

DRAFT Minutes

AMPHITHEATER PUBLIC SCHOOLS Tucson, Arizona

MINUTES OF SPECIAL PUBLIC MEETING OF THE GOVERNING BOARD

Place, Date and Time of Meeting

Wetmore Center, 701 West Wetmore Road, June 8, 2010, 6:00 p.m.

Board Members Present

Jeff Grant, President
Diana Boros, Vice President
Dr. Kent Paul Barrabee, Member
Patricia Clymer, Member

Board Members Absent

Dr. Linda Loomis, Member

Central Administrators Present

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

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Mr. Grant called the meeting to order at 6:00 p.m. and asked members of the audience to sign the visitors' register.

Pledge of Allegiance to the Flag

Dr. Balentine led the Pledge of Allegiance.

Announcement of Date and Place of Next Regular Governing Board Meeting

Mr. Grant announced the next regular meeting of the Governing Board: Monday, June 21, 2010, at 7:00 p.m., Wetmore Center, 701 W. Wetmore Road

PUBLIC COMMENT¹

Ms. Rhonda Ball, President, AmphiEA, addressed the Board expressing concern about the last-minute postponement notification of the Meet and Confer meeting scheduled for this week. She strongly encourages that the Teams continue to meet during the summer focusing on policy reviews. Ms. Ball stated that she had just learned of the situation and understood the extenuating circumstances.

Dr. Balentine provided clarification regarding the issues that necessitated the delay.

Mr. John Fife, President-elect, AmphiEA, addressed the Board; expressing the same concern as Ms. Ball regarding Meet and Confer meeting delays. Additionally, he asked for clarification about the hire-back process of RIF'd (Reduction in Force) teachers. Rumors are spreading among staff. He stated that the Association could assist in sharing information and facilitating the process.

Dr. Balentine stated that each RIF'd employee was contacted by telephone or email explaining the process. Principals are now interviewing and recommendations are being advanced. She provided clarification about science and special education teachers that were RIF'd, of which several have been rescinded. Discussions and updates have included Ms. Ball. Human Resources is currently advertising positions in Special Education, Math, Science, and CTE, etc., for which there are additional positions and/or for which no RIF'd candidates qualify. Dr. Balentine noted that other districts have different realities – for Amphi the necessity for increasing class size enrollment by two (due to legislative budget

cuts and the outcome of Proposition 100) changed the District's staffing allocations for 2010-2011. Staff is working diligently to resolve/fill these vacancies.

Mrs. Boros inquired about the percentage of (RIF'd) teachers that have been re-hired. Dr. Balentine stated that Human Resources' staff is only in the first day or two of this process; specific feedback will be collected and provided by the end of the week.

1. CONSENT AGENDA

Mr. Grant requested that Item J be heard separately and asked if there were other similar requests by other Board members; there were none. (Detail on Item J is shown below.) A motion was made by Mrs. Clymer to approve consent agenda Items A-I and K-U. The motion was seconded by Mrs. Boros and passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes of Previous Meeting(s)

The minutes of the Regular Governing Board meeting and Executive Session for May 11, 2010 and of the Special Governing Board meeting of May 18, 2010 were approved, as submitted.

B. Appointment of Personnel

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

C. Personnel Changes

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

D. Leave(s) of Absence

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

E. Separation(s) and Termination(s)

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

F. Approval of Vouchers Totaling and Not Exceeding Approximately \$2,000,000.00 (Final Total)

The following vouchers were approved as presented and payment authorized:

Vo. 910	\$ 141,626.79	Vo. 911	\$ 110,110.11	Vo. 912	\$ 41,452.87
Vo. 913	\$ 42,141.47	Vo. 914	\$ 11,559.39	Vo. 915	\$ 187,045.43
Vo. 916	\$1,049,857.51	Vo. 917	\$ 285,596.21	Vo. 918	\$ 3,768.81
Vo. 919	\$ 9,729.41				

G. Acceptance of Gifts

Donations were accepted by the Governing Board, as listed in Exhibit 5.

H. Receipt of April 2010 Report on School Auxiliary and Club Balances

Board Book information: *Arizona Revised Statutes §15-1121 and 15-1125 provide for the operation of Student Activity and Auxiliary Operations funds, respectively. The Uniform System of Financial Records for Arizona School Districts (USFR) outlines procedures to be followed by school districts in the disbursements of monies from either of these funds. One requirement for the operational compliance is to provide a report to the Governing Board summarizing the transactions for the month.*

The Governing Board received the Monthly Report on School Auxiliary and Club Balances for month-end April 2010, as submitted (Exhibit 6, pp. 1-8).

I. Renewal of Contracts for Fiscal Year 2010-2011

Board Book information: **R7-2-1093. Multi-term contracts**

A. Unless otherwise provided by law, a contract for materials or services may be entered into for a period of time up to five years, as deemed to be advantageous to the school district, if the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and monies are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies.

The Governing Board approved the renewal of contracts for 2010-2011 as listed on the attached listing of bid-renewal contracts (Exhibit 7, pp. 1-3).

J. Renewal of Sole Source Agreements Fiscal 2010-2011

Board Book Information: *The District currently has a limited number of sole-source vendor agreements in place; previously approved by the Governing Board.*

Mr. Grant requested having this item heard separately in order to accommodate a public comment request.

Ms. Rhonda Ball, President, AmphiEA, addressed the Board stating that while the list of Sole Source associations as shown on the agenda item are related to “agreements” she noted that they are “professional associations” and hoped that the Board recognized the AmphiEA in the same high regard as those listed.

Dr. Balentine stated that she appreciated Ms. Ball’s acknowledgment regarding the Agreement factor – which is necessary to satisfy legal requirements for purchases; AmphiEA will be added herein and done so in the future.

Dr. Barrabee moved to approve the item, with the inclusion of AmphiEA on the listing of Associations. Mrs. Boros seconded the motion, as revised, and it passed unanimously, 4-0 (Exhibit 8, pp. 1-4).

K. Sole Source Authorization for Utility Services

Board Book Information: *Five water utilities: Tucson Water, the Town of Oro Valley Water Utility, Metro Water, Los Cerros Water Company, and the Flowing Wells Irrigation District provide water to the District’s schools and administrative sites. Depending on location one of the 5 utility companies must be utilized for this service. Electric power and natural gas are provided by Tucson Electric Power Company and Southwest Gas Corporation – the two Tucson metropolitan area utilities providing these services.*

The Governing Board authorized the use of *Tucson Electric Power Company, Southwest Gas Corporation, Tucson Water, the Town of Oro Valley Water Utility, Metro Water, Los Cerros Water Company, and the Flowing Wells Irrigation District* as sole source vendors to provide natural gas, electric power, and water to Amphitheater Schools.

L. Approval to Utilize (the) United States Department of Agriculture (Food Products) Commodity Program

Board Book Information: *The United States Department of Agriculture provides an allotment of commodity dollars to school districts nationwide for the purpose of purchasing discounted food products, (commodities) ranging from cheese, turkey, beef, ham, etc. The program also provides that school districts authorization to purchase from vendors supplying the commodities.*

The Governing Board approved using the United States Department of Agriculture Commodity Program and their authorized vendors as follows and, per the USDA guidelines: *Tyson Foods, Jennie-O-Turkey Store, Pierre Foods, Land’ O’ Lakes, Schwan’s Food Service, and Integrated Food Service* for the purchase of discounted government commodities.

M. Award of Contracts for Maintenance Equipment Repair and Service Based Upon Responses to Request for Bid (RFB) 09-0082

Board Book information: *The Request for Bid (RFB) 09-0082 was mailed to eleven vendors providing maintenance equipment repair and service; 7 vendors responded with priced bids. [Board Book holders were provided with the administration’s vendor evaluation.]*

The award recommendation to Aero Rental is based on their ability to service all FSS equipment in addition to a competitive hourly labor rate.

The Governing Board approved the award of contract for maintenance equipment repair and services to *Aero Rental* based upon their response to RFB 09-0082.

N. Approval to Utilize Cooperative Purchasing Agreements Fiscal Year 2010/2011 for the Procurement of Goods and Services

Board Book information: *When in the District's best interest the Purchasing Department will utilize cooperative purchasing agreement (procurements conducted by, or on behalf of, more than one procurement unit) for purchase of materials and services.*

The Governing Board approved the use of the following listed cooperative purchasing agreements for Fiscal Year 2010-2011: the *SAVE Contract (Strategic Alliance for Volume Expenditures)* administered by Maricopa County, the *Arizona Department of Administration State Procurement Office, Agency and Cooperative Purchasing Contracts, Mohave Educational Services Cooperative Contracts*, and the *Government Services Administration (GSA) Contracts*.

O. Award of Contract for Wetmore Center Roof Repair Based Upon Responses to Request for Bid (RFB) 09-0086

Board Book information: *Request for Bid (RFB) 09-0086 was mailed to twelve roofing contractors requesting prices for roof repair at Wetmore Center; 5 contractors attended the site visit to inspect the work required. Two priced bids were received – Progressive Roofing and Jim Brown & Sons; 3 no-bids were also received. [Board Book holders were provided with the administration's vendor evaluation.]*

The Governing Board approved the award of contract for Wetmore Center Roof Repair to *Progressive Roofing* based upon their response to RFB 09-0086.

P. Approval of Extension to Intergovernmental Agreement With the Arizona Board of Regents on Behalf of the University of Arizona Regarding the Visiting Professor Program, Pursuant to A.R.S. § 25-131 et seq., A.R.S. §15-1625, and A.R.S. §11-951.

Board Book information: *The District has participated in the University of Arizona's College of Education/Visiting Professor Program for nearly twenty years. The Program is designed to promote an exchange of teaching ideas and classroom experiences between the University and the District.*

Painted Sky teacher Laurie Sheber has been selected to participate in this Program on the basis of her academic and professional qualifications in Language Arts, Science and Social Studies.

The University recently requested that the District agree to her participation for the 2010-2011 academic year (through June 30, 2011). The University will also provide funding, not to exceed \$56,800 annually, to the District for a district-employed short-term teacher to replace Ms. Sheber during her participation in the University's Program.

The Governing Board approved the extension (through June 30, 2011) to the IGA between *Arizona Board of Regents on Behalf of the University of Arizona* and the District regarding the Visiting Professor Program, as described above (Exhibit 9, pp. 1, 1a, 1b).

Q. Approval of Out of State Travel

Out of state travel was approved for students and staff (source of funding indicated): from Amphitheater Middle School to take 4 students to Denver, Colorado, June 24-28, 2010 (student activity funds); from Amphitheater High School to take 46 students to Irvine, California, July 24-29, 2010 (tax credits, student activity funds, and the Panther Pride Booster Club).

The Governing Board approved the change in dates listed for a travel request from Canyon del Oro High School to San Diego, CA, which had been previously approved at the March 30, 2010 Board meeting; the dates are now June 23-26, 2010.

Out of state travel was approved for staff (source of funding indicated): from the District Offices to attend the Achieve Team Training in Alexandria, Virginia, June 16-19, 2010 (no cost); from the

District Offices to attend training with a Tyler Technologies Consultant in Falmouth, Maine, June 14-17, 2010 (federal staff development funds).

R. Approval of Grants

The Governing Board approved the following Wells Fargo mini-grant(s): Keira Moody on behalf of Wilson K-8 School in the amount of \$500.00 to purchase audio books for the *Audio Books for the Classroom* project.

S. Adoption of Common Courses for High School

Board Book information: *The District's student management system requires consistent formatting, naming, and numbering for courses at the high school level. Completion of this task requires Governing Board approval for the courses offered at the high schools.*

The Governing Board approved the list of High School courses to accommodate the student management system, as described (Exhibit 10, pp. 1-8).

T. Approval of Oro Valley Police Department, Tucson Police Department and Pima County Sheriff's Department Special Duty Program Agreements; Approval of Sole Source Procurement for Police Services

Board Book information: *At the request of the District, the Oro Valley Police Department, Tucson Police Department, and the Pima County Sheriff's Department provide police officers for law enforcement support, such as when needed for special events taking place at the schools within their respective jurisdictions.*

The proposed agreements are attached for the Board's convenience. The current agreements expire on June 30, 2010 or shortly thereafter. Approval of these agreements is necessary to authorize use of Oro Valley Police, Tucson Police, and Pima County Sheriff's Departments personnel as needed for the 2010-2011 fiscal year.

Within their respective jurisdictional limits, it is necessary to seek these law enforcement units to provide these kinds of special duty police services. Therefore, specific approval is sought for Sole Source procurement for police services rendered within Pima County and the Town of Oro Valley.

The Governing Board approved the Sole Source agreements for the following special law enforcement entities for the 2010-2011 school year: Pima County Sheriff's Department -- Exhibit 11a, pp. 1-2; City of Tucson (Tucson Police Department) -- Exhibit 11b, pp. 1-3; and, Oro Valley Police Department -- Exhibit 11c, pp. 1-3.

U. Approval of Bond-Related Projects

1. Review and Approval of a Guaranteed Maximum Price (GMP) for a New Facility Support Service Center

The Governing Board approved the GMP award to *Diversified Design and Construction, Inc.* for the construction of the new Facility Support Service (FSS) Center at Wetmore Center in the amount of \$5,041,784. (The proposal is listed as Exhibit 12.).

2. EXECUTIVE SESSION

A. Motion to Recess Open Meeting and Hold an Executive Session for Student Disciplinary Action Pursuant to A.R.S. §15-843(F)(2) and A.R.S. §15-843(A).

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 # 30034554; b. Student # 30007102; c. Student # 30019104; d. Student # 30020086; and, e. Student # 30029996;

2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding:

- a. Student # 30001509; b. Student # 16806229; c. Student # 30020306; d. Student # 30000601; e. Student # 11705623; f. Student # 30021335; g. Student # 10805436; h. Student # 30033985;
3. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision, Pursuant to A.R.S. §15-843(A), Regarding:
 - a. None at this time;
 4. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision, Pursuant to A.R.S. §15-843(A); 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 # 30022069; b. Student # 30017183;
 5. Discussion and Consultation with Representatives of the Governing Board In order to Consider Its Position and Instruct Its Representatives for the Meet and Confer Process Pertaining to Compensation and Benefits for Certificated, Professional Non-Teaching, Support and Administrative Staff for the 2010-2011 Contract Year, Pursuant to A.R.S. §38-431.03(A)(5); and
 6. Discussion of Employment and Evaluation of the Superintendent, Pursuant to A.R.S. §38-431.03(A)(1).

A motion was made by Mrs. Clymer that the Board recess the open meeting and convene into Executive Session pursuant to A.R.S. §15-843 subsections (A), (F)(2); A.R.S. §38-431.03 subsections (A)(1) and (A)(5). Mrs. Boros seconded the motion and it passed unanimously, 4-0. Mr. Grant called a recess at approximately 6:20 p.m. for the purpose of holding Executive Session.

B. Motion to Close Executive Session and Reconvene Open Meeting

Upon return to the Board Room, Mrs. Clymer moved to reconvene the meeting into open session. Dr. Barrabee seconded motion and is passed, unanimously, 4-0. The time was 10:09 p.m. Mr. Grant declared the meeting open session.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Mrs. Boros requested a report on District/student expulsion recidivism.

PUBLIC COMMENT¹

There were no public comments.

ADJOURNMENT

A motion was made by Mrs. Clymer seconded by Dr. Barrabee and passed unanimously, that the meeting be adjourned. Mr. Grant declared the meeting adjourned at 10:10 p.m.

Respectfully submitted,
Margaret Harris

Jeff Grant, President

Date

Approved: TBA