

BOARD OF TRUSTEES
Minutes
Thursday, October 11, 2012

1. CALL TO ORDER–ROLL CALL

President Anna L. Piercy called the meeting of the Anaheim Union High School District Board of Trustees to order at 3:00 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, assistant superintendent; and Jeff Riel, District counsel.

Russell Lee-Sung, assistant superintendent, entered the meeting at 3:01 p.m.

Dianne Poore, assistant superintendent, entered the meeting at 3:02 p.m.

2. ADOPTION OF AGENDA

Staff requested the following amendments to the agenda:

Pull closed session item 4.3

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 3:01 p.m.

5. RECONVENE MEETING, PLEDGE OF ALLEGIANCE, AND REPORT OUT

5.1 Reconvene Meeting

The Board of Trustees reconvened into open session at 6:00 p.m.

5.2 Pledge of Allegiance

Student Representative to the Board of Trustees Primala Parmar 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 Upon motion of Mr. O’Neal, and second of Mrs. Randle-Trejo, the Board of Trustees voted on giving approval to its legal counsel to seek appellate review in AAA Case No. 73-300-00299-10 and 73-300-00766-10.

- 5.3.2 No reportable action taken regarding personnel.
- 5.3.3 This item was pulled prior to the adoption of the agenda.
- 5.3.4 The Board of Trustees took formal action to appoint Susan Ferencz, coordinator, Special Youth Services.
- 5.3.5 Pursuant to Government Code section 54956.9 (a), the Board of Trustees unanimously voted to approve the settlement agreement in OAH Case No. 2011090933 resolving all outstanding issues by reimbursing Petitioner \$8,000 in unilaterally obtained educationally related fees and costs.
- 5.3.6 Pursuant to Government Code section 54956.9 (a), the Board of Trustees unanimously voted to approve the settlement agreements in OAH Case No. 2012051221 and No. 2012030349 resolving all outstanding issues by relieving the District of responsibility for providing special education services to student and reimbursing the District \$243,325.57.
- 5.3.7 The Board of Trustees took formal action to approve the expulsion of all students listed on the closed session agenda.
 - 1. 12-00 under Education Code 48900(c), 48900(j), 48915(a)(2), 48915(b)(2)
 - 2. 12-01 under Education Code 48900(c), 48900(j)
- 5.3.8 The Board of Trustees took formal action to approve the readmission of students 08-37, 10-94, 10-147, 10-199, 10-234, and 11-30.
- 5.3.9 No reportable action taken regarding negotiations.

6. INTRODUCTION OF GUESTS

Introductions

Mrs. Piercy introduced Joanne Fawley, ASTA; Sharon Yager, CSEA; Brian Bannon, APGA; Russell Earnest, ALTA; and Anaheim City School District Board of Trustee Dr. Jose Moreno.

7. BOARD OF TRUSTEES' RECOGNITION

The Board of Trustees honored Cypress High School students, Kenny Hardcastle and Ryan Wasserman, for their selection to the U.S. Army All-American Marching Band in 2013. The students completed the audition process in May 2012, of which only 125 students were selected for the audition process nation-wide. The U.S. Army All-American Bowl is the premier high school football game in the nation. Produced by All American Games, this Bowl features the nation's top high school senior football players and marching musicians. A student selected as one of the 125 U.S. Army All-American Marching Band members will receive an all-expenses paid trip to San Antonio, Texas to march in the halftime performance of the All-American Bowl at the Alamodome.

8. REPORTS

8.1 Principal's Report

Manuel Colon, Savanna High School principal, and Darrick Garcia, Brookhurst Junior High School principal, presented a report regarding the Professional Learning Communities (PLCs) at their school sites.

8.2 **Anaheim Secondary Council Parent Teacher Association (ASCPTA) Report**

Danae Mullen, ASCPTA Reflections co-chair, reported on the Reflections art program and noted that Leah Winter would co-chair the event with her this year. Mrs. Mullen added that the theme for this year is "The Magic of a Moment."

Lori Dinwiddie invited everyone to the ASCPTA Board Candidates' Forum at the District Campus Board Room on October 18, at 7:00 p.m.

8.3 **Student Representative's Report**

Primala Parmar, student representative to the Board of Trustees, reported on school activities throughout the District.

8.4 **Reports of Associations**

Joanne Fawley, ASTA president, expressed her excitement regarding the API scores. She stated that the expertise, dedication, and professionalism of our teachers are outstanding. She added they are doing excellent work under such trying circumstances.

Brian Bannon, APGA co-president, introduced President Elect Kyle Hendrickson. He invited everyone to attend the All-Counselor In-Service on Friday, October 12, 2012, at 7:30 a.m.

8.5 **District Update**

Public Information Officer Pat Karlak presented highlights of events throughout the District.

9. **BOARD OF TRUSTEES' PRESENTATIONS**

State Testing Results for 2011-12 Year

Background Information:

The Public Schools Accountability Act was passed by the California legislature in 1999. This legislation provided the main components for Academic Performance Index (API), which measures academic performance and progress of individual schools in California. Since 2006, the assistant superintendent of Educational Services has provided a yearly state standardized testing results update to the Board of Trustees. The state standardized testing update will analyze academic performance on the state standardized testing results for 2011-12, in comparison to the 2010-11 results.

Current Consideration:

Assistant Superintendent, Educational Services, Dr. Paul Sevillano provided the yearly student achievement update to the Board of Trustees on District state testing results for 2011-12. The achievement report will analyze student achievement state testing results for 2011-12 in comparison to 2010-11. The presentation included student achievement data on the California High School Exit Exam (CAHSEE), Annual Yearly Progress (AYP), Academic Performance Index (API), California Standards Test (CST), California English Language Development Test (CELDT), and graduation rates. The state testing results along with other measures of student success will be used by the District and individual schools sites to examine areas for improvement and development of their Single Plan for Student Achievement (SPSA).

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees received the information regarding test results as presented.

10. PUBLIC COMMENTS, OPEN SESSION ITEMS

- 10.1 Steven Howard discussed the reduced working hours for his co-workers and himself. He asked why the hours were cut the way they were.
- 10.2 Art Montez thanked Mr. Brandman for attending a Los Amigos meeting. He said Mr. Brandman stated he would research the issue of voting rights and have it agendaized. Mr. Montez requested the voting rights item be placed on an agenda.
- 10.3 Dr. Jose Moreno commended Superintendent Novack for attending and sending staff members to attend the Latino Achievement Gap, hosted by Chapman University. He also complimented Mike Matsuda and Cynthia Pettit for their presentations at the event. Dr. Moreno congratulated Mrs. Pettit for the Hispanic Education Endowment Fund (HEFF) Apple of Gold Award she will receive on October 12, 2012. Additionally, he discussed Sycamore Junior High School, its great programs, and facility needs.

11. ITEMS OF BUSINESS

11.1 **Community Member Requested Agenda Item, Request for Investigation**

Public Comments

- 11.1.1 Amin David discussed the right of a community member to place an item on the Board of Trustees' agenda, as well as his correspondence with Superintendent Novack regarding Trustee Brandman.
- 11.1.2 W. (William) Fitzgerald suggested AUHSD schools be renamed to honor Board members that passed away while serving on the Board of Trustees (e.g. Denise Mansfield-Reinking and Jan Harp Domene). In addition, he said that Mr. Brandman should be investigated.

Background Information:

At the Board meeting on September 20, 2012, a community member requested the Board of Trustees to conduct an investigation. This request was made during the public comment portion of the Board meeting. The item itself was not on the agenda for the Board meeting of September 20, 2012.

Current Consideration:

The Education Code permits persons to request items regarding Board business to be added to the Board's agenda. The Ralph M. Brown Act requires that before discussion and action, it is necessary that the item be listed on the agenda. In this way, the Board of Trustees can discuss the matter and/or take action in open session as the Board deems appropriate.

Budget Implication:

The budget implications are unknown at this time.

Action:

Following a lengthy discussion, it was the consensus of the Board of Trustees not to proceed with an investigation.

BUSINESS SERVICES DIVISION

11.2 **Resolution No. 2012/13-B-05, Workers' Compensation Insurance for Volunteer Personnel**

Background Information:

In accordance with Labor Code Section 3364.5, a person who performs voluntary service without pay for a public agency as designated and authorized by the governing body, is deemed an employee for the purpose of workers' compensation and is eligible to receive such benefits in case of an injury while performing services for the District.

Current Consideration:

The District's workers' compensation program is pooled with other districts in the Protected Insurance Program for Schools (PIPS), which is administered by Keenan & Associates. In compliance with Labor Code Section 3364.5, PIPS recommended that all districts providing workers' compensation for eligible volunteers execute a Board resolution authorizing coverage. Without a Board approved resolution, workers' compensation benefits will not be provided for injured volunteers, which could result in claims being filed under the District's liability program.

Budget Implication:

There is no budgetary impact, as the District currently provides workers' compensation benefits for authorized volunteers.

Action:

On the motion of Mr. O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2012/13-B-05, Workers' Compensation Insurance for Volunteer Personnel.

The roll call vote follows.

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

11.3 **E-Rate Year 16 For Telecommunication Services, Learning Management System (LMS), Internet Access, and Network Equipment and Services**

Background Information:

The Schools and Libraries Program of the Universal Service Fund, commonly known as E-Rate, is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC) and provides discounts to assist most schools and libraries in the United States to obtain affordable telecommunication services, equipment, software, and internet access.

Current Consideration:

Approval of this item will enable the District to proceed with a competitive request for proposal, under Public Contract Code (PCC) 20118.2, for various types of telecommunication services, Learning Management System (LMS), internet access, as well as network equipment and services.

PCC 20118.2 states, "Due to the highly specialized and unique nature of technology, telecommunications, related equipment, software, and services, because products and materials of that nature are undergoing rapid technological changes, and in order to allow for the introduction of new technological changes into the operations of the school district, it is in the public's best interest to allow a school district to consider, in addition to price, factors such as vendor financing, performance reliability, standardization, life-cycle costs, delivery timetables, support logistics, the broadest possible range of competing products and materials available, fitness of purchase, manufacturer's warranties, and similar factors

in the award of contracts for technology, telecommunications, related equipment, software, and services.”

Budget Implication:

There is no impact on the District budget.

Action:

On the motion of Mr. O’Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the use of PCC 20118.2 to proceed with competitive requests for proposals for telecommunication services, Learning Management System (LMS), internet access, as well as network equipment and services for E-Rate Year 16.

EDUCATIONAL SERVICES DIVISION

11.4 Public Hearing, Sufficiency of Textbooks and Instructional Materials

Background Information:

In response to the Williams Settlement Legislation, each year the Board of Trustees is requested to hold a public hearing to determine that each pupil in the District has sufficient textbooks and instructional materials. Notice of the public hearing is posted in three (3) public places in the District, ten (10) days prior to the public hearing, in an effort to encourage community participation.

Current Consideration:

Notice of the public hearing was posted in three (3) public places in the school District, ten (10) days prior to the public hearing, to determine that each pupil in the District has sufficient textbooks and instructional materials for the 2012-13 year.

Budget Implication:

Textbooks and instructional materials are purchased as necessary to achieve compliance. (Lottery Funds)

Action:

On the motion of Mr. O’Neal, duly seconded and unanimously carried, the Board of Trustees opened a public hearing, at 8:00 p.m, to provide the public with an opportunity to speak on the sufficiency of textbooks and instructional materials.

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 8:00 p.m.

11.5 Resolution No. 2012/13-E-01, Textbook and Instructional Materials Compliance for 2012-13

Background Information:

Per Education Code Section 60229 and as required in the Williams Settlement Legislation, the Board of Trustees holds an annual public hearing to determine if each pupil in the District has sufficient textbooks and instructional materials. Textbooks and instructional materials are aligned to the content and performance standards adopted by the state Board of Education.

Current Consideration:

As per the previous agenda item, the Board held its annual public hearing on October 11, 2012, to determine if each pupil in the District has sufficient textbooks or instructional materials in history/social science, mathematics, reading, English language arts, science,

health, and foreign languages. Board members received the results of the textbook distribution certification survey, prior to the Board meeting.

Budget Implication:

Textbooks and instructional materials are purchased as necessary to achieve compliance. (Lottery Funds)

Action:

On the motion of Mr. O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2012/13-E-01, Textbook and Instructional Materials Compliance for 2012-13.

The roll call vote follows.

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

11.6 **Certification of Provision of Standards-Aligned Instructional Materials**

Background Information:

This item is an annual requirement in order to be in compliance with the Williams Settlement Legislation. The Board of Trustees certifies that every student has been issued standards-aligned textbooks, or basic instructional materials in each of the following areas: history/social science, mathematics, reading, English language arts, science, health, and foreign languages. The certification must be kept on file in the District for auditing purposes.

Current Consideration:

A survey instrument was issued to each school principal to determine and confirm that every student in his/her school has been issued standards-aligned textbooks, or basic instructional materials. Once completed, the principal's signature verifies compliance.

Budget Implication:

This certification is required before the District's Instructional Materials Funds Realignment Program (IMFRP) monies may be spent.

Action:

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees certified the provision of standards-aligned textbooks, or basic instructional materials.

The roll call vote follows.

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

11.7 **Resolution No. 2012/13-E-02, Red Ribbon Week**

Background Information:

Red Ribbon Week is the oldest and largest proactive drug prevention program in the United States. It is an awareness campaign about the dangers of drug abuse, an experiential learning lesson for children and adults alike, and a plan to help parents, schools, and others deliver effective anti-drug themes in a positive way. Red Ribbon Week will be celebrated in every community in America during the month of October.

Current Consideration:

The District will acknowledge Red Ribbon Week, October 23-31, 2012, and will encourage all staff to wear red ribbons and participate in anti-drug awareness activities.

Budget Implication:

There is no impact on the budget.

Action:

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2012/13-E-02, Red Ribbon Week.

The roll call vote follows.

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

11.8 **Memorandum of Agreement, CSU Fullerton Auxiliary Services Corporation, Partnership with Orange County Asian and Pacific Islander Community Alliance and the Anaheim Union High School District (AUHSD)**

Background Information:

CSU Fullerton Auxiliary Services Corporation, on behalf of California State University, Fullerton (CSUF), has received a five (5) year research grant valued at \$1.5 million, funded through the U.S. Department of Health and Human Services. As one of the grant partners, Anaheim Union High School District will be responsible for working with CSUF, Fullerton College, and the Orange County Asian and Pacific Islander Community Alliance (OCAPICA) to execute the Youth Empowerment Program at Magnolia High School. The goal of this program is to create services and implement individual, community, and systems-change strategies that provide very low-income Asian and Pacific Islander, as well as other youth, with skills and experiences to make healthier choices throughout the course of their life. Through various youth development strategies, including mentoring, social support, and access to health resources, students will develop the necessary skills, leadership, and resiliency to complete high school, gain access to college and meaningful careers, reduce delinquency, and improve their overall health status through a partnership called the Healthy Asian and Pacific Islander Youth (HAPIY) Program.

Current Consideration:

This research project will use a control group design. Annually, 40 students will be selected to participate. The HAPIY Program will provide support through the Health Class, Asian Pacific American English Language Arts class, and the Polynesian Club. Magnolia High School will participate as the intervention site, and for evaluation purposes, Western High School will serve as the control site. Magnolia is one of only a small group of schools nationally that draw students from the Asian and Pacific Islander community that historically have comprised an underachieving subgroup. Western High School also has a significant, though smaller, Asian and Pacific Islander population. Both participating schools will be included in data collection during the 2012-17 years. Teacher and student participation is voluntary and all information is strictly confidential.

Budget Implication:

Program management and coordination expenses will be covered through OCAPICA staff and the CSU Fullerton Auxiliary Services Corporation, at no cost to the District.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the memorandum of agreement with CSU Fullerton Auxiliary Services Corporation.

11.9 **School Sponsored Student Organizations, Katella High School and Loara High School**

Background Information:

The Board of Trustees shall give approval for the establishment of all student organizations. The proposed organizations shall not engage in any activities, other than those that are organizational in nature, until the Board of Trustees has approved its application.

Current Consideration:

The following schools have submitted school sponsored student organizations:

11.9.1 Make a Senior Happy (M.A.S.H), Katella High School

11.9.2 Loara Speech and Debate, Loara High School

Budget Implication:

Each school sponsored student organization offsets operational costs through donations and fundraising efforts.

Action:

On the motion of Mrs. Smith, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the school sponsored organizations applications and allowed the student representative to the Board of Trustees the opportunity to cast a preferential vote on the student organizations.

HUMAN RESOURCES DIVISION

11.10 Proposed 2013-14 Student/Teacher Calendar

Background Information:

The Student/Teacher Calendar is an instructional calendar that is negotiated between the District and the Anaheim Secondary Teacher's Association (ASTA). On March 3, 2010, the Board approved the instructional calendars for a three (3) year period including the 2010-11, 2011-12, and 2012-13 years. The District and ASTA engaged in negotiations and reached a tentative agreement for a Student/Teacher Calendar for the 2013-14 year, which allows for future discussions during the current school year with all stakeholders seeking input for the 2014-15 year calendar and beyond.

Current Consideration:

The 2013-14 Student/Teacher Calendar maintains a similar pattern as the calendar of the current year and the previous two (2) years. The first work day for teachers is August 22, 2013, and the first day for students is August 26, 2013. The last day for students is June 12, 2014, and the last work day for teachers is June 13, 2014. There are 180 instructional days and 185 teacher work days. Additionally, federal legal holidays and District holidays are designated.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees adopted the 2013-14 Student/Teacher Calendar.

11.11 Memorandum of Understanding between Anaheim Union High School District, Health and Welfare Program Changes for 2013, Anaheim Secondary Teachers Association (ASTA)

Background Information:

Health and Welfare costs for the District make up approximately 11.7 percent of the overall budget. Due to the high costs associated with benefits for employees, the District has maintained an Insurance Committee that meets throughout the year reviewing, monitoring, and analyzing the status of the health and welfare plan for our District employees. The committee is comprised of representatives from each of the four (4) employee associations/unions, plus representatives from management and the Board of Trustees. The

committee works closely with our consultants, Gallagher Benefit Services, to review data, trends, and explore cost saving measures for the following year. Specific changes to the PPO and HMO plan are discussed and recommended, which take effect at the beginning of the new plan year. Each of the collective bargaining groups negotiates the specific changes with the District. The tentative agreement is then written as a memorandum of understanding (MOU), signed by both parties, and brought to the Board of Trustees for approval.

Current Consideration:

The District has negotiated and reached a tentative agreement with the Anaheim Secondary Teachers Association (ASTA) on health and welfare changes for the PPO and HMO plans for the 2013 plan year, which take effect January 1, 2013. The MOU indicates changes to the prescription drug plan and co-pays for specialist visits, emergency room visits, and advanced imaging for the HMO plan. The MOU also indicates changes to the prescription drug plan, out of pocket maximum expenses, and emergency room co-pay for the PPO plan.

Budget Implication:

Prior to making any changes to the employee health plan benefits, the projected increase in cost for the District, per Gallagher Benefit Services, our consultant, was \$2.1 million, or 6.3 percent, over the 2012 plan costs. By making the health plan changes under this MOU, the District is able to reduce the overall plan costs by \$854,851. The District will absorb the remaining \$1.2 million, as per the negotiated settlement agreements with ASTA, APGA, CSEA, and also with unrepresented management. This \$1.2 million is the cost of increasing the capped rates for both the PPO and the HMO medical plans by \$50 per month, per insured employee.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following a lengthy discussion, the Board of Trustees approved the memorandum of understanding for the health and welfare program changes for 2013 with ASTA.

11.12 **Memorandum of Understanding between Anaheim Union High School District, Health and Welfare Program Changes for 2013, Anaheim Personnel and Guidance Association (APGA)**

Background Information:

Health and Welfare costs for the District make up approximately 11.7 percent of the overall budget. Due to the high costs associated with benefits for employees, the District has maintained an Insurance Committee that meets throughout the year reviewing, monitoring, and analyzing the status of the health and welfare plan for our District employees. The committee is comprised of representatives from each of the four (4) employee associations/unions, plus representatives from management and the Board of Trustees. The committee works closely with our consultants, Gallagher Benefit Services, to review data, trends, and explore cost saving measures for the following year. Specific changes to the PPO and HMO plan are discussed and recommended, which take effect at the beginning of the new plan year. Each of the collective bargaining groups negotiates the specific changes with the District. The tentative agreement is then written as a memorandum of understanding (MOU), signed by both parties, and brought to the Board of Trustees for approval.

Current Consideration:

The District has negotiated and reached a tentative agreement with the Anaheim Personnel and Guidance Association (APGA) on health and welfare changes for the PPO and HMO plans for the 2013 plan year, which take effect January 1, 2013. The MOU indicates changes to the prescription drug plan and co-pays for specialist visits, emergency room visits, and

advanced imaging for the HMO plan. The MOU also indicates changes to the prescription drug plan, out of pocket maximum expenses, and emergency room co-pay for the PPO plan.

Budget Implication:

Prior to making any changes to the employee health plan benefits, the projected increase in cost for the District, per Gallagher Benefit Services, our consultant, was \$2.1 million, or 6.3 percent, over the 2012 plan costs. By making the health plan changes under this MOU, the District is able to reduce the overall plan costs by \$854,851. The District will absorb the remaining \$1.2 million, as per the negotiated settlement agreements with ASTA, APGA, CSEA, and also with unrepresented management. This \$1.2 million is the cost of increasing the capped rates for both the PPO and the HMO medical plans by \$50 per month, per insured employee.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the memorandum of understanding for the health and welfare program changes for 2013 with APGA.

11.13 **Memorandum of Understanding between Anaheim Union High School District, Health and Welfare Program Changes for 2013, Classified Employees Association (CSEA)**

Background Information:

Health and Welfare costs for the District make up approximately 11.7 percent of the overall budget. Due to the high costs associated with benefits for employees, the District has maintained an Insurance Committee that meets throughout the year reviewing, monitoring, and analyzing the status of the health and welfare plan for our District employees. The committee is comprised of representatives from each of the four (4) employee associations/unions, plus representatives from management and the Board of Trustees. The committee works closely with our consultants, Gallagher Benefit Services, to review data, trends, and explore cost saving measures for the following year. Specific changes to the PPO and HMO plan are discussed and recommended, which take effect at the beginning of the new plan year. Each of the collective bargaining groups negotiates the specific changes with the District. The tentative agreement is then written as a memorandum of understanding (MOU), signed by both parties, and brought to the Board of Trustees for approval.

Current Consideration:

The District has negotiated and reached a tentative agreement with the Classified School Employees Association (CSEA) on health and welfare changes for the PPO and HMO plans for the 2013 plan year, which take effect January 1, 2013. The MOU indicates changes to the prescription drug plan and co-pays for specialist visits, emergency room visits, and advanced imaging for the HMO plan. The MOU also indicates changes to the prescription drug plan, out of pocket maximum expenses, and emergency room co-pay for the PPO plan.

Budget Implication:

Prior to making any changes to the employee health plan benefits, the projected increase in cost for the District, per Gallagher Benefit Services, our consultant, was \$2.1 million, or 6.3 percent, over the 2012 plan costs. By making the health plan changes under this MOU, the District is able to reduce the overall plan costs by \$854,851. The District will absorb the remaining \$1.2 million, as per the negotiated settlement agreements with ASTA, APGA, CSEA, and also with unrepresented management. This \$1.2 million is the cost of increasing the capped rates for both the PPO and the HMO medical plans by \$50 per month, per insured employee.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the memorandum of understanding for the health and welfare program changes for 2013 with CSEA.

11.14 **Memorandum of Understanding between Anaheim Union High School District, Health and Welfare Program Changes for 2013, American Federation of State, County and Municipal Employees (AFSCME)**

Background Information:

Health and Welfare costs for the District make up approximately 11.7 percent of the overall budget. Due to the high costs associated with benefits for employees, the District has maintained an Insurance Committee that meets throughout the year reviewing, monitoring, and analyzing the status of the health and welfare plan for our District employees. The committee is comprised of representatives from each of the four (4) employee associations/unions, plus representatives from management and the Board of Trustees. The committee works closely with our consultants, Gallagher Benefit Services, to review data, trends, and explore cost saving measures for the following year. Specific changes to the PPO and HMO plan are discussed and recommended, which take effect at the beginning of the new plan year. Each of the collective bargaining groups negotiates the specific changes with the District. The tentative agreement is then written as a memorandum of understanding (MOU), signed by both parties, and brought to the Board of Trustees for approval.

Current Consideration:

The District has negotiated and reached a tentative agreement with the American Federation of State, County and Municipal Employees (AFSCME) on health and welfare changes for the PPO and HMO plans for the 2013 plan year, which take effect January 1, 2013. The MOU indicates changes to the prescription drug plan and co-pays for specialist visits, emergency room visits, and advanced imaging for the HMO plan. The MOU also indicates changes to the prescription drug plan, out of pocket maximum expenses, and emergency room co-pay for the PPO plan.

Budget Implication:

Prior to making any changes to the employee health plan benefits, the projected increase in cost for the District, per Gallagher Benefit Services, our consultant, was \$2.1 million, or 6.3 percent over the 2012 plan costs. By making the health plan changes under this MOU, the District is able to reduce the overall plan costs by \$854,851. The District continues to negotiate with AFSCME.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the memorandum of understanding for the health and welfare program changes for 2013 with AFSCME.

11.15 **2012-13 First Quarterly Report, Williams Uniform Complaints**

Background Information:

The Williams Uniform Complaints report summarizes 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 12th grade. This is a quarterly report required by Education Code Section 35186, which is submitted to the Orange County Department of Education.

Current Consideration:

The Williams Uniform Complaints First Quarterly Report, July 1, 2012, through September 30, 2012, states there were no complaints during this quarter.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees accepted the 2012-13 First Quarterly Report on Williams Uniform Complaints.

12. **CONSENT CALENDAR**

The Board will list consent calendar items that they wish to pull for discussion.

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved/ratified the following Consent Calendar.

BUSINESS SERVICES DIVISION

12.1 **Notice of Completion**

The Board of Trustees was requested to approve the notice of completion as listed.

Bid #2012-12, Katella High School and Community Day School	P.O. #G64A0016
Shade Structure Installation (County School Facilities Funds and RDA Funds)	
P & J Engineering	
Original Contract	\$97,111
Contract Changes	*
Total Amount Paid	*

*Staff is currently negotiating a final close-out change order, which will be brought to the Board of Trustees at a subsequent meeting.

Action:

The Board of Trustees authorized the assistant superintendent of Business Services to accept all listed work as complete, and authorized the filing of the notice of completion with the office of the county recorder.

12.2 **Rejection of Liability Claim**

The Board of Trustees was requested to reject a liability claim that was filed on September 20, 2012, and it was identified as AUHSD 13-01. After review, staff determined that the claim was not a proper charge against the District. This claim alleges personal injury.

Action:

The Board of Trustees rejected AUHSD 13-01 as not a proper charge against the District and authorized staff to send the notice of rejection.

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

Action:

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 in accordance with Education Code Section 60510 et. al.

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

Action:

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 et. al.

12.5 **Donations**

Action:

The Board of Trustees accepted the donations as submitted.

12.6 **Check Register/Warrants Report**

Action:

The Board of Trustees ratified the check register/warrants report, September 11, 2012, through October 1, 2012.

12.7 **Purchasing Report**

Action:

The Board of Trustees ratified the purchase order detail report, September 11, 2012, through October 1, 2012.

12.8 **Supplemental Information**

Enrollment Report, Month 10 and Month 1

EDUCATIONAL SERVICES DIVISION

12.9 **Agreement with Orange County Department of Education (OCDE), Medi-Cal Administrative Activities (MAA)**

Background Information:

The District is required to provide mandated services to students with special needs. The District can seek some reimbursement from Medi-Cal for some of the mandated services provided to Medi-Cal eligible students. The Medi-Cal Administrative Activities Program (MAA) is the process used to obtain reimbursement.

Current Consideration:

The goal of MAA is to improve the availability and accessibility of Medi-Cal services to Medi-Cal eligible and potentially eligible individuals, and their families where appropriate, served by the local school districts. Pursuant to California Welfare and Institution Code Section 14132.47(c)(1), the Orange County superintendent of schools (superintendent) serves as the Local Education Consortium that administers MAA activities for all school in Orange County. Orange County superintendent of schools will continue administering the reimbursement process through MAA.

Budget Implication:

Reimbursement for MAA activities on behalf of the District, are filled with OCDE on a quarterly basis and range in the amount of approximately \$100,000 per quarter. (Medi-Cal Funds)

Action:

The Board of Trustees ratified the agreement with the Orange County superintendent of schools. Services are being provided July 1, 2012, through June 30, 2013.

12.10 **Memorandum of Understanding, Orange County United Way (OCUW)**

Background Information:

Destination Graduation is an education initiative sponsored by Orange County United Way (OCUW) to ensure that all students graduate from high school "college and career ready." OCUW works with ten (10) high schools in Orange County. Katella and Savanna high schools currently participate in the program. The purpose is to support the academic enhancement efforts of the Advancement Via Individual Determination (AVID) program, provide AVID students with additional college and career exposure opportunities, and aid in their development of critical 21st Century Skills.

Current Consideration:

This agreement provides funds for the AVID program for instructional support services. Participation in the Destination Graduation initiative provides stipends, substitute costs, and reimbursement for travel-related expenses for teachers attending AVID training, as well as reimbursement for tutors and classroom materials for the AVID elective classes. This year, for the first time, OCUW agreed to include funds to support the AVID Summer Institute for 2012 and 2013. For this reason, the memorandum of understanding applies to the timeframe prior to the beginning of the 2012-13 year, as stipulated in the agreement.

Budget Implication:

Each school participating in this program receives \$21,830, for a total amount not to exceed \$43,660. The amount received in 2011-12 was \$12,345 total, for two schools. (Destination Graduation and AVID Funds)

Action:

The Board of Trustees ratified the memorandum of understanding between the Anaheim Union High School District and Orange County United Way, July 1, 2012, through August 31, 2013.

12.11 **Amendment to Agenda Item, Educational Agreement, Project Lead the Way, Inc., Science, Technology Engineering, and Mathematics at Western High School**

Background Information:

On April 14, 2011, the Board of Trustees approved the educational agreement with Project Lead the Way, Inc. (PLTW), a non-profit organization that supports the development of science, technology, engineering, and mathematics (STEM) curricular activities. The Western High School science department has been developing a PLTW Biomedical Science Pathway for students using the PLTW biomedical three (3) course sequence curriculum and software. The agreement was Board approved for services from April 18, 2011, through June 30, 2012, at a cost not to exceed \$10,000.

Current Consideration:

The previously approved agenda item stated that June 30, 2012, was the ending date for services provided, and that the cost would not exceed \$10,000. However, the contract states that the agreement shall automatically be renewed annually, unless a party terminates the agreement by notice to the other party in writing, no later than April 1 preceding the commencement of the next contract year. In addition, the cost per year is not to exceed \$2,000; therefore the agenda item needs to be amended to be consistent with the language of the original contract. At this time, Western High School is the only school participating in this program.

Budget Implication:

Costs for these services are not to exceed \$2,000 per year. (Perkins Funds and/or Site Funds)

Action:

The Board of Trustees approved the correction to the agenda item with Project Lead the Way, Inc. Services are being provided on an on-going basis as specified above.

12.12 **Amendment, Orange County Superintendent of Schools and Orange County Health Care Agency (OCHCA)**

Background Information:

Following the legislative changes that shifted responsibility for providing educationally related mental health services to school districts, the Orange County Department of Education (OCDE) and Orange County Health Care Agency (OCHCA) negotiated an agreement that allows school districts to contract with OCHCA to provide educationally related mental health services to students with special needs. For 2012-13, the Proposition 63 funds that had been allocated to OCHCA for mental health services were allocated directly to school districts to provide such services.

Current Consideration:

This agreement was Board approved on August 15, 2012. At the time of approval, page five (5) of the agreement was not checked off to indicate the type of services being provided. We are bringing this item back to the Board as an amendment to page five (5), to indicate that services will be provided for both Outpatient Services and Residential Placement Services.

Budget Implication:

Funding for mental health services that were previously provided to OCHCA are now being provided directly to the District. Mental health funds have been budgeted by the District to offset these costs by \$201,691.09. (Special Education Funds)

Action:

The Board of Trustees ratified the amendment to the agreement for the provision of Educationally Related Mental Health Services between OCHCA and the Anaheim Union High School District. Services are being provided from July 1, 2012, through June 30, 2013.

12.13 **Agreement, Orange County Human Relations Council**

Background Information:

The Orange County Human Relations Council (OCHRC) and the District have a long-standing relationship that dates back to 1998, when OCHRC partnered with the District in the Bridges program. OCHRC has committed to working with up to ten (10) school site teams comprised of a teacher advisor, administrative support, and students for the purposes of establishing a comprehensive school inter-group relations program.

Current Consideration:

The OCHRC agrees to provide services, which have included, but are not limited to: leadership orientation, task formation and follow up during the year, three (3) all-day student retreats per participating site, faculty in-services, planning and implementation of strategies for parent outreach and involvement, assistance in planning of school-wide projects, mediation services for both students and adults, anger management, anti-bullying, and diversity training. OCHRC has also volunteered in times of crisis to be available for social and emotional support.

Budget Implication:

OCHRC has pledged to continue their work in the Bridges program with up to ten (10) schools. At this time, eight (8) schools have been confirmed, Katella, Loara, Magnolia, Savanna and Western high schools, and Ball and Sycamore junior high schools, as well as Community Day School. In addition, after the program fee is paid to OCHRC and teachers have met their contractual responsibilities, OCHRC will pay a \$1,000 stipend to the teacher advisor(s) at each participating site. In exchange for these services, the District agrees to pay OCHRC \$45,000 for the 2012-13 year. Services for the 2011-12 year did not exceed \$45,000. (General Funds)

Action:

The Board of Trustees ratified the agreement with OCHRC. Services are being provided July 1, 2012, through June 30, 2013.

12.14 **Educational Consulting Agreement, Parent Institute for Quality Education (PIQE), Magnolia High School**

Background Information:

For the past ten (10) years, the District has worked with the Parent Institute for Quality Education (PIQE) to deliver parent training that is consistent with the parent involvement requirements of the Title I, Part A, program. A key parent involvement requirement is teaching parents how to help their children become more successful in school, as well as teaching parents how to become more involved in their children's educational process.

Current Consideration:

PIQE will conduct eight (8) weekly training sessions for Magnolia High School parents. Services will include telephone calls to all households for the recruitment of parent participants, curriculum for the eight (8) parent seminars, and materials required for the course, such as binders and lesson plans for 200 parent participants.

Budget Implication:

Costs for these services are not to exceed \$18,000. The amount Magnolia High School paid for these services in 2010-11 was \$24,000, for 300 parents. (Title I Funds)

Action:

The Board of Trustees approved the educational consulting agreement with Parent Institute for Quality Education. Services will be provided for Magnolia High School parents, October 16, 2012, through December 11, 2012.

12.15 **Membership, News-2-You**

Background Information:

News-2-You is a symbol-supported, simple text electronic newspaper delivered weekly on the internet. Each issue is centered on a newsworthy and subject-appropriate current event of interest to readers in special education, or in beginning-reader communities. News-2-You's weekly format of simple symbol-supported text, charts, maps, and graphs is tailored specifically for beginning and struggling readers. For the past six (6) years, special education teachers in the District have been successfully using News-2-You tools.

Current Consideration:

The purpose for renewing the District membership to News-2-You is to allow students who have severe special needs to have access to understandable reading activities, which are standards-based and age-appropriate.

Budget Implication:

The cost of weekly online News-2-You newsletter for 20 teachers is \$2,800. The amount paid for the 2011-12 year was \$2,925. (Special Education Funds)

Action:

The Board of Trustees approved the annual membership for News-2-You. The membership will be in effect from October 15, 2012, through October 15, 2013.

12.16 **Instructional Materials Submitted for Display**

Action:

The Board of Trustees approved the selected materials for display, recommended by the Instructional Materials Review Committee, for basic and supplemental courses in Art, Business, Electives, Foreign Language, History/Social Science, Reading, Language Arts, ELD, and Science. Before the materials can be approved for adoption, they must be made available for public review. The Board of Trustees will be requested to consider adoption of the materials following the end of the period of public display, October 12, 2012, though November 1, 2012.

12.17 **Individual Service Contracts**

Action:

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

12.18 **Field Trip Report**

Action:

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

HUMAN RESOURCES DIVISION

12.19 **Certificated Personnel Report**

Action:

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

12.20 **Classified Personnel Report**

Action:

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

SUPERINTENDENT'S OFFICE

12.21 **Board of Trustees' Meeting Minutes**

12.21.1 May 10, 2012, Regular Meeting

12.21.2 May 14, 2012, Special Meeting

12.21.3 May 31, 2012, Regular Meeting

12.21.4 June 21, 2012, Regular Meeting

12.21.5 July 12, 2012, Regular Meeting

Action:

The Board of Trustees approved the minutes as submitted.

13. **SUPERINTENDENT AND STAFF REPORT**

Dr. Novack highlighted the donations section of the consent calendar. She recognized our community for "stepping up" to support the District during these tough financial times. She acknowledged that the AUHSD Foundation is donating \$125,000 to support athletics, arts, etc. in the Anaheim Union High School District. She thanked the community for demonstrating the art of giving. Additionally, she invited everyone to attend the AUHSD Foundation Gala; tickets are only \$10 per person. Dr. Novack recognized and commended the AUHSD Foundation for donating \$325,000 (over last 13 months) to the District. She thanked Primala for bringing the student voice to the Board of Trustees and District. She invited everyone to the College and Career Fair, October 30, at the Anaheim Convention Center.

Dr. Sevillano acknowledged the work of our regular and special education teachers, as well as the professional development undertaken during the last year to work with our special needs population.

Mr. Lee-Sung noted that the Teacher of the Year Awards will be held at the Disneyland Hotel on Friday, October 19, 2012.

Mrs. Poore stated that she has good news ... hot off the press! She said the Board of Trustees previously approved for the District to refund our GO Bonds. She acknowledged that it doesn't directly help our District, but it does help the taxpayers of our District. She explained that the BO Bonds were sold today to JP Morgan and that AUHSD taxpayers will save \$3.8 million!

Mr. Riel noted he loves the change in weather.

14. **BOARD OF TRUSTEES' REPORT**

Mr. Brandman reported his attendance at the Military Banner program, AUHSD Foundation meeting, Ponderosa library opening, Edison Park YMCA Heal Zone kick-off event, and a gala at the Muzeo. He complimented Dr. Sevillano on tonight's state testing results report.

Mrs. Smith noted her attendance at the AUHSD Foundation meeting, as well as the Dual Language Tour at Anaheim High School and Sycamore Junior High School. She thanked Dr. Novack for her efforts in obtaining a crossing guard at Brookhurst Junior High School.

Mrs. Randle-Trejo remarked that she attended Back-to-School Nights at Ball and Brookhurst junior high schools, as well as at Magnolia High School. She added that South Junior High School opened a literacy pilot program, partnering with the Mexican Consulate; 46 students have signed up to attend. She said she attended the Ponderosa library opening and the YMCA Community Health Fair.

Mr. O'Neal noted his attendance at an Anaheim Sister City Commission meeting, Back-to-School Nights at Anaheim High School and Lexington Junior High School, a Budget Meeting, and the Morris Elementary School Grand Re-Opening. He remarked that he enjoys the junior high school/high school principals' reports at the Board meetings.

Mrs. Piercy discussed the Mito, Japan students that will visit on October 28. She stated that she attended the Anaheim Mayor's Prayer Breakfast, City of Cypress/AUHSD Liaison Meeting, Dual Language Tour at Anaheim High School and Sycamore Junior High School, and Morris Elementary Grand Re-Opening. She added that she judged the ASCPTA Reflections art work. Additionally, she announced that she has a new grandbaby!

15. **ADVANCE PLANNING**

15.1 **Future Meeting Dates**

The next regular meeting of the Board of Trustees will be held on Thursday, November 1, 2012, at 6:00 p.m.

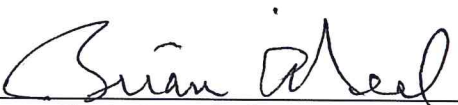
Thursday, December 6

15.2 **Suggested Agenda Items**

There were no suggested agenda items.

16. **ADJOURNMENT**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 8:56 p.m.

Approved  _____
Clerk, Board of Trustees