

**BOARD OF TRUSTEES**  
**Minutes**  
**Thursday, July 12, 2012**

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**1. CALL TO ORDER–ROLL CALL**

President Anna Piercy called the meeting of the Anaheim Union High School District Board of Trustees to order at 3:30 p.m.

Present: Anna L. Piercy, president; Brian O’Neal, clerk; Annemarie Randle-Trejo, assistant clerk; Katherine H. Smith and Jordan Brandman, members; Elizabeth I. Novack, superintendent, Paul Sevillano, Russell Lee-Sung, and Dianne Poore, assistant superintendents; and Jeff Riel, District counsel.

**2. ADOPTION OF AGENDA**

Staff requested the following amendments to the agenda.

- Item 9.12, Bid #2012-18 Tennis and Basketball Courts Project for Big Ben, under the amount column, add \$1,235,000.
- Item 10.16, Check Register/Warrants Report, change the beginning date from May 12, 2012, to June 12, 2012.
- Change the following Exhibit letters: Exhibit G, UCI Math Project should be Exhibit T; and Exhibit T, UCI Writing Project should be Exhibit G.
- Replace Exhibit G. The new exhibit reflects the corrected estimated value of the UCI Writing Project at \$2,000,000.

On the motion of Mr. O’Neal, duly seconded and unanimously carried, the Board of Trustees adopted the agenda as amended.

**3. PUBLIC COMMENTS, CLOSED SESSION ITEMS**

There were no requests to speak.

**4. CLOSED SESSION**

The Board of Trustees entered closed session at 3:34 p.m.

**5. RECONVENE MEETING, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE, AND REPORT OUT**

**5.1 Reconvene Meeting**

The Board of Trustees reconvened into open session at 6:02 p.m.

## 5.2 **Pledge of Allegiance and Moment of Silence**

Marilyn Miller, Community Day School principal, led the Pledge of Allegiance to the Flag of the United States of America and the moment of silence.

## 5.3 **Closed Session**

Board Clerk Brian O'Neal reported the following actions taken during closed session.

5.3.1 No reportable action taken regarding negotiations.

5.3.2 No reportable action taken regarding public employee discipline/dismissal/release.

5.3.3 Pursuant to Government Code section 54956.9 (a), the Board of Trustees unanimously voted to authorize legal counsel to file an appeal in federal court regarding OAH Case Number 2012031076.

5.3.4 On June 21, 2012, the Board of Trustees discussed in closed session with its real estate negotiators the price and terms of payment for the District's contemplated acquisition of certain properties located between Ohio Street and North West Street, on the north side of Lincoln Avenue adjacent to Anaheim High School. The terms of the proposed Letter of Interest, which incorporated these price terms was approved by the Board 5-0, subject to the approval by the Taormina Family Capital Fund LLC, Wally Courtney, and the city of Anaheim as successor to the Anaheim Redevelopment Agency, the current owners of the properties. I am pleased to report that all parties have now approved and executed the Letter of Interest, the purpose of which is to express the interest and intention of the parties to negotiate one or more contracts for the purchase and sale of the subject properties. It should be noted that the Letter of Interest contains numerous conditions precedent, which must be satisfied or waived by the District before the District will be in the position to consummate the purchase of any of these properties.

5.3.5 The Board of Trustees took formal action to approve the expulsion of the following students:

1. 11-182 48900(a)(1), 48900(k), 48900.4, 48915(a)(5), 48915(b)(1)
2. 11-184 48900(b), 48915(a)(2), 48915(b)(2)
3. 11-185 48900(b), 48900(k), 48915(a)(2), 48915(b)(2)
4. 11-186 48900(a)(1), 48900(k), 48915(b)(1)
5. 11-187 48900(b), 48900(c), 48915(a)(2), 48915(b)(2)
6. 11-189 48900(a)(2), 48915(a)(1), 48915(b)(2)
7. 11-190 48900(c), 48900(k), 48915(b)(1)
8. 11-191 48900(g), 48900(k), 48915(b)(1)
9. 11-193 48900(c), 48900(k), 48915(b)(1)
10. 11-194 48900(c), 48915(c)(3), 48915(b)(2)
11. 11-195 48900(c), 48900(k), 48915(b)(1)

5.3.6 The Board of Trustees took formal action to approve the readmission of students 10-37, 10-130, 10-158, 10-192, 10-219, 11-00, 11-09, 11-13, 11-22, 11-27, 11-29, 11-33, 11-37, 11-44, 11-46, 11-63, 11-70, and 11-76.

6. **INTRODUCTION OF GUESTS**

Mrs. Piercy introduced Joanne Fawley, ASTA; Sharon Yager, CSEA; Russ Earnest, ALTA; Gerry Adams, AFSCME; Lisa Rockwell and Brian Bannon, APGA; Cindy Mendoza and Ken Jenks, ASCPTA; and Mike Matsuda, North Orange County Community College District.

7. **REPORTS**

7.1 **Principal's Report**

Dr. Miller and Mr. Wilson presented a joint report on Community Day School, as well as Gilbert and Polaris high schools. Emphasis were placed on the Response to Intervention learning initiative.

7.2 **Reports of Associations**

Joanne Fawley, ASTA president, said that during the summer, seven (7) ASTA members went to Washington, D.C. to participate at the National Education Association-Representative Assembly (NEA-RA).

8. **PUBLIC COMMENTS, OPEN SESSION ITEMS**

There were no requests to speak.

9. **ITEMS OF BUSINESS**

9.1 **Resolution No. 2012/13-HR-01, Concerning the Reinstatement of Classified Positions from the 2011-12 Reduction in Force Resolution (Categorical)**

The Board of Trustees took action on April 19, 2012, to reduce particular kinds of categorically funded services provided by classified employees. These actions were necessitated by the state-wide budget crisis and significant reductions in District revenues.

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2012/13-HR-01, Reinstatement of Classified Positions (Categorical) to reinstate two categorically funded classified positions from the April 19, 2012, Board action effective July 1, 2012. The reinstatement process will be in accordance with the requirements of the Education Code and offered to employees by seniority.

The roll call vote follows:

Ayes: Trustees Brandman, Smith, Randle-Trejo, O'Neal, and Piercy

9.2 **Memorandum of Understanding, ASTA**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the memorandum of understanding (MOU) with the Anaheim Secondary Teachers Association (ASTA) regarding an agreement to meet to discuss longevity service credit.

9.3 **Public Hearing, Disclosure of Collective Bargaining Agreement with ASTA**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees opened a public hearing, at 6:30 p.m., on the reopener agreement with the Anaheim Secondary Teachers Association (ASTA) as part of the 2012-13 collective bargaining

agreement, in accordance with AB 1200 (Statutes of 1991, G.C. 3547.3, Chapter 1213). Copies of the disclosure are available for review and study in the Business Services Office, 501 N. Crescent Way, Anaheim, California.

There were no requests to speak.

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees closed the public hearing, at 6:30 p.m.

9.4 **Adoption of Reopener Agreement with ASTA, 2012-13 Collective Bargaining Agreement—Article 15, Health and Welfare**

On the motion of Mr. Brandman, duly seconded and unanimously carried, the Board of Trustees adopted the reopener agreement with the Anaheim Secondary Teachers Association (ASTA) on Article 15: Health and Welfare, as part of the 2012-13 collective bargaining agreement.

9.5 **Public Hearing, Disclosure of Collective Bargaining Agreement with APGA**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees opened a public hearing, at 6:31 p.m., on the reopener agreement with the Anaheim Personnel and Guidance Association (APGA) as part of the 2012-13 collective bargaining agreement, in accordance with AB 1200 (Statutes of 1991, G.C. 3547.3, Chapter 1213). Copies of the disclosure are available for review and study in the Business Services Office, 501 N. Crescent Way, Anaheim, California.

There were no requests to speak.

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees closed the public hearing, at 6:31 p.m.

9.6 **Adoption of Reopener Agreement with APGA, 2012-13 Collective Bargaining Agreement—Article 15, Health and Welfare**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees adopted the reopener agreement with the Anaheim Personnel and Guidance Association (APGA) on Article 15: Health and Welfare, as part of the 2012-13 collective bargaining agreement.

9.7 **2012-13 Employee Work Year Calendar**

On the motion of Mr. Brandman, duly seconded and unanimously carried, following discussion, the Board of Trustees adopted the 2012-13 Employee Work Year calendar.

9.8 **Agreement, University of Southern California**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees ratified the agreement with the University of Southern California for social work interns who will be equally distributed to school sites, July 1, 2012, through June 30, 2015. University interns will be supervised by the District's intern service specialist for the purpose of meeting University's field instruction and participation requirements. This agreement provides a deeper commitment between the university and District to learning that is multi-directional for student interns, professional staff, and university faculty. The university and District will maintain a shared vision and commitment to the advancement of research and evaluation, advancing the institutions' mission, and work to infuse the science

of social work into agency practice and procedures. This will be accomplished through training students, field instructors, and staff together in evidence based practices. Services being provided are at no cost to the District. This agreement includes a monetary grant of \$25,000 per year to offset the salary of the intern service specialist who will supervise all interns.

9.9 **Memorandum of Understanding, University of California, Irvine**

On the motion of Mr. Brandman, duly seconded and unanimously carried, following discussion, the Board of Trustees ratified the memorandum of understanding (MOU) with the University of California, Irvine (UCI) and AUHSD. The Pathway Project is a collaborative partnership between the UCI Writing Project and AUHSD to provide professional development to English teachers to enhance the academic literacy of mainstream English language learners. The UCI MOU provides professional development for 100 English language arts teachers, over the five-year period of the grant. Voluntary grant participants receive literacy professional development, stipends, and classroom library materials at various times over the five-year period. The total grant award for the UCI Pathway Project is \$2 million. Services are being provided July 1, 2012, through June 30, 2017, at no cost to the District.

9.10 **Board of Trustees Policy Audit**

The Board of Trustees' discussed the options associated with a District policy audit. The California School Boards Association (CSBA) provides services that support Board policy guidance. It was the consensus of the Board of Trustees to revisit this item at the December 6, 2012, Board of Trustees' meeting and to possibly schedule a policy audit during the summer of 2013.

9.11 **Concussion Policy, Board Policy 8604, Second Reading**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees reviewed and approved the second reading of new Board Policy 8604, Concussion Policy. The policy is the result of new state legislation. Effective January 1, 2012, Education Code Section 49475, requires immediate removal of students from activity without same-day return to play following a suspected concussion. A written clearance note from a physician and an educational letter signed by the parent and athlete need to be completed prior to returning to participation. The new policy includes Administrative Regulations (8604-R) for standardized methods of assessing concussions to ensure an accurate diagnosis and appropriate management of student-athletes, following a concussion. Administrative Regulations have been provided as an information item only.

9.12 **Award of Bids**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees awarded/rejected the bids as listed.

<u>Bid #</u>	<u>Service</u>	<u>Award</u>	<u>Amount</u>
2012-16	Security Fence and Landscape Improvements Loara High School (RDA Funds and/or Maintenance Funds)	America West Landscape	Base Bid \$302,096.93 Alternate #1 \$77,138.12 Alternate #2 rejected Alternate #3 rejected Total Award \$379,235.05

2012-18	Tennis and Basketball Courts Project Western High School (RDA Funds and/or Maintenance Funds)	Big Ben, Inc.	\$1,235,000
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9.13 **School Sponsored Student Organizations**

On the motion of Mr. O’Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the following school sponsored organizations:

9.13.1 Habitat for Humanity Campus Chapter, Kennedy High School

9.13.2 Rebel Dancers, Savanna High School

9.13.3 College Club, Sycamore Junior High School

9.13.4 Wildlife Conservation Club, Walker Junior High School

10. **CONSENT CALENDAR**

On the motion of Mr. O’Neal, duly seconded and unanimously carried, the Board of Trustees approved/ratified the following consent calendar, with the exception of item 10.2.4 pulled by Mrs. Randle-Trejo and item 10.6 pulled by Mr. Brandman for discussion.

10.1 **2011-12 Fourth Quarterly Report, Williams Uniform Complaints**

The Board of Trustees accepted the Williams Uniform Complaints Fourth Quarterly Report April 1, 2012, through June 30, 2012, as required by Education Code Section 35186, which will be submitted to the Orange County Department of Education. The report summarized all complaints relative to adequate textbooks and instructional materials, teacher vacancies or misassignments, facilities conditions, and intensive instruction and services for students who have not passed the California High School Exit Examination (CAHSEE) by the end of the 12<sup>th</sup> grade. There were no complaints during this quarter.

10.2 **Agreements**

10.2.1 **Stutz Artiano Shinoff and Holtz, APC**

The Board of Trustees ratified the attorney-client retainer agreement with Stutz Artiano Shinoff and Holtz, APC, for legal consultation and assistance, which is not provided by attorneys with the Orange County Department of Education. The services are typically related to personnel management and personnel related litigation. Services are being provided July 1, 2012, through June 30, 2013, at a cost not to exceed \$150,000. (General Funds)

10.2.2 **Investigative Services with T. Davis & Associates, Inc.**

The Board of Trustees ratified the consulting agreement with T. Davis & Associates, Inc., to provide investigative services. The purpose of this agreement is to provide an impartial party to investigate complaints in a timely and professional manner to reach swift resolution. Investigations may include, but are not limited to, discrimination and harassment claims, policy and procedure violations, unprofessional conduct complaints, charges of theft and other serious allegations. Services are being provided July 1, 2012, through June 30, 2013, at a cost not to exceed \$35,000. (General Funds).

### 10.2.3 **University of Southern California**

The Board of Trustees ratified the agreement with the University of Southern California for social work interns July 1, 2012, through June 30, 2013. University interns will meet with intern service specialist or school site administrator for the purpose of meeting the university's field instruction and participation requirements. This agreement provides the opportunity for university interns to provide supervised support services to District students and staff. University interns will have the opportunity to develop skills in assessment, intervention and prevention, and to improve student's academic performance by addressing the areas of mental health and emotional health through evidenced based treatment models and practices. Additionally, professional attire, development, and conduct will be reviewed. Services are being provided at no cost to the District. All interns are supervised by the intern services specialist.

### 10.2.4 **Speech and Language Services with Pacific Coast Speech Services, Inc.**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion the Board of Trustees approved the agreement with Pacific Coast Speech Services, Inc., to provide speech-language pathologist contract services. This agreement provides speech-language pathologist services at District schools due to temporary leaves of absence of District personnel, for the period August 23, 2012, through June 19, 2013, at a cost not to exceed \$105,042. (Special Education Funds)

## 10.3 **Educational Consulting Agreements**

### 10.3.1 **DEAFinitely Professional Interpreting Services**

The Board of Trustees approved the educational consulting agreement with DEAFinitely Professional Interpreting Services, a subdivision of Goodwill Industries of Orange County. This contractor provides interpreting services for parents who are deaf or hard of hearing. The parents require sign language interpretation in order to participate in their child's educational meetings, such as Individualized Education Program (IEP) meetings and parent meetings, on an as-needed basis. The District is required to provide services to parents, when needed, in order to facilitate in their child's education. Services will be provided July 13, 2012, through June 30, 2013, at a cost not to exceed \$5,000. (General Funds)

### 10.3.2 **Goodwill Industries of Orange County dba Assistive Technology Exchange Center (ATEC)**

The Board of Trustees approved the educational consulting agreement with Goodwill Industries of Orange County, dba Assistive Technology Exchange Center (ATEC), to provide evaluations for students with significant communication disabilities, who are in need of assistive technology and/or augmentative and alternative communication devices. These evaluations are completed per an Individualized Education Program (IEP) team recommendation and may also include trials of equipment and training for students, staff, and parents by ATEC staff on any recommended equipment. Services will be provided July 13, 2012, through June 30, 2013, at a cost not to exceed \$5,000. (Special Education Funds)

### 10.3.3 **Regents, University of California, Irvine (UCI) Math Project**

The Board of Trustees approved the educational consulting agreement with the Regents, University of California, Irvine (UCI) Math Project, for continued math

training and curriculum development during 2012-13. The UCI Math Project will provide professional development for mathematics teachers and will write and/or revise curriculum for new and existing mathematics courses. Teachers will learn to deliver hands-on, conceptual lessons focusing on student mastery of mathematics standards and concepts. Services will be provided July 13, 2012, through June 30, 2017, at a cost not to exceed \$51,095. The Board approved amount for 2011-12 was not to exceed \$38,500. (Corrective Action Funds)

10.4 **Memorandum of Understanding, Orange County Superintendent of Schools**

The Board of Trustees ratified the memorandum of understanding (MOU) with the Orange County Superintendent of Schools. The MOU, approved by the Orange County Department of Education Board of Trustees on June 1, 2012, allows the District to place students who live within District boundaries in county-operated special education programs. Placement in these programs occurs if the District's programs are not able to meet a student's needs. Funds are allocated on an individual student basis. Services are being provided July 1, 2012, through June 30, 2013. (Special Education Funds)

10.5 **Rejection of Liability Claim**

The Board of Trustees rejected a liability claim that was filed on June 15, 2012, and was identified as AUHSD 12-12 (Tort Claim 313) as not a proper charge against the District and authorized staff to send the notice of rejection. This claim alleges personal injury.

10.6 **Piggyback Bids, Purchase Through Public Corporation or Agency**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following a staff report by Mrs. Gerner and Mr. Minami, as well as a lengthy discussion by the Board of Trustees, the Board of Trustees approved the purchases as listed through public corporation or agency per Public Contract Code Section 20118 allowing public entities to acquire various products by participating in an existing contract of another public entity, which is commonly known as piggybacking.

By piggybacking onto another district's existing bid, our District can take advantage of lower costs through economy of scale and also avoid the time and expense of the public bid process. It has been determined that the following bids can be utilized to acquire these products at their best value. (Cafeteria Funds)

- 10.6.1 Capistrano Unified School District Bid No. 1112-03 awarded to Gold Star Foods for the procurement of Bread and Bakery Products for 2012-13. The projected cost for the procurement will be \$300,000.
- 10.6.2 Bellflower Unified School District Bid No. 1011-03 awarded to Swift Produce for the procurement of fresh produce for 2012-13. The projected cost for the procurement of fresh produce will be \$700,000.
- 10.6.3 Torrance Unified School District RFP number 01-6.30.11 awarded to ASR Food Distributors, Inc. for the procurement of frozen food products for 2012-13. The projected cost for the procurement of frozen food products will be \$3,000,000.
- 10.6.4 Pomona Unified School District Bid No. 10(08-09)FS awarded to Gold Star Food for 2012-13 for the procurement of brown box commodities. The projected cost for the procurement of brown box commodities will be \$250,000.



10.6.5 Pomona Unified School District Bid No. 10(08-09)FS awarded to ASR Food Distributors for fee for service processed commodities for 2012-13. The projected cost of fee for service processed commodities will be \$1,000,000.

10.7 **Donations**

The Board of Trustees accepted the donations as listed:

<u>Location</u>	<u>Donated by</u>	<u>Item</u>
Ball	South East Youth Organization	\$500
Brookhurst	Oh, Hello, LLC	\$1,000
Dale	South East Youth Organization	\$500
District	Kiwanis Club of Greater Anaheim	Scholarships
	Women's Division Anaheim Chamber of Commerce	Scholarships
	John F. Kennedy Scholarship Foundation	Scholarships
Hope	Fresh & Easy	\$726.63
	Bonnie Peat	\$50
	Victoria Parsch	8 water color paintings
Katella	South East Youth Organization	\$2,400
Kennedy	South East Youth Organization	\$1,200
Loara	South East Youth Organization	\$2,400
Orangeview	South East Youth Organization	\$500
Western	South East Youth Organization	\$1,200

10.8 **Declaring Certain Furniture and Equipment as Unusable, Obsolete, and/or Out-of-Date, and Ready for Sale, or Destruction**

The Board of Trustees approved the list of District furniture and equipment as unusable, obsolete, and/or out-of-date, and ready for sale, or destruction, and authorized proper disposal.

10.9 **Declaring Certain Textbooks and Instructional Materials as Unusable, Obsolete, and/or Out-of-Date, Damaged, and Ready for Sale, or Destruction**

The Board of Trustees approved the list of District textbooks and instructional materials as unusable, obsolete, and/or out-of-date, damaged, and ready for sale, or destruction as surplus and authorized staff to dispose of the textbooks and instructional materials in accordance with Education Code Section 60510.

10.10 **Instructional Materials Submitted for Adoption**

The Board of Trustees adopted the selected instructional materials. The Instructional Materials Review Committee has recommended the selected books for supplemental courses in English. The books have been made available for public review.

10.11 **Individual Service Contracts**

The Board of Trustees approved/ratified the individual service contracts as submitted. (Special Education Funds)

10.12 **Field Trip Report**

The Board of Trustees approved/ratified the field trip report as submitted.

10.13 **Certificated Personnel Report**

The Board of Trustees approved/ratified the certificated personnel report as submitted.

10.14 **Classified Personnel Report**

The Board of Trustees approved/ratified the classified personnel report as submitted.

10.15 **Purchase Order Detail Report**

The Board of Trustees ratified the purchase order detail report, June 12, 2012, through June 28, 2012.

10.16 **Check Register/Warrants Report**

The Board of Trustees ratified the check register/warrants report June 12, 2012, through June 28, 2012.

11. **SUPPLEMENTAL INFORMATION**

11.1 Cafeteria Fund, April 2012

11.2 Enrollment Report, Month 9

12. **SUPERINTENDENT AND STAFF REPORT**

Dr. Novack wished everyone a happy, peaceful, and restful summer.

Mr. Lee-Sung noted he will be "holding down the fort" while his colleagues take vacations.

Mrs. Poore stated that the paving projects at Savanna High School are 90 percent completed. She added that Magnolia High School's paint is "looking very good," as well as the excavation around the quad and library. She said that the shade structures at Community Day School will be coming in two (2) weeks. Additionally, Mrs. Poore noted that the Cypress High School and Walker Junior High school freezer projects are proceeding nicely.

Mr. Riel said his legal assistant's last day was today; she will be attending law school.

13. **BOARD OF TRUSTEES' REPORT**

Mr. Brandman wished everyone a happy summer.

Mrs. Smith wished a happy, safe journey to all.

Mrs. Randle-Trejo noted it was an honor to attend the graduation for alternative education. She wished Mr. O'Neal a happy birthday.

Mr. O'Neal added that he attended the Anaheim Sister City Commission meeting. He wished everyone a safe summer.

Mrs. Piercy noted her attendance at the GASELPA meeting and the Anaheim Sister City meeting.

14. **ADVANCE PLANNING**

14.1 **Future Meeting Dates**

The next regular meeting of the Board of Trustees will be held on Thursday, August 16, 2012, at 6:00 p.m.

Thursday, September 6  
Thursday, September 20  
Thursday, October 11

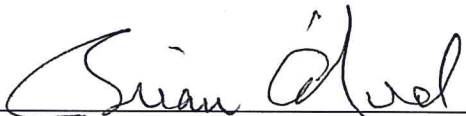
Thursday, November 1  
Thursday, December 6

14.2 **Suggested Agenda Items**

There were no suggested future agenda items.

15. **ADJOURNMENT**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 7:47 p.m.

Approved   
Clerk, Board of Trustees