

**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, August 7, 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
Mrs. Monica Nelson, Associate Superintendent
Mr. Scott Little, Chief Financial Officer

OPENING OF MEETING - Call to Order

Mrs. Boros called the meeting to order at 5:00 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), Regarding: a. Student # 30026486; b. Student # 30027405; c. Student # 30020831; d. Student # 30021913; e. Student # 30038217; f. Student # 30037508; g. Student # 30021478; h. Student # 11005257; and i. Student # 30028627.

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. Mrs. Boros seconded the motion and it passed unanimously, 4-0. Mrs. Boros called a recess at 5:01 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 Dr. Loomis and seconded by Mrs. Boros that the meeting reconvene into open session; the motion passed, unanimously, 4-0. Mrs. Boros declared the meeting in open session. The time was 7:00 p.m.

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Mrs. Boros called the meeting to order at 7:00 p.m. and asked members of the audience to sign the visitors' register. Procedures for addressing the Board were described.

Pledge of Allegiance

Mr. Nelson led the Pledge of Allegiance.

Announcement of Date and Place of Next Special Governing Board Meeting

Mrs. Boros announced the next special meeting of the Governing Board: Tuesday, August 21, 2013, 5:00 p.m., Wetmore Center, 701 W. Wetmore Road.

PUBLIC COMMENT

There were no comments from the public.

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. HEALTH, SAFETY, AND SECURITY -

A. Transportation Offices: Construction is complete. The new Transportation and Food Service offices are complete and occupied. The realignment of the bus yard is also complete and in-use. This project was completed on schedule and on budget.

II. INSTRUCTIONAL SPACE / PORTABLE REPLACEMENT -

A. Amphitheater Middle School Addition / Remodel: Design is complete and construction documents have been submitted to the city for plan review and permitting. A Guaranteed Maximum Price is being prepared by CORE Construction and will be presented to the Governing Board at the August 21 board meeting. At the conclusion of tonight's update, Mr. Frank Slingerland of BWS Architecture will give a fly through presentation of the project.

B. Canyon Del Oro High School Addition / Remodel: Construction is 50% complete. A detailed progress update will be presented at tonight's meeting as this project is moving so fast it is difficult to project an accurate completion schedule at the date of this report. CDO project is on schedule and on budget.

C. Canyon Del Oro Stadium Renovation: The stadium renovation work is 95% complete. All bleacher and light pole painting, field event venues, paving, irrigation, and sod installation are complete. Final touches and punch list corrections are ongoing. The stadium repair project is on schedule and on budget.

D. Copper Creek Classroom Renovation / IT Re-cabling: Construction is complete. The campus has been completely re-cabled. New IDF's are complete and in use. All accordion classroom walls have been replaced and the campus is ready for fall semester start. Copper Creek re-cabling project was completed on schedule and on budget.

E. Amphitheater High School Renovations: Schematic design is complete and Design Development drawings have been started.

F. Holaway Elementary Classroom Addition: Schematic design is complete and Design Development drawings have been started.

G. Rio Vista Elementary Classroom Addition: Schematic design drawings are being prepared.

H. Nash Elementary Library Renovation: There is an architecture vendor recommendation on tonight's consent agenda for Governing Board review and approval. If approved, programming and design will start immediately.

III. TRANSPORTATION -

Twenty-Seven new Busses have been received, tested, and are ready for service; 15 are full-size transit busses and 12 are mid-size busses. Six of the 12 mid-size busses are equipped with wheel chair lifts for special needs students.

It was noted that the District's bond-funded construction projects have been successful in the ability to maintain them on-schedule and on-budget. It was noted that many of the jobs are contracted to local companies and staffed by local employees. Mr. Louth will provide staffing ratio detail at the next regular meeting. The Governing Board is appreciative to the community for their initial and on-going support of these projects through the passing of the bond-related initiatives.

At the conclusion of his report, Mr. Louth introduced Mr. Frank Slingerland and Ms. Robin Shambach with BWS (Burns Wald-Hopkins Shambach Architects), who were in attendance to provide a fly-through presentation of the Amphitheater Middle School project.

B. Recognition of Project Graduation Leadership

Board book information: *Project Graduation is a celebration the night of graduation at all three high schools. It is an all night event for the graduating seniors to both celebrate their achievements, and to also provide a safe environment for their celebration. It takes an immense amount of work and planning each year on the part of many parents and community members to make this work.*

As one would expect, it takes leadership at all three high schools to bring together all of the volunteers, the supplies, and to coordinate the numerous details. We want to take this opportunity to recognize the leadership group at all three high schools that make this incredible event possible. This year the chairs at the three high schools were: Joyce Contrades at Ironwood Ridge High School, Cindy Remme at Amphitheater High School, and Maria Trujillo, Tammy Sargent, and Niki Davis at Canyon del Oro High School. In addition Barbara Gephart of Ironwood Ridge High School served as the chair of the Car Show, a big fundraiser.

The Governing Board expressed appreciation to Joyce Contrades from Ironwood Ridge High School; Cindy Remme from Amphitheater High School; and, Maria Trujillo, Tammy Sargent, and Niki Davis from Canyon del Oro High School for their leadership and invaluable contributions to the successful Project Graduation events held at the three high schools in May 2012. Board Members expressed their sentiments of gratefulness to Barbara Gephart for serving as chair for the Car Show fundraiser benefitting all three high school's Project Graduation events; and, each was presented with a Certificate of Commendation.

Mrs. Zibrat expressed her appreciation, on behalf of the Governing Board and the District's community, to these Chairpersons and their committee members. As a result of personal experience from years past, Mrs. Zibrat was able to eloquently provide an overview of the many tasks, responsibilities, challenges, and the time and dedication that is given by these volunteers to this year-long project. Their efforts in public relations', extreme fund-raising (i.e. golf tournament and car show), coordination of the various committees' and countless meetings, coordination of the various facility-related needs, diplomacy, and the shared 'Labor of Love' that benefit the community with these successful events each season. She added her admiration for their efforts and collaboration that result in the "greater good of all of the graduates" in the Amphitheater School District. Project Graduation is so much more than an "all-night graduation party for the graduates" it is a community builder for the District and showcases the community in a positive light. She extended an open-ended invitation - Volunteers are always welcome!

Mrs. Zibrat presented each with a Certificate of Commendation. [For more information about this program: <http://www.amhiprograd.org/> . The PGX car show is scheduled for October 20, 2012 from 9:30-4:00 p.m. held at the back field at CDO.]

Dr. Barrabee expressed appreciation to Mrs. Zibrat, as well, for her excellent overview of this program.

C. Report on Effective Teaching Conference 2012

Board book information: *The Effective Teaching Conference has been reinstated. This conference is designed especially for teachers new to our district. This year, the conference was held on the mornings of August 1st and 2nd. Monica Nelson will provide a brief report.*

Mr. Nelson stated that this annual event, the “new-teacher” conference, had been suspended as a result of budget reductions but was reinstated this year. He introduced Mrs. Monica Nelson, to provide an overview of this year’s event.

Mrs. Nelson reported that this event was held in the mornings on both August 1st and 2nd. Some 124 teachers attended this year’s event, of which 32 were first-year teachers. Feedback solicited from last year’s incoming teachers was used in the development of topics incorporated into the materials presented. Due to the success and interest by the attendees of this type of staff development, Saturday workshops are now being discussed. Additionally, the goal is to target pertinent times of challenge facing rookie/newer teachers and provide them additional support. Seven different sessions/workshops were developed specifically focused for the group of new teachers. Amphi teachers served as presenters; Mrs. Nelson commended them – saying that their presentations were creative and reflected the goals to ensure students’ achievement and success. Mentorship programs are being established. Principals attended the event with their teachers and Instructional Support Leaders (ISL’s) were also invited to attend in order to make introductions prior to the beginning of school as a cohesive, team-building effort.

Mrs. Nelson thanked both Mr. Nelson and Mr. Jaeger; they were also presenters providing inspirational and important legal information. A special thanks to Mr. Jon Lansa, Principal at Amphitheater High School, and his staff for hosting the event. Mrs. Nelson expressed appreciation to Dr. Roseanne Lopez, Executive Director of Elementary Education, for her dedication and collaboration in this successful event. She also thanked Mr. John Fife, President of AmphiEA, for hosting the lunch and providing refreshments.

Mr. Nelson commended Mrs. Nelson and Dr. Lopez on their efforts for this very successful event. He echoed Mrs. Nelson’s comments of thanks to Mr. Lansa and Mr. Fife.

Dr. Barrabee thanked Mrs. Nelson for her enthusiastic presentation. He appreciated and commended the efforts made to individualizing the needs of new and experienced teachers. He appreciated the modeling of “differentiated teaching.”

Mrs. Zibrat, who was present at the meet-and-greet breakfast on the first morning, added that she was proud of this District and feels that the teachers were impressed with the comradery evidenced.

Mrs. Boros thanked staff for their efforts in this successful event.

D. Review of Bullying Law and Policy

Board book information: *Last year, following the Legislature’s passage of House Bill 2415 (Laws 2011, Chapter 195, 49th Ariz. Leg.), the Governing Board reviewed and revised district policy documents pertaining to one of the highest profile issues in education today -- bullying. Policy JICK, and its corresponding regulation and exhibits, were revised to set forth the important responsibilities that district staff must meet. The policy documents address the following matters relating to bullying, as required by HB 2415:*

- *notice of student rights regarding bullying*
- *bullying by electronic means ("cyberbullying")*
- *forms for use to report incidents of bullying (required record retention)*
- *reporting of bullying incidents by students*
- *reporting of bullying incidents by employees and consequences for failure to report*
- *documentation of reports*
- *dissemination of information and training of staff relating to bullying*
- *disclosure of investigation data and information*

Courts have been unfavorable to school systems when evidence was shown that policies had not been enforced and/or district staff was inadequately trained. Accordingly, a focus of our administrative staff development in recent years has been the understanding of and proper response to bullying. Appropriate training of district staff includes not only a comprehensive review of legal requirements and the Board’s

policy documents, but also a clear understanding of the duty to be observant of inappropriate student behavior and to diligently respond to such behavior covered under the policies.

In addition to the training of staff, the new law and the policy documents also require that we ensure students are made aware of their rights regarding bullying and how they can report its occurrence. Thus, one of the exhibits to the policy actually consists of a policy summary that will be distributed for posting at each school site. The information is also available in each student's Code of Conduct/Parent Information booklet. This Item will be supplemented by a PowerPoint presentation by Mr. Jaeger that will be used to train staff this year.

Mr. Nelson invited Mr. Jaeger to provide an overview of the recently-passed legislation, House Bill (HB) 2415, that has specific attributes that are noteworthy. [This material was also presented at the Conference referenced in the previous item.]

Mr. Jaeger stated that the Governing Board has been focusing on this issue for several years and implemented an anti-bullying policy – long before this legislation. An important component is the requirement for staff training on a reoccurring basis. Now all employees are to be responsible for enforcing the anti-bullying policies. Notable too, is the greater degree of outreach and responsibility required to educate students and their parents about this subject.

Mr. Jaeger highlighted the training presentation entitled “Bullying: The Realities and Our Responsibilities” describing bullying; some of the components reviewed about bullying were: its characteristics and environment; consequences for the victim as well as for the bully; long-term effects of bullying; understanding victimization and the trust issues by bullied students in relation to their adult leaders as protectors or lack thereof; the importance of reporting bullying events, and, elements of the legislation relating to the revised Policy JICK and associated regulations and exhibits.
[<https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=32736420>]

Mr. Jaeger then played a recent, poignant auto biographical You-Tube video created by a young bullying victim (Jonah Mowry). He highlighted key points. District policy has defined bullying as a strand of behavior that may interfere with a student's ability to receive an education. Bullying can either be direct or in varying forms of cyber-bullying. Bullying was endured for many years; this attitude is changing as research shows the traits of low and high self-esteem in both the victim and the perpetrator; boys are more physical and girls tend to be more social-based involved in cyber bullying; and, can be perpetuated on an individual and/or group perceived to be a weaker victim. Schools seem to have a greater incidence of bullying and since it can happen anywhere on campus, it is important that all staff members are required to participate in the training and, step in when necessary. Intervention is important; to the victim it leads to low self esteem, suicide, health symptoms – but also for the bully, it can lead to a life of crime and violence, etc. Research has been very telling and alarming.

At the conclusion of the video, Mrs. Boros said that she wished that all parents could see the powerful message presented by the video. Schools used to be a place where children learned reading and arithmetic; it is so much more now as is evidenced by the need for these actions. She doesn't want anyone to feel left out like the boy in the video; she wishes courage to all staff in addressing these issues.

Mr. Jaeger added that research also shows that kids don't trust adults because of a lack of action on their behalf; we do not follow up appropriately. It is important that all staff is responsible for stopping bullying. He noted that the law now requires retention of records related to reports on bullying; school districts must now maintain records for six years for historical purposes. This new emphasis is being rolled out with posters; with messages to students that we will deal with it. The District has established a hotline for reporting bullying events.

Dr. Barrabee referenced the District's Mission Statement and specifically, the Values listed therein, “diversity, creativity..., caring, fairness, respectfulness ...” and noted that Respect and Respecting Diversity is critical. These endemic issues within our society are evidenced by the legislature's actions recognizing the importance of this concern. He is hopeful for the direction taken by the District in this endeavor and appreciates the lead taken by the Administration.

Dr. Loomis expressed appreciation for the training and believes it to be a useful tool, adding that she believes that the building leadership will set the tone and direction. She asked to have an update at a future Governing Board meeting about these efforts.

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 Dr. Loomis to approve the Consent Agenda, Items A-Q, as presented. The motion was seconded by Mrs. Boros, and it passed unanimously, 4-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes from Previous Meeting(s)

The Governing Board approved the Minutes from the July 3, 2012 Regular Governing Board Meeting and Executive Session (confidential) and the July 24, 2012 Special Governing Board Meeting and Executive Session (confidential).

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 Vouchers Totaling and Not Exceeding Approximately \$4,628,792.66 (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:

<u>2011-2012 Fiscal Year Encumbrances</u>		<u>2012-2013 Fiscal Year</u>	
Vo. 428	\$2,360,360.59	Vo. 505	\$ 1,375,066.65
Vo. 429	\$ 710,634.21	Vo. 506	\$ 22,495.58
		Vo. 507	\$ 41,162.81
		Vo. 508	\$ 119,072.82

G. Receipt of May 2012 Report on School Auxiliary and Club Balances

Board book information: *Arizona Revised Statutes §§15-1121 and 15-1125 provide for the operation of Student Activity and Auxiliary Operations funds respectively. The Uniform System of Financial Records for Arizona School Districts (USFR) outlines procedures to be followed by school districts in the disbursements of monies from either of these funds. One requirement for the operational compliance is to provide a report to the Governing Board summarizing the transactions for the month.*

The Governing Board received the Monthly Report on School Auxiliary and Club Balances for month-end May, 2012, as submitted (Exhibit 5, pp. 1-8).

H. Approval of Parent Support Organizations for 2012 – 2013

The Governing Board approved the following Parent Support Organizations pursuant to District Policy KBE-R: *Coronado K-8 Performing Arts Booster, Coronado K-8 PTO, Coronado K-8 Football Booster, and Panther Pride Booster Club.*

I. Annual Approval of All Authorized Signatories on District Checking Accounts for the 2012-2013 Fiscal Year

The Governing Board approved the list of authorized signatories on District checking accounts for the 2012-2013 school year, as submitted. (Exhibit 6, page 1)

J. Award of Contract(s) for Automotive Powertrain Parts Based on Responses to Request for Bid (RFB) 11-0072

Board book information: Request for Bid (RFB) 11-0072 was mailed to eleven vendors providing Cummins, Onan, Caterpillar, and Allison Transmission parts. The bid text required vendors to have a stocked warehouse in the Tucson metropolitan area with powertrain parts available for immediate delivery. Six vendor: Rush Truck Center, W.W. Williams, Inland Kenworth, RWC International, Vanguard Truck Center, and Auto Safety House met this requirement. The Transportation Department requested the Onan powertrain parts be removed from this bid award as the State Contract offered best pricing for this commodity.

RWC International provided the lowest cost for thirty of the 37 Cummins, Caterpillar, and Allison parts routinely used by the Transportation Department Garage with Rush Truck Center offering the 'next lowest' unit cost.

The Administration requests authorization to award a primary contract to RWC International and a secondary award to Rush Truck Center. The Transportation Department Garage requires parts' availability on a just-in-time basis. If the primary vendor does not have stock for the required part the department will have the flexibility to purchase from a secondary parts' supplier.

The Governing Board approved the awards of contract for Automotive Powertrain Parts to RWC International, (primary) and Rush Truck Center, (secondary) based on responses to RFB 11-0072.

K. Award of Contract(s) for Yearbook Publishing Services Based on Responses to Request for Proposal (RFP) 12-0003

Board book information: Request for Proposal (RFP) 12-0003 detailed the services required to support a school's annual yearbook publication. A vendor shall provide at a minimum, sales support, graphics & page layout training, Web-based production, Photoshop & InDesign support availability, online ordering & tracking and, marketing & promotion. Services offered and the level of support varies widely between vendors. Based on site requirements one vendor's support staff and marketing program may be optimum.

The Administration requests authorization to make multiple vendor awards allowing district schools to select a vendor based on the services provided. Eight vendors received a copy of the request for proposal. Five vendors responded; Jostens, Tree Ring Yearbooks, Herff Jones, Balfour and Life Touch Publishing. Vendors were ranked based on their response to the evaluation criteria listed in the RFP with an award recommendation made for the top three ranked vendors.

The Governing Board approved the awards of contract for Yearbook Publishing Services for Yearbook Publishing Services to Jostens, Herff Jones, and Life Touch Publishing based on responses to RFB 12-0003.

L. Award of Contract for Transportation Department Employee Uniforms Based on Responses to Request for Bid (RFB) 12-0005

Board book information: Request for Bid (RFB) 12-0005 was mailed to five vendors who provide laundered rental uniforms to vehicle maintenance facilities in the Tucson metropolitan area. The priced cost was to include all delivery and environmental fees. In addition to uniform pants and shirts vendors were asked to provide the cost for shop towels, scrapers, floor mats and fender covers.

<i>Unit Cost</i>	<i>Unifirst</i>	<i>G&K Services</i>	<i>Prudential Overall Supply</i>	<i>Mission Linen Supply</i>
<i>Weekly Cost Per Shirt</i>	\$0.30	\$0.38	\$0.21	\$0.42
<i>Weekly Cost Per Pant</i>	\$0.38	\$0.46	\$0.31	\$0.55
<i>Weekly Cost per Shop Towel</i>	\$0.10	\$0.03	\$0.05	\$0.06
<i>Weekly Cost per 3X5 Scraper Black</i>	\$2.00	\$1.45	\$1.00	\$2.10
<i>Weekly Cost 4X6 Mat Track</i>	\$4.00	\$2.45	\$3.20	\$3.15
<i>Weekly Cost per Fender Cover</i>	\$0.75	\$0.35	\$0.45	\$0.78
<i>Replacement Cost Shop Towel</i>	\$0.60	\$0.40	\$0.35	\$0.40

The Governing Board approved the award of contract for Transportation Department employee uniforms to *Prudential Overall Supply* based on responses to RFB 12-0005.

M. Approval of Textbook(s) for Adoption

The Governing Board approved the following textbooks which have been on display to the public for 60 days in accordance with Section 15-721 of the Arizona Revised Statutes:

TEXTBOOK: Cultural Anthropology – Appreciating Cultural Diversity
 Publisher: McGraw Hill
 Author: Conrad Phillip Kottak

TEXTBOOK: The Western Heritage
 Publisher: Prentice Hall
 Author: Donald Kagan, Steven Ozment, Frank M. Turner

N. Approval of Amendment to Intergovernmental Agreement with the Pima County Health Department for the Provision and Administration of Childhood Immunizations

Board book information: *Absent specific exceptions, Arizona law and District policy JLCB require that school-aged children obtain certain vaccinations prior to attendance at any district school. As a service to the community last year, the District entered into an Intergovernmental Agreement with the Pima County Health Department (PCHD) for the provision and administration of childhood immunization services.*

The IGA permits the PCHD to provide training to district-employed registered nurses in order to qualify the nurses to perform immunization services. Those services are utilized at free school clinics for which the PCHD also provides clerical and technical support, clinical supplies, and preparation of forms and records.

The original Agreement was approved by the Board on August 1, 2007. Pursuant to a Board-approved renewal, it expires on September 11, 2012. The PCHD has requested the Board approve the attached Amendment which would extend that Agreement until September 10, 2013.

The Governing Board approved the extension of Amendment 2 as referenced within Agreement 01-01-A-143270-0919 allowing the Pima County Health Department to provide: training, clerical and technical support, clinical supplies, and the preparation of forms and recordkeeping for back-to-school vaccination services to school-age children from Amphitheater Public Schools’ students. (Exhibit 7, pp. 1-3)

O. Approval of New Course(s)

Board book information: *The attached course proposal(s) are submitted for approval. This course will be offered at the Pima County Joint Technical Education District (JTED) for Amphitheater, Canyon Del Oro, and Ironwood Ridge high schools beginning in the 2012-2013 school year: JTED Central.*

The Governing Board approved the *JTED Central* course at Amphitheater, Canyon del Oro, and Ironwood Ridge high schools beginning with the 2012-2013 school year.

P. Approval of Bond-Related Projects

1. Award of Contract for Architectural Services for Facility Improvements at Nash Elementary School Library Based on Responses to Request for Qualifications (RFQ) 11-0077

Board book information: *Pursuant to the requirements of Arizona Administrative Code R7-2-1118, a Notice of Request for Qualifications (RFQ) for Professional Architectural Services was posted to the Purchasing Department's Web address. RFQ 11-0077 asked for statements of qualifications from interested architectural firms to provide professional architectural services for design, drawings, specifications, budget and scheduling associated with the renovation of the Nash Elementary School Library.*

The scope of work, tenant improvements, includes energy efficient lighting & mechanical systems, phone & data cabling, and space improvements to include flooring, wall surfaces, partitions and a new entry. The evaluation team ranked each of the five responding vendors based on the evaluation criteria listed in the request for qualifications. The top three ranked vendors met with the evaluation team for discussions. The highest ranked vendor was asked to provide certified cost and pricing data for the proposed work. [Board Book holders were provided

The Governing Board approved the award of contract for architectural services for facility improvements at Nash Elementary School's library to *Breckenridge Group Architects* based upon responses to RFQ 11-0077.

Q. Award of Contract(s) for Speech Language Pathologists (SLP) and Speech Language Pathologist Assistants (SLPA) Based on Responses to Request for Proposal (RFP) 11-0082

Board book information: *There is a nationwide shortage of speech language pathologists and speech language pathology assistants, which has created a need to seek consultants from outside of the District. Request for Proposal (RFP) 11-0082 was mailed to vendors registered with the Purchasing Department who provide speech language pathologists and speech language pathology assistants to K-12 education.*

These vendors specialize in recruiting, screening, training and placing these highly trained and certified professionals. Seventeen vendors responded, one of which was deemed non-responsive due to their failure to sign their proposal. The RFP evaluation criteria asked for time in trade, references, hourly billing rates, and sample resumes of speech language pathologists and speech language pathology assistants placed by their company. Lois Blowers from Student Services and Pete Burgard from Purchasing evaluated sixteen vendors eligible for award.

Ten vendors met the requirements for an award of contract: Supplemental Health Care, Core Medical Group, Staffing Options & Solutions, Invo Healthcare, CompHealth, Exceptional Educational Services, STARS, Soliant, Cenpatico, and Team Ed. These vendors provided resumes of candidates deemed eligible for contract employment at Amphitheater Schools, references, time in trade, and billing rates. The Administration requires a large pool of qualified vendors to secure candidates to fill the district's needs. A complete vendor evaluation spreadsheet is on file at the Purchasing Department.

The Governing Board approved the award of contracts for Speech Language Pathologists (SLP) and Assistants (SLPA) to *Supplemental Health Care, Core Medical Group, Staffing Options & Solutions, Invo Healthcare, CompHealth, Exceptional Educational Services, STARS, Soliant, Cenpatico, and Team Ed* based on responses to RFP 11-0082.

4. STUDY⁴

A. Study of Proposed Revisions to Governing Board Policies KD and KHC Regarding Distribution of Third Party Materials in Schools

Board book information: *Issues concerning the distribution of materials to students by third parties continue to arise with increasing frequency. This is perhaps a reflection of changes in advertising strategies made by commercial entities under current economic restraints. From time to time, the District receives complaints from third parties regarding administrative determinations on the distribution of third party materials – both as to materials permitted for and materials excluded from distribution at school sites.*

A review of legal precedents relating to the distribution of third party materials, including a U.S. Supreme Court case, suggests that some revision of existing policies would be beneficial for the District's interests. While there are no statutes mandating the proposed revisions, there is substantial case law suggesting the District would have greater legal exposure without adoption of these changes.

The thrust of each of the presented policy modifications is to focus the District's selection of special-interest materials, release of public information and communications, and distribution/posting of promotional materials on the educational program, including instruction, curriculum and practices which promote the mission and objectives of the schools.

Policy KHC specifically delineates a "limited open forum" (a legal term of art) for the distribution/posting of promotional materials which fall within the parameters determined by the governing board. Importantly, the revision also contains a proscription of personnel basing distribution decisions on the viewpoint expressed in the promotional materials – which can be a violation of constitutional principles. Instead, the policy directs the distribution decision be viewpoint neutral at each level of review.

As the U.S. Supreme Court has ruled, for example, school personnel should not deny religious groups from distributing/posting their material if the material is consistent with material allowed to be distributed/posted by other outside non-religious groups of a similar nature.

To minimize offense taken by some parents and students regarding the content of third party materials, the policies were revised several years ago to only passive distribution -- by posting materials on a bulletin board or on a table for pick-up by those parents or students who want them. No change is made in this respect.

The most significant proposed revision in the drafts is the addition of a new section in Policy KHC that would provide for an alternative dispute resolution process that would provide an administrative relief venue prior to any dispute being pursued in the courts. This would operate to minimize unnecessary legal process and encourage more prompt resolution of any complaints that might arise.

Mr. Nelson invited Mr. Jaeger to provide an overview on the three Study agenda items.

Mrs. Boros recommends changing verbiage to maintain uniformity within all policies; specifically, when verbiage reads "'The Superintendent" has the responsibility ... "' she would like clarification and consistency shown by adding "or designee" so that verbiage reads, "The Superintendent or designee" There were no additional comments.

This item will return at a future Governing Board meeting for review/approval.

B. Study of Proposed Revision to Governing Board Policy JQ Regarding Student Fees, Fines and Charges

Board book information: *While the Arizona Constitution, in accordance with the Enabling Act of 1910, prescribes a free public education in the State's K-12 system, schools are permitted to charge and assess limited fees and other charges to support extracurricular programs and other activities which exceed the requirements of state-mandated curriculum and programming.*

The Governing Board provides for this reality in Policy JQ. The Board, through its policy, also recognizes that some families may have financial constraints that preclude their ability to pay fees, however limited they may be. A.R.S. 15-342 extends authority to the Board to charge fees, but requires that authority be provided to school principals to waive all or a part of any fee fees in circumstances where assessment would create an economic hardship for a specific student.

Existing Governing Board Policy Exhibit JQ-E already provides for this waiver potential, but it is recommended the Board adopt the revision to Policy JQ shown in the attachment to make this authorization a clear expression of the Board's policy. (Policy exhibits do not carry the force of policy).

Mr. Jaeger stated that there is only a minor change herein; specifically, there is additional verbiage as follows: (page 115, paragraph 1, insertion of the last sentence) ["The Board delegates to the Principal the authority to waive the assessment of all or a part of any fee if it creates an economic hardship for a specific student."](#) Mr.

Jaeger explained that this is in support of federal and state laws that are in effect to ensure that students are not deprived of their opportunity to participate in the educational program due to an economic barrier. He recommended leaving the authority at the site level (principal) for expediency and more informed.

Mrs. Boros concurred. Mr. Jaeger responded to an inquiry from Mrs. Boros, stating that considerations are made on a family/student basis. There were no additional comments.

This item will return at a future Governing Board meeting for review/approval.

C. Study of Proposed Revisions to Governing Board Policies GBECA (New), JICH, and KFA Regarding Possession and Use of Drugs, Alcohol, and Medical Marijuana by Staff, Students and the Public, Respectively

Board book information: *In November of 2010, the Arizona voters passed Proposition 203, the Medical Marijuana Act (the Act). The Act allows a patient who has a debilitating medical condition to obtain an allowable amount of marijuana from a nonprofit medical marijuana dispensary to use and possess the marijuana for debilitating medical conditions, with the exception of certain locations.*

Arizona Revised Statutes § 36-2802 prohibits a person from possessing or engaging in the medical use of marijuana on a school bus, on the grounds of any preschool, primary or secondary school and in any correctional facility. Arizona House Bill 2349, signed into law during the last legislative session, amplifies this statute and prohibits the possession or use of marijuana on school and university campuses within the State of Arizona, regardless of the status of possessor or user as a medical marijuana cardholder. The bill was passed into law in response to federal law provisions that could have jeopardized federal education funding absent such passage.

In the proposed revisions contained in the attachments to this item, Governing Board policies would be changed in several respects. First, an entirely new medical marijuana policy would be adopted for employees – GBEAC. This specific draft will be shared with the Amphitheater Education Association through the streamlined meet and confer process permitted by policy. Its adoption should not be delayed until the normal meet and confer process concludes, due to the need for compliance with state and federal law.

Second, a proposed revision to JICH is included to prohibit medical marijuana use, possession or distribution by students on school premises. The Board just recently revised JICH through the general policy review process, but additional changes are now recommended. The proposed changes, we believe, create relevant policy that can be much more simple and direct given the clear prohibitions stated in HB 2349.

Finally, Policy KFA applies the proscriptions of HB 2349 to the general public.

Mr. Jaeger responded to an inquiry by Mrs. Boros, stating that due to time constraints, the proposed verbiage change can be made in this expedient method (outside of the Meet and Confer process) due to an existing provision under Governing Board policy. These types of changes may take place when (typically) they include/involve Mr. Jaeger, and at least, the Association's president.

Mr. Jaeger stated that as this law becomes a reality, there is a need to address the legality of the use, possession, or distribution of medical marijuana on District premises. There is much misinformation and misunderstanding surrounding this law; it does not excuse the violation of governing board policies in place, which govern or operate school campuses within local school districts. If the Board wishes to alter the current policies, then action is necessary to change policies: JICH (student related); GBECA (employee/staff related); and, KFA (visitors/guests to District facilities). Simply stated, the proposed changes provide for the prohibition of such use; no one is permitted to use, possess, or distribute medical marijuana. This would be in addition to the existing policies regarding the prohibitive use of drugs or alcohol (District premises).

Mr. Fife, President of AmphiEA, thanked Mr. Jaeger for the advanced notice of proposed language in order to afford some time for review and feedback. He noted their recommendation of additional verbiage to the existing sentence (page 117, paragraph 1, 2nd sentence), as follows: Employees determined to be in possession of, using, or abusing drugs or alcohol **“on District property or at District-sponsored events”** shall be reported immediately to the employee's supervisor.

Dr. Barrabee sought clarification in discerning the application of non-medical marijuana use on District facilities. Mr. Jaeger added that other policies are in place that prohibit being under the influence while on duty or at work. This policy reinforces and clarifies the understanding that District policy supersedes the permission of an employee's use or privilege of medical marijuana; simply, that card is not valid on school property.

Discussion ensued.

Mr. Jaeger stated that the intention herein is to reconcile between non-medical and medical-use of marijuana rather than certain drug-related behavior, which might be a reportable offense and those event(s) are addressed in other policies.

Dr. Barrabee expressed apprehension between the conflict between federal and state laws regarding this medical use. Mr. Nelson responded that this policy makes the District consistent with state law; it is illegal to use medical marijuana on campus to include properties (i.e. school busses). The District must be aligned with state law.

Mrs. Boros strongly recommends exercising caution and staying within the letter of the (state) law.

5. INFORMATION²

A. Report on Arizona School Boards Association (ASBA) Summer Leadership

Board book information: *Mrs. Susan Zibrat, Governing Board Vice President attended the ASBA Summer Leadership Institute in Flagstaff, July 26-28, 2012.*

Mr. Nelson introduced Mrs. Zibrat, who was invited to provide an overview of her attendance at the ASBA Summer Leadership conference.

Mrs. Zibrat stated that the theme at this year's conference was Leading Together and Tackling Today's Big Issues as a Team . . . “.

Mr. Geoff Esposito, the new Government Relations Analyst at ASBA, working with Janice Palmer, was introduced and addressed the group. He will serve as a political liaison between school district representatives and legislators. She has already noticed his influence in ASBA communications.

The keynote speaker was Mr. Larry Johnson, author of *Absolute Honesty Building a Strong Team Culture that Values Straight Talk and Rewards Integrity*. She recommends him as a possible speaker at the next Effective Teaching Conference.

A team from Dysart school district – a leader in educational technology, spoke about moving the District's philosophy from a teacher-centered to a student-centered environment. That district has leveraged their resources by allowing their student-owned devices to be used during instruction. She also recommended that group as a possibility for the next Effective Teaching Conference.

A general session entitled *How Achievement Gap Will Impact Arizona's Future* by Mr. Bill Hart, Senior Policy Analyst, from Arizona State University's Morrison Institute; he sees the achievement gap as a driving force in Arizona's economy.

She highlighted other sessions *Handling Difficult Conversations, Keys to Stopping Bad Behavior* by Larry Johnson, presenter with Progressive Executive Education and *Financial Leadership on the Board* by Chuck Essigs, Director of Government Relations at ASBA.

Preparing America's Students for College and Career by Dr. Ildiko Laczko-Kerr, Vice President of Academics for the Arizona Charter Schools Association; this topic is related to Arizona Common Core standards. Mrs. Zibrat was impressed and intrigued by the presentation; the speaker recommends that public educators move to assume the initiative and take leadership in this arena.

Mrs. Zibrat appreciated the opportunity of attending this event. She also commended the District's staff on their current preparations and efforts related to the Common Core Standards.

Mrs. Boros expressed appreciation to Mrs. Zibrat for attending the conference on behalf of the Governing Board.

Mrs. Boros hopes that ASBA understands their responsibility to communicate beyond the legislative bubble so as to direct public attention and support on Education and grasp the roles that legislators play in the vision and influence on Education within Arizona.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

There were no new Board Member requests.

Mrs. Boros noted the Board Retreat scheduled for Thursday, August 16th.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

A motion was made by Dr. Loomis that the Board Meeting be adjourned. Dr. Barrabee seconded the motion; and it passed unanimously, 4-0. Mrs. Boros declared the meeting was adjourned; the time was 9:15 p.m.

Respectfully submitted,
Margaret Harris

Mrs. Diana Boros, President

Date

Approved: 8-21-12