

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, March 6, 2012 5:30 p.m.

Board Members Present

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

Central Administrators Present

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

OPENING OF MEETING – 5:30 P.M.

Mrs. Boros 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. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2); a. Student # 30036798; b. Student # 30016406; and c. Student # 10805434;
2. 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 # 30022177; b. Student # 30039213; and c. Student # 30019839
3. 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 #30027273.

B. Motion to Close Executive Session and Reconvene Open Meeting

A motion was made by Mr. Grant that the Board recess into Executive Session pursuant to A.R.S. §38-431.03(A)(5) 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 5:33 p.m. for the purpose of holding Executive Session for student disciplinary action.

Upon return to the Board Room, Mr. Grant moved to reconvene the meeting into open session. Mrs. Zibrat seconded the motion and it passed, unanimously, 5-0. Mrs. Boros declared the meeting in open session. The time was 7:01 p.m.

OPENING OF MEETING

Mrs. Boros invited members of the audience to sign the visitors' register and described procedures for addressing the Board.

Call to Order and Signing of Visitors' Register

Mrs. Boros called the meeting to order at 7:01 p.m. and asked members of the audience to sign the visitors' register.

Pledge of Allegiance

Ms. Shannon Chandler, Principal from Cross Middle School, was invited to introduce the following students: Jenna Hurst, Claire Jurecky, Abby Vogler, Kaylee Ratcliffe, Alex Martinez, and Ms. Mulleneaux, Art Teacher. The students led the Pledge of Allegiance and each was presented with a Certificate of Commendation.

Dr. Barrabee acknowledged the Art Display in the Board Room. He commended the Cross Middle School students and art teacher, Danielle Mulleneaux, for their contributions.

Announcement of Date and Place of Next Special Governing Board Meeting

Mrs. Boros announced the next special meeting of the Governing Board to be Tuesday, March 27, 2012, 10:00 a.m., Wetmore Center, 701 W. Wetmore Road. This meeting is scheduled for earlier in the day to accommodate a special Executive Session scheduled as part of the Superintendent's Search process. [Board Members will screen applicant files and preparing for interviews tentatively scheduled for mid April.]

PUBLIC COMMENT

There were no comments from the public.

2. INFORMATION² AND RECOGNITION(S)

A. Status of Bond Projects (Aho/Louth)

Mr. Louth, Bonds Project Manager, was introduced to present this month's (PowerPoint) status update on the current Bond-funded Projects (as provided with Board book materials). Mr. Louth noted that the reporting format is listed within the five categories, as identified by the Blue Ribbon Committee, as areas of need.) *[A Bond-election initiative to fund capital improvement projects was voter-passed on November 6, 2007; this is the monthly update, which began at the 12/11/07 Governing Board meeting].*

I. Health, Safety, and Security

A. CDO Tennis Court Replacement - Construction is 95% complete. Final touches and punch list corrections are in process. This project finished slightly behind schedule due to weather delays in December, but on budget.

B. Transportation Offices - Construction is 65% complete. Drywall is complete. Interior finishes, exterior finishes, glazing and millwork installation are in process. This project is ahead of schedule and on budget.

II. Instructional Space / Portable Replacement

A. Walker Elementary Classroom Addition: - Construction is complete.

B. Amphitheater Middle School Addition: - Programming is continuing with the AMS staff, Architects, General Contractor, and the Bond Dept. Design Development drawings are being developed.

C. Canyon del Oro High School Addition / Remodel - Construction Documents were submitted to Oro Valley for plan review on 2/4/12. A GMP (Guaranteed Maximum Price) is being prepared for Governing Board review. At the conclusion of this report, Mr. Mark Bollard of Swaim and Associates Architecture will present a virtual tour of the proposed CDO design.

D. Copper Creek Classroom Renovation / IT Re-cabling: - Construction is 10% complete. The renovation of classrooms 14 & 15 into computer labs is in-process. Underground backbone cabling and underground electrical infrastructure were installed during Rodeo Break. Backbone cabling in hallway ceilings is also in process as evening work so classes are not interrupted. This type of night work will continue through the duration of the project. Copper Creek is on schedule and on budget.

E. Amphitheater High Renovations: - Programming at Amphi High has started for site renovations. Scope of work is to include new instructional space for removal of portables, restroom upgrades to meet ADA

requirements, and campus security fencing. To date, a full site survey has been completed and investigative site work is being conducted.

F. Holaway Elementary School Classroom Addition: Procurement of a General Contractor is underway. A recommendation for an architectural vendor is on tonight's consent agenda for Governing Board review/ approval.

G. Rio Vista Elementary School Classroom Addition: Procurement of a General Contractor is underway.

Immediately following Mr. Louth's presentation, Mr. Mark Bollard, AIA, with Swaim Associates LTD was introduced; he was in attendance to provide a virtual tour of the Canyon del Oro project.

B. Recognition of Ironwood Ridge High School Wrestling, Division II State Champions, 2011-2012 – Team and Individual

The following Ironwood Ridge High School students will be recognized for being the State Champions: Students: Cameron Grant (wt. class 106), Joey Howard - 5th place overall (wt. class 113), Connor Buette (wt. class 120), Clint Allen-placed 5th overall (wt. Class 138), Adam Bingham (wt. class 160), Tristan Mordecai - 5th place overall (wt. class 170), Scott Simmons - 6th place overall (wt. class 182), Cameron Nelson - 5th place overall (wt. class 195), Trevor Willson - State Champion (wt. class 126), Troy Taylor - State Champion (wt. class 145), Matt Filbert - State Champion (wt. class 152), Tate Sandifer – Runner Up (2nd place) (wt class 132), Lisiate "Tyson" Otuafi- Runner-up (2nd place) (wt. class 220), Coaches: Head: Tim Berrier, Assistant Coaches: Jeff Hannan, Paul Vasquez, and Ray Nunamaker.

The Governing Board congratulated each student/athlete and coach; all were presented with certificates of commendation.

C. Recognition of Amphitheater High School Division III – Wrestling Team State Championships

The following Amphitheater High School students were recognized for being the State Champions Students: Floyd Jones (wt. class 220), Austin Andrade - undefeated @ 57-0 (wt. class 287), Coach: Sam Portillo.

The Governing Board congratulated each student/athlete and coach; all were presented with certificates of commendation.

D. Recognition of Amphitheater High School, Boys, Division II, Basketball Team – Runners Up.

The following Amphitheater High School students will be recognized for being Runners Up. Students: Charles Remme, Ishmael Romero, Marvin Herrera, Jose Rios, Gerardo Cordova, Tony Lillard, Jose Mada, Donald Selig, Yusuf Shehata, Ryan Farhat, Tim Derksen, Damon Ingram, Joey Bemis, Charles Benson, Michael Perkins, Coaches: Head Coach - Ben Hurley, Assistant Coaches - Pat Derksen, Ryan Montijo, Rene Campillo, Zach Roth

The Governing Board congratulated each student/athlete and coach; all were presented with certificates of commendation.

E. Resolution Recognizing the Special Contributions of Educational Support Personnel

Board book information: *It takes many employees of every job description to make a school district run and provide a quality education to students. Each year, nationally organized activities direct attention to the invaluable efforts of teachers and school administrative assistants. But, there many other important contributions made by other school personnel that do not receive their own special day of recognition.*

The District's Educational Support Personnel, also known as "Classified Staff" serve in many crucial roles throughout the district, including but certainly not limited to: bus drivers and monitors, carpenters, groundskeepers, clerical personnel, food service personnel, and custodians. These people play instrumental roles in creating safe, clean, and welcoming school environments that meet student, parent and community needs.

While one day a year of recognition does not approach the level of appreciation due to these dedicated staff members, the Governing Board has for several years set aside a day to highlight the contributions of our support staff.

A resolution (attached) has been prepared for the purpose of setting April 25, 2012 as the date this year when the contributions of Educational Support Personnel are specially recognized.

Dr. Balentine reviewed the item's information and read into record the prepared Resolution.

A motion was made by Dr. Loomis to approve the Resolution recognizing the special contributions of educational support personnel and sets apart Wednesday, April 25, 2012 as *Educational Support Staff Appreciation Day*. Mrs. Boros seconded the motion and it passed unanimously, 5-0. (Exhibit 6, pp. 1-2)

F. Update on the Superintendent Search Process

Board book information: *In January, the Governing Board appointed the Arizona School Boards Association (ASBA) as a consultant to coordinate and facilitate the search for the District's next Superintendent, following Dr. Balentine's announcement that she will be retiring at the conclusion of her current contract. At the same time, the Board approved a timeline and parameters for the selection process.*

The search process includes opportunities for input from the community, district staff, and students. For example, several forums have already been held to obtain input from multiple segments of the District community. These forums, for parents, students, District staff, school principals, PTOs/Site Councils, the Amphitheater Education Association, and the general community, provided the Governing Board and its search consultant, with detailed, helpful recommendations regarding the qualities and characteristics sought in a new superintendent. In addition, an internet based survey was administered as an additional mechanism for similar input.

At the Board's meeting of February 1, 2012, the Governing Board and its consultant utilized input from the forums to develop a "profile" for the new superintendent – qualifications, characteristics, skills and abilities sought in applicants. This profile and other information about the District and community were to be used by the consultant to formulate the electronic brochure that will advertise the position and solicit applicants. The Board delegated to Board Member Jeff Grant the authority to finalize the brochure. The brochure has been finalized and the position announcement has been posted on the ASBA website.

Dr. Balentine provided an update to this process since the February meeting. Since that meeting, a brochure announcing the vacancy and availability of the position has been made available on the District's website and on the ASBA's website. The posting will close on March 21, 2012. The Governing Board will meet on March 27th with Karen Beckvar, Director of Leadership Development, ASBA, who will serve as Facilitator. Ms. Beckvar will prepare Board Members for the screening of applicant files and the candidate selection process. The interviews are scheduled for April 11-12, 2012 with a potential to include April 13th if necessary. Tentatively, finalists may be given a short tour of the District, may be introduced to Dr. Balentine and Mr. Little, CFO and, and participate in two forums – one intended for Staff (5:00 p.m. – revised time) and the other for community and parents (6:30 p.m.). The forums will provide each candidate an opportunity to interact individually with the groups. At the conclusion of those events, the Governing Board may elect to convene Executive Session and advance the candidate selection process and appointment in early May 2012. [These forums will take place in the Multi-purpose Room at Cross Middle School.] Expectations are that a new superintendent will be in place by July 1, 2012 for the 2012-2013 school year.

Mrs. Boros updated the Board on the potential for an additional meeting on March 26th in preparation for the candidate selection process. Further information about this possible meeting will be forthcoming.

3. CONSENT AGENDA³

Mrs. Boros 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-N. The motion was seconded by Mrs. Boros and it passed unanimously, 5-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes

The minutes of the February 21, 2012 Regular and Executive Session 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 \$1,375,172.81

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. 377	\$210,651.58	Vo. 378	\$221,468.96	Vo. 379	\$742,787.56
Vo. 380	\$ 76,720.40	Vo. 381	\$123,544.31		

G. Acceptance of Gifts

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

H. Approval of Out of State Travel

Board book information: *Out of state travel was approved for students and staff (source of funding indicated) from: Coronado K-8 to take 50 students from the National Junior Honor Society to continued focus on academic achievement in Anaheim, CA on May 18-20, 2012 (club funds); from Coronado K-8 to take 92 students from the Advanced Band, Advanced Orchestra and Chorus to work in a recording studio in Anaheim, CA, May 18-20, 2012 (auxiliary, tax credits, club funds and parent organization).*

I. Adoption of the Governing Board Meeting Schedule for the 2012-2013 Fiscal Year

Board Book information: *Typically, the Board has had a regular meeting on the first and third Tuesday of every month, unless the date fell on a holiday. The Board may meet, however, on such days at it determines at its discretion, so long as it meets the minimum requirement of having one regular meeting per month during the regular school year. A.R.S. §15-321(D). The proposed schedule follows that traditional schedule with exceptions where meetings would conflict with District-wide vacation breaks and other calendar conflicts.*

The proposed 2012-2013 schedule is as follows: Regular Governing Board Meetings - *July 3, 2012, August 7, 2012; September 4, 2012; October 2, 2012; *November 13, 2012; *December 4, 2012; January 8, 2013; February 5, 2013; March 5, 2013; April 9, 2013; *May 7, 2013; June 18, 2013; and Special Board Meetings with Executive Sessions - August 21, 2012; September 18, 2012; October 23, 2012; January 22, 2013; February 19, 2013; March 26, 2013; April 23, 2013; and June 4, 2013. [*Indicates months when there is only one Board Meeting scheduled: July, November, December, and May.]

The Board may also designate the location of its regular and special meetings. State law does provide, however, that regular meetings are to be held "at the most convenient public facility in the school district." A.R.S. § 15-321(C).

Generally, the Board reserves information, study and action items for its regular business meetings, held on the first Tuesday of the month. The second meeting of each month is reserved for consent items and executive session business.

The Governing Board approved the Governing Board Meeting Schedule for 2012-2013, as submitted.

J. Award of Contract for Network Services Based on Responses to Request for Proposal (RFP) 11-0029

Board book information: *Request for Proposal (RFP) 11-0029 for network services, high band width to provide voice, video & data transmission to district schools and administrative sites was posted to the district's Web site. The request for proposal notice also was posted to the Universal Service Administration Company, (USAC) Web site. The USAC is the non-profit company which administers the School and Libraries Program of the Universal Service Fund know as E-Rate. Network services are one of the categories eligible for E-Rate funding.*

Four Vendors responded, one was deemed to be non-responsive and a second was a no bid. Logicalis and Conterra Fiber Solutions were evaluated based on the evaluation criteria summarized below and provided in the request for proposal. Candice Ross, Technology Director, Steve Frost, Network Manager and Raul Bejarano, Network Administrator were the evaluators. [Board Book holders were provided a spreadsheet giving detail on bid responses.]

The Governing Board approved the award of contract to *Conterra Fiber Solutions* for Network Services based upon their responses to RFP 11-0029.

K. Award of Contract for Internet and PRI Services Based on Responses to Request for Proposal (RFP) 11-0031

Board book information: *Request for Proposal (RFP) 11-0031 for Internet & PRI (Primary Rate ISDN Lines) services was posted to the district's Website. The request for proposal notice also was posted to the Universal Service Administration Company, (USAC) Web site. The USAC is the non-profit company which administers the School and Libraries Program of the Universal Service Fund know as E-Rate. Internet & PRI services are one of the categories eligible for E-Rate funding.*

The three responding vendors Century Link, TW Telecom and Cox Business were evaluated based on the evaluation criteria summarized below and provided in the request for proposal. Candice Ross, Technology Director, Steve Frost, Network Manager and Raul Bejarano, Network Administrator were the evaluators. [Board Book holders were provided a spreadsheet giving detail on bid responses.]

The Governing Board approved the awards' of contracts to *TW Telecom* for Internet and for PRI Services based upon their responses to RFP 11-0031.

L. Award of Contract for Consultant Services Blended Learning Based on Responses to Request for Proposal 11-0035

Board book information: *Request for Proposal (RFP) 11-0035 was mailed to six vendors. The successful vendor will assist the district in implementing a blended learning program, a program to combine on-line learning with face-to-face interaction with teachers. Blended learning programs join the best aspects of classroom instruction with online instruction, material providing multi-media rich content, expanded course offerings and online credit recovery. Classroom time may be used for engaging students in advanced interactive learning experiences. Canada was one of the first countries to embrace technology and the Internet to deliver distance learning courses to students in remote locations. Now, countries around the world are providing these opportunities for all students, for a variety of reasons from scheduling conflicts, accessing hard-to-staff courses, credit recovery, and to supplement classroom time. The Administration has accessed iNACOL, the International Association for K-12 Learning for a list of vendors skilled in implementing the new blended learning models. Ms. Nelson, the District's Chief Academic Officer, recently visited two Arizona schools, Bradshaw Mountain High School in Prescott and Colorado River Union High School in Ft. Mohave, to review their blended learning programs. Ms. Nelson will be the senior staff person responsible for implementing a blended learning curriculum in Amphitheater schools.*

Three vendors responded to the RFP, Calvert Partners, Evergreen Education Group, and Edstar Analytics. Vendors were scored based on the RFP evaluation criteria, experience with blended learning hybrid models, references provided, and their cost of service. Please see the attached vendor evaluation.

The Governing Board approved the award of contract for blended learning consultant services to the *Evergreen Education Group* based upon their response to RFP 11-0035.

M. Approval of Post-Retirement Employment Opportunities During the 2012-2013 Fiscal Year for Staff Retiring in the Current Fiscal Year

Board Book information: **Significance of Staff Retention** - *As the Board has previously discussed, there are increasing pressures on Arizona school districts to retain highly qualified personnel:*

- *The federal NCLB Act demands that instruction be provided by teachers and paraprofessionals meeting high levels of qualification.*
- *Student achievement goals under state and federal law depend upon placement and retention of skilled staff.*
- *Fifty percent of all teachers in the profession today are expected to retire by the end of this decade.*
- *Arizona state retirement contribution rates for employees have increased and will continue to do so, pressuring some people to retire.*
- *The private sector and other schools continue to compete for personnel in hard to fill disciplines.*

The loss of staff to retirement can therefore be counterproductive to the efforts of school districts to overcome these pressures. School districts are consequently searching for new ways to attract and retain personnel.

Many personnel who retire from school districts do pursue "second careers" in another field. Often, they would prefer to remain in the field of education or other public service, but state retirement rules preclude them from doing so, at least in a direct employment relationship.

The "Lease-Back" Solution - *New businesses have arisen which offer school districts the ability to hire teachers, administrators and classified employees who have retired. (The Arizona State Retirement System would normally preclude those retirees from returning to employment with any Arizona school district for one year after retirement. In this way, those employees whose valued skills might have otherwise been lost can continue their contributions. Additionally, these personnel may earn substantial post-retirement incomes without violating state retirement rules.*

At present, more than seventy Arizona school districts have this kind of program.

The legality of retaining retired teachers and other employees through a third party "lease-back" arrangement is expressly established in A.R.S. § 15-502. It reads in relevant part:

The governing board may obtain the services of any employee, including teachers, substitute teachers and administrators, by contracting with a private entity that employs personnel required by the school district.

The District currently offers such a program through Educational Services, Inc., a service provider under a Mohave Educational Services Contract and a current Amphitheater bid. Our ESI contract sets a fee for the service to be provided by the retiree based on a percentage of the retiree's former salary as a district employee (80% of former salary). ESI hires the retiree and "leases" the employee back to the District. ESI assumes all responsibilities for paying the retiree, who is then an employee of ESI. Like any employer is required, ESI makes appropriate withholdings and payments of all applicable taxes and the issues W-2 forms. ESI also offers a benefit plan that its employees may purchase. ESI bills the District for the cost of the retirees, salary costs and ESI's service fee.

The district saves the difference between the cost of the employee's pre-retirement salary (and employee related costs) and the fees paid to ESI. The employee earns income both as a state retiree and as an ESI employee placed with the district.

The District has offered such a program for several years, and participants have been very positive about the opportunity. The program's approval by the Board expires at the end of this fiscal year.

In recent years, these “leased employee” arrangements have received scrutiny both by the Arizona State Retirement System and the legislature. We have seen, for example, the introduction of legislation which modified the terms of these arrangements in various ways. One recent law, for example, now requires a “contribution” to the ASRS by the employer of approximately 8.4% for “leased employee” wages.

This obviously reduces the amount of savings enjoyed by the District in these arrangements.

The Administration’s Proposal - *The Administration recommends again offering current Amphitheater employees the opportunity to continue their public service even after retirement through this program. Specifically, the recommendation is that retiring Amphitheater employees may again be retained through ESI to fill their pre-retirement positions following their retirement, on the following terms and conditions:*

- 1. The option will be offered for the remainder of the current fiscal year, allowing the retiree’s retention through ESI beginning in 2012-2013.*
- 2. The terms of the retiree’s employment with the service provider are determined by the provider, and the retiree must acknowledge those terms prior to placement with the District.*
- 3. ESI will compensate former employees of the District at the rate of eighty percent (80%) of the salary paid to the employee by the District prior to retirement. Calculation of the compensation due to a former employee through ESI will not include Career Ladder compensation or other addenda or stipends paid prior to retirement. This shall not preclude, however, an ESI participant from being retained and additionally compensated to fill an addendum position, such as a coaching position.*
- 4. The provider will make and/or pay all appropriate payroll deductions and taxes. The District will pay a service fee to the provider as determined by the District’s contract with the vendor.*
- 5. Personnel placed with the District through this program must meet all district, state and federal qualification standards, including but not limited to, fingerprint/background clearance, certification, endorsement, education level, and licensure.*
- 6. Pursuant to the terms and conditions of the District’s Early Retirement Program (ERP) and Early Retirement Phase Out Program (ERPOP), participants in those former programs are ineligible to participate in this program.*
- 7. Regardless of their status as employees of a third-party rather than the District, all personnel placed with the District must comply with district, state and federal laws, policies, regulations, directives as well as school improvement plans of the Amphitheater District.*

The Governing Board approved retiring Amphi employees retain employment opportunities with the District during the 2012-2013 fiscal year through the ESI Program, as submitted.

N. Approval of Bond-Related Projects

1. Approval of the Holaway Architect

Board book information: *Pursuant to the requirements of Arizona Administrative Code R 7-2-1118, a notice of Request for Qualifications (RFQ) for Professional Architectural Services was posted to the District’s Web site. All architectural services vendors registered with the Purchasing Department were notified of the posting.. Request for Qualifications 11-0028 asked for statements of qualifications from interested architectural firms to provide professional architectural services for design, drawings, specifications, code & ADA compliance review, budget and scheduling for facility improvements at Holaway Elementary School as identified in the May 2007 Blue Ribbon Budget Analysis and Facilities Needs Committee Report.*

The scope of work addressed the following campus needs; library renovation to include new instructional space & energy efficient lighting, ADA compliant restrooms, eight new classrooms to replace aging portable buildings and the installation of information technology cabling. Nine vendors responded. The evaluation team ranked each vendor based on the evaluation criteria listed in the request for qualifications. The three highest ranked vendors were scheduled to meet with the evaluation team for discussions. A meeting agenda was provided. The top ranked vendor after discussions was asked to provide certified cost and pricing data for the proposed work.

The Governing Board approved the award of contract for architectural services for facility improvements at Holaway Elementary School to *Swaim Associates LTD Architects* based upon their response to RFQ 11-0028.

4. STUDY/ACTION

A. Review of Revised ATPES and Approval of Pilot Program

Board book information: *In 2010, the 49th Arizona Legislature approved SB1040 requiring that the Arizona State Board of Education adopt a framework for teacher and principal evaluation which includes quantitative student academic progress data accounting for between 33% and 50% of the evaluation outcome. The State Board of Education appointed a task force, chaired by Dr. Balentine, to develop a framework which provides guidance to districts. This framework was developed and submitted to the State Board in April of 2011. In March of 2011, Amphitheater formed a Design Team made up of teachers and administrators and chaired by Dr. Roseanne Lopez to examine the requirements of the law and the guidance from the framework. This team met for several hours over the past year to align the evaluation system with the Arizona Professional Teaching Standards and to make recommendations on the types of student progress data to be utilized for the 33-50% requirement. Dr. Jay Midyett, our data analyst, has compiled data and developed a model which will be tested and then put in place for the first year of implementation.*

At this time it is necessary to pilot the revised instrument and quantitative data analysis model prior to submitting a final version to the Governing Board for approval. The pilot period would span from March 7-May 15, 2012. During this time, administrators will use the new instrument with teachers and document their implementation questions and concerns. The Design Team will examine the feedback from the pilot and make modifications as needed. The new evaluation system must be in place, by law, for the 2012/2013 school year.

Dr. Balentine provided an overview on the action by the Arizona Legislature requiring the State Board of Education to develop a framework for teacher and principal evaluations. A district-level task force was assembled and initiated work in March of 2011 to begin addressing the process. Dr. Roseanne Lopez, Executive Director of Organizational Support, chaired the task force / Design Team. The goal is that there be an implementation in place beginning August of 2012.

Dr. Lopez was invited to provide the Board and guests an informational presentation about the process to date and the changes being recommended by the Design Teams to the ATPES (Amphitheater Teacher Performance Evaluation System). She reviewed the materials shown as a PowerPoint presentation. [Those materials can be located on the District's website at: <https://v3.boardbook.org/Public/PublicItemDownload.aspx?smk=11495>]

Dr. Lopez stated that legislation passed in 2010 required the State Board of Education adopt a new framework for a teacher evaluation system to include quantitative data on student academic progress. That data must account for 33-50% of the evaluation outcome. This is becoming a nationwide trend. The Design Teams are addressing both teacher and principal evaluation systems; however, at this juncture, only the teacher's component is being reviewed. The principal evaluation system will be reviewed at a future time.

The first objective is to have the Governing Board approve the limited pilot of the new ATPES model to begin at a select number of schools for a period of time (March 7 through May 15, 2012). The design team members will examine feedback and make modifications to move forward with the goal of the Year One Implementation in August of 2012.

Dr. Lopez explained that the committee first aligned the instrument with the Arizona Professional Teaching Standards; previous experience and efforts were notably beneficial in advancing this process. Integration of the new inclusions of academic progress data have begun; the data analysis process is under development and testing. This is a challenging process – policy is ahead of research and practice in this area; other states are facing similar challenges with this issue.

A good communication plan is essential in ensuring full understanding of the data being used. Review of assessments for all courses is necessary. It is imperative to enlist the involvement of teachers in the assessment development and to receive their feedback. Dr. Lopez reviewed the delineation of teacher groups: Group A – valid and reliable student data – meaning standardized measures in their content area and Group B – do not currently have this type of student data. To achieve alignment for the Group B teachers, assessments in various subject areas must be designed or selected; she cautions allowing the time necessary for this process and to also equitably test students. In the meantime, 50% of their evaluation will be determined (current teacher evaluation system, with some changes in the indicators) and the other 50% will be based upon school-level data. She

reiterated that this would be during the Year One implementation. She highlighted the proposed changes to the indicators on the ATPES that will go into effect in the 2012-2013 school year; these indicators in addition to the student progress indicators. Dr. Lopez explained that the proposed changes to the previous evaluation instrument are comprised of five domains each with indicators. [Specific detail about proposed changes and timelines can be found at: <https://v3.boardbook.org/Public/PublicItemDownload.aspx?smk=11495>]

Dr. Lopez responded to questions. Dr. Loomis asked for clarification regarding teacher grouping (A & B). Dr. Barrabee praised Dr. Lopez for her approach in this effort. He also noted the apparent disparity in assessment accountability mandates between public and private institutions. Dr. Balentine noted that the pilot program would evolve into a one-year implementation plan beginning in August 2012. Integrating data and teaching throughout the instrument should control some of the issues realize Dr. Barrabee expressed concerns about teacher ratings being made public. Dr. Balentine added that integrating the data throughout the instrument will address those issues.

Mr. John Fife, President of the AmphiEA, addressed the Governing Board. He expressed appreciation to Dr. Balentine for her leadership in this venture; she chaired the State Board of Education task force charged with developing framework guidelines for use by local school districts. Additionally he thanked Dr. Lopez for her leadership, and the co-committee members for their efforts. Initially, there was trepidation expressed by committee members but there is a need to move forward in this effort in light of legislation. He stated that it is important to be mindful in maintaining the proper focus – that the goal must stay focused on growth and improvement, not punitive. He noted that this process has been a testament to the cooperative efforts between staff and administration.

A motion was made by Mr. Grant to approve the pilot program of the new ATPES including student progress data as required by SB1040. Mrs. Zibrat seconded the motion and it passed unanimously, 5-0. [Exhibit 6, pp. 1-6]

5. STUDY

A. Review of Draft District Calendar for School Year 2013-2014

Board book information: *The District's school year calendar must meet specific requirements under Arizona law for the number of instructional days; state law mandates that public schools must have a minimum of "180 instructional days". Since the 180 day requirement went into effect, however, Arizona law has also provided permission for districts to meet the 180 day standard through an equivalent number of instructional minutes over fewer days. For several years, the Amphitheater District has utilized the equivalent instructional minutes' option, resulting in slightly shorter school years of 178 school days. The attached draft calendar for the fiscal year after next (2013-2014) again reflects a calendar of 178 days.*

Because the District's calendar does not have "extra" school days built into it, any emergency closure of schools due to weather or other factors must be addressed by ensuring the requisite instructional minute requirements are still met. The District and the Amphitheater Education Association (on behalf of District employees) have agreed that if any schools are closed as a result of any emergency, certificated staff at those schools will have an equivalent number of student reporting days added to their work calendar without additional compensation -- generally by turning the planning days at the end of each semester into student reporting days. As long as the state permits the district to use equivalent instructional minutes rather than 180 days, the district's school calendars will be constructed in this same manner.

Dr. Balentine introduced the item, stating that the calendar for 2013-2014 is more consistent with the standard year to year calendar; this year's calendar was unique. She noted that feedback has been received from staff that forty-eight (48) day quarters, especially the 4th quarter in the school year, are difficult. That was taken into consideration and is reflected in the version presented herein. This item will return on a future agenda for approval.

Mrs. Boros declared a five-minute recess; the time was 8:40 p.m.

Mrs. Boros called the meeting back to order at 8:45 p.m.

B. 2012-2013 Budget Development – Review of the Capital Plan and Review of the Blue Ribbon bond Projects Revisions

Board Book information: *On November 16, 2010, the Governing Board reviewed an updated 5 Year Capital Plan. Enclosed is an updated Capital Plan that has been modified to show the Soft Capital reduction for the current year and the continued non-funding of the Building renewal Formula and the increased list of backlogged maintenance. Cumulatively, the District has been shorted over \$16,000,000. in funding of the Building Renewal formula since 1998.*

The proposed budget moving through the legislature does not restore the cuts to Soft and Unrestricted Capital and continues to non-fund the Building Renewal formula. Additional information of the Governor's proposed changes to the New School Facilities and Building Renewal funds will be presented in a PowerPoint presentation.

Also enclosed is a list of immediate capital projects that would have been funded by the Building Renewal formula. Many of these projects will require that the district expend Soft or Unrestricted Capital funds to address the pressing needs.

The recent and projected future declines in Assessed Property Values will result in the district being unable to issue all of the \$180 million in bonds authorized by the voters in November 2007. The district's projected bonding limit for next year is approximately \$148 million.

Dr. Balentine introduced Mr. Little to provide an overview of the annual capital plan and an update on the projects underway and the realities of the needs of the district – both met and unmet needs. Mr. Little will also provide an update on the impact on recent and projected declines in assessed property values relative to the district's bonding capacity. Changes may be recommended to the Blue Ribbon Projects' List for Governing Board's consideration and approval at a future meeting.

Mr. Little stated that he did not prepare the customary, in-depth five-year plan as the projects are constantly changing to accommodate critical issues that arise. The district continues to experience funding woes resulting from budget cuts. He reviewed informational charts displayed, including a summary of a Five-Year Capital Plan through 2015-2016 school year. The Building Renewal formula (only fully-funded once since its inception) would have been \$4,000,000 to the district per year for maintenance of school facilities; this lack of funding, in conjunction with the loss of Building Renewal funding results in a shortage of more than \$14 million over a five year period. Although funding is absent the projects are still a reality. Mr. Little reviewed the proposed projects for building renewal. He cautions against the continued practice of deferred maintenance as a way of managing budget cuts, the long-term consequences may create a much bigger cost.

Mr. Little added that house and senate appropriation committees have passed budgets that reflect continued trends in budget cutting.

Mr. Little stated that the request for a voter-approved bond funding measure was proposed to the public during a time (2007) when districts were being funded for building renewal and capital plan projects. With the lack of funding in recent years, some of the critical-need projects need to be considered. He noted other areas where the lack of, or reduced funding, is impacting the district. Another area of concern impacting the district, is the loss of revenue due to the dropping of property values. House and Senate bills being proposed are not in support of base level increases and the district continues to realize other areas of funding cuts.

Mr. Little noted that the date to issue final bond is approximately 18 months from now.

The lack of funding is affecting the current capital plan and building renewal projects; we need to re-order the needs list and re-prioritize more critical projects/issues affected by lost funding sources. The capital shortages are a problem.

Dr. Barrabee inquired about possible consequences related to some of the serious capital needs. Dr. Balentine and Mr. Little responded; concerns discussed included the possibility of closing schools, buildings, or facilities due to major plant systems' issues, track/fields and tennis courts due to safety issues, etc. Other situations were cited.

Dr. Balentine added that the Governor is aware of the capital funding needs for education and is standing firm against the legislative leadership.

Mrs. Boros expressed appreciation to Mr. Little for his efforts in the preparation of the information provided.

C. Review of Proposed Governing Board Policies Contained in Policy Classification J (Students), JA through JJJ; Discussion of Specific Policies in J Series (Part One)

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 Governing Board's policies are, of course, intended to be broad, overall direction for the operation of the District. Implementation of policy is through administrative function, including the administrative regulations approved by the Superintendent. (Regulations are denoted by a "-R", "-RA" or similar designation; exhibits are denoted by "-E" or "-EA", etc.). The Board is only required to approve changes to policies, not regulations or exhibits. Simply put, policies are "theory and intention"; Regulations are those procedural steps necessary to affect the theory; and Exhibits are the forms needed to implement the Policy's Regulation(s).

The policy manual is organized according to the classification system of the National School Boards Association. This system provides an efficient means of coding, filing, and finding policies. The manual is divided into the following sections:

- A FOUNDATIONS AND BASIC COMMITMENTS
- B SCHOOL BOARD GOVERNANCE AND OPERATIONS
- C GENERAL SCHOOL ADMINISTRATION
- D FISCAL MANAGEMENT
- E SUPPORT SERVICES
- F FACILITIES DEVELOPMENT
- G PERSONNEL
- H MEET AND CONFER
- I INSTRUCTIONAL PROGRAM
- J STUDENTS
- K SCHOOL - COMMUNITY RELATIONS
- L EDUCATION AGENCY RELATIONS

The current review of the J Series on "Students" will be broken down into two separate reviews, due to the large number of individual policy documents contained in that series. The attached policy manual documents represent the first half of the J Series.

In preparing this Board item, it was readily apparent that presentation of the revisions in the redline format used in previous submissions was too difficult to read. Given the sheer size of documents involved, this includes a draft of policy documents inclusive of their proposed revisions in a "clean" format. That is, all changes are incorporated into the attached draft without redlining to make the review process simpler for the Board Members.¹

How to Search for Specific Policies

With documents as large as those attached, discussion of specific provisions by the Board Members can be complicated, particularly when it is important to have everyone "on the same page" – literally. As individual Board Members add comments and notes to their electronic Board agenda items, pagination numbers within the original documents may be altered, preventing Board Members from accurately referring other Board Members or staff to a specific page number.

Therefore, during discussion of a particular policy, Board Members may wish to make reference to the policy index number of a certain policy. These numbers appear to the top left at the first page of every policy and appear like "J-0050". Other board members can then enter this index number into the term search window at the

¹ A redline version, for Board members who prefer that level of revision detail, is being provided by separate report.

top right of their Board book viewing window. This will automatically take the Board Member to the first page of the same policy being discussed.

As in previous submissions in this review process, many of the policy documents included in the attachment to this item have only minor or technical changes. Typically such changes or corrections are made to enhance sentence structure, improve grammatical presentation, correct semantics, accommodate statutory codification adjustments, and so forth. Some simply correct references to state law or other policies that may have changed. Many of the documents have no changes at all.

Substantive Changes - There are several policies that do have substantive changes or may represent entirely new policies. These are addressed below.

JEB — Entrance Age Requirements

Policy JEB, Entrance Age Requirements, has been modified to align with revisions to A.R.S. 15-821 that enables a school district or charter school to receive a portion of basic state aid when a child who has not reached the age of five (5) before September 1 is admitted to a kindergarten program but does not remain, then returns to kindergarten in the subsequent year.

Policy JEB has also been revised to conform with the changes to A.R.S. 15-802 added by Senate Bill 1142 stating that school districts and charter schools are to require and maintain verifiable documentation of Arizona residency for students who enroll in the school district or charter school.

Policy JFAA — Admission of Resident Students and Policy JFAB — Admission of Transfer Students.

A.R.S. 15-802 now requires school districts and charter schools to obtain and maintain verifiable documentation of Arizona residency upon a student's enrollment in an Arizona Public school. State Board of Education Residency Guidelines establish that residency shall be reaffirmed during the district or charter's annual registration process via the district or charter's annual registration form. This reaffirmation can be as simple as a statement to the effect placed on the district's annual registration form. A parent or guardian can then reaffirm Arizona residency by initialing adjacent to the statement.

Under this new requirement, students will generally fall into two groups: 1) those whose parent or legal guardian is able to provide documentation bearing his or her name and address; and 2) those whose parent or legal guardian cannot document his or her own residence because of extenuating circumstances including the family's household being multi-generational. Different documentation is required for each circumstance. Two policy exhibits have been provided that address such circumstances.

JICH — Drugs and Alcohol Use by Students

School administrators have been inquiring if policy could be created or revised to provide the authority or mechanism for restricting student use of the ever changing array of chemical compounds and components, regardless of their street names, that when combined produce effects similar to those of controlled substances. Chapter 34.1, Imitation Substance or Drug Offenses, in A.R.S. Title 13, actually provides some guidance in this respect and has been used to create policy modifications incorporated in Policy JICH.

JICK, JICK-R, JICK-EA and JICK-EB — Student Violence/Harassment/Intimidation/ Bullying

This set of new documents ensures compliance with A.R.S. 15-341, as modified by House Bill 2415 (Laws 2011, Chapter 195). The new set of documents is particularly important as they address a high profile area in today's public education arena. Revised A.R.S. 15-341 contains expanded language related to bullying, harassment and intimidation. New language in the law addresses:

- use of electronic communication used to bully,
- availability of reporting forms,
- incident reporting by students,
- employee reporting and conditions for failure of reporting,
- dissemination of related information,
- documentation of reports,
- notice of student rights,

- disclosure of information related to investigations, and
- required record retention.

HB2415 assigns to districts responsibility for defining bullying, harassment, and intimidation for which document model JICK includes recommended definitions. The District has, of course, previously defined these terms by policy. Changes included in this proposed revision ensure inclusion of social media and a means by which harassment can occur:

"Harassment: Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual orientation/preference, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media."

The primary thrust of Policy JICK derived from, and in compliance with, A.R.S. 15-341(A)(37) and House Bill 2415, is unchanged in that bullying in any form for any reason is not tolerated as "The Governing Board believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Board further believes a school environment inclusive of these traits maximizes student achievement, fosters student personal growth, and helps students build a sense of community that promotes positive participation as members of society."

Additionally, JICK-EB indicates below the title of the exhibit in parentheses that the exhibit is "To be displayed in school buildings and in student handbooks." More precisely, the information shall be disseminated to students, parents, guardians, and district employees as indicated in the policy. Posting and notification are required.

JII, JII-R, JII-EA, and JII-EB — Student Concerns, Complaints, and Grievances

In 2005, the Legislature revised A.R.S. section 15-341 to first include intimidation and bullying as cited reasons about which students could make a complaint or grievance. The 2011 Legislature further modified section 15-341 to substantially increase the particular requirements that school districts and charter schools must adopt and implement related to bullying, intimidation, and harassment. To address these statutory revisions, JICK – Student Violence/ Harassment/Intimidation/Bullying, discussed above has been modified. Comparison of the same to Policy JII, however, disclosed internal conflicts between certain provisions covered in both JII and JICK. Consequently, JII and its associated regulation and exhibits have been revised to remove bullying, intimidation, and harassment with reference to JICK, as well as modifying its suggested rules and procedures to better align with those in JICK and eliminate noted conflicts between JII and JICK. JII is now more focused on civil rights protections while JICK is essentially dedicated to dealing with alleged acts of bullying, intimidation and harassment. This will help avoid confusion.

JJE — Student Fund-Raising Activities

Policy JJE, Student Fund-Raising Activities, in its current form, may be misleading and possibly inconsistent with statutory requirements. A.R.S. 15-1121 defines student activities monies as being those funds raised from activities approved by the District Governing Board. Therefore, to promote full compliance with the statutory provision document model, JJE has been revised to indicate the types of fund-raising activities in which students may be engaged must be those approved by the Governing Board. The specific fund-raising activities, within the types approved by the Governing Board that student groups and organizations may pursue, remain subject to approval by the Superintendent.

JJIB, JJIB-R and JJIB-E — Interscholastic Sports

Senate Bill 1521 addresses interscholastic activities related to the dangers of concussions, head injuries and the risks of continued participation in athletic activity after concussion. Language has been inserted into A.R.S. 15-341 that requires the Board to develop, in consultation with a statewide private entity that supervises interscholastic activities (AIA), procedures to inform and educate coaches, pupils and parents, of the dangers of concussions and head injuries and the risks of continued participation in athletic activity after a concussion. The revisions included here were developed after consultation with AIA.

It is critical to communicate to pupils, parents/guardians and coaches the necessity to participate in the developed program prior to participation in an athletic activity. Thus, appropriate language has been added to JJIB, Interscholastic Sports, and regulation JJIB-R.

In addition, AIA's Statement and Acknowledgement Form is reproduced as exhibit document model JJIB-E.

A.R.S. 15-341 also establishes that a group or organization that uses property or facilities owned or operated by a district for athletic activities shall comply with the statutory requirements addressed in document models JJIB, JJIB-R, JJIB-E, KF and KF-EB.

This item is presented for the Board's study at this time. The policy revisions will be brought back at a later date for the Board's approval

Dr. Balentine noted that Mr. Jaeger will present an overview of part one of the J Series; the goal is to have this item scheduled for approval at the next meeting and then the second half of the J Series and the I Series (also expected to be presented in half segments to better accommodate the volume of content) before the end of this school year.

Mr. Jaeger reviewed the board book materials highlighting items representing substantive changes for parents and students beginning next year.

Some discussion ensued. Mr. Grant encourages stronger language supporting reporting of bullying by students. The Governing Board appreciates the current format used, including the red-line versions. Board Members were encouraged to contact Mr. with additional feedback.

D. Periodic Legislative Update (3.5.12) *February 7, 2012, a summary of bills introduced in the second regular session of the 50th Arizona legislature this year were outlined. A status of each bill's progress through the Arizona House of Representative and the Senate follows, along with a brief review of the education budget proposal currently under consideration. The legislature's education budget bills are HB 2858 and SB 1529:*

- *The base level, without teacher comp., will be \$3,267.72 (same as this year)*
- *Transportation amount per mile will increase by 1.7% per mile*
- *The additional assistance for charters will increase by 1.7% [prior to any cuts] but after the increase additional assistance will be cut by \$17.6 million*
- *Capital Outlay Revenue Limit (CORL) – the funding formula will be reduced by \$98.9 million. This year the CORL funding was reduced by \$63.9 million with an additional \$35 million one time reduction because of EduJobs funding. The one-time \$35 million cut is eliminated but \$30 million of this year's soft capital cut has been moved to CORL. Non-state aid districts will be subject to the reduction.*
- *The Soft Capital formula for districts will be reduced by \$158.1 million. This is a decrease of \$30 million. The Legislature is moving \$30 million of the current year soft capital cut to CORL because of declining Soft Capital revenues did allow them to make the reduction. Non-state aid districts will be subject to the reduction.*
- *For districts with fewer than 1,100 students, the statewide Soft Capital and CORL cuts cannot exceed \$5 million. This cut is the process that was in place this year.*
- *Phase out of Career Ladder and OPIP programs over 5 years will continue.*
- *The current provision of funding JTEDs at 91% continues.*
- *Restrictions on Early Graduation Scholarship Program (EGSP) continues*

At the last Governing Board meeting, Mr. Grant requested that these legislative update items include bill sponsorship information. This particular item had already been completed without the sponsor details, so a revision including that information will follow by Friday, March 2, 2012.

Mr. Jaeger highlighted a select group of proposed legislative bills being considered by the Legislature. He noted that the legislative session is scheduled for an April 21st adjournment.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

A motion was made by Dr. Barrabee that the Board Meeting be adjourned; Mrs. Boros seconded the motion; and it passed unanimously, 5-0. Mrs. Boros declared the meeting was adjourned; the time was 9:47 p.m.

Respectfully submitted,
Margaret Harris

Mrs. Diana L. Boros, President

Date

Approved: TBD