

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, January 8, 2013 6:30 p.m.

Board Members Present

Mrs. Susan Zibrat, Vice President

Mrs. Julie Cozad, Member

Mrs. Deanna Day, Member

Board Members Absent

Dr. Kent Paul Barrabee, Member

Mr. Jeff Grant, Member

Central Administrators Present

Mr. Patrick Nelson, Superintendent

Todd A. Jaeger, J.D., Associate to Superintendent and General Counsel

Ms. Monica Nelson, Associate Superintendent

Mr. Scott Little, Chief Financial Officer

OPENING OF MEETING - Call to Order

Mrs. Zibrat called the meeting to order at 6:30 p.m.

1. EXECUTIVE SESSION

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

1. Discussions or Consultations with Designated Representatives of the Public Body in Order to Consider its Position and Instruct Its Representatives Regarding Negotiations for the Sale of Real Property Located at 2060 East Cyprus Canyon Drive in Green Valley, Arizona, Pursuant to A.R.S. §38-431.03(A)(7).

2. Discussion and Consultation with Representatives of the Governing Board In Order to Consider Its Position and Instruct Its Representatives in the Meet and Confer Process Pertaining to Compensation and Benefits for Certificated, Professional Non-Teaching, Support and Administrative Staff for the 2013-2014 Fiscal Year Pursuant to A.R.S. §38-431.03(A)(5).

A motion was made by Mrs. Zibrat that the Board recess into Executive Session pursuant to A.R.S. §38-431.03(A)(7) and A.R.S. §38-431.03(A)(5), as presented. Mrs. Cozad seconded the motion and it passed unanimously, 3-0. Mrs. Zibrat called a recess at 6:30 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, a motion was made by Mrs. Zibrat and seconded by Ms. Day that the meeting reconvenes into open session. The motion passed, unanimously, 3-0. Mrs. Zibrat declared the meeting in open session. The time was 7:05 p.m.

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Mrs. Zibrat reconvened the meeting 7:05 p.m. and welcomed all in attendance. She invited members of the audience to sign the visitors' register. Procedures for addressing the Board were described.

Note: Moment of Silence – Mrs. Zibrat asked for a moment of silence to honor the lives of all those people who were tragically impacted on this date two years ago, especially our Mesa Verde community. [January 8, 2011, Tucson, Arizona, the "Congress on Your Corner" constituent meeting".]

Pledge of Allegiance

Mr. Chris Gutierrez, Principal from Holaway Elementary School, introduced the following students, who were present and led the Pledge of Allegiance: Abdullah Wajdi, Bill Pacheco, Magdaly Arce Martinez, Esteban Estrada, and Ashanti Randle. [Thea Reaves, Estefania Espinoza Monroy, and Angelo Gutierrez were not in attendance.] Each student was presented with a Certificate of Commendation.

Mrs. Zibrat acknowledged the Art Display in the Board Room. She commended Holaway Elementary School students and art teacher, Amy Rudd, for their contributions.

Announcement of Date and Place of Next Special Governing Board Meeting

Mrs. Zibrat announced the next special meeting of the Governing Board: Tuesday, January 22, 2013, 5:30 p.m., Wetmore Center, 701 W. Wetmore Road.

PUBLIC COMMENT

There were no comments from the public.

2. ORGANIZATIONAL MEETING

A. Administration of Oath of Office to Newly-Elected and Re-appointed Governing Board Members

State law requires that officers and employees of the state, including its political subdivisions, take a loyalty oath of office. This requirement includes individuals appointed or elected to school district Governing Boards.

Pursuant to A.R.S. §38-231, the Oath of Office states: "State of Arizona, County of Pima, I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and the laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of Governing Board Member for Amphitheater Unified School District No. 10, according to the best of my abilities, so help me God (or, so I do affirm).

Pursuant to A.R.S. §15-426, Board members are also required to execute the oath in writing before a Notary Public which shall then be forwarded to the Pima County School Superintendent.

Board members newly elected or appointed to a first term, or re-elected to a new term, are required to state and execute the oath of office. Board members continuing their existing term of office are not required to restate and re-execute the oath.

Mr. Nelson introduced this item. At this time, the District is welcoming two (2) new Board members and they are: Mrs. Julie Cozad and Ms. Deanna Day. They have already satisfied the State's requirements by completing the Oath of Office swearing-in process in accepting their positions and duties of the office of the Governing Board. The "Oath of Office" is administered at their first public Governing Board Meeting primarily as a formality. Dr. Barrabee is returning as a third-term Board member.

Mrs. Zibrat invited Mrs. Cozad to proceed; her daughter, Nicole Cozad-Pearce led her in reciting the Oath of office. Mrs. Cozad also introduced her husband, Robert and son-in-law, Bryan and two grandchildren, Isabella and Sienna. Ms. Day noted that her family represents three generations of Amphi students. She then introduced her grandchildren, Drew and Courtney, who carried out the honors of leading their grandmother in taking the Oath; also introduced and in attendance were son, Tom Deneke and his wife Tally, and Jennifer Deneke, daughter-in-law.

B. Nomination and Election of Governing Board President and Vice President

Arizona law, A.R.S. § 15-521, requires that the Governing Board hold an organizational meeting between January 1 and January 15. The Board's meeting of this evening obviously meets this requirement. In addition, the same section of Title 15 requires that the Board elect a president from among its members. The President of the Board presides over all meetings of the Board, in accordance with Arizona law and District policies.

A.R.S. § 15-521(D) provides that the Board must prescribe rules for its own governance. Governing Board Policy BDA, one of the Governing Board rules of governance, does require the election of a clerk, which the Board has traditionally designated as "Vice President". The Vice President presides over all meetings of the Board at which the President is not present.

The nomination of officers, under Roberts Rules of Order, may be done by open nomination. The President initiates this method by simply calling for nominations from the floor. Alternatively, any member could offer a motion that nominations be made from the floor. After passage of such a motion, or upon initiation by the President, the current President takes all nominations for the office of president first. Board members may, alternatively, move the nomination of a candidate, requiring a second and a passing vote for the nominee to be placed on the slate of candidates. This, of course, adds an additional step to the election process and is not recommended for small bodies like the Board.

Nominees may decline their nomination prior to any vote. When it appears no further nominations are forthcoming, the President may close the floor to further nominations, or it may be closed upon a passing motion to do the same.

Under Roberts Rules, there are technically several ways of conducting the election of officers following the nomination process; those that are practicable and applicable to the election of Governing Board officers are described below. Secret balloting, for example, is permitted by Roberts Rule, but not by the Arizona Open Meeting Law. Once again, any one of the alternative methods below may be used – either upon selection of method by the current President or by motion (the latter of which controls in the event of conflict). If a voting method is selected, the chair should explain how the matter will proceed prior to the vote being taken.

Acclamation. *If there is only one nominee for an office, the chair of the meeting can simply declare the individual is elected, rather than taking a vote.*

Voice or Other Voting. *Absent election by acclamation, a vote of the Board on nominees is required by voice, roll call, show of hands or rising (where Board members stand). Roberts provides that, unless a method of voting is selected upon motion, the chair will decide the method based upon the nature of the election, closeness of the expected vote, and the size of the group.*

The current President announces the result of a vote formally, for the record. Until that announcement, Roberts permits any Board member to change their vote. In the event of a tie between nominees, the chair may call for a new vote to determine the tie.

Mr. Nelson introduced the item and provided an overview of the Governing Board Officer election process [as stated above] beginning with the office of the Presidency and then followed by the Vice President (or Clerk), who serves in the absence of the president.

Mrs. Zibrat began by asking if any board member wished to offer a nomination for president. Ms. Day nominated Mrs. Zibrat; Mrs. Cozad concurred. There were no other nominations and through acclamation, Mrs. Zibrat declared herself as President.

Ms. Day nominated Kent Barrabee for the Office of Vice President; Mrs. Cozad concurred. There were no other nominations and through acclamation, Mrs. Zibrat declared Dr. Kent Barrabee as Vice President.

[A Certificate of Election of Governing Board President and Vice President was signed by all three Board members. A copy of this Certificate, as well as, Certificates of Election for each Board Member, was forwarded to the Pima County School Superintendent's office.]

3. INFORMATION² AND RECOGNITION(S)

A. Recognition of Recipients of National Board Certification

Board book information: *National Board Certified Teachers (NBCT) are nationally recognized as being among the best teachers in the profession. This year Amphitheater once again is distinguished to be able to recognize the following new National Board Certified Teacher(s): Lisa Boyd, Coronado K-8 School, Stephanie Hayes, Donaldson Elementary, Sarah Lortie, Prince Elementary, Jane Peterson, Walker Elementary, Cynthia Russell, Walker Elementary, Patricia Stewart, Mesa Verde Elementary*

Prior to Mrs. Monica Nelson inviting the principals from each teacher's school to introduce the newly-certified NBCT teachers, she also acknowledged the many current NBCTs in attendance in support of and in celebration of their successful colleagues.

The Governing Board congratulated Ms. Boyd, Ms. Hayes, Ms. Lortie, Ms. Peterson, Ms. Russell and Ms. Stewart on their achievements and presented each with a Certificate of Commendation.

Mr. Nelson also introduced Mrs. Karyn Vick-Frantziskonis, one of the first two NBCT's in the District (2003), recognizing her for her leadership and guidance in support of Amphi teachers since then in their aspirations to achieve this level of distinction.

B. Recognition of Golden Corral Restaurant

Board book information: *As you may know, the AVID program at La Cima hosts a Thanksgiving dinner for participating students and their families, hundreds of people attend this event. Preparing turkeys for that number of participants is a challenge. This year staff was concerned about how they would manage to accomplish this task. Assistant Principal Debbie Garcia and Family Advocate Jessica Rodriguez began brainstorming ways all the turkeys could be prepared for serving. Ms. Rodriguez contacted Mr. Scott Hall, manager of the local Golden Corral Restaurant. Mr. Hall and his staff volunteered to prepare all the turkeys, carve the meat, separate it into white and dark meat, and prepare a "presentation" turkey as a centerpiece. They also donated all the stuffing. The evening was a huge success, thanks in large part to the generous participation of Golden Corral and Mr. Hall.*

Mrs. Christine Sullivan and Ms. Deborah Garcia, Principal and Assistant Principal from La Cima, were invited to introduce Mr. Hall and provide the back story for this recognition.

The Governing Board thanked Mr. Hall and his staff at the Golden Corral® Restaurant for their assistance and volunteerism in the food preparation and serving at the AVID Program Family Thanksgiving dinner at La Cima for students, families, and staff. The Governing Board presented Mr. Hall and his staff with a Certificate of Commendation.

C. Recognition of Harelson Achievement in Science

Board book information: *The National Center for Educational Achievement (NCEA), a department of ACT, Inc., looked at student test results for the past three years to create this year's higher performing school list. Schools qualify for NCEA's list in a given subject by meeting one of two metrics: the Advanced Measure and the Growth Measure.*

The Advance Measure compares schools on the percentage of students at or about the achievement level closest to NCEA's College and Career Readiness Targets after adjusting for school poverty rates based on the percentage of students eligible for free or reduced lunch. The top five percent of schools are considered for NCEA's list.

The Growth Measure evaluates schools whose students perform better than predicted for a school with similar demographics and prior achievement using statistical analyses. The top 10 percent of schools are considered for NCEA's list, within each low-income group.

Harelson qualified under both measures. We are proud to honor them for this achievement.

Mrs. Nelson provided an overview of the award and its significance. Of the 1,191 elementary schools in Arizona, 140 schools are recognized for this type of achievement and of those 140, Harelson has achieved this distinguished award. Mr. Andy Heinemann, Principal from Harelson, was invited to introduce the honored 4th Grade Science Team members: Jennifer Stripe, Diana Sewell, and Becky Cozart. He praised each for their effective teaching strategies and dedication. He also noted that the team has now received this award two years in a row.

The Governing Board congratulated Ms. Stripe, Ms. Sewell, and Ms. Cozart for this achievement and presented them with the school's NCEA plaque, which had been sent to the District. Certificates of Recognition were also prepared.

4. CONSENT AGENDA³

Mrs. Zibrat asked if there were Board member requests to have items addressed separately; there were none. A motion was made by Mrs. Zibrat to approve the Consent Agenda, items A-N, adding that regarding Item N, Mr. Nelson, Superintendent and Mr. Jaeger, Associate to the Superintendent will be authorized to act in accordance with the direction given to them in Executive Session – including authority to execute necessary documents. The motion was seconded by Ms. Day, and it passed unanimously, 3-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes

The minutes of the December 4, 2012 Executive Session and of the December 4, 2012 Regular Board meetings were approved, as submitted.

B. Approval of Appointment of Personnel

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

C. Approval of 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 Separation(s) and Termination(s)

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

F. Approval of Approval of Vouchers Totaling and Not Exceeding \$2,979,480.28

The following vouchers were approved as presented and payment authorized:

Vo. 560	\$288,205.53	Vo. 561	\$195,696.12	Vo. 562	\$564,833.73	Vo. 563	\$291,795.08
Vo. 564	\$149,990.63	Vo. 565	\$400,924.33	Vo. 566	\$832,784.69	Vo. 567	\$129,139.26
Vo. 568	\$ 45,405.72	Vo. 569	\$ 31,802.79	Vo. 570	\$ 15,457.06	Vo. 571	\$ 33,445.34

G. Acceptance of Gifts

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

H. Receipt of Monthly Status Report for the Fiscal Year 2012-2013

A summary of comparative totals as of November 2011 is as follows:

Budget Capacity \$ 82,368,579.00 Expenditures & Encumbrances \$ 82,368,579.00

Totals' Comparisons:

Expenditures as of 11/30/11\$ 28,872,783.75 M & O Budget Capacity for 2011-2012..... \$81,843,474.00

Expenditures as of 11/30/12\$ 29,391,463.40 M & O Budget Capacity for 2012-2013..... \$82,368,579.00

Bond Balance Outstanding: \$83,035,000.00

Tax Rates: Primary – 4.3424; Secondary – 1.6517

I. Receipt of October 2012 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 approved the Monthly Report on School Auxiliary and Club Balances for month-end October, 2012, as submitted. (Exhibit 6, pp. 1-8)

J. Approval to Dispose of Surplus Food Service Equipment via a Competitive Sealed Bid Sale

Board book information: *Article 11 of the Arizona Administrative Code Section R7-2-1131, Material Management and Disposition, requires outdated learning materials and surplus materials regardless of value to be offered for sale through competitive sealed bids, public auction, established markets, trade-in, posted prices or through State Surplus Property. The Warehouse has surplus kitchen equipment available for disposal due to the kitchen renovation just completed at Canyon del Oro High School and the closure of the Wetmore bakery.*

With Governing Board approval a Notice of Sealed Bid Sale will be advertised as per R7-2-1131. Interested buyers registered with the Purchasing Department will be notified of the sale.

Quantity		Item	Quantity		Item
3	ea.	Work Tables Butcher Block	11	ea.	Ovens
2	ea.	Dishwashers	3	ea.	Refrigerators
2	ea.	Food Processers	4	ea.	Salad Bars
4	ea.	Gas Ranges	5	ea.	Steam Tables
2	ea.	Ice Machines	14	ea.	Work Tables
2	ea.	Meat Cutters	11	ea.	Shelves
7	ea.	Mixers	2	ea.	Tray Holders

The Governing Board approved the Disposal of Surplus Kitchen Equipment via a Competitive Sealed Bid Sale.

K. Award of Contract for Paper Products Based on Responses to Request for Bid (RFB) 12-0029

Board book information: *Request for Bid (RFB) 12-0029 was mailed to vendors registered with the Purchasing Department providing paper products. The bid required the successful vendor to fill and deliver orders within twenty-four hours of order placement. Two vendors responded, Spicers Paper and Unisource. The Spicers Paper bid offered the lowest cost for all six categories of paper products bid. Please see the attached spreadsheet.*

The Governing Board approved the Award of Contract for Paper Products for Graphics and Printing to Spicers Paper based on their response to RFB 12-0029.

L. Approval of Out of State Travel

Out of state travel was approved for students and staff (source of funding indicated): from Ironwood Ridge High School to take 15 students from DECA to Leadership & Content Area Development in Orlando, FL on Feb. 7-11, 2013 (tax credits, club funds, state funds); from Canyon del Oro High School to take 20 students from Varsity Baseball to a Baseball Tournament in Las Vegas, NV on March 6-9, 2013 (tax credits, student activity funds); from Canyon del Oro High School to take 12 students from Spirit line and Pomline to USA Nationals HS Spirit Competition in Anaheim, CA on March 14-17, 2013 (tax credits, student activity funds); from Coronado K-8 to take 31 students from Advanced Chorus to work in a recording studio with professional vocalists in Anaheim, CA on April 5-7, 2013 (tax credits, auxiliary funds, student activity funds); from Ironwood Ridge High School to take 19 students from Newspaper/Yearbook to the JEA National Spring Convention (Journalism) in San Francisco, CA on April 25-28, 2013 (tax credits, student activity funds); from Amphitheater High School to take 55 students from Band, Orchestra, Jazz Band and Mariachi to the San Diego Music Tour in San Diego, CA on April 26-28, 2013 (tax credits, student activity funds).

Out of state travel was approved for staff (source of funding indicated): from Rillito to attend the CEC 2013 Convention & Expo in San Antonio, TX on April 2-6, 2013 (maintenance and operations funds); from Rillito, Mesa Verde Elementary School and Amphitheater High School to attend the CEC 2013 Convention & Expo in San Antonio, TX on April 2-6, 2013 (M & O); from Amphitheater High School to attend the National Science Teachers Assoc. 2013 National Conference in San Antonio, TX on April 10-14, 2013 (site M & O, federal funds for staff development); from Canyon del Oro High School to attend National Science Teachers Assoc. 2013 National Conference in San Antonio, TX on April 10-14, 2013 (gifts and donations and federal funds dedicated for staff development); from Ironwood Ridge High School to attend National Science Teachers Assoc. 2013 National Conference in San Antonio, TX on April 10-14, 2013 (gifts and donations and federal funds dedicated for staff development); from Amphitheater High School to attend the Tony Franklin System Football Coaching Clinic in Newport Beach, CA on April 13-15, 2013 (student activity funds designated for staff development, Panther Pride Booster Club); from District offices to attend the National Conference on Common Core Standards and Diverse Learners Including English Language Learners & Special Education Populations in Albuquerque, NM on Jan. 30 – Feb. 2, 2013 (M & O dedicated for staff development); from Amphitheater High School, Amphitheater Middle School, Harelson Elementary School and Keeling Elementary School to attend the CEC 2013 Convention & Expo in San Antonio, TX on April 2-6, 2013 (M & O).

Travel was approved after the fact as request was inadvertently not submitted in time for staff from: District offices to attend the Learning Forward 2012 Annual Conference in Boston, MA on Nov 30-Dec. 5, 2012 (federal funds for staff development).

Travel was previously approved: at the Oct. 2, 2012 Board Meeting for staff from District Offices to attend the National Assoc. for Gifted Children Annual Conference in Denver, CO, Nov. 15-18, 2012 – the dates were actually Nov. 14-19, 2012 the cost increased; at the Dec. 4, 2012 Board Meeting for staff from Painted Sky Elementary to attend the Learning and the Brain Conference in San Francisco, Feb. 13-17, 2013 the cost of travel has increased.

M. Approval of Bond-Related Projects

- 1) Approval of Qualified Select Bidders List Based on Responses to Request for Qualifications (RFQ) 12-0027

Board book information: *Article Eleven of the Arizona Administrative Code, Section R7-2-1110 (A-J), defines the use of a qualified select bidders list which a school district may use to determine contractors who will receive a notice of competitive sealed bidding for a construction project. This process is a selection method for establishing a list of best-qualified prime contractors for a specific single project. The selection process is based upon listed evaluation criteria and conducted through a request for qualifications. Once the selection process is complete the qualified bidders, (prime contractors) are invited to submit competitive sealed bids based upon architectural & engineering plans and specifications.*

The use of a qualified select bidders list is restricted to a specific project as identified in the request for qualifications. This project includes new construction and site renovation at Amphitheater High School as identified in the 2006 Blue Ribbon Budget Analysis and Facility Needs Committee Summary & Recommendations. The scope of work includes restroom upgrades for ADA compliance, remodeling of the 500 Wing and the construction of athletic facilities.

Eleven general contractors responded to the RFQ. The evaluation committee, five members, included a project designer, a contractor, a school district facilities representative and two additional members selected by the district.

The Governing Board approved *Diversified Design & Construction, Lloyd Construction Company, Core Construction, D.L. Withers Company, and W.E. O'Neil Construction* as the five highest-ranked prime contractors based on their responses to RFQ 12-0027.

N. Sale of District Property Located at 2060 East Cyprus Canyon Drive, Green Valley, Arizona

Board Book information: *In late 2009, the District received notification from Northern Trust Bank that the District is a residual beneficiary in the estate and trust of Glenda J. Schottenstein. The Board accepted the rights and responsibilities of that beneficiary status on January 26, 2010.*

Pursuant to Ms. Schottenstein's Will, the Trust directed the distribution of trust funds to be made among the following schools: Coronado, Holaway, Keeling, Nash, Prince and Rio Vista Elementary Schools; and to Amphitheater Middle School. Funds received by each school are to be used by the recipient schools for specified purposes: 50% for school clothing and shoes for "needy children" and 50% for the funding of art projects and field trips.

Although a substantial portion of the estate's liquid assets has already been received by the District, there remains certain real estate for which the District has no viable use. The Northern Trust Bank originally attempted to liquidate this asset on behalf of the Estate, but eventually deeded it to the District. This real estate is a home located at 2060 East Cyprus Canyon Drive in Green Valley, Arizona. Staff has received an offer to purchase this real estate from potential buyers.

If approved, the sale proceeds from this transaction will be placed into the gifts and donations account for each school to be used as directed by Ms. Schottenstein. These funds do not revert (do not go back to the state if unused) and can grow over time with interest.

The Governing Board approved the motion to have Mr. Nelson, Superintendent and Mr. Jaeger, Associate to the Superintendent be authorized to act in accordance with the direction given to them in tonight's Executive Session – including authority to execute necessary documents.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

There were no Board Member requests.

PUBLIC COMMENT¹

ADJOURNMENT

A motion was made by Mrs. Cozad that the Board Meeting be adjourned. Ms. Day seconded the motion; and it passed unanimously, 3-0. Mrs. Zibrat declared the meeting was adjourned; the time was 7:47 p.m.

RECEPTION – Mrs. Zibrat welcomed Mrs. Cozad and Ms. Day to the Governing Board and invited all in attendance to the Reception honoring the new Governing Board members.

Respectfully submitted,
Margaret Harris

Mrs. Susan Zibrat, President

Date

Approved: TBA