

**BOARD OF TRUSTEES**  
**Minutes**  
**Thursday, November 3, 2011**

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**1. CALL TO ORDER–ROLL CALL**

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

Present: Jordan Brandman, president; Anna L. Piercy, clerk; Jan Harp Domene, assistant clerk; Brian O’Neal and Katherine H. Smith, 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.

Elizabeth I. Novack and Dianne Poore were added to item 10.4, Resolution No. 2011/12-B-04.

Pulled items associated with Exhibits G, I, and J.

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 3:32 p.m.

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

**5.1 Reconvene Meeting**

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

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

Carlos Hernandez, South Junior High School principal, led the Pledge of Allegiance to the Flag of the United States of America and the moment of silence.

**6. INTRODUCTION OF GUESTS**

Mr. Brandman introduced Joanne Fawley, ASTA; Sharon Yager, CSEA; Lisa Rockwell, APGA; Erin Jenks, ASCPTA; Russ Earnest, ALTA; and Mike Matsuda, North Orange County Community College District.

## 7. REPORTS

### 7.1 **Closed Session**

- 7.1.1 No reportable action taken regarding negotiations.
- 7.1.2 No reportable action taken regarding personnel.
- 7.1.3 No reportable action taken regarding real property.
- 7.1.4 The Board of Trustees took formal action to appoint Rita J. Ray, as the new assistant principal at Kennedy High School.
- 7.1.5 The Board of Trustees took formal action to appoint Brad Jackson, as the new assistant principal at Brookhurst Junior High School.
- 7.1.6 The Board of Trustees took formal action to approve the expulsion of the following students.
  - 1. 11-02 under Education Code 48900(c), 48900(d), 48915(b)(2)
  - 2. 11-03 under Education Code 48900(a)(1), 48900(k), 48915(b)(1), 48915(b)(2)
  - 3. 11-04 under Education Code 48900(c), 48900(j), 48900(k), 48915(b)(1)
  - 4. 11-05 under Education Code 48900(a)(1), 48900(k), 48915(b)(1), 48915(b)(2)
  - 5. 11-07 under Education Code 48900(c), 48900(j), 48900(k), 48915(b)(1)
  - 6. 11-08 under Education Code 48900(a)(1), 48900(k), 48915(b)(1), 48915(b)(2)
  - 7. 11-09 under Education Code 48900(b), 48915(a)(2), 48915(b)(2)
  - 8. 11-10 under Education Code 48900(a)(2), 48900(k), 48915(a)(5), 48915(b)(1)
  - 9. 11-11 under Education Code 48900(b), 48915(b)(2)
  - 10. 11-12 under Education Code 48900(c), 48900(k), 48915(a)(3), 48915(b)(1), 48915(b)(2)
  - 11. 11-13 under Education Code 48900(k), 48900(m), 48915(b)(2)
- 7.1.7 The Board of Trustees took formal action to approve the readmission of students 08-125, 09-76, 09-299, and 09-203.

### 7.2 **Principal's Report**

Mr. Hernandez presented a report on South Junior High School.

### 7.3 **ASCPTA Report**

Erin Jenks, former ASCPTA president, reported on activities throughout the District and distributed the PTA monthly newsletter.

### 7.4 **Reports of Associations**

- 7.4.1 Sharon Yager, CSEA president, wished everyone a Happy Thanksgiving.
- 7.4.2 Lisa Rockwell, APGA co-president, discussed various counseling activities throughout the District.
- 7.4.3 Joanne Fawley, ASTA president, said she has been visiting schools and is hearing that the school year is going smoothly. She also wished everyone a Happy Thanksgiving.

7.5 **Student Representative's Report**

John Yergler, student representative to the Board of Trustees, reported on school activities throughout the District.

7.6 **District Update**

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

8. **PRESENTATIONS**

8.1 **Perfect Attendance Awards**

A Red Apple award was presented to each employee of the District with perfect attendance for the 2010-11 year. A Gold Apple award was presented to each employee with three consecutive years of perfect attendance.

Board President Jordan Brandman recessed the meeting at 6:56 p.m. and reconvened the meeting at 6:58 p.m.

8.2 **Solar Cup**

The Board of Trustees honored 10 Savanna High School students who won the coveted first place honor at the Solar Cup Finals at Lake Skinner in Temecula, California. The competition featured many teams from Southern California using their knowledge in physics, engineering, and carpentry to build their 16-foot boating vessels. Savanna's team won first place after two 90-minute races over a 1.7 kilometer course.

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

- 9.1 Felecita Gabourel discussed the comments made by Board Members to the media regarding colored-coded identification cards at Kennedy High School.
- 9.2 Monica Beauchamp, PTA president at Kennedy High School, stated her concerns over the negative remarks made to the media regarding the student incentive program. She complimented the staff at Kennedy High School.
- 9.3 Lori Dinwiddie, presented positive aspects of Kennedy High School and praised Principal Russ Earnest.
- 9.4 Theresa Frankel, discussed the wonderful environment at Kennedy High School. However, she reported students were approached by a reporter on campus.
- 9.5 Ross Romero, addressed segregation and discrimination by using a color-coded system to group students. He said principals have failed to follow policy.
- 9.6 Armando Cepeda said the color-coded system should be evaluated and changed to a system that is more appropriate.
- 9.7 Al Jabrar, said that he understood the District directed termination of the program, yet he learned that the directive was not followed? He said the District needs to hold everyone accountable.

10. **ITEMS OF BUSINESS**

10.1 **National Science Foundation Noyce Master Teacher Fellows**

The National Science Foundation Noyce Master Teacher Fellows (MTF) presented information to the Board of Trustees on exemplary Anaheim Union High School District mathematics teachers, who will attain National Board Certification status through the MTF program.

10.2 **District Assistance Intervention Team (DAIT) Presentation**

The District Assistance and Intervention Team (DAIT) New Directions, presented information to the Board of Trustees on their process for evaluating student achievement. A discussion ensued.

10.3 **Resolution No. 2011/12-E-04, Day of the Special Educator**

On the motion of Mr. O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2011/12-E-04 designating December 2, 2011, as Day of the Special Educator throughout the Anaheim Union High School District.

The roll call vote follows.

Ayes: Trustees Smith, O'Neal, Harp Domene, Piercy, and Brandman

10.4 **Resolution No. 2011/12-B-04, Authorization to Complete the Implementation of the District's Restructured 2011 School Facility Bridge Funding Program**

On the motion of Mr. O'Neal and duly seconded, following a lengthy discussion, the Board of Trustees adopted Resolution No. 2011/12-B-04 authorizing the final implementation of the District's restructured 2011 School Facility Bridge Funding Program (the "2011 Funding Program") to replace its 1999 School Facility Bridge Funding Program (the "1999 Funding Program"). The development phase, previously authorized by the Board of Trustees, for the 2011 Funding Program, is now substantially complete and final implementation can be completed in the near term. By completing the implementation of the 2011 Funding Program, the District will be able to defer its current annual payments for a three-year period and maintain its adjustable-rate/multimode structure. This structure has resulted in a 2.11 percent average interest rate since 1999, and the District's most recent weekly interest rate was 0.05 percent. Upon final implementation, the District's 1999 Funding Program will be replaced with the 2011 Funding Program, including the new deferred payment schedule.

This resolution: a) approves the substantially final forms of the financing documents; b) authorizes the maximum financial parameters; c) authorizes the activities required of the District staff and its program team members to complete the implementation; and d) designates the individuals listed below to execute any and all required documents associated with the final implementation of the 2011 Funding Program. Attached to the resolution is a summary of the primary financing documents, maximum financial parameters, and the primary implementation activities being authorized under this resolution. Additionally, the substantially final forms of the financing documents are available for review in the Board of Trustees' office. Representatives from the District's program team were in attendance to answer Board questions.

Elizabeth I. Novack  
Dianne Poore

The roll call vote follows.

Ayes: Trustees Smith, O'Neal, Harp Domene, Piercy, and Brandman

10.5 **Retiree Health Plan Group Application Form–The Hartford**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the Retiree Health Plan Group Application Form-The Hartford. On January 1, 2012, The Hartford Medicare supplement plan will replace the current District self-funded Medicare supplement for retirees over age 65. The Hartford plan promises greater savings for retirees as it pays 100 percent of the remainder for services after Medicare has paid on eligible expenses, rather than the 90 percent provided by the District plan. There are no network requirements as retirees may obtain services from any provider accepting Medicare. The group application form represents the agreement with The Hartford as it relates to plan specifics, costs, and terms. The application essentially becomes The Hartford Medicare supplement policy and governing document. Cost of The Hartford plan is included in the premium paid by retirees, along with the cost of the Part D prescription drug plan costs. The term of the agreement is January 1, 2012, through December 31, 2012.

10.6 **Medicare Part D Prescription Drug Services Agreement, Express Scripts**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the Medicare Part D Prescription Drug Services Agreement, Express Scripts. On January 1, 2012, retirees over the age of 65, who are Medicare eligible, will be automatically enrolled in and transferred to a fully insured Medicare supplement provided by The Hartford. The Medicare Part D prescription drug services for The Hartford Medicare supplement are provided by Express Scripts Insurance Company (ESIC) and administered by Benistar, a third party administrator contracted with ESIC. ESIC is an approved prescription drug plan sponsor authorized by the Centers for Medicare and Medicaid Services (CMS) to offer benefits to Part D eligible retirees and meets the actuarial equivalence standards required by CMS as described in the terms and conditions of the agreement. The cost of the prescription drug plan, which is paid by the retiree, is included in the monthly premium paid for The Hartford Medicare supplement. The initial term of the agreement is from January 1, 2012, through December 31, 2012, and shall automatically renew with the same terms and conditions as set forth for successive one year renewal terms.

10.7 **Revised Policies, First Reading**

The Board of Trustees reviewed and discussed the first reading of revised Board Policy 8535.5, Transfers-School of Choice/Intradistrict, and 8536, Transfers-Interdistrict. The transfer policy outlines revised procedures and language for student transfers. Board Policy 8535.5 does not provide District flexibility to meet new state legislation (AB 2444), regarding accepting and denying student transfers. Board Policy 8535.5 revisions also include revision of transfer processes, transfer procedures, and timelines for student transfers. Board Policy 8536 currently does not meet state and county transfer guidelines. Board Policy 8536 revisions include the conditions for granting interdistrict transfers and updating the appeal process language to include new legislation.

10.8 **Revised Policy, Second Reading**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the second reading of the revised Board Policy 41009, Fund Balance. The District's external auditors, Vavrinek, Trine, Day and Co., recommended that the funds in the Deferred Maintenance Fund (Fund 14) be committed by the Board of Trustees. If the funds remain uncommitted, the balances in the Deferred Maintenance Fund

will be combined with the General Fund (Fund 01) for the purpose of the audited financial statement presentation. Committing the funds sets aside those funds for a specific purpose. Deferred Maintenance funds are earmarked for use by the Facilities Department for various projects. Should it be necessary, the Board of Trustees can uncommit the funds through formal Board action.

10.9 **School Sponsored Student Organizations**

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

United Arab Student Group, Katella High School  
Music Speaks, Loara High School  
K-Pop Club, Loara High School  
Film Club, Magnolia High School  
Magnolia Academic Assistance Club (MAAC), Magnolia High School  
South Junior High Remote Control Car Club, South Junior High School  
Yoga Club, Western High School

John Yergler, student representative to the Board of Trustees, in a preferential vote, expressed his support for the student organizations.

10.10 **Award of RFP 2012-01-Student Information System to Aeries Software, Inc. dba Eagle Software**

On the motion of Mrs. Harp Domene, duly seconded and unanimously carried, following a staff presentation and discussion, the Board of Trustees awarded RFP 2012-01 Student Information System to Aeries Software, Inc. dba Eagle Software, for the purchase of a student information system and related services. On June 23, 2011, the Board of Trustees approved the District's use of Public Contract Code 20118.2 to request to bid a student information system.

Aeries Software, Inc. dba Eagle Software will provide a student information system called Aeries. Their RFP came in with features that will give the District enhanced functionality, as well as the lowest price. The selection of a system was made by a committee consisting of twenty-three members comprised of educators and administrators from all areas of the District. There were many factors taken into consideration by the committee including technical proposal, implementation, future flexibility and scalability, assessment, data warehousing, and overall cost. Aeries Software, Inc. dba Eagle Software had the best overall score, was the lowest bid, and was unanimously determined to be the best solution for the District. Awarding based on Public Contract Code 20118.2 and the specialized nature of technology related items, the District can award on factors other than just price. If approved, implementation will commence in November 2011 and will be completed by the end of the school year. Training would continue on an as needed basis.

The student information system is based on student enrollment figures and it is currently estimated at a cost of \$611,539 for a period of five (5) years, which has been budgeted. Actual cost will vary based on enrollment figures each year and does not include additional hardware. It is estimated that the hardware costs will be approximately \$100,000. While training is embedded in the contract, additional costs will be incurred (e.g substitute teachers). (General Funds)

Staff presented a brief overview of the process, as well as features of the proposed student information program.

## 11. 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 11.4 pulled by Mrs. Smith, for discussion.

### 11.1 **Subcontract Agreement, Intern Program, California State University, Fullerton (CSUF) Auxiliary Services Corporation**

The Board of Trustees ratified a subcontract agreement with California State University, Fullerton for intern teacher placement. Funding for this internship program is provided by the State of California to the District, and is passed through to CSUF Auxiliary Services Corporation. The amount of the pass through grant is \$100,569.75. Services are being provided July 1, 2011, through June 30, 2012, at no cost to the District.

### 11.2 **Agreement Amendment, Orange County Superintendent of Schools**

The Board of Trustees ratified the agreement amendment with the Orange County Superintendent of Schools, to provide substitute teachers and extra service pay for Polaris High School teachers, David Done and Joel Schwartz, for their participation in the Understanding American Citizenship (UAC) grant. The purpose of this amendment is to increase the agreement amount by \$3,600 from the original amount of \$2,600, for an amount not to exceed \$6,200. The date of the amendment will be extended through June 30, 2012. The original agreement expired on June 30, 2011. (Grant Funds)

### 11.3 **Accrediting Commission for Schools, Western Association of Schools and Colleges (WASC)**

The Board of Trustees approved the 2011-12 revisit fees for the Accrediting Commission for Schools, Western Association of Schools and Colleges. According to the conditions of the accreditation term, Community Day School will host a one-day midterm visit to document the progress of their six-year accreditation. The fee for the one-day visit is \$750. Polaris High School will also host a two-and-a-half day visit to document the progress of their accreditation. The fee for the two-and-a-half day visit is \$950. (General Funds)

### 11.4 **Contract Extensions for Individualized Transportation Services**

On the motion of Mr. O'Neal and duly seconded, the Board of Trustees approved the extension of the contracts for individualized transportation services, per Bid #2009-04. IDEA 2004 requires school districts to provide transportation services for students with disabilities whose Individualized Education Plan (IEP) determined the student requires special transportation, as a related service, in order to access the student's educational program. The vast majority of the District's special education students, who require special transportation, receive this service through our own District transportation. Periodically, there are situations when the District's transportation department is not able to provide this service. When this situation occurs, the District contracts with secondary carriers to provide these special transportation services. Bid #2009-04 includes two types of transportation services: Part A for shuttle services provide daily transportation for areas not covered by the District transportation department, and Part B for cab services, on an as needed basis, provide for services not needed on a daily basis, but are required by a student's IEP (including extra-curricular activities that require a student to extend their stay at school).

Bid #2009-04 was divided into two sections and awarded December 11, 2008: Part A for shuttle services was awarded to Child Shuttle, and Part B for cab services was awarded to Yellow Cab of Greater Orange County. Based on last year's usage, the annual estimated

expenditure will be \$105,000 for Child Shuttle and \$30,000 for Yellow Cab of Greater Orange County. This is an annual extension for the fourth year of a five-year contract. (General, Special Education, and Title I Funds)

The vote follows.

Ayes: Trustees O'Neal, Harp Domene, Piercy, and Brandman

Abstain: Trustee Smith

11.5 **Agreement, The Liquidation Company**

The Board of Trustees ratified the agreement with The Liquidation Company to provide auction services for the District, on an as needed basis, November 1, 2011, through October 31, 2014. The District contracts with an auctioneer to dispose of surplus equipment throughout the District that has worn out and reached the end of its life cycle. Public auction is one of the approved methods for disposal of surplus equipment from a public agency. The Liquidation Company holds monthly public auctions at its facility in Fontana, California. It contracts 3,000 to 4,000 prospective bidders prior to the auctions with an average of 200 to 300 bidders actually attending the auction. The company has been in business for 18 years and serves over 50 school districts throughout Southern California. (General Funds)

11.6 **Notice of Completion**

The Board of Trustees approved the notice of completion as listed.

Bid #2011-22, Savanna High School Relocatable Buildings Project (RDA Funds) Doja, Inc.	P.O. #F64A0052
Original Contract	\$1,586,000
Contract Changes	0
Total Amount Paid	\$1,586,000

11.7 **Change Orders**

The Board of Trustees ratified the change orders as listed.

11.7.1 Bid #2011-22, Savanna High School Relocatable Buildings Project (RDA Funds) Doja, Inc.	P.O. #F64A0052
Original Contract	\$1,586,000
Change Order #1	0
New Contract Value	\$1,586,000

11.7.2 Bid #2011-23, Western High School Site Improvements (RDA Funds) Big Ben, Inc.	P.O. #F64A0053
Original Contract	\$585,000
Change Order #1	\$18,835
New Contract Value	\$603,835

11.8 **Award of Bid**

The Board of Trustees awarded the following bid to the lowest responsive, responsible bidder.



<u>Bid #</u>	<u>Service</u>	<u>Award</u>	<u>Amount</u>
2011-25	Freezer Ball Junior High School (Food Service Funds)	Case & Sons Construction, Inc.	\$122,790

11.9 **Instructional Materials Submitted for Adoption**

The Board of Trustees adopted the selected instructional materials. The Instructional Material Review Committee has recommended the selected books for use in English and foreign language. The books have been made available for public review.

11.10 **Instructional Materials Submitted for Display**

The Board of Trustees approved the selected materials for display, recommended by the Instructional Materials Review Committee, for supplemental courses in foreign language. 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, November 4, 2011, through December 8, 2011.

11.11 **Individual Service Contracts**

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

11.12 **Donations**

The Board of Trustees accepted the donations as listed.

<u>Location</u>	<u>Donated by</u>	<u>Item</u>
Gilbert	Anaheim Fireman's Association	\$250
Hope	Mark Mott	Two boxes of towels
Hope and Western	Big Lots	\$2,911.05
Magnolia	Robert Cunard	\$233.90
	Juan Leon	\$75
	Joey Gutierrez	\$400
	Angels Baseball Foundation	\$2,500

11.13 **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.

11.14 **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.

11.15 **Certificated Personnel Report**

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

11.16 **Classified Personnel Report**

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

11.17 **Field Trip Report**

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

11.18 **Purchase Order Detail Report**

The Board of Trustees ratified the purchase order detail report, October 4, 2011, through October 24, 2011.

11.19 **Check Register/Warrants Report**

The Board of Trustees ratified the check register/warrants report October 4, 2011, through October 24, 2011.

12. **SUPPLEMENTAL INFORMATION**

12.1 Minutes of Department Meetings

12.2 Cafeteria Fund, August 2011

12.3 Enrollment Report, Month 1

13. **SUPERINTENDENT AND STAFF REPORT**

Dr. Novack praised the twenty-six veterans currently employed in the District and announced the Veteran's Day celebration is scheduled for November 10, 2011, at 9:00 a.m. Dr. Novack thanked the Board and Cabinet for their hard work and support. In relation to the public comments made tonight, Dr. Novack added that the Anaheim Union High School District is in compliance in all aspects. She said the Student Incentive Taskforce will gather data, analyze the information, and recommend changes to the program.

Mr. Brandman stated he hopes the recommendation comes to the Board in the form of a policy.

Dr. Sevillano thanked Cheryl Quadrelli-Jones for her dedication and hard work at the College and Career Fair.

Mr. Lee-Sung said he was very pleased to attend the Orange County Teacher of the Year awards dinner at the Disneyland Hotel.

Mrs. Poore shared information on the Anaheim High School marquee. She noted the change order will reflect a savings of \$11,000 on this project. She also noted a total of ten projects were completed during the summer.

Mr. Riel presented an update on new legislation regarding bullying and cyber-bullying.

14. **BOARD OF TRUSTEES' REPORT**

Mrs. Smith said she attended the Scholar Athlete sub-committee meeting and the Orange County Teacher of the Year awards dinner. She commented on her conversation with Orange County Register Reporter Scott Martingdale and volunteered to be on the Student Incentive Taskforce.

Mr. O'Neal reported his attendance at the Orange County Teacher of the Year awards dinner and thanked Dr. Novak for her comments regarding the Student Incentive Taskforce.

Mrs. Harp Domene noted her attendance at the Orange County Teacher of the Year awards dinner, the College and Career Fair, the parent night with Mothers Against Drunk Driving (MADD), the Budget Committee meeting, and the District Campus Halloween Potluck. She said she also attended funeral services for Henry Mason and Alice Conaster.

Mrs. Piercy commented on her attendance at the OCSBA meeting, the Reflections evening at Cypress High School, the Red Ribbon Week breakfast in Cypress, the Orange County Teacher of the Year awards dinner, and the wine and cheese reception. She said she met with Sam Hill who is working on a recycling program that may generate money for our schools.

Mr. Brandman noted his attendance at the West Anaheim Development Council, the ROP Board meeting, the Heep dinner, the Anaheim Museo Gala, the Anaheim Fall Festival Parade, the Orange County Teacher of the Year awards dinner, and the Youth Leadership Anaheim College Seminar.

15. **ADVANCE PLANNING**

15.1 **Future Meeting Dates**

The next regular and annual reorganizational meeting of the Board of Trustees will be held on Thursday, December 8, 2011, at 6:00 p.m.

15.2 **Suggested Agenda Items**

There were no suggested agenda items.

16. **ADJOURNMENT**

On the motion of Mrs. Piercy, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 9:36 p.m.

Approved \_\_\_\_\_  
Clerk, Board of Trustees