement of behavioral intervention monitors and in-school suspension personnel at schools to implement disciplinary programs and services to ensure equitable and lawful treatment of minority, national origin and disabled students.
- Maintenance of internal student discipline record audit staff to monitor Amphi student disciplinary practices, confirm timely and accurate record keeping,
- Monitoring, by certain district central office administrators, of continuing compliance with the Discipline Agreement.
- Operation of an Equal Opportunity Office to enable parents and other members of the public to file complaints or report concerns about District disciplinary practices.
- Recurring staff development, through both "in-house" and external means to maintain compliance.
- Provision of necessary supplies and other support materials for the mandated or permitted activities.

*Both aspects of Amphi's desegregation activities described above have been highly effective at resolving the issues that gave rise to them. One very clear indication of their success is the fact that OCR has ceased monitoring Amphi compliance under both corrective action agreements. This reflects OCR's determination that the Amphi is compliant, i.e., that Amphi provides the requisite programs and services for LEP student and that Amphi evidences demonstrable proof of equitable disciplinary practices. Naturally, however, the District cannot simply terminate the programs that enabled compliance or non-compliance could certainly again develop. Thus, the District's continuing desegregation expenditures are necessary to ensure continuing compliance with federal mandates.*

**The Required Verifications.**

*Pursuant to A.R.S. §15-910(J)(3), the Governing Board must now provide the following data and verifications concerning the above described desegregation program on or before July 15, 2012:*

- (a) A district-wide budget summary and a budget summary on a school by school basis for each school in the school district that lists the sources and uses of monies that are designated for desegregation purposes.*
- (b) A detailed list of desegregation activities on a district-wide basis and on a school by school basis for each school in the school district.*
- (c) The date that the school district was determined to be out of compliance with Title VI of the Civil Rights Act of 1964 (42 USC §2000d) and the basis for that determination.*
- (d) The initial date that the school district began to levy property taxes to provide funding for desegregation expenses and any dates that these property tax levies were increased.*
- (e) If applicable, a current and accurate description of all magnet type programs that are in operation pursuant to the court order during the current school year on a district-wide basis and on a school by school basis. This information shall contain the eligibility and attendance criteria of each magnet type program, the capacity of each magnet type program, the ethnic composition goals of each magnet type program, the actual attending ethnic composition of each magnet type program and the specific activities offered in each magnet type program.*
- (f) The number of pupils who participate in desegregation activities on a district-wide basis and on a school by school basis for each school in the school district.*
- (g) A detailed summary of the academic achievement of pupils on a district-wide basis and on a school by school basis for each school in the school district.*
- (h) The number of employees, including teachers and administrative personnel, on a district-wide basis and on a school by school basis for each school in the school district that are necessary to conduct desegregation activities.*
- (i) The number of employees, including teachers and administrative personnel, on a district-wide basis and on a school by school basis for each school in the school district and the number of employees at school district administrative offices that are funded in whole or in part with desegregation monies received pursuant to this section.*
- (j) The amount of monies that are not derived through a primary or secondary property tax levy and that are budgeted and spent on desegregation activities on a district-wide basis and on a school by school basis for each school in the school district.*
- (k) Verification that the desegregation funding will supplement and not supplant funding for other academic and extracurricular activities.*
- (l) Verification that the desegregation funding is educationally justifiable.*
- (m) Any documentation that supports the proposition that the requested desegregation funding is intended to result in equal education opportunities for all pupils in the school district.*
- (n) Verification that the desegregation funding will be used to promote systemic and organizational changes within the school district.*
- (o) Verification that the desegregation funding will be used in accordance with the academic standards adopted by the State Board of Education pursuant to §15-701 and §15-701.01.*
- (p) Verification that the desegregation funding will be used to accomplish specific actions to remediate proven discrimination pursuant to title VI of the Civil Rights Act of 1964 (42 USC §2000d) as specified in the court order or administrative agreement.*
- (q) An evaluation by the school district of the effectiveness of the school district's desegregation measures.*
- (r) An estimate of when the school district will be in compliance with the court order or administrative agreement and a detailed account of the steps that the school district will take to achieve compliance.*
- (s) Any other information that the department of education deems necessary to carry out the purposes of this paragraph.*

*A substantial portion of the required information listed above is provided to the state through the budget forms for the District. Items (d) and (k) through (s), however, must be submitted as individual documents, together with a verification form to be executed by the Governing Board president. These requisite submissions, including the verification form to be executed by President Grant, are included as attachments to this item.*

The Governing Board approved the Desegregation Verification Reporting Fiscal Year 2013 for Amphitheater Unified School District No. 10 of Pima County Arizona, CTD: 10020000 and the authorization of the Board Vice President to execute the verification form on behalf of the Board. (Exhibit 7, pp. 1-13)

**O. Approval of Governing Board Policies IIA through IMH Contained within Classification I (Instructional Program)**

Board Book information: *Following the Board's study of part two (Policies IIA through IMH) of Governing Board Policy Series I (Instructional Program) on June 19, 2012, those policies are attached for the Board's approval.*

The Governing Board approved the revisions to Governing Board Policies IIA through IMH contained within Classification I (Instructional Program), as submitted.

**P. Approval of Revised Governing Board Policy IHBG (Home Schooling) Regarding Part-Time Enrollment**

Board Book information: *On May 8, the Board approved additional sites for the Arizona Online curriculum and their "blended learning" program. On June 19, the Board studied a proposed revision to Governing Board Policy IHBG for the limited purpose of facilitating the implementation of that program. That policy is attached for the Board's approval.*

The Governing Board approved the revisions to Governing Board Policy IHBG (Home Schooling) regarding Part-Time enrollment, as submitted.

**Q. Approval of Proposed New Policy Regarding Compliance with Building Codes and Optional Submission of New Projects to Local Permitting**

Board Book information: *The Governing Board studied the attached draft (new) policy, as well the genesis and rationale for it, at its meeting of June 19.*

*As discussed on June 19, while the draft policy presented through this item would allow the District an option to opt out of the building permit process, any such election would not alter the District's continuing obligation to nonetheless meet applicable building codes. But, rather than determining compliance with building codes through the permitting and inspection process offered by local jurisdictions, the District would utilize an architect, engineer, or qualified district employee to inspect the work.*

*The proposed policy would meet all requirements of the statute recently passed that authorizes such a policy.*

The Governing Board approved the proposed new policy regarding compliance with Building Codes and Optional Submission of new projects to local permitting, as submitted (Policy Page and Code TBD).

**R. Approval of Intergovernmental Agreement with Pima County Community College District Regarding Upward Bound Program at Amphitheater High School; Pursuant to A.R.S. §11-951 through 954**

Board Book information: *Pima County Community College has received a grant from the Office of Postsecondary Education, U.S. Department of Education to implement and administer a program of activities, the Upward Bound Program, to include training, mentoring and enrichment introducing 19 students to higher education who are academically and economically at risk.*

*The College will provide training, mentoring and enrichment activities introducing students to higher education. Proposed services include counseling, advisement, tutoring, summer programs, student workshops, parent workshops, dual enrollment and field trips to college campuses. Dual enrollment*



*coursework, including writing, mathematics, reading, history, student development, computer science applications and biology, will be offered at the College's Downtown Campus.*

*On April 22, 2008, the Board approved the original Upward Bound/AHS IGA that expired on November 30, 2011. The current grant period is from June 1, 2012 to May 31, 2017. The IGA, if approved, may be extended upon the written approval of both parties.*

*As this Program is grant-funded, there will be no exchange of funds incidental to this Agreement.*

The Governing Board approved the IGA between Pima County Community College (PCC) and Amphitheater Unified School District No. 10 for the upward Bound program, as described. (Exhibit 8, pp. 1-6)

#### **S. Approval of Out of State Travel**

Out of state travel was approved for staff (source of funding indicated): from District Offices to attend the iNACOL Virtual School Symposium in New Orleans, Louisiana, October 20-24, 2012 (federal funds designated for staff development); from District Offices to attend the 34<sup>th</sup> Annual LRP Institute on Legal Issues of Educating Individuals with Disabilities Conference in Long Beach, California, April 27-May 1, 2013 (maintenance and operations funds designated for staff development) from District Offices to attend the Common Core Institute in Salt Lake City, Utah, July 17-19, 2012 (federal funds designated for staff development). Travel was previously approved at the May 8, 2012 Board meeting for staff from Amphitheater Middle School to attend the Advancement Via Individual Determination (AVID) Summer Institute in Philadelphia, Pennsylvania, July 29 – August 2, 2012; a change in one attendee was approved.

#### **T. Approval of Award of Contract for Blended Learning Amphi Academy at El Hogar Based on Responses to Request for Proposal (RFP) 11-0085**

Board Book information: *The Administration is creating an online blended learning program, Amphi Academy at El Hogar, for students in grades seven through twelve who have been long term suspended. The program will provide a full range of core and elective classes to middle and high school students through online courses and online teachers. Courses will be provided by the successful vendor.*

*Students will have the ability to enter and exit the program at any time. Students who leave the online program will go back to their previous school at the end of a quarter for middle school students and, at the end of a semester for high school students. Enrollment is expected to fluctuate between thirty and one hundred students. The El Hogar Learning Center will be open early evenings Monday through Thursdays. Students who fail to make satisfactory academic progress in the on-line courses will be required to participate in tutorial sessions at the center. Students maintaining a 'C' or better are not required to attend the Learning Center but may elect to do so if they need assistance.*

*The Learning Center teachers will be highly qualified in English/Language Arts, Social Studies, Mathematics or Science. They will provide instruction in the necessary content areas working with students not only as tutors but as mentors to develop study skills. The Request for Proposals (RFP) listed the minimum teacher requirements: Arizona Certified, experienced in teaching online courses, highly qualified in their subject matter and available to assist the Learning Center staff as needed. The minimum course requirements were also listed: to be of high quality, rigorous, relevant and aligned with Common Core State Standards. The successful vendor's program shall have the ability to monitor student progress, track attendance and allow communication between the teachers, students, parents & Learning Center staff.*

*Responding vendors were evaluated based on their program's ability to align with Amphi Academy's goals: highly qualified teachers, rigorous course work, relevant experience and demonstrated success in offering Online Blended Learning to K-12 Education. Cost of service was also an evaluation criteria. Eight vendors responded to the RFP (e2020, Pearson, Advanced Academics, Bridgewater Academy, American Virtual Academy and World Virtual Schools).*

*Two vendors were determined to be non-responsive due to their program's failure to align with Common Core State Standards or to provide the required course offerings. The Evaluation Team: Monica Nelson, Patti Greenleaf, and consultants from Evergreen Education scored the remaining six vendors based on their response to the RFP.*

*The three top scoring vendors, e2020, Pearson and Advanced Academics, were invited to present additional information on their Learning Management System. Following the presentations, a Best & Final Offer was mailed to each vendor addressing final questions and providing each vendor an opportunity to amend their response. The Evaluation Team again scored each vendor based on a rubric focusing on instruction, assessment, the ability to interact with the El Hogar Learning Center staff, the ease of use and, teacher/parent/student communication.*

The Governing Board approved the award of contract for Blended Learning for Amphi Academy at El Hogar to e2020 for a Blended Learning Curriculum for grades 7-12 based on their response to RFP 11-0085.

**U. Approval of District Organizational Chart for 2012-2013**

The Governing Board approved the Organizational Chart for 2012-2013, as submitted. (Exhibit 9, p. 1)

**V. Approval to Extend Nine Bid Awards through August 31, 2012**

Board Book information: *Eight services are currently being rebid for fiscal year 2012-2013.*

The Governing Board approved the extension of bid awards as follows: 06-0087 (Yearbooks), 07-0011 (Vehicle lubrication), 07-0017 (Uniforms), 07-0054 (Surplus Computer Recycling), 10-0008 (Cummins Parts), 08-0070 & 08-0071 (Transportation Services), 09-0050 (Nursing Services), and 10-0070 (Water Treatment) through August 31, 2012.

**W. Approval of Textbook for Adoption**

The Governing Board approved the textbooks (as shown below) for adoption, which have been on display to the public for 60 days in accordance with Section 15-721 of the Arizona Revised Statutes.

Textbook: Krugman's Economics for AP;

Publisher: Worth Publishers; Author: Paul Krugman and Robin Wells

**X. Approval of Bond-Related Projects**

**1. Award of Contract for Demolition of Modular Buildings at Donaldson Elementary School Based on Responses to Request for Bid (RFB) 11-0087**

Board Book information: *Request for Bid (RFB) 11-0087 for the demolition of three modular buildings at Donaldson Elementary School was mailed to ten vendors. Five vendors responded with priced bids. One vendor failed to provide a list of sub-contractors and was deemed non responsive. GN Construction was the low responding vendor with a bid price of \$24,963.00 followed by TBR Construction \$26,288.00, Building Excellence \$28,579.00 and Presidio Construction \$29,548.00.*

The Governing Board approved the award of contract to GN Construction based on their response to RFB 11-0087.

**3. PUBLIC HEARING**

**A. Public Hearing on the FY 2012-2013 Proposed Expenditure Budget and Truth in Taxation Hearing**

Board Book information: *The Administration proposed a budget for the 2012-2013 fiscal year at the June 19, 2012 meeting. The Governing Board is required by Arizona Revised Statutes §15-905 to hold a public hearing on the proposed budget and a Truth in Taxation Hearing is required by Arizona Revised Statutes §15-905.01.*

Mr. Nelson introduced the item and reviewed the public hearing process and protocol for budget-adoption (next agenda item) by the Governing Board. Mr. Nelson stated that this is the time of year when the annual proposed budget is presented for the Governing Board's consideration and adoption. Adoption of the proposed budget is required not later than July 15<sup>th</sup> of each year. Additionally, a public hearing is required to provide an opportunity to members of the community to receive and comment about the proposed budget and related information as well as, the truth and taxation hearing pursuant to A.R.S. Statutes §15-905 and §15-905.01. Immediately following the hearing, the Governing Board will be asked to vote on the adoption of the proposed budget. Mr. Nelson is available to respond to any questions or comments by Governing Board members and/or by community members.

Mrs. Zibrat noted that this is the time in the hearing that is provided to the public giving anyone an opportunity to address the Governing Board to make comments or ask questions.

Mrs. Zibrat declared a public hearing at 7:05 p.m. concerning the 2012-2013 proposed expenditure budget and truth in taxation and invited anyone wishing to address the Board to come forward. There were no such comments and Mrs. Zibrat officially closed the public hearing at approximately 7:06 p.m.

#### **4. STUDY/ACTION**

##### **A. Adoption of the Expenditure Budget for Fiscal Year 2012-2013**

Board Book information: *The State of Arizona requires governing boards to formally approve and adopt an operating budget for the school year immediately following the hearing on the budget. The budget being submitted for adoption is identical to the budget proposed on June 19th with the exception of the additional Desegregation pages required by state law.*

**Desegregation** - *These budget pages detail desegregation expenditures on a school by school basis and are required by Arizona Revised Statutes §15-910(J). The Desegregation Budget total is unchanged from the prior year at \$4,025,000.*

**Adjacent Ways** - *The increase to the Adjacent Ways budget as detailed in the Proposed Budget will require an approximate 2 cent tax levy increase. Arizona Revised Statutes §15-905.01 requires a roll-call vote to maintain the tax levy for the Adjacent Ways fund.*

Mr. Nelson invited Mr. Little to provide an overview of the Expenditure Budget for 2012-2013.

Mr. Little described the Legislature's two-step process required for budget adoption. The proposed budget was presented to the Governing Board for review, and approval, at the June 19, 2012 Governing Board meeting. There must 10 days between the presentation of the proposed budget and the actual adoption of that budget. Due to a 2-cent tax levy contained in the budget for an Adjacent Ways levy, the state also requires a quarter-page ad be placed in a newspaper that is in general circulation, advertising a Truth and Taxation notice. That ad was run in the *Arizona Daily Star* on June 22, 2012, and serves as notice and invitation to community members to address any concerns at (this) meeting. Mr. Little noted that the 2-cent tax levy is simply a continuance of the current, two-cent tax rate that has been in-place for two years.

Mr. Little next reviewed the 2012-2013 budget, which is submitted for adoption at this meeting. Adjacent Ways' funds are specifically defined as "the improvement of properties not owned by the district, specifically adjacent to school property." He cited an example of this type of project; the road in front of Walker Elementary School is being re-aligned and improved accesses to egress and crosswalks.

Mr. Little stated that this budget is identical to the proposed budget but since the Arizona Department of Education has not yet determined final enrollment numbers, the District anticipates a budget revision in December 2012. Additionally, report information is contained within this item that ties in with the consent-agenda item 'Verification of Desegregation Funding Matters' and the District is required to provide a report on an annual basis to the Arizona Department of Education.

Mr. Little added that because of statutes related to Adjacent Ways, it is necessary to use the roll-call voting method for the budget-adoption process (versus acclamation).

A motion was made by Mrs. Zibrat to approve the Expenditure Budget for fiscal year 2012-2013, as presented. The motion was seconded by Mr. Grant. There were no questions presented by Governing Board members. Mrs. Zibrat called a roll-call vote and the results follow: Dr. Barrabee – Aye; Dr. Loomis – Aye; Mrs. Zibrat – Aye; Mr. Grant – Aye; Mrs. Boros – absent; The final vote was 4-0 in favor of adopting the proposed budget; there was no discussion (Exhibit 10a, pp. 1-17; Exhibit 10b, pp. 1-74).

#### **5. INFORMATION**

##### **A. Report on Arizona School Boards Association (ASBA) Delegate Assembly**

Board Book information: *Dr. Kent Barrabee and Mrs. Susan Zibrat, Governing Board delegate and Alternate delegate, attended the ASBA Legislative Conference in Phoenix on June 30, 2012. Dr. Barrabee will provide a summary of the Delegate Assembly.*

Dr. Barrabee stated that he and Mrs. Zibrat attended the Delegate Assembly. He stated his disappointment in the outcome of recommendations made and submitted to ASBA by Amphitheater; both proposals were disregarded. None of the input was reflected in the final document prepared by ASBA and presented at its Assembly. He attempted to address areas of concern but found that the Legislative Committee membership was not supportive. Dr. Barrabee is disappointed; he does not believe that ASBA is a strong force in support of public education.

Mrs. Zibrat noted Dr. Barrabee's resilience. She added that ASBA is under new leadership and she is hopeful for a change in the organization's focus.

Mr. Nelson expressed appreciation to both Dr. Barrabee and Mrs. Zibrat for their efforts and commitment to the this effort.

#### **BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

There were no new Board Member requests.

#### **PUBLIC COMMENT**

There were no public comments.

#### **ADJOURNMENT**

A motion was made by Mrs. Zibrat that the Board Meeting be adjourned; Mr. Grant seconded the motion; and it passed unanimously, 4-0. Mrs. Zibrat declared the meeting was adjourned; the time was approximately 7:34 p.m.

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Respectfully submitted,  
Mary Dombrowski

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Mrs. Diana Boros, President

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Date

Approved: TBD