

**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, April 24, 2012; 5:30 p.m.

**Board Members Present**

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

**Central Administrators Present**

Dr. Vicki McLeod Balentine, Superintendent  
Todd A. Jaeger, J.D., Associate to Superintendent and General Counsel

**OPENING OF MEETING**

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

Mrs. Boros called the meeting to order at 5:31 p.m. and invited members of the audience to sign the visitors' register.

**Pledge of Allegiance**

Dr. Balentine led the Pledge of Allegiance.

**Announcement of Date and Place of Next Regular Governing Board Meeting:**

Mrs. Boros announced the next regular meeting of the Governing Board: Tuesday, May 8, 2012, 7:00 p.m., at the Wetmore Center, 701 W. Wetmore Road.

**PUBLIC COMMENT**

There were no public comments.

**1. EXECUTIVE SESSION**

1. Discussion or Consideration of Finalist Candidates for the Position of District Superintendent, Pursuant to A.R.S. §38-431.03(A)(1); and
2. Discussion and Consultation with, and Instruction to, Legal Counsel, Pursuant to A.R.S. §38-431.03(A)(3) and (A)(4), Regarding the Search for New District Superintendent and Negotiation of Contract Terms with Superintendent Search Finalist(s).

A motion was made by Mrs. Boros that the Board recess into Executive Session pursuant to A.R.S. §38-431.03(A)(1) and A.R.S. §38-431.03(A)(3) and (A)(4), as presented. Mr. Grant seconded the motion and it passed unanimously, 5-0. Mrs. Boros called a recess at 6:32 p.m.

Upon return to the Board Room, Dr. Barrabee moved to reconvene the meeting into open session. Mrs. Boros seconded the motion and it passed, unanimously, 4-0. The time was 7:16 p.m. [Mr. Grant re-entered the room shortly thereafter.]

## **2. ACTION**

### **A. Appointment of the Superintendent of Amphitheater Unified School District, Effective July 1, 2012**

Board book information: *Since January, the Governing Board has been conducting a search for a new superintendent, following Dr. Balentine's announcement that she will be retiring at the conclusion of her current contract. After obtaining public input as to the qualities sought in a superintendent, the position was advertised nationally and applications were accepted through March 21<sup>st</sup>. Ultimately, the Governing Board selected three candidates for interview: Dr. Steve Chestnut, currently Superintendent of Selah School District, in Selah, WA., Mr. Patrick Nelson, currently Associate Superintendent for School Operations, Amphitheater Public Schools, Tucson, AZ., Dr. Patrick Sweeney, currently Assistant Superintendent for Instructional Support – Secondary, Paradise Valley School District, Paradise Valley, AZ.*

*The Governing Board interviewed these candidates on April 12 in executive session. Following their interviews with the Board, the three candidates also participated in public forums, held at Cross Middle School on April 12.*

*The Governing Board met in executive session, on April 13, to discuss and review the candidates and their qualifications for the position of Superintendent and to discuss, consult with, and direct legal counsel regarding the negotiation of contract terms with potential finalists for the position.*

*By action under this item, the Governing Board may appoint a candidate to the position of Superintendent, effective July 1, 2012, following Dr. Balentine's retirement. A form of motion is proposed below.*

Mr. Grant moved to appoint Mr. Patrick Nelson as Superintendent of Amphitheater Unified School District for a term beginning July 1, 2012 through June 30, 2015, and that legal counsel be directed to present a written contract for employment for the Governing Board's consideration and/or approval at a future Board meeting. The motion was seconded by Dr. Barrabee and it passed, unanimously, 5-0.

Dr. Barrabee noted that the District was very fortunate for the many outstanding candidates that had presented themselves for consideration and interview; he is thankful for this opportunity.

## **3. CONSENT AGENDA**

Mrs. Boros asked if there were Board member requests to have any items addressed separately; there were none. A motion was made by Mr. Grant to approve consent agenda items A-L. The motion was seconded by Dr. Barrabee and passed unanimously, 5-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

### **A. Approval of Minutes of Previous Meeting**

The Minutes of the March 27, 2012, Special Governing Board Meeting and Executive Session Meeting were approved, as submitted.

### **B. Addendum to 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 Approval of Vouchers Totaling and Not Exceeding \$1, 410,466.62 (Final)**

Board book information: *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:*

Vo. 392	\$230,525.53	Vo. 393	\$131,523.19	Vo. 394	\$288,549.34
Vo. 395	\$759,868.56				

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

Out of state travel was approved for students and staff (source of funding indicated): from Painted Sky Elementary School to take 7 students to participate in Odyssey of the Mind in Ames, IA on May 23-27, 2012 (tax credits, PTO, Student Council and fundraising); from Coronado K-8 to take 6 students to participate in Odyssey of the Mind in Ames, IA on May 23-27, 2012 (tax credits); Canyon del Oro High School to take 48 students from the Football Team to a team camp in Irvine, CA on July 20-24, 2012 (tax credits, club funds).

Travel was previously approved at the Oct. 25, 2011 Board meeting for 57 students from Cross Middle School Orchestra and Musical Theater to attend the Forum Music Festival in Anaheim, CA on May 3-6, 2012, cost of travel has increased from \$30,451 to \$36,378; travel was previously approved at the Nov. 15, 2011 Board meeting for 39 students from La Cima Middle School's Science class to attend the Catalina Island Marina Institute in Tonyon Bay, CA on May 6-10, 2012, additional chaperones may be attending; travel was previously approved at the Jan. 24, 2012 Board Meeting for 90 students from La Cima Middle School's Fine Arts, Band, Orchestra and Choir to attend the Forum Music Festival in Anaheim, CA on April 26-28, 2012, additional chaperones may attend.

#### **H. Approval of Textbook(s) for Display**

The Governing Board approved to have the following textbook placed on display effective April 24, 2012 for a period of sixty days prior to official adoption, this, 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 Houghton Mifflin; Price: \$173.75

#### **I. Approval of Proposed Governing Board Policies Contained in Policy Classification J (Students) (Part 2 -- JK through JR)**

Board book information: *The District is currently conducting a periodic review of the entire Governing Board and Administrative Regulation system. This periodic review is intended to ensure that the policies of the District continue to reflect intentions of the Governing Board over time. The Board studied potential revisions to this series of policies at the meeting of April 10. Most changes reviewed consisted of minor language changes, but several policies contained more substantive proposals for revision. Those policies follow below and were discussed in some detail at the April 10 meeting. JK (Student Discipline) was revised to codify the potential interventions available to address student behavior. JKD (Student Suspension) was modified to expand disciplinary hearings notification timelines from three (3) to five (5) days. JKE (Expulsion of Students) readmission terms were modified: Currently, an expelled student may request re-admittance by making a written application to the Board. The proposed revision sets forth that, while the application for re-admittance may be submitted no less than nine (9) months after the date of the expulsion; the student may not be readmitted until at least two (2) complete semesters have passed (the remainder of the semester in which the violation has occurred and two [2] additional semesters). Also proposed is the summary reinstatement of his/her expulsion should the student commit a violation of the conditions for readmission or a criminal or civil violation reflecting on the school order. JLCB (Immunization of Students). It is recommended that chart of immunizations be deleted in favor of general statement to more easily maintain currency. JLDA (School Counselors and Psychologists). This is a new policy. JLIF (Sex Offender Notification). Staff would like the Board to take particular notice that the ASBA has suggested "optional" language at the JLIF Policy and its accompanying Regulation JLIF-R.*

The Governing Board approved the Policy Classification J (Students) (Part two – JK through JR), as submitted.

**J. Approval of Contract Forms for the 2012-2013 Fiscal Year for Administrative, Administrative Exempt, Certificated, and Professional Non-Teaching Employee Groups; Authorization to Issue Contracts to Renewing Staff Members for Fiscal Year 2012-2013**

Board Book information: *On April 10, 2012, the Governing Board was presented with a proposal for approval of a 2012-2013 compensation and fringe benefits package for the District's employee groups. This item is an additional step required to implement the package, through the issuance of contracts to those employees receiving contracts.*

*As the Board Members may recall, Arizona law previously mandated issuance of contracts by May 15 of each year. Under revisions made to the statute made by the legislature two years ago, this is no longer the case. However, the timely resolution of the meet and confer process and issuance of contracts as early as possible helps assure employees of their status, and should therefore proceed as quickly as possible.*

*The ongoing uncertainty associated with legislative budget matters this year again suggest the need for contract forms that contain contingency clauses to allow for circumstances beyond the Governing Board's control. Current indications are that there will be no new legislative cuts to the K-12 budget for next fiscal year, but legislative action is never "final" – as experience in recent legislative sessions has taught us. Thus, the contingency language is necessary. But, the language included links any contract term changes to legislative reductions and limits pay reductions, however remote, to no more than 4%. Notably, contracts over the last few years have included similar provisions – none of which had to be exercised.*

*Please note that support staff employees are not issued contracts, but will be issued written verification of their pay rates and other information consistent with the Board's approval of the meet and confer package terms.*

The Governing Board approved the proposed contract forms for the groups listed above for the 2012-2013 fiscal year, and authorized issuance of contracts, as submitted. (Exhibits: Certificated Teacher/Standard: Exhibit 5a.; Certificated Teacher/Career Ladder: Exhibit 5b.; Certificated Teacher/Part time: Exhibit 5c.; Certificated Teacher/Short Term: Exhibit 5d.; Administrator Exhibit: 5e.; Administrator/12 month: Exhibit: 5f.; Administrator/10 month: Exhibit 5g.; Professional non-teaching/12 month: Exhibit 5h.; and, Professional non-teaching/12 month: Exhibit 5i.)

**K. Approval of Harelson Elementary HVAC and Controls Upgrade**

Board book information: *We went out for two bids to replace original-existing plant systems at Harelson Elementary to include: one (1) new 30-ton air handler and (one) 1 new 35-ton air handler for the north and west wings and one (1) new 10-ton air handler for the east wing; new compressors for all three plants, to include complete electrical disconnects, starters; provide/install controls for all three plants' classrooms; and existing package units as detailed in the attached scope. All work is to be completed by 6/30/2012. [Board Book contained complete bid proposals from Mechanical & Controls, Inc. (Mohave - JOC) bid cost \$542,593.83 and HACI Service, LLC bid cost \$583,725.05.]*

The Governing Board approved the HVAC and Controls Upgrade at Harelson Elementary to *Pueblo Mechanical and Controls, Inc.*, with a total cost of \$542,593.83.

**L. Approval of New Course Titles**

Board book information: *Each year, we have several changes in course names and the addition of new courses. This year, with the implementation of the International Baccalaureate programme (IB) at Canyon del Oro High School, we have classes that we have added or renamed. In addition, we find it necessary at times to add classes that benefit our special education and alternative education students.*

The Governing Board approved new course titles: RR Study Skills, AP European History.

#### **4. EXECUTIVE SESSION**

##### **A. Motion to Recess Open Meeting and Hold an Executive Session for Student Disciplinary Action:**

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 #30001056; b. Student # 30028627; c. Student # 30035129; d. Student # 30008859; e. Student # 30028486; f. Student # 30026229; g. Student # 30027405; h. Student # 30032429; i. Student # 30040649; j. Student # 3000786; k. Student # 30042319; l. Student # 30026486; m. Student # 30027412; n. Student # 30037483
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30038720; b. Student # 30041676; c. Student # 30022752; d. Student # 30011122; e. Student # 30041671; f. Student # 30038722; g. Student # 30004870.
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.

A motion was made by Mrs. Boros that the Board recess into Executive Session pursuant to A.R.S. §15-843(F)(2) and A.R.S. §15-843(A), as presented. Mrs. Zibrat seconded the motion and it passed unanimously, 5-0. Mrs. Boros called a recess at 6:20 p.m.

Upon return to the Board Room, Dr. Loomis moved to reconvene the meeting into open session. Dr. Barrabee seconded the motion and it passed, unanimously, 5-0. The time was 7:27 p.m. Mrs. Boros declared the meeting in open session.

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

There were no Board Member requests.

#### **PUBLIC COMMENT**

There were no public comments.

#### **ADJOURNMENT**

A motion was made by Dr. Loomis, seconded by Dr. Barrabee, and passed unanimously, 5-0 that the meeting be adjourned. Mrs. Boros declared the meeting adjourned at 7:28 p.m.

\_\_\_\_\_  
Respectfully submitted,  
Margaret Harris

\_\_\_\_\_  
Mrs. Diana L. Boros, President

\_\_\_\_\_  
Date

Approved: