

**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, September 4, 2012, 5:00 p.m.

Board Members Present

Mrs. Diana Boros, President
Mrs. Susan Zibrat, Vice President
Dr. Kent Paul Barrabee, Member
Mr. Jeff Grant, Member (arrived at approximately 6:00 p.m.)
Dr. Linda Loomis, 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 5:00 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: None at this time.
2. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding: a. Student # 30012963; b. Student # 30037483; c. Student # 30027412; d. Student # 30001518; e. Student # 10805434; f. Student # 30001056; and g. Student # 10905013.

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. Dr. Barrabee 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 Mr. Grant and seconded by Mrs. Boros that the meeting reconvenes into open session; the motion passed, unanimously, 5-0. Mrs. Boros declared the meeting in open session. The time was 6:47 p.m. [Mr. Grant arrived during Executive Session.]

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Mrs. Boros reconvened the meeting 6:47 p.m. and asked members of the audience to sign the visitors' register. Procedures for addressing the Board were described.

Pledge of Allegiance

Mr. Foster Hepler, Principal from Mesa Verde Elementary School introduced the following students: Alyson Matthews, Lillian Parrish, Sean Teal, Colin Lake, and James Johanntoberns. They led the Pledge of Allegiance and each student was presented with a Certificate of Commendation.

Dr. Barrabee acknowledged the Art Display in the Board Room. He commended the Mesa Verde School students and art teacher, Jill Coulter, 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, September 18, 5:00 p.m., Wetmore Center, 701 W. Wetmore Road.

PUBLIC COMMENT

There were no comments from the public.

2. RECEPTION FOR NEWLY APPOINTED ADMINISTRATORS - 15 minute Recess

Mr. Nelson introduced the newly-appointed administrators for the 2012-2013 school year:

Monica Nelson, Associate Superintendent
Michael Bejarano, Executive Director of Secondary Education
Roseanne Lopez, Ed.D., Executive Director of Elementary Education
Steve Duley, Ph.D., Assistant Director of Special Education
Chris Gutierrez, Principal, Holaway Elementary School
Mike Szolowicz, Principal, Ironwood Ridge High School
Mary Kolsrud, Assistant Principal, Prince Elementary School
Brent Spencer, Assistant Principal, Wilson K-8 School
Jayne Huseby, Instructional Support Assistant, Language Acquisition
Albert Malis, Instructional Support Assistant, Ironwood Ridge High School
Annette Orelup, Instructional Support Assistant, Amphitheater Middle School
Paul Schmidt, Instructional Support Assistant, Rillito Center

Mrs. Boros welcomed the new administrators and called a recess at 7:00 p.m. She extended an invitation to everyone in attendance to partake in the reception and to welcome the honorees.

Mrs. Boros reconvened the meeting at 7:21 p.m.

Mr. Nelson introduced the following representative team members from both the Amphitheater Education Association (AmphiEA) and then District Administration:

- John Fife, Mike Robinette, Kat Pivonka, Rob Walker (not in attendance), Brande Golden, Kevin O'Driscoll, and Dolly Pivonka.
- Jon Lansa, Andy Heinemann, Dr. Roseanne Lopez, Todd Jaeger, Monica Nelson, Marc Lappitt, and Tom Gil (not in attendance).

Mr. Nelson expressed appreciation to the team members for their commitment to the Interest-Based Bargaining (IBB) process used.

Dr. Barrabee commended team members as well.

3. 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: A GMP for this project has been approved. Construction documents are complete and are being reviewed by the City of Tucson for permitting. Currently, selective demolition is ongoing as the first phase of construction.

B. Canyon Del Oro High School Addition / Remodel: Construction is 65% complete. Work is in progress in the following areas: Kitchen remodel is 75% complete and is expected to be complete in early October. "C" Building addition is 75% complete and expected to be complete for occupancy after intersession break in October. "J" Building restrooms are 33% complete and are expected to be complete in early October. Inner campus security fencing is installed, in use, and final painting is wrapping up now. Technology re-cabling is in process as night and evening work.

C. Canyon Del Oro High School Stadium Renovation: This project is complete and the stadium is in use. This project was completed on schedule and on budget.

D. Amphitheater High School Renovations: Design Development drawings are being completed for review and comment by Amphi FSS staff.

E. Holaway Elementary Classroom Addition: Design Development drawings are being completed for review and comment by Amphi FSS and Technology staff.

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

G. Nash Elementary Library Renovation: Programming has started with the Nash staff, Amphi Bond Department, and the architect of record.

B. Update on Amphitheater Foundation

Mrs. Heidi Radtke, President of the Amphitheater Foundation, provided a brief history of the Foundation. The Foundation's Mission is to promote academic excellence through the expansion of resources enriching students' education, their development, and their well-being. Ms. Radtke reviewed the student programs that have been established to provide resources to District students. She highlighted some of the programs, such as: the Clothing Bank, MathPLUS+, scholarships and sponsorships for academic competitions and athletic participation as well as, funding of the 21st Century Classroom Initiative that provides classroom technologies, such as SMART Boards. Corporate partnerships have been established with companies, such as: BHP Copper, Inc., Oro Valley Community Foundation, Tucson Conquistadors in addition to those relationships with community groups, such as: Marion Triem, Drs. Carla and Robert Springer, PTO's, and many other volunteers. Several fundraising efforts are on-going in support of funding these programs, such as: The Clothing Bank, Sequel's Upscale Resale Boutique, and annual events such as the Amphi Foundation Gala, Bowl-a-thon, and personal contributions. Current efforts are responding to an immediate need at the Clothing Bank, which receives clothing, small housewares, linens, etc., via a Stuff the Bus Clothing Drive ending September 8th. Ms. Radtke also announced next year's Gala, which is scheduled on March 9, 2013 at the Hilton El Conquistador Hotel in Oro Valley.

Mrs. Radtke also noted that the Board of Directors is motivated to renewing their efforts and focus to succeed in the Foundation's mission.

Dr. Barrabee commended Mrs. Radtke for her commitment to the organization and her uplifting presentation.

C. Status of Override Expenditures

Board book information: *On May 17, 2005, voters in the Amphitheater School District originally approved a 10% override for the Maintenance and Operations budget. This override provided for increased electives at secondary schools, enhanced art, music, and physical education at the elementary level, and reduced class sizes at all buildings, in addition to extended learning opportunities after school and during the summer. This Override was renewed by the voters on November 3, 2009 and the original goals have been maintained.*

Mr. Nelson stated that pursuant to a statutory requirement, it is again time to provide the annual, public review of the M & O (10% override) program expenditures; he introduced Mrs. Nelson to provide that overview.

Mrs. Nelson provided a historic outline of these voter-approved initiatives; the original passed on May 17, 2005 and was then renewed by voters on November 3, 2009. She stated that the District has benefited from the fortunate support by Amphi voters. During this most-recent initiative, the District has received the following funding amounts: \$7,537,044. in 2009-2012; \$7,089,690. in 2011-2012, and an estimates \$ 7,050,000. for 2012-2013 Mrs. Nelson reviewed a chart displaying detailed funding amounts and provided brief updates for each of these programs. She added that the District has been fiscally responsible with the revenue generated by the Override and reiterated the appreciation to the voters for their support. These funds have advanced the issues identified in the original ballot measure, as follows: (reduced) class size; maintaining electives at the middle and high school levels; maintaining a strong/advanced placement program; art, music, and physical education (P.E.) programs at the elementary level; and, the expansion of internship programs at the high school level; maintaining academic assistance; maintaining school facilities equipment (HVAC and technology related); and, continued efforts to attract and maintain staff. Interventions, such as summer school, after-school, and Saturday programs, have proven successful to student achievement. A report on the 2012 summer school program is currently scheduled for the October 2nd Board Meeting.

Dr. Barrabee expressed appreciation to Mrs. Nelson's for her heartening report.

D. Review of Enrollment Projections and Actual Enrollment for Current (2012-2013) School Year

Board book information: *Each year, the District projects enrollment for the subsequent fiscal year as a key component for budget planning resource allocations. Previously, the District relied upon a 2007 growth study which the Board commissioned to predict enrollment expectations, and that study was initially a fairly accurate predictor of school population trends immediately following its completion. Within a relatively short period of time, however, the unanticipated economic and demographic changes in our community dramatically affected the reliability of that growth study.*

As a consequence, in more recent years, our projections have been based upon student cohort information, combined with other demographic information, such as expected property development in neighborhoods served by individual schools, anecdotal data from schools on population trends, etc.

This item compares the projections made for the current school year with the current actual enrollment. In the attached table, it is evident that enrollment is slightly higher than anticipated, though it is also notable that this increase is largely attributable to a few schools and their open enrollment students. It should also be noted, however, that our enrollment is considerably down at some schools. As we near the Labor Day mark, we may expect an additional but small spike of, as some families do not return to school until after that holiday.

The numbers presented count each Kindergarten student as a 0.5 FTE student, in accordance with the state's funding formulas.

Mr. Nelson invited Mr. Jaeger to provide an overview of enrollment projections for this school year.

Mr. Jaeger displayed a chart illustrating comparisons between originally-projected enrollment figures for FY 2012-2013 with those of actual enrollment of August 27, 2012, two weeks after the start of school. He reviewed the information. He described the use of bond expenditures and the resulting equity throughout the District. Some increases and decreases between the numbers reported, which are to be expected. A decline can be aligned with drops in some areas along with general population trends.

In response to an inquiry by Dr. Loomis, Mr. Jaeger stated that El Hogar enrollment figures are reflected in the enrollment numbers at their home schools.

Mrs. Boros stated that she has been receiving mail regarding re-districting within the District affecting Walker Elementary School.

E. Review of Property Tax Rates

Board book information: *A PowerPoint presentation on the fiscal year 2012-13 Property Tax rates will be provided.*

Mr. Nelson invited Mr. Little to provide an overview of the Tax rates and related Assessed evaluation.

Mr. Little displayed a PowerPoint presentation. He noted some key factors that have happened in the last couple of years that are affecting property taxes, such as a decline in property values. The system uses two-year old valuation figures to assess the Primary (limited) and Secondary (full cash value) values. He reviewed 'Property Value by Classification' between 2007 and 2012. He noted increased rental-property numbers and the correlation between those properties and those of owner-occupied and vacant land and the impact on revenue shares. The District remains primarily a residential tax base. He highlighted how tax rates are determined; tax rates are shown as "per \$100. of assessed valuation." He reviewed information displayed on several charts: a 'Pima County Tax Rates' chart showing comparative detail among ten (10) local school districts (Amphi: Primary: = 4.0830; Secondary: 1.4709; and, Combined: 5.5539); a 'Detailed (tax) Rate Amounts' chart; and a 'Comparison of Combined Rates' chart. He noted that delinquent tax collections are becoming more current. [The presentation is available for review via this link:
<https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=32853634>]

Dr. Barrabee inquired about various methods of distribution by other local school districts. Mr. Little explained that those decisions are at the direction of local district leadership.

Mrs. Boros asked to have the presentation uploaded to the District's website.

F. Discussion of U.S. Department of Education No Child Left Behind (ESEA) Waiver for State of Arizona

Board book information: *In September 2011, President Obama announced that the Administration would consider granting states waivers of certain provisions of the Elementary and Secondary Education Act, also known as the No Child Left Behind Act, in exchange for state commitments on other issues. In February of 2012, the Arizona Department of Education filed a request for waiver, together with 26 other states and the District of Columbia. In July, the Administration granted Arizona's waiver request. Highlights of the approval include:*

- *Waives the requirement to make determinations of Adequate Yearly Progress for both schools and LEAs.*
- *Extends the 2014 target for 100% proficiency in reading and mathematics to 2020, but with the intention of developing and adopting a new Student Growth Target initiative.*
- *Eliminates the requirement to identify for improvement, corrective action, or restructuring both schools and LEAs.*
- *Defines and identifies schools needing improvement more appropriately, thus allowing efforts to be targeted and determined.*
- *Eliminates the fiscal consequences of NCLB accountability directing schools or LEAs to spend up to 30% of an LEA's Title I funds and 10% of each school's Title I funds on specified improvement-related activities; providing needed flexibility at the local-level so funds and improvement efforts may be directed and focused.*
- *Removes the fiscal consequences of Title II-A accountability, as outlined in Section 2141(c), requiring LEAs to spend Title II funds on specific activities related to highly qualified teacher improvement plans.*

Mr. Nelson invited Mr. Jaeger to provide an overview of the board book materials.

Mr. Jaeger displayed a PowerPoint presentation that was a copy of a document provided by the Department of Education entitled, "ESEA Flexibility Request – Arizona Overview." He noted that The ESEA (The Elementary and Secondary Education Act of 1965) had been amended in 2001 when it became well-known as No Child Left Behind (NCLB). Mr. Jaeger provided a historic update on the events leading up to the offer of waivers by the U.S. Department of Education. Currently, 33 states plus DC have been approved for these conditional waivers. There are twelve specific ESEA provisions, which center primarily on the NCLB achievement requirements. Generally, states have been given an extension to reach the goal of 100% proficiency in reading and mathematics to the year 2020 (currently reads 2014). Mr. Jaeger reviewed the other terms of the waiver and its implications for the District. Mr. Jaeger noted that policy-related implications may require Board action in the future to accommodate the four stated principles. [State of Arizona ESEA Flexibility Request: <http://www2.ed.gov/policy/eseaflex/approved-requests/az.pdf>]

Dr. Barrabee expressed concerns about potential disapproval by staff to certain requirements.

Mr. Nelson noted the elimination of requirements for determining Adequate Yearly Progress (AYP).

Mr. Jaeger responded to an inquiry by Dr. Barrabee regarding possible transportation requirements related to parental freedom in choosing which school within the District their children attend.

4. 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 Mr. Grant, and it passed unanimously, 5-0. Appointment of personnel is effective, provided all district, state, and federal requirements are met.

A. Approval of Minutes

The minutes of the August 21, 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 Addendum to 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 \$4,488,012.07 (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:

2011-2012 Fiscal Year Encumbrances

Vo. 432 \$ 9,719.03

2012-2013 Fiscal Year

Vo. 515 \$ 351,154.65	Vo. 516 \$ 392,728.18
Vo. 517 \$ 149,851.61	Vo. 518 \$ 673,615.80
Vo. 519 \$2,910,942.80	

G. Acceptance of Gifts

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

H. 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: Copper Creek Elementary School PTO, Cross Middle School PTO, Harelson PTO, FO Holaway PTO, Keeling – Parent Teacher Organization, Prince Elementary School PTO, Rio Vista - Family Teacher Organization, Lulu Walker PTO, CDO Baseball Booster Club.

I. Receipt of June 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 approved the Report on School Auxiliary and Club Balances for June, 2012, as submitted. (Exhibit 6, pp. 1-8)

J. Approval of Textbook(s) for Display

The Board voted to place the following textbook on display for a period of 60 days, as of July 5, 2011, in accordance with A.R.S. §15-721: TEXTBOOK: Hospitality and Tourism Management Program, Year 1
Publisher: The American Hotel and Lodging Institute Author: The American Hotel and Lodging Institute
Price: \$80.00

K. Approval of Out of State Travel

Out of state travel was approved for students and staff (source of funding indicated): from Ironwood Ridge High School to take 36 students from Cross Country to participate in a meet at Mt. Carmel in San Diego, CA September 14-16, 2012 (tax credits and club funds); from Ironwood Ridge High School to take 16 students from Women's Varsity Volleyball to a Volleyball tournament in San Diego, CA, September 20-23, 2012 (tax credits and club funds); from Ironwood Ridge High School to take 16 students from the Wrestling Club to the Reno Tournament of Champions in Reno, NV on December 13-16, 2012 (tax credits and club funds); from District Offices to take 8 students from the Native American Education Program to American Indian Science Engineering Society (AISES) National Conference in Anchorage, AK, October 31-November 4, 2012 (federal funds).

Out of state travel was approved for staff: from District Offices to visit the Thomas Bus Factory in High Point, NC, September 24-26, 2012 (all expenses paid by Thomas Manufacturing-except for meal which will be paid by maintenance and operations funds); from Amphitheater High School to attend the Link Crew Follow-Up Training in Laguna Hills, CA, September 11-12, 2012 (federal funds designated for staff development); Amphitheater High School, Ironwood Ridge High School and Canyon del Oro High School to attend the National Career Pathways Network Conference in Richmond, VA, October 16-19, 2012 (CTE funds designated for staff development); from Canyon del Oro to attend the International Baccalaureate Workshop in Atlanta, GA, October 10-13, 2012 (federal funds designated for staff development); from Canyon del Oro to attend the International Baccalaureate Workshop in Los Angeles, CA, October 19-22, 2012 (federal funds designated for staff development); from Rio Vista Elementary School to attend the No Excuses University Conference in San Diego, CA, October 14-17, 2012, (federal funds designated for staff development).

Travel was previously approved at the May 8, 2012 Board meeting for staff from La Cima Middle School to attend the Advancement Via Individual Determination (AVID) Summer Institute in Philadelphia, PA, July 29-August 2, 2012, one staff member was unable to attend and replaced by another staff member.

L. Approval of Grant(s)

The Governing Board approved the following grant on behalf of Amphitheater High School in the amount of \$2,000. from the Arizona Commission on the Arts to be used towards the purchase of supplies.

M. Approval of Intergovernmental Agreement Between the District and the Town of Oro Valley Regarding School Resource Officers (SROs)

Board book information: *For several years, the Town of Oro Valley Policy Department has, with District approval, placed police officers as school resource officers in District schools. Initially placed in the District's high schools and then at other schools, the SROs provide invaluable service by protecting the safety of students and staff while also encouraging positive behaviors among students through their visible presence and the mentoring and educational roles they serve at their schools.*

SRO programs across the country have proven the benefits of a police presence on school campuses through prevention of or reductions in school violence, drug use, and other illegal activity.

The presented agreement would continue the cooperation of the District and Town in serving their common community through this program of outreach and safety for the community's youngest constituents.

Terms include the District's contribution of \$70,000 toward TOWN costs incurred in its employment of the law enforcement officers who serve in an SRO capacity – support the District has contributed for several years. The term of agreement for the current fiscal year would be renewable for next fiscal year as well.

The Governing Board approved the IGA between the Town of Oro Valley and the District for SRO's to be continued through this fiscal year and next. (Exhibit 7, pp. 1-8)

N. Approval of Affiliation Agreement between the District and the Arizona Board of Regents on Behalf of the University of Arizona School of International Languages, Literatures and Cultures

Board book information: *The University of Arizona (U of A) Department of School of International Languages, Literatures and Cultures (SILLC) has requested to participate with the District in providing University students the opportunity to earn college credit through an unpaid internship observing and working with professional teachers at Amphitheater High School.*

SILLC students study foreign languages and other disciplines; they are considering careers as educators, interpreters and/or translators. Their experience at Amphitheater High School can obviously be very beneficial to their learning and can help inform their career decisions. In turn, their association with Amphitheater High School can provide a valuable avenue for the school's recruitment of teachers.

University intern candidates must be juniors or seniors in an SILLC major with a minimum 3.2 cumulative GPA at the time of internship and at least 3 units in the major already completed at the 400 course level. As part of the program, the Interns are required by the University to complete a total of 90 hours of work at AHS during the semester. The Interns are required to write an internship report (20 pages of text, typed, double-spaced) turned in to the SILLC faculty member sponsor. Their grade will be based on internship report evaluated by the faculty member and on the intern's on-site performance evaluated by their on-site supervisor, the AHS teacher.

University students will receive fingerprint clearance prior to working with District students. Their instructional activities at Amphitheater High School will be under the professional supervision of District staff.

The Governing Board approved the Agreement between the Arizona Board of Regents on behalf of the U of A and Amphitheater Unified School District No. 10 for unpaid internships through work with professional teachers at Amphitheater High School. (Exhibit 8, pp. 1-6)

O. Approval of Affiliation Agreement between the District and the Arizona Board of Regents on Behalf of the University of Arizona Department of Speech, Language, and Hearing

Board book information: *The University of Arizona Department of Speech, Language, and Hearing has requested to participate with the District in providing coordinated clinical, education, research and public service programs for the education and training of University student externs, in the fields of speech, language and hearing. The University and District have worked together in this manner previously. This cooperative relationship is beneficial to both parties, in that it provides an opportunity for the University externs to gain meaningful, practical working experience and also provides the District with opportunities for recruitment of personnel into positions which can be difficult to fill.*

The University externs will receive fingerprint clearance prior to working with District students, and the administration of clinical services or patient care at District schools will be under the professional supervision of District staff.

If approved, the term of this Agreement will be until July 31, 2013 with renewal and extension each year. The University's form of agreement provides that it "shall automatically be renewed each year; except that either party may at any time with or without cause cancel this Agreement with four (4) months advance notice in writing." (The University requires automatic renewal language in its Agreements.)

Approval of the attached Agreement will permit the University of Arizona to provide speech, language and hearing services to District students, while at the same time providing education and training to their own students.

The Governing Board approved the Agreement between Arizona Board of Regents on behalf of U of A and Amphitheater Unified School District No. 10 to provide speech, language and hearing services to District students. (Exhibit 9, pp. 1-6)

P. Award of Contracts for Student Travel Services Based on Responses to Request for Proposal (RFP) 11-0074

Board book information: *The District requires the services of vendors who provide package student travel services to band and orchestra competitions and other educational venues to include historical, scientific, natural history and cultural sites. Travel services may include transportation, lodging and meal service.*

Responding vendors were evaluated on the travel itineraries offered, security provided, educational opportunity, and cost per student. Security required including bus company DOT safety record and hotel security, (monitored interior hallways, no balconies, or first floor rooms, etc.). Six vendors responded.

One vendor provided a late bid and the other did not include their transport company's DOT rating. The remaining four vendors all demonstrated their ability to provide student travel services to K-12 students. The Administration recommends the Governing Board approve the award of contracts to Southwest Road Trips, Project Exploration, Forum Music Festivals and EPN Travel Services. District schools may then select a vendor based on their availability, venue options, educational experience and the cost per student.

The Governing Board approved the award of contract for Student Transportation Services to: Southwest Road Trips, Project Exploration, Forum Music Festivals, and EPN Travel Services based on responses received to RFP 11-0074.

Q. Approval of Disposal of Surplus Property via PublicSurplus.com

The Governing Board approved the proposed list of surplus property (provided to Board Book holders) be sold at online auction via PublicSurplus.com.

R. Approval of Project EXCELL! Pay Out Corrections

Board book information: *The review process for the June 2012 Project EXCELL! payout is complete. The following participants will receive additional award payments based on the results of the reviews. Review Process Corrections: Brett Daglio \$833.33, Scott Floyd \$500, Alan Merrill \$300, Sue McDonnell \$372.92, Karen Rakowiz \$31.25, Marnie Spillane \$200, Lisa Mangelsdorf \$500, Patricia Steward \$500.*

The Governing Board approved the payout corrections as determined by the Review Process to the participants, as listed above.

S. Approval of School Facility Board (SFB) Capital Plan

The Governing Board approved the proposed SFB FY 2013 Capital Plan for submittal to the School Facilities Board (SFB) pursuant to A.R.S. §15-2041 B, as submitted. (Exhibit 10, pp. 1-2)

5. STUDY⁴/ACTION

A. Determination of Governing Board Input Regarding Development of Arizona School Board Association (ASBA) Top Ten Legislative Priorities for the 2013 Legislative Session(s)

Board Book information: *The Governing Board has previously considered and determined its proposals for the 2014 legislative agenda of the Arizona School board Association, and the Board sent delegates (Members Dr. Kent Barrabee and Ms. Susan Zibrat) to represent the District at the ASBA Delegate Assembly on June 25, 2012. At that assembly, ASBA developed a legislative action agenda – the list of legislative issues identified by the Assembly for active pursuit by the organization. This list, of course, is drawn from the proposals received from the member districts – as interpreted and recommended by an ASBA committee and the organization's legislative services personnel.*

ASBA is now requesting that each of its member Governing Boards provide the organization with input regarding the prioritization of the legislative goals that were determined at the Assembly. ASBA specifically requests that each Governing Board pick their "Top 10" legislative goals from among ASBA's identified listing.

As Board members will recall, one component of the services provided by ASBA to its members is lobbying and advocacy at the state level. This is done on a statewide basis, typically based upon input derived from the delegate assembly. This will be the second year that ASBA has used this third step of asking member boards to submit their "Top Ten" preferences.

The ASBA list of priorities is attached. The Board is requested to select its "Top Ten" for feedback to ASBA.

Note: In addition to providing input for the development of ASBA's legislative agenda, the Amphitheater Governing Board has long established its own legislative priorities to guide and direct District representatives in their communications with Arizona legislators. This guidance ensures that communication with state law makers is consistent with the Board's philosophies and the District's mission. This also provides an avenue for our District to have a voice that extends beyond the sometimes not fully representative voice offered by ASBA at our state capitol. The priorities set for the District are separate from, but may overlap, those adopted by the Arizona School Board Association.

The Board will review and determine the District's separate legislative agenda at its meeting of October 2, 2012.

Mr. Nelson invited Mr. Jaeger to provide an overview of ASBA's proposed 2013 Political Agenda Priorities.

Mr. Jaeger reviewed the process and the timeline necessary for Board action. He also reviewed Open Meeting Law (OML) information resulting in general discussion. Board members submitted items for consideration. ASBA is asking governing boards to submit their top ten priorities for consideration for the SY 2013 Political Agenda; the Board proposed eleven items. Mr. Jaeger will return to the Governing Board with recommendations for approval at their September 18, 2012 Governing Board meeting.

6. STUDY⁴

A. Review of Proposed Revisions to Governing Board Policies and District Regulations Developed through Meet and Confer Process and Pertaining to Section G Regarding Personnel

Board Book information: *Representative teams from both the District administration and the Amphitheater Education Association have met and conferred over employment-related policy matters for district staff. These discussions resulted in proposed revisions to the following policies:*

- GBEAA – Staff Conflict of Interest
- GBEB – Staff Conduct
- GBEBB-R – Staff Conduct with Students
- GBED – Smoking by Staff Members
- GBGCA – Wellness Programs
- GBGCA-R – Wellness Programs
- GBGCB – Staff Health and Safety
- GCB – Professional Staff Contracts and Compensation
- GCMF – Professional Staff Duties and Responsibilities
- GCQC – Resignation of Professional Staff Members
- GCQFA - Discipline, Suspension and Dismissal of Professional Staff Members
- GCQFA-R - Discipline, Suspension and Dismissal of Professional Staff Members
- GDQD-R – Discipline, Suspension and Dismissal of Support Staff Members

Additions to policy are indicated by blue text. Deletions are indicated in red text. It should be noted that the proposed modifications include movement of existing text within the current policy or regulation. Thus, some additions or deletions simply reflect text being deleted from one area of the current policy and moved to another part.

Mr. Nelson invited Mr. Jaeger to provide an overview of the proposed revisions introduced herein.

Mr. Jaeger noted that the majority of changes are related to staff conduct resulting in disciplinary consequences either by way of dismissal and/or letters of reprimand as mandated by legislative changes.

Dr. Barrabee inquired about satisfaction levels by the two participating teams.

Mr. Jaeger noted that the groups have come to agreement; the product is the result of the relationship and work done together in the 'interest based bargaining' (IBB) process that reached consensus.

Mr. John Fife, President of AmphiEA, addressed the Governing Board. He stated that this has been an involved process; consensus was reached and that in all cases the teams were in unanimous agreement.

Dr. Barrabee congratulated the teams and their efforts in this successful process.

B. Study of House Bill 2823 Regarding Evaluation Systems for Teachers and Principals and Timeline for Implementation of New Evaluation Systems

Board book information: *At its June 19, 2012 meeting, the Governing Board was presented with information regarding House Bill 2823 which was passed in the second regular session of the 2012 Arizona Legislature and signed into law by Governor Brewer on April 12, 2012. That presentation described the myriad of provisions found in HB 2823, as well as some of the existing provisions found in A.R.S. 15-203 established by prior legislation (SB 1040, May 2010).*

A copy of the June 19 presentation is again attached for the Board's convenience. This evening's specific agenda item is presented for a limited purpose: to study and obtain Board approval of Amphitheater's timeline for "full" implementation of the teacher and principal evaluation system as contemplated by HB 2823. But to understand the basis for this agenda item, a review of the legislation and status is necessary.

The Board will recall that the underlying legislation requires a new statewide teacher evaluation system that is comprised of 33%-50% student progress measures and 50%-67% observation or evidence of teaching performance. These components of evaluation will combine to result in a single effectiveness rating for the evaluated educator: Highly Effective, Effective, Developing, or Ineffective. These ratings, under mandatory statutory and policy provisions, ultimately become factors in determining such matters as performance based compensation and placement, as well as promotion, transfer and dismissal decisions.

This new approach to educator evaluation in Arizona has evolved over time and originated with requirements set out in A.R.S. §15-203 (SB 1040, May 2010) and the formation of a State Task Force charged with developing a framework for the new evaluation systems. Our former Superintendent, Dr. Vicki Balentine, served as chair of that Task Force, of course. The Task Force ultimately issued the Arizona Framework for Measuring Educator Effectiveness ("the Framework"), which was approved by the State Board in April 2011. (A copy of the Framework is attached for the Board's convenience and reference).

As the significant work on the Framework progressed, the Arizona Legislature studied HB 2823, which substantially expanded on the initial requirements of A.R.S. 15-203. HB 2823 compelled specific elements of evaluation, changes to "due process statutes", and modification of district policies applicable to principals and teachers, all on various timelines.

The complexity and intersection of the relevant laws, the Framework, and other state level actions with our own District level functions can make understanding it all very difficult. So, the following table has been created to merge the requirements of both the former and latest law into what is, hopefully, one coherent summary -- together with the timelines applicable to various provisions of the law.

Provisions of A.R.S. §15-203 & HB 2823	Mandated Timelines
<ul style="list-style-type: none">• 50-67% of evaluation shall be based on teacher and principal observation instruments with at least 4 performance-levels and aligned standards-based rubrics.• 33-50% of evaluation shall be based on school level student academic progress as measured by AIMS.• All district and charter schools begin developing assessments for all teaching content areas.• Teachers must be observed at least twice per year as part of the evaluation process through a complete and uninterrupted lesson, with the first and last observation be separated by at least 60 calendar days, and written observation results provided within 10 business days.• Persons conducting observations and evaluations must be trained to do so.	2012-2013

Provisions of A.R.S. §15-203 & HB 2823	Mandated Timelines
<ul style="list-style-type: none"> • A teacher's performance classification and evaluation may be shared with school districts and charter schools inquiring about employment. • Requires teacher transfer policies to take into consideration current distribution of teachers across all performance classifications. • Prohibits transfers (to another school) of continuing teachers who are in the lowest performance classification for two consecutive years unless the teacher has been given notice of inadequate classroom performance, is subject to an improvement plan, and the governing board approves the transfer. • Requires governing boards to adopt a definition of "inadequacy of classroom performance" (used for non-renewal and dismissal notice purposes) which aligns with the four state board determined performance classifications. 	
<ul style="list-style-type: none"> • AZDOE must post best practices for implementation and assessment of teacher evaluation systems to include the following: <ul style="list-style-type: none"> ○ Implementation process for teacher/principal evaluation systems. ○ Evaluation weightings. ○ Qualitative and quantitative elements used. ○ Methods by which the evaluations guide professional development. ○ Types of decisions for which the evaluations are used. ○ An evaluation instrument that complies with the teacher-principal evaluation framework for districts and charter schools that can be piloted for school year 2012-2013. 	By September 15, 2012
<ul style="list-style-type: none"> • Governing boards may elect to "postpone" "full" implementation of the required evaluation system until the 2013-2014 school year if the Board votes to do so and approves a plan that includes the following: <ul style="list-style-type: none"> ○ A timeline to "full" implementation by the 2013-2014 school year. ○ A plan for engaging teachers and other interested stakeholders. ○ A plan to determine how the evaluations will guide professional development. 	
<ul style="list-style-type: none"> • If a governing board determines to "postpone" "full" implementation of the required evaluation systems until 2013-2014 school year, the governing board must adopt all of the following: <ul style="list-style-type: none"> ○ An instrument or instruments considered for the evaluation. ○ The percentage of the outcome of the evaluation in accordance with the teacher-principal evaluation framework. 	By December 31, 2012
<ul style="list-style-type: none"> • State Board must adopt four performance classifications of "highly effective," "effective," "developing," and "ineffective" and associated guidelines for school districts and charters to use in developing their evaluation instruments. 	Not later than December 2012
<ul style="list-style-type: none"> • 50-67% of evaluation shall be based on teacher and principal observation instruments with at least 4 performance-levels and aligned standards-based rubrics. • 33-50% of evaluation shall be based on school level student academic progress as measured by AIMS. • All district and charter schools shall continue developing assessments for all teaching content areas. • District governing boards must adopt policies for principal evaluations that include: <ul style="list-style-type: none"> ○ The four performance classifications. ○ Alignment of professional development opportunities to the evaluation. 	2013-2014

Provisions of A.R.S. §15-203 & HB 2823	Mandated Timelines
<ul style="list-style-type: none"> ○ Incentives for principals in the two highest classifications, including multi-year contracts and/or incentives to transfer to D or F schools. ○ Transfer and contract limitations for principals in the lowest performance classification. • District governing boards to adopt policies for teacher evaluation that describe: <ul style="list-style-type: none"> ○ Incentives for teachers in the highest performance classification, including multi-year contracts. ○ Multi-year terms that do not exclude provisions of law relating to due process and inadequate classroom performance and which allow a teacher to decline a multi-year contract offer in favor of a one year contract. ○ Incentives for teachers in the two highest performance classifications to work at schools designated D or F schools. ○ Protections for teachers transferred to schools designated D or F schools, and/or if the principal of the school is designated in the lowest performance classification. 	
<ul style="list-style-type: none"> • 50-67% of evaluation shall be based on teacher and principal observation instruments with at least 4 performance-levels and aligned standards-based rubrics. • 33-50% of evaluation shall be based on school level student academic progress as measured by AIMS. • Teacher's individual performance under the new evaluation must be used to determine no less than 33% of the performance pay distribution. 	2014-2015
<ul style="list-style-type: none"> • District policies must contain the following provisions: <ul style="list-style-type: none"> ○ Support and consequences for teachers in the lowest performance classification. ○ An intervention option for teachers designated in the lowest performance classification that includes the use of a performance improvement plan. The policy must specify this option may be used only once for each teacher. ○ Dismissal policies, pursuant to the statutory process, for inadequate classroom performance for teachers who continue to be designated in the lowest performance classification after intervention has been provided. ○ Dismissal policies pursuant to statute for teachers who are not provided intervention, requiring that the dismissal process be implemented no later than the second consecutive year the teacher is designated in the lowest performance classification. 	2015-2016

“Full” Implementation Option for 2013-2014

As stated in the table above, the timeline under the legislation generally mandates implementation of new evaluation systems which complies with the stated requirements by the current school year. However, HB 2823 specifically allows districts and charters to delay “full” implementation of the new evaluation system until 2013-2014.

As the Board knows, the Amphitheater School District has already developed a new evaluation system which does comply with component requirements set forth in the Framework and the relevant legislation. The Governing Board has, in fact, formally adopted new systems of performance evaluation in June 2012 for both principals and teachers for the current school year, after first approving a pilot of the new systems in March 2012. Unfortunately, however, the law does not define what “full” implementation of the evaluation systems required by the framework and the laws would be.

As substantial (or even complete) as we may believe the District's evaluation systems to be at this point, the lack of clarity as to "full" implementation is reason enough to act with caution and ensure legal compliance by taking action to delay our assurance of compliance until next school year when there may be better understanding of what was intended by "full implementation".

The District's approach, after all, has been to establish 2012-2013 as "Year One Implementation" for the new evaluation systems, contemplating those modifications of the systems might be required for 2013-2014.

One aspect of the ATPES¹ which we already recognize will require modification for 2013-2014 is the definition of observations for teacher evaluations. As discussed in the table above, HB 2823 mandates that evaluation system observations of teachers include at least two complete and uninterrupted lessons – a term that is not included in ATPES for Year One Implementation. Thus, at least in this respect, it is apparent ATPES would not be in "full" compliance with SB 2823 requirements for the current year.

In addition, as the summary above reflects, there are several provisions of the law which have not yet even taken effect and which, consequently, may affect the determination of whether a District has "fully" implemented the evaluation system requirements.

For example, the Arizona Department of Education is allowed until September 15, 2012 to post "best practices" for evaluation systems. These best practices are to be used by districts to aid in the implementation and assessment of a new evaluation system which complies with the law. The limited materials posted by ADE to date include an ADE caveat that they "may or may not cover all the required components," and that they "also have not yet been thoroughly vetted by the ADE", offering no sanctuary in relying upon them. Thus, given that ADE still has a few weeks to post the required "best practices", their implications and relevance for guiding school district implementation for 2012-2013 are completely unknown.²

Obviously, the requirements of HB 2823 that certain teacher and principal evaluation policy terms be adopted by 2013-2014 (as described above) have not yet been met by Amphitheater. Similarly, the requirement that the evaluation system incorporate the four performance classifications specified by the State Board (Highly Effective, etc.) by 2013-2014 is also not yet met by the ATPES and APPEES. The work of addressing these requirements will be substantially addressed through the upcoming Meet and Confer process and thereafter through Board study and approval. If "full" implementation contemplates the adoption of such policies, then this would also be additional rationale for extending the time for complete implementation until the 2013-2014 school year.

For the foregoing reasons, the Administration is recommending that the Governing Board approve formal postponement of the "full implementation" of the mandated evaluation systems until the District's Year Two Implementation, in 2013-2014, as allowed by HB 2823.

At the time of the Board's consideration of this item, an articulated plan for Year Two Implementation will be presented for consideration and study. That plan will subsequently again be presented to the Board for possible approval at its second meeting in September.

A lot of detail and background provided in the materials by Mr. Jaeger. Ultimately, a requirement by the law fully implementing by the first of the school year or convey a timeline of proposed implementation. The new evaluation system is in effect, beginning with 2012-2013. Some changes to policy will become necessary. Several issues driven by this bus; provide to state a new evaluation system. We are in year 1 implmentation. Inherently requires changes. A review of that history is summarized within the board book materials.

Mr. Nelson invited Mr. Jaeger to provide an overview of the Board Item.

¹ Amphitheater Teacher Performance Evaluation System

² The requirement under HB 2823 that ADE provide best practices by September 15 to aid districts in implementation and assessments of evaluation systems does not coordinate with timing of the separate legal requirement that districts inform and train their teachers about the implementation of their evaluation systems at the start of the school year.

Mr. Jaeger reviewed a proposed timeline (included in the Board Book materials) incorporating all legislative requirements related to teacher and principal evaluation systems. Also, included in the Board Book materials (herein), Mr. Jaeger attached the Amphitheater Teacher Performance Evaluation System (ATPES) for 2012-2013, the Arizona "Framework" for Measuring Educator Effectiveness (April 25, 2011), and a copy of the HB 2823 PowerPoint presentation originally introduced at the June 19, 2012 Governing Board Meeting.

[These materials can be viewed using these links:

<https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=32851595>;

<https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=32851619>; and,

<https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=32851621>]

Mr. Jaeger noted that Board action will be necessary to comport with key aspects of the evaluation system, including changes necessary for use of state labels (effective, highly effective, etc. performance classifications).

Dr. Barrabee again expressed concern about how staff will receive these legislative demands.

Mr. Nelson stated that the District has been transitioning for more than a year and noted that Dr. Midyett, Program Assessment and Evaluation Analyst, has been working diligently for the last one and a half years on this challenging project. Administration's plans are to be cautious and diligent in achieving success.

Mrs. Boros stated that assignments are being tracked. This is a draft item and will return for further action, and is a work in progress.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

There were no new Board Member requests.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

A motion was made by Mr. Grant that the Board Meeting be adjourned; Mrs. Boros seconded the motion; and it passed unanimously, 5-0. Mrs. Boros declared the meeting was adjourned; the time was approximately 9:31 p.m.

Respectfully submitted,
Margaret Harris

Mrs. Diana Boros, President

Date

Approved: 9.18.12