

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 October 2, 2012, 5:00 p.m.

Board Members Present

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

Board Members Absent

Mr. Jeff Grant, Member

Central Administrators Present

Mr. Patrick Nelson, Superintendent
Todd A. Jaeger, J.D., Associate to Superintendent and General Counsel
Ms. Monica Nelson, Associate Superintendent
Mr. Scott Little, Chief Financial Officer

OPENING OF MEETING - Call to Order

Mrs. Boros called the meeting to order at 5:01 p.m.

1. Executive Session

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

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: Student # 30043531.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30026740; b. Student # 30008853; c. Student # 30016406; d. Student # 30033341; e. Student # 30006264; f. Student # 30004763; g. Student # 30004792; h. Student # 30039907; and, i. Student # 30042735.

A motion was made by Mrs. Boros that the Board recess into Executive Session pursuant to A.R.S. §15-843(F)(2), as presented. Mrs. Zibrat seconded the motion and it passed unanimously, 4-0. Mrs. Boros called a recess at 5:02 p.m. for the purpose of holding Executive Session for student disciplinary action.

B. Motion to Close Executive Session and Reconvene Open Meeting

Upon return to the Board Room, a motion was made by Mrs. Zibrat and seconded by Dr. Loomis that the meeting reconvenes into open session; the motion passed, unanimously, 4-0. Mrs. Boros declared the meeting in open session. The time was 7:07 p.m.

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Mrs. Boros reconvened the meeting 7:07 p.m. and asked members of the audience to sign the visitors' register. Procedures for addressing the Board were described. She expressed appreciation to everyone in attendance for their patience regarding the delay of the Board's return to open session.

Pledge of Allegiance

Mr. Michael McConnell, Principal from Walker Elementary School, introduced the following students: Maile Rodriguez, Amaya Harper, Grant Esposito, and Kelsey Honani (Cienna Kincade was not in attendance). Also in attendance was the student advisor, 4th grade teacher Mr. Robert Moore. The students presented each Board Member with a "kind coin" explaining that this is "for taking care of Amphi and 'looking after' all students.". Mr. McConnell explained that these coins are part of the Ben's Bells project and also, the coins are all hand made by Walker students.

The students led the Pledge of Allegiance and each was presented with a Certificate of Commendation.

Additionally, Dr. Barrabee acknowledged the Art Display in the Board Room. He commended the Walker students and art teacher, Jane Peterson, for their contributions.

Announcement of Date and Place of Next Special Governing Board Meeting

Mrs. Boros announced the next regular meeting of the Governing Board: Tuesday, October 23, 5:00 p.m., Wetmore Center, 701 W. Wetmore Road.

PUBLIC COMMENT

Mr. John Fife, President, AmphiEA, addressed the Governing Board to emphasize the importance of passing Proposition 204 in the upcoming election. The District has realized significant losses in revenue totaling approximately \$35 million dollars in the last several years as a result of legislative budget cuts. This initiative would renew the 2010 voter-approved one-cent sales tax intended for education funding that is set to expire June of 2013. This is not a new tax but simply renews the existing legislation.

[\[http://ballotpedia.org/wiki/index.php/Arizona_Sales_Tax_Renewal_Amendment,_Proposition_204_\(2012\)\]](http://ballotpedia.org/wiki/index.php/Arizona_Sales_Tax_Renewal_Amendment,_Proposition_204_(2012))

2. INFORMATION² AND RECOGNITION(S)

A. Status of Bond Projects

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. INSTRUCTIONAL SPACE / PORTABLE REPLACEMENT

A. Amphitheater Middle School Addition / Remodel: Construction is 3% complete. Currently demolition is underway in the administration building, auditorium, locker rooms, and the center of campus. Demo will be in process for approximately three more weeks. Over excavation of the new classroom building site will begin next week. All cacti will be relocated so a temporary nursery has been set up to maintain the cacti until replanting at the end of the project if possible.

B. Canyon Del Oro High School Addition / Remodel: Construction is 70% complete. Work is in-progress in the following areas: Kitchen remodel; "C" Building Addition; and, the J-3 Restrooms are 95% complete and will be occupied and in use following Fall Break. The final phase of construction, the remodel of the old teacher's lounge into the new Café, will start in October and is expected to be complete for occupancy January 1, 2013. Technology re-cabling is 75% complete and in process as night and evening work through March 2013. The new MDF and several of the new IDF's will be completed and they come on line in October. Since the old IT system is still active, there should be no disruption to campus IT during the conversion. This project is on budget and on schedule.

C. Amphitheater High School Renovations: Design Development drawings are complete and have been reviewed and edited by Amphi FSS and Bond Dept staffs. Construction documents are being prepared by the architect of record.

D. Holaway Elementary Classroom Addition: Design Development drawings are complete and have been reviewed and edited by Amphi FSS, Tech Dept and Bond Dept staffs. Construction documents are being prepared by the architect of record.

E. Rio Vista Elementary Classroom Addition: Schematic design drawings are complete and design development drawings are being prepared.

F. Nash Elementary Library Renovation: Schematic design drawings are complete and design development drawings are being prepared.

G. Copper Creek Elementary Portable Removal: Portables at Copper Creek Elementary are currently being removed.

H. Cross Middle School / Harelson Elementary School Addition / Re-cabling Project: Procurement for this project has started. The selection of an architect for this project is under way.

B. Recognition of “Stuff the Bus” Participants

Mr. Nelson invited Mrs. Monica Nelson to provide an overview of this year's efforts. Mrs. Nelson reported that during this past summer, the Tucson Board of Realtors, Walgreen's, and KVOA News 4 TV combined forces to sponsor the “Stuff the Bus” campaign encouraging Tucsonans to contribute school supplies that would benefit Tucson area students. As a result of their efforts, Amphi students received needed supplies, such as: back packs (55), which were provided to many of our homeless students, plus countless other supplies that were distributed to each school. The students and staff expressed appreciation for their support in this endeavor.

Mr. Timothy Bott, President of the Board and Ms. Laura Kruszewski, Marketing Manager from The Tucson Association of Realtors, were introduced and recognized for their efforts. (Walgreen's and KVOA representatives were unable to attend). Mr. Bott stated that this year's theme is “Immerse Yourself in the Community.” The Association's members are eager about next year's event and are hopeful that they will be able to improve their totals.

The Board presented certificates of appreciation to Mr. Bott and Ms. Kruszewski.

C. Review of Summer Learning Program

This summer, District staff offered several levels of summer learning opportunities for students:

- The District continued its use of the tutorial model in the primary-grade summer learning programs. This year's program focus was on 1st, 2nd, and 3rd graders in the areas of math and reading. Identification was based on results from specific “strand” areas on MAP for students in 2nd and 3rd grade; AIMS results were also considered for 3rd grade. Scores on DIBELS, classroom data, and teacher recommendation were used to identify students in 1st grade. Selected students participated in half-day sessions.
- Math bridge programs were instituted for students in 5th and 8th grades to help with their transitions to the next grade levels.
- ELL students were also provided with summer learning opportunities to support their language acquisition skills.
- Tutoring was available for Native American students.
- Summer learning opportunities were in place for La Cima and Amphi Middle School students in 6th and 7th grades needing help in math and reading.
- Amphi High offered a targeted summer school program for its students with the assistance of grant monies.

Dr. Tom Collins, Director of Federal Programs, recognized the following people who contributed in this endeavor serving as planning team members: Patrick Nelson; Monica Nelson; Cathy Eiting, Executive Director of Student Services; Brenda Mosely and Connie Rivera de Cortes from Student Services; Title 1 staff: Benita Brown, Linda Thacker, and Janet Wanczyk; Mr. Doug Aho, Executive Manager, Operational Support; and, Marc Lappitt, Director of Transportation and Food Services. He noted that paraprofessional positions and the 150 teachers in this year's summer program were all District staff.

Dr. Collins presented an overview of summer learning opportunities and the results. He stated that there were several new summer programs that were all well-attended. Teachers were involved in staff development; focus was on specific goals as outlined. Research has shown that significant contact-hours are critical between teachers and students – the minimum of 80 hours has been established. A tutoring model has been used for many intervention programs. Smaller class sizes are recommended for intervention models. Students are re-assessed on a weekly basis, as well as, comparisons between spring and fall MAP scores for final evaluation. Teacher collaboration is essential, and assists in classroom learning design. He described how District data was utilized to focus on class-time design specific to grade levels (i.e. problem solving and phonics in 2nd and 3rd graders, MAP data in middle school, and coursework preferences for high school students).

Evaluation of student outcomes and data based upon teacher progress reports were described. Dr. Collins displayed charts via a PowerPoint presentation with student report data results and student attendance. Tracking students for

multiple years is a good way to measure program effectiveness. He noted that summer programs have proven successful at capturing high-risk students and impacting their levels of learning. Laurus math assessments were utilized in evaluating the success in math Academies; data from pre- and post-data revealed a 20-25% gain during this five-week program. According to data collected, no high-school level students failed or withdrew from the program. As a result of summer school participation (165 participants), some 183 credits towards high school graduation were earned –which enabled five students to graduate.

Mrs. Boros asked about how the District might generate higher registration. Dr. Collins stated that four staff members actively recruit student enrollment – even doing home visits. Continued focus and target areas are essential in improving identification of candidates. These programs are funded by Title I and III, Compensatory Education, and grants. Increased fiscal resources used for additional direct contact through home visits and parent contact lead to increased successful enrollment.

Mr. Nelson added that recommendations being considered for next summer's program include how to secure increased parent commitment and also investigating the role that technology can play in expanding summer school offerings (blended learning).

Mrs. Boros expressed appreciation to Dr. Collins for the update.

D. Annual Review of Progress of Bond Program and Capital Improvement Projects Pursuant to A.R.S. 15-491(K)

Mr. Nelson introduced Mr. Doug Aho, Executive Manager, Operational Support to provide a status update on projects funded by Bond monies, Capital improvement projects, Building Renewal, and Adjacent Ways.

Mr. Aho thanked Mr. Louth for the successful management of the on-going Bond Projects. He noted the importance, and appreciation, to the District's voters for the passing and support of the Bond initiatives. He then displayed a PowerPoint presentation reviewing the Bond-funded projects. Bond projects: for 2011-2012, a total of \$19,122,243.33 was spent on projects completed at Canyon del Oro High School, Walker and Nash Elementary schools, Rillito Center, Transportation/Food Services' offices, and Wetmore Center's recaptured-parking project. He displayed pictures of the completed projects. He noted that an additional 15 full-size buses and 12 mid-size buses were purchased; the District has reduced its use of third-party/outside contracted services for special needs students. A total of \$62,261,421.84 was spent on bond-funded projects between May 22, 2008 and June 30, 2012. Adjacent Ways funded two critical egress projects at Walker Elementary School totaling \$124,517.63 related to fire-lane access and parking lot accessibility.

Mr. Aho reported that the District has approximately 2.3 million square feet under roof; the District has not received any funding from the State in more than six years. He is hopeful that this reality is reversed soon as increased costs and the (increased) extent of such work in the future is of great concern.

Mrs. Boros noted the benefits to the local economy when considering the more than \$62 million (bond) spent locally in the past five years. Mr. Aho added that more than 80% of the dollars stay with local employers and employees. Mr. Nelson added that with this most-recent purchase of bond-funded buses, the District's pool of regular-route buses are now 100% air conditioned.

In response to an inquiry by Dr. Barrabee, Mr. Aho stated that the loss of funding is of grave concern related to the maintenance of buildings and facilities. The lost Building Renewal funding and the State's (School Facilities Board/SFB) Deficiency Corrections' program intended to maintain buildings/facilities is itself deficient.

E. Review of 2012-2013 Budget Development; Review of Budget Cuts 2008-2012

Mr. Nelson invited Mr. Little to provide an overview of the 2012-2013 Budget Development to include a review of the budget cuts realized since 2008 totaling some \$37 million.

Dr. Barrabee noted that he has found the detail provided by Mr. Little regarding this topic very informational and has been sharing the link to the website containing the presentation with community members. Mr. Little noted that he will update the website documents with the latest detail being provided here.

Mr. Little displayed a PowerPoint presentation providing an overview of background information and describing the history of BSL (Base Support Level) in relation to Proposition 301 (year 2000) funding. Originally, one of the key components was for the legislature to fund school districts so as to keep up with inflation; this was to address the fact that the legislature had failed to make any inflationary adjustments to school districts. Proposition 301 required that for

the first five years, school districts were to be guaranteed at least a 2% increase in BSL funding and then beginning with the 2006-2007 school year, the legislature was to increase the funding formula components by the lesser of 2% or the inflation index (implicit price deflator). Mr. Little explained that after the first five years, the legislature began to make modifications; while school districts did receive varying increase levels, the full 2% increases were not received. This trend was interrupted in 2008. He provided a chart summarizing the BSL funding between 2008 and 2012 and described the impact on funding (reductions) due to the recession. Statewide K-12 public education weathered a reduction totaling \$133 million dollars; Amphitheater's portion of these cuts totaled \$4,314,921. in 2008-2009. Mr. Little described additional funding cuts: 2009-2010 - \$5,208,175.; 2010-2011 - \$9,615,958.; 2011-2012 - \$9,937,165. – and these totals do not include the of Classroom Site Fund (CSF) revenue [CSF was established by Proposition 301 in the November 2000 general election; <http://www.azleg.gov/jlbc/CSF-FY2011-033110.pdf>]. The current year, 2012-2013, reported losses are \$7,625,569. [Mr. Little's revised PowerPoint presentation can be accessed at: <http://www.amphi.com/media/1065344/budget%20cuts%202008%20to%20the%20present%2010-3-12.pdf>]

Mr. Little included excerpts from a report provided by the Center on Budget and Policy Priorities. The report was released on September 4, 2012 and details national budget cuts in public education since the onset of the current recession [<http://www.cbpp.org/files/9-4-12sfp.pdf>]. He noted that Arizona's per pupil spending was reported as \$7,848., which ranks Arizona at 48th in the nation. The report further broke down funding for pupil/administration as \$420. per pupil, which is \$357. below the U.S. average or at 54% - the nation's lowest per pupil ratio.

In response to an inquiry by Dr. Barrabee, Mr. Little clarified a mistaken belief that Arizona is actually funding at \$9,000. per student; he stated that these over-stated numbers include funding dollars, such as: debt service, bond dollars, etc. The national studies do not include these types of non-comparable funding amounts.

Dr. Barrabee stated his impressions from reading the report; he noted how much of the education costs the State has pushed onto local school districts and that it has therefore become necessary for local communities to provide a higher percentage of funding. Mr. Little added that the legislature establishes an equalization formula, which then determines the percentage of funding responsibility by all parties (state, local tax payer, etc). He explained that when the legislature made budgetary adjustments to balance the state's budget, they reduced funding to equalization, and directed the Arizona Department of Education to evaluate program alternatives necessary to align with budget cuts being mandated by the legislature. The State saves in the general fund and the local tax payer pays a higher percentage of the total cost.

F. Review of 2011-2012 Annual Financial Report and 2012-2013 Budget Update

Mr. Nelson invited Mr. Little to provide a review of the 2011-2012 Annual Financial Report (AFR) and on the 2012-2013 budget. The 2011-2012 AFR is submitted for final approval within the consent agenda section of this evening's meeting; its certification is sought so that the AFR may be submitted to the Arizona Department of Education and for its publication.

Mr. Little displayed the AFR documents and stated that they are available for review on the District's website [<http://www.amphi.com/media/1732679/2012%20afr%20corrected.pdf>]. Mr. Little explained that a correction has been made to the document originally provided in board book materials due to a tax distribution error that was discovered by the Pima County School Superintendent's Office (\$180. adjustment).

Mr. Little reviewed some of the changes to this year's AFR. There has been a drop in tuition revenue from Oracle (open enrollment students). The State delayed payment of approximately 25% of the balance owed in equalization to local school districts from one fiscal year to the next. For Amphi this resulted in not having interest-related earnings in the general fund, which consequently necessitated additional borrowing expenses to the District totaling approximately \$22,000.; this in order to keep a positive cash flow throughout the year. He believes that this trend will continue. He reported that there was an increase in revenue due to delinquent property tax collections. The State's budget allocation in Equalization dropped from \$34 million last year to \$27 million this year. He cited utility-cost increases, such as water, and fuel expenses (Transportation Department). Staff development costs related to the implementation of IEP (Individualized Education Program) software. He stated that there was a slight increase within the Classroom Site Funds' category and this may be a positive indicator, post-recession. The same seems to hold true with Indian Gaming funds; not at the pre-recession levels but an improvement.

Mr. Little also noted that due to a lack of Building Renewal funds, the necessary District repair expenses are shown as increased expenses within the Un-restricted and Soft Capital categories. It is important to note that within the Bond program (construction improvements), the value of District-owned assets has increased by \$16 million dollars. Title I revenues continue to drop, from last year's 6.3 million to this year's \$4.2 million. Mr. Little noted that this is the final year

of a five-year TIF grant monies (Project EXCEL!, \$29 million). Continued losses of State grant funding; for comparison purposes, Mr. Little reported that in 2005-2006 the District collected more than \$1,200,000. as compared to this year's funding was approximately \$211,000. The District's unemployment costs are decreasing. Also included in this document is the Summary of the Desegregation Report on a school-by-school basis.

The cuts to public schools for this year alone are greater than \$1 billion: \$218 million in all-day kindergarten; \$29.7 million in cuts to 9th grade JTED funding; \$22.6 million in the phase-out of Career Ladder; \$239 million in cuts to Soft Capital and Un-restricted Capital; the suspension of \$360 million in inflation funding (BSL), and, the suspension of Building Renewal funding of more than \$200 million. [This information was released by the Arizona Association of School Business Officials. <http://www.aasbo.org/associations/9641/files/School%20District%20Funding%202012-13%20Impact%20from%20Budget%20Cuts%20and%20Elimination%20of%20Funding%20Components.pdf>.

In response to an inquiry by Dr. Barrabee, Mr. Little provided some history regarding the loss of Proposition 301 funding. Originally, the legislature was to adjust all components of funding by the inflation factor (2%). In 2010, some increases were allocated within the BSL; however, levels fell victim to mid-year cuts. For the 2011 school year, the legislature did not make adjustments for inflation to the BSL. A lawsuit was brought forth by statewide school, community, and voter groups. Ultimately, an adjustment was applied to only one small component of the school funding formula – student transportation miles. Mr. Little stated that state-wide, a loss to school-district BSL funding totaled approximately \$360 million; he reiterated that was funding not received by school districts.

Mrs. Boros is discouraged about the recovery of the aforementioned funding losses and recommends prudence and consideration in areas of future lobbying efforts. She thanked Mr. Little for his detailed information.

Dr. Barrabee believes that some community members are unaware and don't comprehend how desperate the realities are due to the lost funding and revenue. It may become a reality however, if desperate measures becomes necessary, such as the closing of a school, etc.

3. CONSENT AGENDA

Mrs. Boros asked if there were Board member requests to have items addressed separately; there were none. A motion was made by Mrs. Boros to approve the Consent Agenda items A-S, as presented. The motion was seconded by Mrs. Zibrat, and it passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes

The minutes of the September 18 2012, Regular Governing Board meeting and Executive Session were approved, as submitted.

B. Approval of Appointment of Personnel

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

C. Approval of Addendum to 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 Proposition 301 Performance Pay Awards and Administrative Performance Pay Awards for 2011-2012 Fiscal Year

Board book information: *Forty percent of the revenue which the District receives from Proposition 301 derived from sales tax revenue provides funding for a performance based incentive pay program. This program is conducted pursuant to a written plan previously approved by the Governing Board. The plan provides for three elements of performance pay.*

The first element is a participation award paid to eligible professional employees for their initial agreement to participate in the program. That "first-time participation award" for 2012/2013 is a payment of \$350. The total amount of 301 funds allocated annually to this element naturally varies with the number of new participants each year.

The second performance pay element is an annual award given to eligible employees assigned to a school which reaches its student engagement and a site selected achievement goal (Goal I). After first-time participation awards are allocated and funded, the Goal I award accounts for 60% of the performance pay fund expenditures. This year the full pay out per person for Goal IA is \$606.00 and Goal IB is \$606.00.

The third performance pay element is an annual award for a school reaching a student achievement goal as measured by standardized testing (Goal II). The Goal II award accounts for 40% of the performance pay fund expenditures, after first-time participation awards are allocated and funded. This year the full pay out per person for Goal II is \$808.00.

This item will authorize payment of the performance pay awards to eligible staff for the 2011/2012 fiscal year. The attached information provides details by school on the level of accomplishment of the goals and the dollar amount available per person for a full award by school. The maximum pay out for full accomplishment of all goals for eligible certified staff is \$2,020.00.

The Meet and Confer agreement approved by the Governing Board on August 1, 2007 allowed for a performance pay plan for Principals and Assistant Principals. The plan allowed for a potential of \$1000 per participant mirroring the 301 plans at the school sites. This year, the total award possible will be \$600. The administrator plan is similar to the 301 Plan for teachers. 60% of the pay out is based on Goal I, and 40% of the pay out is based on Goal II. Principals and Assistant Principals will receive up to \$360 for accomplishment of Goal I and an additional award of up to \$240 is available for Goal II.

The attached spreadsheets list pay out totals by school and individual calculations for both eligible certified teaching staff and administrators based upon the accomplishment of Goal IA and IB and the school's pro-rata achievement of Goal II, adjusted for full-time equivalency.

The Governing Board approved the list of Proposition 301 Performance Pay Plan Awards and Administrative Performance Pay for Goals I and II for the 2011-2012 Fiscal Year as listed in Exhibit 6, pp.1-28.

G. Approval of Vouchers Totaling and Not Exceeding Approximately \$3,736,692.27 (Final Total)

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. 525	\$ 208,030.33	Vo. 526	\$1,903,294.56	Vo. 527	\$ 141,720.60
Vo. 528	\$ 420,766.18	Vo. 529	\$ 894,755.25	Vo. 530	\$ 110,351.01
Vo. 531	\$ 57,774.34				

H. Approval of Certification of the 2011-2012 Annual Financial Report

Board book information: *The State of Arizona requires the Governing Board to annually publish and submit to the State a report of all revenue and expenditures for the previous year.*

The Governing Board approved submission to the State of the 2010-2011 Annual Financial Report (AFR) for publication on the Arizona Department of Education's website, as submitted. (Exhibits 7a, p. 1; 7b, p. 1-14)

I. Approval of Parent Support Organizations for 2012-2013

The Governing Board approved the Annual Application for Governing Board Approval (Parent Support Organizations pursuant to District Policy KBE-R) submitted by: IRHS Girls Basketball Boosters and La Cima Music Boosters.

J. Award of Contract for B5 Biodiesel and Unleaded Gasoline Based on Responses to Request for Bid (RFB) 12-0016

Board book information: *The Governing Board at their August 7, 2012 meeting awarded a contract to Union Oil Company for Unleaded Gasoline and B5 (5%) Biodiesel. Union Oil subsequently advised the Administration they*

could not meet the District's winter fuel requirement listed in the bid for the B5 component; a Cloud Point of 5 degrees Celsius or lower.

The Cloud Point for B5 refers the temperature at which dissolved solids are no longer completely soluble which may cause fuel flow problems. The Administration cancelled the award to Union Oil Company and issued Request for Bid (RFB) 12-0016, re-bidding this commodity.

Vendors were asked to provide their price per gallon for Unleaded Gasoline and for B5 Biodiesel based on either a markup or discount off OPIS, the Oil Price Information Service's Daily Average Contract Price. Five vendors responded. The bracketed figures show the discount offered based on the District's annual fuel usage for B5 Biodiesel and for Unleaded Gasoline.

The numbers presented below are estimated savings (in brackets) or additional expenses based on the District's annual fuel usage for B5 Biodiesel and Unleaded Gasoline. The bracketed figures represent a discount in price based upon OPIS and a non-bracket number represents a premium charged above OPIS pricing.

Fuel Type	Pro-Petroleum	Petroleum Traders	Southern Counties	Mansfield Oil	RKA Petroleum
	12-0016	12-0016	12-0016	12-0016	12-0016
B5 Biodiesel	(\$7,358.00)	(\$6,942.00)	\$11,934.00	\$11,986.00	\$28,574.00
Unleaded	(\$2,130.00)	\$870.00	(\$1,095.00)	\$120.00	\$275.00
(----) Discount	(\$9,488.00)	(\$6,072.00)	\$10,839.00	\$12,106.000	\$28,849.00

The Governing Board approved the award of contract for B5 Biodiesel & unleaded gasoline to *Pro-Petroleum* based on their response to RFB 12-0016.

K. Approval of Out of State Travel

Out of state travel was approved for students and staff (source of funding indicated): from JROTC to take 6 students to US JROTC Drill Championships in San Antonio, TX on Feb. 7-11, 2013 (no cost to district); Canyon del Oro to take 40 students from Orchestra to attend an orchestra clinic in Los Angeles, CA on Feb. 21-24, 2013 (tax credits and student activity funds); from Harelson Elementary School to take 67 students from 6th grade to attend the 6th grade trip to San Diego, CA on Feb.18-20, 2013 (tax credits and auxiliary funds); from Wilson K-8 to take 150 students from the Chamber Ensemble Jazz to participate in a music festival in Anaheim, CA on April 4-7, 2013 (tax credits, auxiliary funds and club funds); from La Cima Middle School to take 90 students from the Orchestra, Band and Chorus to attend the Forum Music Festival in Fullerton and Anaheim, CA on April 25-27, 2013 (auxiliary, tax credits, club funds and parent organization).

Out of state travel was approved for staff: from Walker to attend the Advancement Via Individual Determination (AVID) Institute in Dallas, TX on Oct. 16-19, 2012 (federal funds designated for staff development); from District Offices to attend the National Indian Education Assoc Annual Convention in Oklahoma City, OK on Oct. 17-21, 2012 (federal funds designated for staff development) from: Canyon del Oro High School to attend the International Baccalaureate Workshop in Portland, OR on Nov. 2-5, 2012 (federal funds designated for staff development); from District Offices to attend the SunGard Public Sector 2012 Client Conference in Sacramento, CA on Nov. 6-8, 2012 (gifts and donations funds); from District Offices to attend the National Association for Gifted Children Annual Convention in Denver, CO on Nov. 15-18, 2012 (federal funds designated for staff development); from District Offices to attend the Aquatic Neuro-Motor Techniques for Pediatric Client Conference in Minneapolis, MN on Nov. 9-10, 2012 (maintenance and operations funds designated for staff development); and, from District Office to attend the 2012 National Johnson O'Malley Association Conference in Albuquerque, NM, October 13-16, 2012 (federal funds designated for staff development).

L. Approval of Grant(s)

The Governing Board approved the following grants on behalf of both Amphitheater Middle School and Prince Elementary School in the amounts of \$2,000. each from the Arizona Commission on the Arts to be used towards the purchase of supplies and guest artist's residency fees.

M. Approval of Fees for the International Baccalaureate Program at CDO High School

Board book information: *Beginning this year, the IB program is offered to students at CDO High School. Each year the Governing Board approves a list of student fees associated with a variety of programs. For this school year, the requested fees include several new ones associated with the IB program:*

Registration per student: \$151 (fees for late registrations can also be imposed by IB, raising the cost to \$203 or \$433, depending on the missed deadlines); at CDO, the IB Coordinator will work with current students to ensure that they make the first deadline. However, there may be students who move to the area and want to be part of the IB program, registering past the first deadline. IB test fee per student: \$104 (this fee can be waived for students who qualify for Free/Reduced lunch); students in the IB program take seven IB tests; there is no refund for these fees. The bookstore has set up student accounts which parents may make payments to throughout the year to cover the cost; we are also setting up an online credit card payment option. Registration amendments: Fees for changes to the student course selection can range from \$33 to \$132, depending on missed deadlines; at CDO, the IB coordinator builds each schedule with the student and parent prior to the first deadline so we don't expect to have many miss any deadlines. Students and parents sign an agreement stating that they understand that any changes will result in IB applied fees. Enquiry upon results: The IB program charges fees if students wish to "challenge" their scores on an IB test, requiring it to be rescored. Those fees can range from \$49 to \$185 depending on the level of enquiry. Other by-request services: Legalization of each IB diploma document and/or of each consulate country can range from \$143 - \$219. Replacement of diploma or course certificate costs \$73. Results are sent to a student's top six choices of university for free; after that there is an additional cost of \$16 for each university. If a student requires an alternative exam venue, there is a \$50 charge. Appeals (per candidate): \$600 Fee for an appeal under article 30 of the General regulations: Diploma Programme.

There is a booster club interested in raising funds to help support student costs for those who need financial assistance.

The Governing Board approved the fees for International Baccalaureate program at CDO as stated above.

N. Approval of Request for Waiver(s) of Graduation Requirement

Board book information: *Periodically students in our high schools request waivers from the District Physical Education requirement based on reasons such as medical documentation. In such cases, students are required to replace the credits with other course work. [Appropriate documentation has been received from the school and family.]*

The Governing Board approved the PE waiver request of .5 credits for physical education for Student #10804835 from Canyon del Oro High School.

O. Approval of Governing Board's Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards

Board book information: *In 1996, the Arizona State Board of Education began adoption of the Arizona Academic Standards (Standards) in the subject areas of reading, writing and mathematics. The Standards were mandated for all Arizona public schools to implement through curriculum and instruction. Since that time, the State Standards have been modified and, more recently, Common Core Standards have been adopted.*

Each year since adoption of the State Standards, school districts and charter schools have been required to verify their compliance with the Standards by submission of certain declarations of curricular and instructional alignment to the Arizona Academic Standards ("Declarations").

Compliance with this requirement establishes evidence that the Arizona Academic Standards have been incorporated into the curricular and instructional practices at the local level, in furtherance of the federal No Child Left Behind Act and AZ LEARNS. The Board's Declaration, a copy of which is attached, is essentially a form of affidavit or oath of compliance with the Standards.

The Declarations actually consist of three separate documents to be signed, respectively, by the Governing Board as a body, the Superintendent as an individual, and every school principal as an individual. The Governing Board and Superintendent's Declarations are due on October 15th. The school principals' declarations will be due on February 4, 2013. For a school and district to be in compliance, all three forms of Declaration must be signed and returned to the ADE.

The Administration has also informed Principals of the content of their individual Declarations which they will sign later this year, so that they may take necessary actions during the course of the year to ensure they can truthfully make the Declaration.

The Governing Board approved the Governing Board's Declaration of Curricular and Instructional Alignment and its submission to the Arizona State Board of Education (ALEAT), as submitted. (Exhibit 8, p. 1; ALEAT October 12th)

P. Approval of Superintendent's Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards

Board book information: *In 1996, the Arizona State Board of Education began adoption of the Arizona Academic Standards (Standards) in the subject areas of reading, writing and mathematics. The Standards were mandated for all Arizona public schools to implement through curriculum and instruction. Since that time, the State Standards have been modified and, more recently, Common Core Standards have been adopted.*

Each year since adoption of the State Standards, school districts and charter schools have been required to verify their compliance with the Standards by submission of certain declarations of curricular and instructional alignment to the Arizona Academic Standards ("Declarations").

Compliance with this requirement establishes evidence that the Arizona Academic Standards have been incorporated into the curricular and instructional practices at the local level, in furtherance of the federal No Child Left Behind Act and AZ LEARNS. The Superintendent's Declaration, a copy of which is attached, is essentially a form of affidavit or oath of compliance with the Standards.

The Declarations actually consist of three separate documents to be signed, respectively, by the Governing Board as a body, the Superintendent as an individual, and every school principal as an individual. The Governing Board and Superintendent's Declarations are due on October 15th. The school principals' declarations will be due on February 4, 2013. For a school and district to be in compliance, all three forms of Declaration must be signed and returned to the ADE.

The Administration has also informed Principals of the content of their individual Declarations which they will sign later this year, so that they may take necessary actions during the course of the year to ensure they can truthfully make the Declaration.

The Governing Board approved the Superintendent's Declaration of Curricular and Instructional Alignment and its submission to the Arizona State Board of Education (ALEAT), as submitted. (Exhibit 9, p. 1; ALEAT October 12th)

Q. Approval of Qualified Amphitheater Teacher Performance Evaluation System (ATPES) Evaluators

Board book information: *The following staff members have successfully completed evaluator training for the 2012-2013 school year: Joene Ames, Laurie Sheber, Annette Orelup, Jayne Huseby, Viki Dillahunt, Thomas Collins, Aimee Smythe, Robin Meece.*

The Governing Board approved the staff members listed above as qualified evaluators for the Amphitheater Teacher Performance Evaluation System (ATPES) program for the 2011-2012 school year.

R. Approval of Career Ladder Statement of Action Taken

Board book information: *Each year during the month of November, the State of Arizona requires all Career Ladder districts to submit a Statement of Action Taken signed by the Clerk of the Governing Board, which establishes and confirms 3% is calculated in the district base level for the Career Ladder Program for the current fiscal year.*

The Governing Board approved the Statement of Action approving and confirming that 3% is calculated in the district base for the Career Ladder Program. (Exhibit 10. p. 1)

S. Approval Bond Related Projects

1. Approval of Change Order for Unanticipated Construction at Copper Creek Elementary School

Board book information: *The Building Inspector for Oro Valley has requested additional work on the electrical switch gear at Copper Creek Elementary School. The Building Inspector identified the undersized and mislabeled equipment. The replacement of the Electrical Switch Gear was not anticipated as part of the scope of the construction at the school.*

Prior to this proposed change order, the project was expected to be completed under the budget (\$949,600) by approximately \$8,000. The proposed change order will exceed the current contract by approximately \$18,000.

Arizona Administrative Code R7-2-1008 requires that all change orders exceeding the greater of \$15,000 or 5% of the contract amount be approved in writing by the Governing Board.

The Governing Board approved the change order to increase the contract by approximately \$18,000. pursuant to Arizona Administrative Code R7-2-1008.

4. STUDY⁴/ACTION

A. Determination of the Governing Board's Legislative Priorities for the 2013 Legislative Session(s)

Board Book information: *For several years, the Governing Board has established legislative priorities for the District to guide and direct District representatives in their conversations and interactions with Arizona lawmakers. This guidance is necessary to ensure that communication with state law makers is consistent with the Board's philosophies and the District mission, interests, beliefs and values.*

The priorities set by this item are separate from, but may overlap, those adopted by the Arizona School Boards Association (ASBA). Just recently, the Governing Board concluded the annual process of providing input into ASBA's separate legislative agenda, which often emerges from that input process to be something that is not entirely reflective of the Governing Board's intentions. Thus, the development of the District's own legislative agenda provides important guidance for district interaction with legislators.

In recent years, the impact of legislation on public schools in Arizona has been significant and unparalleled. For example, the legislative funding cuts over the past 5 years have totaled more than \$29 million in Amphitheater alone. As bills that would impose constraints on other organizations that have spoken for public schools have been proposed in recent years, and given the damage done in the last several budget years, it is more important than ever that school district have a clear message for our elected representatives.

The following draft list of legislative priorities for the Amphitheater District, which includes bulleted talking points to aid our representatives, was drawn from direction provided by the Board in previous discussions.

1. Increase Funding for K-12 Education.

- *Initiatives such as AZ LEARNS, NCLB and the Common Core Standards demand higher levels of achievement.*
- *The stakes for students and their families under these systems of accountability are high; mastery of state standards is mandatory for promotion and graduation.*
- *Increasing student achievement goals is warranted; but support of those increases through increased school funding is essential to support those goals.*
- *Special programs which increase student success require financial support.*
- *Funds are required to attract and retain the best and most qualified staff, particularly in high needs areas such as science, math, technology and career and technical education.*
- *School funding long failed to keep pace with inflation until state voters overwhelmingly approved Prop 301. But even with 301's inflation factor (2% max.), school district budget increases in recent years were largely absorbed by increased costs for state retirement contributions, energy and fuel, and health care.*

2. Maintain Desegregation Funding.

- *Desegregation and OCR orders typically mandate that school districts undertake some form of corrective action, through the implementation of new programs, services or policies.*
- *A.R.S. §15-910 (the desegregation funding statute) provides a separate source of revenue for school districts compelled to implement new programs and services by operation of court orders or OCR decrees.*
- *In November 2004, the legislature put forward Prop 101, which mandated that initiatives or referendums requiring the expenditure of state revenues also had to provide a source of increased revenues to avoid impacting the State's general fund and existing state programs.*
- *Through Prop 101, the legislature correctly recognized that new programs imposed upon government should have their own funding source.*
- *In the same way, §15-910 protects existing school district programs and services.*
- *Programs and services of school districts directly serving Arizona's children deserve no less protection than the general fund of the State.*
- *Argument that voters have no control over the desegregation taxes is faulty. Voters disapproving this levy or any other for that matter, can evidence their disapproval at the polls in Governing Board elections.*
- *Use of desegregation funding for purposes not provided for in consent orders or decrees (compliance with State-directed SEI/ELL programs) risk legal intervention due to violation of orders.*

3. Provide Adequate Funding to Serve English Language Learners.

- *Arizona law mandates Sheltered English Immersion; methodology is no longer a school district or local community choice.*
- *ELL student success is measured as a cohort/subgroup by AZ LEARNS and NCLB systems.*
- *Language disparities affect the learning of children and must be taken into account; additional services beyond those needed by English speaking students are required.*
- *The extra services require additional financial support.*
- *The Flores decision recognized – even before high stakes programs – that levels of state ELL funding were inadequate.*
- *With our ELL students' ability to graduate at stake, appropriate funding must happen.*
- *The recent legal settlement between the state and the U.S. Department of Education Office of Civil Rights acknowledges the inadequacy of AZELLA measurements of proficiency over the past few years and requires school districts to reevaluate, and perhaps serve, students previously determined to be proficient. School districts need funding to support these efforts.*
- *It is unconscionable that the state should direct school districts to implement certain actions that must later be remediated by school districts alone, with no support from the state.*

4. Establish a Reliable and Adequate Source of Funding for the School Facilities Board.

- *The purpose of the SFB cannot be achieved without consistent funding.*
- *Building renewal funds have not been supported for several years and, indeed, have frequently been cut throughout the SFB's short history.*
- *New school construction support has also become woefully inadequate given increases in building material costs.*
- *Anecdotes of concrete gymnasium floors and inadequate site preparation illustrate a lack of funding to support even the most ordinary school elements.*
- *Current reliance upon the State's general fund as the funding source cannot and should not continue; it creates not only a burden upon the State, but also an unavoidable reality of insufficient facilities which do not mirror our public's expectation for the best in education.*
- *In November 2004, the legislature put forward Prop 101, which mandated that initiatives or referendums requiring the expenditure of state revenues also had to provide a source of increased revenues to avoid impacting the State's general fund and existing state programs.*
- *Through Prop 101, legislature correctly recognized that new programs imposed upon government should have their own funding source.*
- *A new funding mechanism – bonding, perhaps – could reduce or eliminate the competition between the need for schools and other crucial State priorities.*

5. **Provide User-friendly and Practical Reporting Requirements and Provide Funding Support for the Same.**
 - Federal and state reporting and data requirements combine to create a substantial administrative burden for school districts.
 - Annual submissions of certain documents serve no useful function (e.g., Declaration of Curricular Alignment) and raise questions as to why "one-time" submissions suffice in other equally important situations (i.e., oath of office).
 - The worthy goal of putting more funds in the classroom must be reconciled with the simultaneous creation of additional burdens in administrative functions.
6. **Protect and Support Education Due Process Rights.**
 - While the interests of the student must be the paramount focus of all education decisions and policies, those interests will never be met if educators are led to believe that their rights do not matter.
 - A careful balance must be drawn between ensuring students receive services from the most-qualified and effective staff possible and protecting the rights of teachers to due process and opportunities for professional growth.
7. **Provide Adequate Support for Special Education**
 - The state supports special needs students by providing extra funds.
 - In 2010, apart from Kindergarten and K-3 students, Amphitheater had 3,261 special needs students (including ESL students). Of these, 57% or 1,858 were in a category that includes emotional disability, mild mental retardation, specific learning disorder, speech/language impairment, and other health impairments.
 - For each of these 1,858 students, the state only provided the district with an additional \$9.93 in funding to serve this population with very serious and complicated needs. This is nothing short of unconscionable.
 - The legislature's actions, in failing to provide adequate funding, is a re-derelection of duty to this special student population and puts a huge burden on a district dedicated to providing appropriate support, not only for its special needs' students, but for the needs of all of its students.
8. **Eliminate All Student Tuition Organization Tax Credits**
 - Legislators are, by oath to the state constitution, required to support, develop and advance public education.
 - Contrary to that oath, the legislature has reduced funding for public education using scarcity of general funds as a rationale for these actions, without acknowledging the constitutional duty to provide funding through taxation.
 - Concurrently, the legislature's steadily increasing diversion of tax revenues to private schools through student tuition organizations and tax credits has exacerbated the "scarcity of funds" cited by the legislature as the reason for cutting public education.
9. **Eliminate the Extracurricular Tax Credit Program in Favor of Equitable Funding for All Districts and Schools**
 - If the legislature believes that enhancements to extracurricular funding are needed to provide adequate programs, the legislature should provide adequate funds directly to the districts.
 - The district's rebate-obtained public funds are derived entirely from money that has been diverted from the state's general fund where they could have been distributed in an equitable manner.
 - The current program disfavors lower socio-economic school populations, and creates inequities in programs and services that can be offered.
 - A report in 2008 showed that a wealthier school received more five times as much of these diverted funds per student than did students in a less wealthy school within the same district.

Mr. Nelson introduced the item stating that at the September 18th Special Governing Board Meeting, the Governing Board selected eleven (11) Legislative Priorities to be submitted to the Arizona School Boards Association (ASBA) for consideration. At this meeting, the Governing Board will review for consideration its Legislative Priorities for the 2012-2013 legislative session. He noted that this is a Study/Action item so Board members may utilize this time for discussion only or the Board may choose to advance the items for approval at this time.

Mr. Jaeger was invited to provide a brief review of the bulleted Priorities from the Board Book materials; these are suggested as talking points when Board members or staff are networking with constituents and colleagues or meeting with legislators. He stated that recent discussions have taken place among the Board members regarding desired areas of focus and that it has become evident that the other associations (i.e. ASBA) do not always share the ideals or framework with this Board; and, perhaps it is appropriate for the Board to become more autonomous in the development and establishment of these Priorities.

Some discussion ensued regarding Bullet # 4. Mr. Jaeger stated that the District has not been receiving full SFB programs' funding for many years, which has left the District in dire straits fiscally as it has covered the costs of repair and maintenance of facilities and building systems such as HVAC, etc. These were points made and discussed earlier by both Mr. Aho and Mr. Little during their presentations. Considering the current drastic and desperate financial issues facing the District, adding this newest bullet point in #4 is being recommended: "A new funding mechanism" for SFB related programs. Rather than having monies funded through the general fund – and the ongoing issues stemming from limited resources, perhaps a separate and distinct funding mechanism for SFB related programs is necessary thereby eliminating the competition between schools and other crucial State priorities.

Dr. Barrabee expressed exasperation and dissatisfaction with the current tax credit legislation (bullet #9). It does not seem to provide the original intended benefits but does provide allowances for abuse by some families with students attending private schools; and, causes tax dollars to circumvent the budget funds intended for public education.

Mrs. Boros suggests adding specific, concrete examples within the bulleted points and recommends including the total square footage (2.37 million square feet) in #4, and the \$9.93 per student, per year in #7. She feels giving examples that allow a visual connotation may be more persuasive.

A motion was made by Mrs. Boros to approve the Legislative Priorities as submitted with the addition of concrete examples as suggested. Dr. Barrabee seconded the motion and it passed unanimously, 4-0.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

There were no new Board Member requests. Mrs. Boros requested a written report on the El Hogar Blended Learning program.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

A motion was made by Mrs. Boros that the Board Meeting be adjourned; Mrs. Zibrat seconded the motion; and it passed unanimously, 4-0. Mrs. Boros declared the meeting was adjourned; the time was approximately 9:10 p.m.

Respectfully submitted,
Margaret Harris

Mrs. Diana Boros, President

Date

Approved: TBA