

**DRAFT Minutes**

**AMPHITHEATER PUBLIC SCHOOLS  
Tucson, Arizona**

**MINUTES OF SPECIAL PUBLIC MEETING OF THE GOVERNING BOARD**

**Place, Date and Time of Meeting**

Wetmore Center, 701 West Wetmore Road, June 5, 2012; 6:00 p.m.

**Board Members Present**

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  
Mr. Patrick Nelson, Associate Superintendent  
Mr. Scott Little, Chief Financial Officer

**Board Member Absent**

Mrs. Diana Boros, President

**OPENING OF MEETING**

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

Mrs. Zibrat called the meeting to order at 6:01 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. Zibrat announced the next regular meeting of the Governing Board: Tuesday, June 19, 2012, 5:30 p.m., at the Wetmore Center, 701 W. Wetmore Road.

**PUBLIC COMMENT**

Procedures for addressing the Governing Board were described. Mr. John D. Kaufmann addressed the Governing Board. Mr. Jaeger was invited to provide further clarification regarding speaking to an item on the Agenda at this juncture; to do so at this opportunity would preclude such an opportunity at the normally-appointed time. In this situation it would be appropriate to do so when the Consent Agenda is being considered. Mr. Kaufmann stated that the purpose of addressing the Board at this time is to request the consideration of attorney fees related to the Consent Agenda item and pursuant to Board policy, G.07561.1; however he noted that it was not regarding the disciplinary action itself.

**1. CONSENT AGENDA**

Mrs. Zibrat asked if there were Board member requests to have any items addressed separately; there were none. Mrs. Zibrat noted that a speaker request form had been received regarding Item P; she then invited Mr. Kaufmann to speak to that item. (See detail related to this item below.)

Upon the completion of comments made, Mrs. Zibrat then solicited a motion for approval of the Consent Agenda. A motion was made by Dr. Loomis to approve consent agenda items A-P. The motion was seconded by Mr. Grant and it passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

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

The minutes of the April 10, 2012 Regular Governing Board meeting and Executive Session meeting, the April 12, 2012 and April 13, 2012 Special Governing Board meetings and Executive Session meetings, plus the April 24, 2012 Executive Session meeting were approved, as submitted.

**B. Appointment of Personnel**

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

**C. Personnel Changes**

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

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

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

**E. Separation(s) and Termination(s)**

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

**F. Approval of Vouchers Totaling and Not Exceeding Approximately \$1,053,618.16 (Final Total)**

The following vouchers were approved as presented and payment authorized:

Vo.405	\$330,022.52	Vo.406	\$115,561.82	Vo.407	\$91,770.50	Vo.408	\$52,490.59
Vo.409	\$ 25,583.49	Vo.410	\$438,189.24				

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

Out of state travel was approved for students and staff (source of funding indicated): Ironwood Ridge High School to take 20 students from the Wrestling Club to Arbor View Summer Duals in Las Vegas, NV on June 5-10, 2012 (tax credits, student activity funds); Ironwood Ridge High School to take 20 students to Arbor View Summer Duals in Las Vegas, NV on June 11-14, 2012 (tax credits, student activity funds); Amphitheater High School to take 14 students from Boys Basketball to Point Loma University Tournament in San Diego, CA June 14-17, 2012 (student activity funds); Amphitheater High School to take 4 students to the Josten's Yearbook Camp in San Diego, CA on July 30-Aug. 1, 2012 (auxiliary account funds, student activity funds and state CTE funds).

Out of state travel was approved for staff (source of funding indicated): from District Offices, to attend National School Public Relations Association Seminar in Chicago, IL on July 7-11, 2012 (site maintenance and operations funds); from Nash Elementary School to attend Advancement Via Individual Determination (AVID) in Philadelphia, PA on July 29-Aug. 2, 2012 (federal funds); from Canyon del Oro to attend International Baccalaureate Training in Montezuma, NM on July 2-6, 2012 (federal funds); from Amphitheater High School to attend the Link Crew Basic Training in Temecula, CA on June 17-20, 2012 (federal funds).

Travel was previously approved on April 10, 2012 for staff from Amphitheater High School to attend Advancement Via Individual Determination (AVID) in Philadelphia, PA on July 29-Aug. 1, 2012, a staff member is unable to attend and is being replaced by another staff member. Travel was previously approved on May 22, 2012 for staff to attend the International Baccalaureate Training in Montezuma, NM, June 25-29, 2012, travel dates have changed to June 18-22, 2012.

**H. Approval of Grant(s)**

The Governing Board approved the following grant on behalf of Coronado K-8 School in the amount of \$1000 from the Oro Valley Community Foundation, "Dawn Hawk" and to be used for the 8<sup>th</sup> grade student reading program.

**I. Approval of Project EXCELL! Incentive Pay for Participating School Administrators and Teachers in Qualifying Schools**

Board book information: *The payout for the second award period in the 2011/2012 school year for Project EXCELL! Phase V is prepared for approval. This is the final pay out for the Teacher Incentive Fund Grant. Participants submitted documentation for Professional Development, Leadership and Student Achievement. Many participants expressed appreciation for the efforts of the Governing Board and district administration in bringing this opportunity to their school.*

The Governing Board approved the EXCELL! Incentive Pay for the school administrators and teachers, as submitted. (Exhibit 5, pp. 1-9)

**J. Approval of Textbook(s) for Display**

The Governing Board approved placing the following textbooks for display in accordance with Section 15-721 of the Arizona Revised Statutes, which states that new textbooks must be placed on display for a period of 60 days prior to official adoption by the Governing Board; this is effective June 6, 2012.

*TEXTBOOK: Cultural Anthropology - Appreciating Cultural Diversity  
Publisher: McGraw Hill; Author: Conrad Phillip Kottak; Price: \$122.82*

*TEXTBOOK: The Western Heritage  
Publisher: Prentice Hall; Author: Donald Kagan, Steven Ozment, Frank M. Turner; Price:\$129.67*

**K. Approval of “Year One Implementations” of the Amphitheater Teacher Performance Evaluation System; Amphitheater Principal and Assistant Principal Evaluation Systems; Amphitheater Custodian Evaluation System**

Board book information: *Beginning in March of 2011, two Design Teams were formed to examine the new State of Arizona requirements for teacher and principal evaluation. A main component of the revision was the requirement that 33-50% of the evaluation be based on student academic progress data. The Principal Evaluation Design Team was made up of principals and assistant principals. The Teacher Evaluation Design Team was made up of teachers and principals. Both teams were facilitated and chaired by Dr. Roseanne Lopez. Each team met for several hours to align the evaluation systems with the teaching and leadership standards and to make recommendations regarding the student progress data component. Based on these recommendations, and the recommendations of administration, Dr. Jay Midyett worked to develop a data metric, the Overall Weighted Average (OWA), which will be utilized for the student progress component of our evaluation systems.*

*A pilot of the teacher evaluation system was conducted from March through May by five district principals. Information from their experiences was reviewed and considered for the 2012-2013 version of the instrument presented for the Governing Board’s consideration and approval.*

*A Custodian Evaluation Design Team made up of custodians and administrators met during the spring of 2012. The current evaluation system covers all classified employee groups and does not relate specifically to the important role that custodians play in the cleanliness and basic maintenance of district buildings. The new Amphitheater Custodian Evaluation System is designed to specifically address the job functions of the custodian. The proposed evaluation tool was piloted at four school sites during the spring semester. This pilot was reviewed and supervised by Mr. Doug Aho. Evaluators who piloted the instrument report that the custodial staff is appreciative of an evaluation system that is closely tied to their job functions.*

*All of the evaluation systems presented for approval this evening will be reviewed during the Year One Implementation (2012-2013) and modifications will be brought to the Governing Board next year as deemed necessary. Each instrument is attached for your reference.*

The Governing Board approved the use of the new Amphitheater Teacher Performance Evaluation System, the Principal Evaluation System, the Assistant Principal Evaluation System, and the Custodian Evaluation System for the 2012-2013 school year. (Exhibit 6, pp. 1-44)

**L. Approval of Essential Recruitment Stipend- Audiologist**

Board book information: *Beginning in May of 2004, the administration has recommended Essential Recruitment Stipends for those positions that the District has great difficulty in hiring and retaining qualified candidates. This stipend, applied now to several hard to fill vacancies, has assisted us in recruiting and retaining qualified candidates in key areas. At present, and for some time, we have experienced considerable difficulty in hiring and retaining qualified audiologists over the years. The pool of qualified candidates in audiology is extremely scarce. In fact, during our last hiring, there was only one candidate, and that candidate was recruited from another state school. Competition for these personnel, vital to our District to ensure compliance with IDEA, remains very high.*

The Governing Board approved the Essential Recruitment Stipend of \$2000 be applied to qualified audiologists effective with the 2012-2013 school year, as submitted.

**M. Approval of Proposed Revisions to Governing Board Policies Contained in Policy Classification I (Instructional Program), IA through IHCA**

Board book information: *Following the Board's study of part one (Policies IA through IHCA) of Governing Board Policy Series I (Instructional Program), those policies are attached for the Board's approval. [Detailed information was provided to Board book holders.]*

The Governing Board approved the proposed revisions within Policy Classification I, IA through IHCA, as submitted.

**N. Approval of Food Program Permanent Service Agreement (Revised March 2012) Pertaining to School Year 2011-2012**

Board book information: *The Child Nutrition Programs of the Arizona Department of Education has requested that the District approve a Service Agreement that was revised in March 2012 and that pertains to the 2011-2012 school year. Failure to do so will result in a withholding of reimbursement funds due from the Programs to the district for the latter part of the school year.*

*The District has complied with all provisions of the Food Programs as designated through ADE Contract No. ED09-0001. A copy of the full Agreement is attached hereto for the Board's convenience.*

The Governing Board approved the Food Program Permanent Service Agreement, ADE Contract No. ED09-0001 Service Agreement for the period beginning July 1, 2011. (Exhibit 7, pp. 1-3).

**O. Approval of Career Ladder Entry to Instructional Skills Level Stipend (New - 6.4.12)**

Board book information: *The following teacher completed the Entry to Instructional Skills level for Career Ladder and is eligible for a \$1500 stipend: Melanie Lewis*

The Governing Board approved the Career Ladder stipend for Melanie Lewis, as submitted.

**P. Approval of Resolution Directing Issuance of Notice of Intention Not to Renew Contract of Employment for a Guidance Counselor**

Board book information: *The attached proposed form of resolution sets forth both a factual and legal basis for the non-renewal of the contract of a guidance counselor. This proposed non-renewal would be on the specified grounds of unprofessional conduct.*

*If the attached form of resolution is adopted and approved by the Governing Board, the Superintendent will issue notice of the Board's intention not to renew the contract of the named employee. Such notice will be mailed and delivered to the employee.*

Mr. John D. Kaufmann stated that he was addressing the Governing Board regarding this item as it is initiating the disciplinary proceedings against a (named) district employee. He stated that the information contained in the request of the resolution is false. He began to register information related to the proceedings. Mrs. Zibrat stated that the Governing Board cannot discuss personnel matters in a public forum.

Mr. Jaeger provided clarification; he asked that comments would need to be directed to the Governing Board without referencing specific individuals by name, as the Board members has the names of the involved parties. Mr. Jaeger added that Mr. Kaufmann may address their concerns to some degree but with respect to confidential information Mr. Kaufmann will need to remain limited.

Mr. Kaufmann continued; he cited examples of arguments directed to the statements made and contained within the Resolution. He cautioned the Board, asking them to review again the materials contained with the resolution that will start these discipline proceedings. Another concern was addressed; the claim that "similarly situated people" have not been targeted for disciplinary action.

Mrs. Zibrat stated that the Board appreciates comments during Call to the Audience. She added that the Board cannot respond to comments made during the Call to the Audience, particularly when they involve personnel matters. Additionally, the Governing Board is unable to respond to comments regarding legal issues in a public meeting. She recommended communicating with the District's legal counsel.

There were no questions by Governing Board members of Mr. Kaufmann.

The Governing Board approved the Resolution directing issuance of Notice of Intention Not to Renew Contract of Employment for a guidance counselor, as submitted. (Exhibit 8, pp. 1-7)

## **2. EXECUTIVE SESSION**

A. Motion to Recess Open Meeting and Hold an Executive Session for Student Disciplinary Action (Revised 6/4/12):

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 # 30001518; b. Student # 16806265; c. Student # 30042735; d. Student # 30006264; e. Student # 11705486; f. Student # 30039907; and, g. Student # 30001861.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30013424; b. Student # 30026702; c. Student # 30038010; d. Student # 30036702; e. Student # 30030026; f. Student # 30038814; g. Student # 30040086; and h. Student # 30040327.
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 # 30022470 and b. Student # 30038418.

B. Motion to Close Executive Session and Reconvene Open Meeting

A motion was made by Dr. Loomis that the Board recess into Executive Session pursuant to A.R.S. §15-843(F)(2), as presented. Mr. Grant seconded the motion and it passed unanimously, 4-0. Mrs. Zibrat called a recess at 6:20 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. Dr. Barrabee seconded the motion and it passed, unanimously, 4-0. The time was 8:15 p.m. Mrs. Zibrat 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 Mr. Grant, seconded by Mrs. Zibrat, and passed unanimously, 4-0 that the meeting be adjourned. Mrs. Zibrat declared the meeting adjourned at 8:17 p.m.

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Respectfully submitted,  
Margaret Harris

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Mrs. Susan Zibrat, Vice President

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Date

Approved: TBD