

BOARD OF TRUSTEES
Minutes
Thursday, December 6, 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 3:30 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; Dianne Poore, Russell Lee-Sung, and Paul Sevillano, assistant superintendents; and Jeff Riel, District counsel.

2. ADOPTION OF AGENDA

Staff requested the following amendment to the agenda:

Replace Exhibit B, Revised Graduation Requirements Policy

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 3:31 p.m.

5. STUDENT PRESENTATION

Hope School Choir Performance

In accordance with tradition, the meeting opened with a performance by students from the Hope School Performance Arts Department under the direction of Julia Hahn, Melissa Saunders, and John Pavasars.

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

6.1 Reconvene Meeting

The Board of Trustees reconvened into open session at 6:12 p.m.

6.2 Pledge of Allegiance and Moment of Silence

Cypress High School Student Ambassador Grace Lee led the Pledge of Allegiance to the Flag of the United States of America and the moment of silence.

6.3 **Closed Session**

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

6.3.1 No reportable action taken regarding negotiations.

6.3.2 No reportable action taken regarding personnel.

6.3.3 The Board of Trustees took formal action to dismiss employee HR-2012-13-03.

6.3.4 The Board of Trustees took formal action to approve the administrative appointment of Louie Lemonnier to the position of assistant principal, Hope School.

6.3.5 No reportable action taken regarding litigation.

6.3.6 The Board of Trustees took formal action to approve the expulsion of all students listed on the closed session agenda.

1. 12-23 under Education Code 48900(c), 48915(a)(3), 48915(b)(1)
2. 12-24 under Education Code 48900(a)(1), 48900(k), 48915(b)(1)
3. 12-28 under Education Code 48900(b), 48900(c), 48900(k), 48915(a)(2), 48915(b)(2)
4. 12-31 under Education Code 48900(c), 48915(c)(3), 48915(b)(1)
5. 12-33 under Education Code 48900(a)(1), 48900(g), 48900(k), 48915(b)(1)

7. **INTRODUCTION OF GUESTS**

Introduction

Mrs. Piercy introduced Joanne Fawley, ASTA president, and Sharon Yager, CSEA president.

8. **BOARD OF TRUSTEES’ RECOGNITION**

8.1 **ASCPTA Reflections Winners**

The Board of Trustees honored the following students for their outstanding work and as Anaheim Secondary Council-level PTA Reflections award recipients:

- Hannah Cruz, Brookhurst Junior High School–Literature
- Samantha Garania, Katella High School–Visual Arts
- Maya Gutierrez, Lexington Junior High School–Photography
- Aalyah Khamsue, Walker Junior High School–Visual Arts
- Derek Lein, Cypress High School–Film Production
- Sharon Liu, Oxford Academy–Music Composition
- Alejandra Malagon, Savanna High School–Literature
- Ashley Munoz, Loara High School–Photography
- Jake Tribe, Lexington Junior High School–Film Production
- Andrew Winter, Cypress High School–Dance Choreography

Each year, the PTA Reflections program challenges students to create art inspired by a specific theme. This year’s theme was “The Magic of a Moment.” The students’ work will be forwarded to the Fourth District PTA to compete in the Regional PTA Reflections program. ASCPTA Reflections Chairperson Mrs. Danae’ Mullen assisted with the presentation.

8.2 **Perfect Attendance Awards**

The Board of Trustees recognized several employees recording perfect attendance. A Red Apple award was presented to each employee of the District with perfect attendance for the 2011-12 year. A Gold Apple award was presented to each employee with three (3) consecutive years of perfect attendance.

9. **REPORTS**

9.1 **Special Youth Services Update**

Dr. Cheryl Lew, Hope School principal, and Mr. Brad Jackson, Special Youth Services director, presented an update regarding 21st Century Learning.

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

There was no ASCPTA report.

9.3 **Student Representative's Report**

Student Ambassador Grace Lee, reported on school activities throughout the District.

9.4 **Reports of Associations**

Joanne Fawley, ASTA president, reported on the various student programs throughout the District. She also commented on the passage of Proposition 30. She thanked Mr. Brandman for his service to public education.

Sharon Yager, CSEA president, wished everyone a happy holiday.

Brian Bannon, APGA co-president, thanked everyone for a birthday card he received. Additionally, he reported on the Seal of Biliteracy and his efforts in writing over 100 letters for college admissions.

9.5 **District Update**

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

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

Linda Lobatos, 200 N. Carlton, Anaheim, thanked Dr. Novack and Dr. Sevillano for their help on resolving the issues of the cheer program at Anaheim High School. She stated her daughter has been a victim of retaliation and requested parents be involved in the hiring process of the new cheer coach.

Kelly Martinez, 200 N. Carlton, Anaheim, student at Anaheim High School, requested the Board allow input from the cheerleaders in the selection of the new cheer coach.

Thomas "Hoagy" Holguin, 2557 E. Seville Avenue, Anaheim, thanked the Board for bringing forward the discussion on the election process for Board members.

Art Montez discussed redistricting for the election of Board members and again requested full disclosure and transparency not only from Board members, but from all staff members.

Jackie Filbeck, thanked the Board for always making her feel welcome. She said she is no longer a community representative for Chris Norby, but will continue to be involved in the community as an Anaheim resident.

11. ITEMS OF BUSINESS

EDUCATIONAL SERVICES DIVISION

11.1 **Revised Graduation Requirements Policy, First Reading**

Background Information:

On July 15, 2010, the Board of Trustees approved a revision to Board Policy 71105, Graduation Requirements. The revision included a change in the number of credits required to graduate, from a total of 230 credits to a total of 220 credits, for the graduating classes of 2011 and 2012. Subsequently the Board revised the policy on September 8, 2011, to extend the 220 credits graduation requirement to include the graduating class of 2013. The change was a result of the state's fiscal crisis and the elimination of support mechanisms utilized to help students remediate courses and meet the current threshold.

Current Consideration:

The District is requesting to revise the Board Policy 71105 to indefinitely change the graduation requirements from 230 credits, to 220 credits. The credits affected by this change would be the elective credits. This change would reduce the required total of elective credits for graduation from 60 credits to 50 credits. The District implemented reduced electives practice in 2011 and is requesting to formalize the change with this revision of the Board Policy. This change would still maintain District credit requirements that currently exceed the state requirement.

Budget Implication:

Without this adjustment to the District credit requirements there would be a significant fiscal impact to the District budget.

Action:

On the motion of Mr. O'Neal and duly seconded, following a lengthy discussion, the Board of Trustees approved the revision to Board Policy 71105, Graduation Requirements. The vote follows.

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

Noes: Trustee Smith

11.2 **School-Sponsored Student Organizations Applications, Anaheim, Kennedy, and Loara High Schools**

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 organization applications:

11.2.1 Atomic Club, Anaheim High School

11.2.2 CHOC and Friends, Kennedy High School

11.2.3 The Saxon Line, Loara High School

11.2.4 Barks of Love, Loara High School

11.2.5 The Art of Gloving, Loara High School

Budget Implication:

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

Action:

On the motion of Mr. O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the school-sponsored organization applications. The student representative to the Board of Trustees cast a preferential vote for the school-sponsored organizations.

HUMAN RESOURCES DIVISION

11.3 Resolution No. 2012/13-HR-06, Implementation of the Terms and Conditions of Employment Regarding the Classified Bargaining Unit Represented by AFSCME, Local 3112 (Council 36) and Reinstatement of Positions in the Classified Bargaining Unit Represented by AFSCME, Local 3112 (Council 36)

Background Information:

The District and AFSCME, Local 3112 (Council 36) (AFSCME), have been engaged in negotiations for a successor three (3) year collective bargaining agreement (CBA) to the prior 2008-2011 CBA. Negotiations commenced in July, 2011, and the parties engaged in negotiations for over 21 sessions and 75 hours through July 30, 2012. The Public Employment Relations Board (PERB) determined on August 15, 2012, the existence of impasse in negotiations, and a state mediator was appointed to assist the parties. Mediation was held on September 24, 2012, but no agreement was reached. The parties were certified to Factfinding by the State Mediator on September 26, 2012. In accordance with the Educational Employment Relations Act (EERA), a formal factfinding hearing was held on October 25 and 29, 2012, before the three (3) member factfinding panel. On November 15, 2012, the "Factfinding Panel Report and Recommendations" was issued to the District and AFSCME. The Factfinding Panel Report and Recommendations were made public by the District via the District website on Monday, November 19, 2012. The Board of Trustees considered the Factfinding Report and Recommendations in good faith. Post-Factfinding negotiations were conducted between the District and AFSCME on Monday, November 26, 2012, and Thursday, November 29, 2012.

The above-mentioned Factfinding Panel Report and Recommendations, dated November 15, 2012, took into consideration the District's inability to pay the status quo. Regarding this important consideration, the majority of the Factfinding panel determined that, "The District has presented largely uncontroverted evidence of its precarious financial condition, which is likely to get worse before it gets better. There can be little doubt that the District, based on the evidence presented, has an inability to pay the status quo. Accordingly, the panel finds that the District has the inability to pay the status quo."

The Board of Trustees considered the Factfinding Report and Recommendations in good faith and authorized the District negotiation team to engage in post-factfinding negotiations. These negotiations resulted in a second impasse between the District and AFSCME.

Previously at the Board meeting of May 14, 2012, the District approved a list of classified layoffs of certain employees in the bargaining unit represented by AFSCME, Local 3112

(Council 36). These layoffs were necessary due to the reduction in state funding to the Anaheim Union High School District. The Board took action to reinstate four (4) Athletic Facility Worker I positions on August 16, 2012. On September 20, 2012, the Board found it necessary to take action to layoff four (4) other classified positions in this unit.

Current Consideration:

The proposed Resolution implements "Terms and Conditions of Employment" and reinstates positions previously reduced or eliminated.

Budget Implication:

Employee reinstatements effective for the remainder of the 2012-13 year will impact the budget with an additional estimated expense of \$433,000. The expense will be offset in part from the estimated savings of two (2) furlough days for this bargaining unit, estimated at \$100,000. Additional savings provided in this resolution will occur through other cost containment measures, including modified dispatcher overtime rules and personal necessity days not charged against employee's sick leave. The District will contribute an estimated \$172,000 for health and welfare benefits to this unit for insurance year 2013.

Action:

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees took the action listed below, by a roll call vote.

1. Adopted Resolution No. 2012/13-HR-06, for the classified bargaining unit represented by AFSCME, Local 3112 (Council 36).
2. Reinstated 1 of 2 Equipment Operator positions. 1 position remains laid off, 7/1/12.
3. Reinstated 1 of 2 Grounds Maintenance Worker positions. 1 position remains laid off, 7/1/12.
4. Reinstated 1 additional Athletic Facilities Worker I position. 4 positions already restored, 8/16/12; 4 positions remain laid off, 7/1/12.
5. Reinstated 1 Carpenter.
6. Reinstated 1 Heating Venting Air Condition Technician.
7. Reinstated 1 Athletic Facilities Worker II (male) position.
8. Reinstated from layoff to 8 hour positions, effective Monday, December 10, 2012:
 - Auditorium Operations Tech 5 positions return to 8 hours from 4 hours
 - Maintenance Service Worker 11 positions return to 8 hours from 7.5 hours
 - Grounds Maintenance Worker 4 positions return to 8 hours from 7 hours
 - Pool Maintenance Tech 2 positions return to 8 hours from 7 hours
 - Warehouse Worker 1 position returns to 8 hours from 4 hours
 - Transportation Operation Specialist 1 position returns to 8 hours from 7 hours

Pete Schnauffer asked the Board to vote against all aspects of this proposal, with the exception of restoring hours and bringing back employees who were laid off.

The roll call vote follows:

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

11.4 **Public Hearing, Board of Trustees' Appointment/Reappointment of Personnel Commission Member**

Background Information:

The Personnel Commission of the Anaheim Union High School District is composed of three (3) members that apply the rules and principles of the merit system, pursuant to Education Code requirements. Each commissioner is appointed for a three (3) year term that expires on December 1 of the third year. The commissioners' terms are staggered. According to the Education Code and Personnel Commission rules, the Board of Trustees appoints one (1) of the three (3) commission members. The term of the current Board of Trustees' appointed Personnel Commission Member, Mr. Espiridion (Speed) Castillo, expires on December 1, 2012. Therefore, the Board of Trustees must appoint, or reappoint, a member for the new three (3) year term. The Board of Trustees is required to hold a public hearing to provide members of the public the opportunity to express their views on the intended appointment.

Current Consideration:

At the public Board meeting on November 1, 2012, the Board of Trustees announced its intention to reappoint Mr. Espiridion (Speed) Castillo to the new three (3) year term commencing December 1, 2012. Notice of the public hearing was also posted publicly in the District, five (5) days prior to the public hearing.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees formally opened the public hearing, at 8:12 p.m. to provide the public an opportunity to speak on the intended appointment to the Personnel Commission.

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 8:13 p.m.

11.5 **Board of Trustees' Appointment/Reappointment of Personnel Commission Member**

Background Information:

The Personnel Commission of the Anaheim Union High School District is composed of three (3) members that apply the rules and principles of the merit system pursuant to Education Code requirements. Each commissioner is appointed for a three (3) year term that expires on December 1 of the third year. The Commissioners' terms are staggered. According to the Education Code and Personnel Commission rules, the Board of Trustees appoints one (1) of the three (3) commission members. The term of the current Board of Trustees' appointed Personnel Commission Member, Mr. Espiridion (Speed) Castillo, expires on December 1, 2012. Therefore, the Board of Trustees must appoint, or re-appoint, for the new three (3) year term. At the public Board meeting on November 1, 2012, the Board of Trustees announced its intention to reappoint Mr. Espiridion (Speed) Castillo to the new three (3) year term.

Current Consideration:

The Board of Trustees' conducted a public hearing to provide members of the public the opportunity to express their views on the intended appointment of Mr. Espiridion (Speed) Castillo for the term commencing December 1, 2012, and ending on December 1, 2015.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Mrs. Smith and duly seconded, following discussion, the Board of Trustees reappointed Mr. Espiridion (Speed) Castillo to the Personnel Commission, by the following roll call vote:

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

SUPERINTENDENT'S OFFICE

11.6 Resolution No. 2012/13-BOT-03, School Boards Regarding Sequestration

Background Information:

The Federal Budget Control Act of 2011 required \$900 million in cuts to discretionary programs, including education, over the next ten (10) years. Additionally, the act created a Joint Committee on Deficit Reduction (super-committee) charged with identifying \$1.2 trillion of cuts over a ten (10) year period. If the committee did not identify savings, automatic budget cuts would be implemented (Sequestration) beginning in 2013. In this instance, Sequestration, which is defined as the act of removing, separating, or seizing anything from the possession of its owner under process of law for the benefit of creditors, or the state, would require automatic across-the-board cuts to federal programs not otherwise exempt. At this time, there are no proposed bills that would stop Sequestration from impacting federal education funding. Should Sequestration occur, the potential loss to Anaheim Union High School District is estimated at approximately \$1.8 million in federal money.

Current Consideration:

The National School Boards Association has requested that local school Boards of Education pass resolutions urging congress to stop these across-the-board cuts known as Sequestration. The resolution will urge congress and the administration to amend the Budget Control Act to mitigate the drastic cuts to education that would affect our students and communities, as well as protect education as an investment critical to economic stability and American competitiveness.

Budget Implication:

In the event that Sequestration is imposed, the Anaheim Union High School District will lose approximately \$1.8 million in federal money.

Action:

On the motion of Mr. O'Neal and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2012/13-B-03, by the following roll call vote:

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

11.7 The Election Process for Board of Trustee Members

Background Information:

In the Anaheim Union High School District there are five (5) Board of Trustee members who are each elected to four (4) year terms. The terms are staggered by two (2) years. Board elections are held during the general election in November of even numbered years. Currently, Board members are elected through an at-large voting system in which all members are elected by the entire jurisdiction. When there are two (2) seats up for election, each voter casts two (2) votes for those running for election. An alternative to an at-large voting system is an election system in which trustee areas are established. For districts that establish trustee areas, Education Code Section 5030 identifies several alternative methods for electing board members, which include the following:

- That each member of the governing board be elected by the registered voters of the entire district.
- That one (1) or more members residing in each trustee area be elected by the registered voters of that particular trustee area.
- Then each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area, which he or she represents.

Current Consideration:

At the November 1, 2012, Board of Trustees' meeting, two (2) members of the Board requested that an item be placed on the agenda to discuss the method that is currently used to elect members to the Board.

Budget Implication:

None identified at this time.

Action:

The Board of Trustees engaged in a lengthy discussion regarding the benefits of, and alternatives to, the current at-large voting system. The consensus of the Board was to bring this item back for discussion at a future meeting.

11.8 **Preliminary District Budget Update**

Background Information:

At the June 21, 2012, Board of Trustees' meeting, two (2) members of the Board requested that the Board of Trustees engage in a general discussion regarding the District's fiscal environment after the November 2012 election and the feasibility of future restoration efforts.

At that time, The District's budget shortfall (e.g. mid-year cuts) was in question, as the passage of Proposition 30 was still unknown.

On November 6, 2012, California voters approved Proposition 30, which provides the K-16 education community with more than \$8 billion in revenue through temporary increases in sales tax and income tax for individuals earning a minimum of \$250,000. It is important to note that failure of the tax initiative at the ballot box would have triggered a \$16 million reduction in the AUHSD budget beginning in January 2013.

Additionally, because Governor Brown built the state budget on the assumption that Proposition 30 would be approved, it does not provide the District with any new funding this year to address the \$11 million in cuts we have already made.

It should be noted that the District has been through some very rough times, having slashed approximately \$90 million from programs and services and eliminated more than 525 positions since 2008-09.

Current Consideration:

While we certainly "avoided" mid-year cuts with the passage of Proposition 30, the AUHSD still must address a structural, or "built-in," deficit of approximately \$12 million for 2013-14. If that deficit is not resolved with ongoing cuts, there will be a \$15 million deficit going into the 2014-15 year.

The structural deficits exist because state funding has dropped and over the past five (5) years, the District has relied on the use of one-time monies, which are no longer available from sources such as surplus ending balances, Federal Jobs Bill, and American Recovery and Reinvestment Act to reduce cuts and balance the budget. The District must address a long-term budget shortfall through program and services reductions and/or elimination, as well as employee concessions.

Budget Implications:

As stated above, the District will continue to grapple with a budget shortfall, which is anticipated to be \$12 million for the 2013-14 year.

The District's 2012-13 first interim report will be presented at the Board of Trustees' organizational meeting December 13, 2012, which will include discussion of the most recent analysis of the District's long-range budget projection with an update on the 2013-14 year shortfall.

Action:

The Board of Trustees engaged in a lengthy discussion regarding the current status of the District budget and what may be anticipated. It was stated that the passage of Proposition 30 will not bring the District any additional funding.

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, following discussion, the Board of Trustees approved/ratified the following Consent Calendar.

BUSINESS SERVICES DIVISION

12.1 **Agreement, North Orange County Regional Occupational Program**

Background Information:

This is a long-standing agreement whereby the District agrees to provide District personnel, as requested by North Orange County Regional Occupational Program (NOCROP), to service programs maintained by NOCROP in the District.

Current Consideration:

The District will provide career guidance specialists to NOCROP to provide guidance functions as determined by the District. NOCROP will provide a statement of performance objectives for each career guidance specialist to the District, as well as to each high school principal. Services are being provided July 1, 2012, through June 30, 2013.

Budget Implication:

NOCROP reimburses the District for 66.6 percent of one (1) counselor's contracted salary and benefits at each high school.

Action:

The Board of Trustees ratified the agreement with North Orange County Regional Occupational Program.

12.2 **Reverse Link Instruction Agreement, North Orange County Regional Occupational Program**

Background Information:

This is a long-standing agreement whereby the North Orange County Regional Occupational Program (NOCROP) agrees to provide appropriately credentialed personnel, as requested by the District, to service instructional programs maintained by the District.

Current Consideration:

NOCROP will provide appropriately credentialed program personnel, as requested by the District, to service instructional programs maintained by the District. Credentialed personnel will provide instruction in compliance with District instructional policies, procedures, curriculum, and class schedules. The instructor will work under the direct supervision of a designated District supervisor for the portion of time assigned for District instruction. Services are being provided July 1, 2012, through June 30, 2013.

Budget Implication:

The cost is not to exceed 20 percent of teacher's contracted salary and benefits. (General Funds)

Action:

The Board of Trustees ratified the agreement with NOCROP for reverse link instruction.

12.3 **Agreement Amendment, Public Economics, Inc.**

Background Information:

The highly technical and complex process of updating and reporting of Redevelopment Area (RDA) pass through entitlements is a specialized service. Public Economics, Inc. has special expertise in these processes. The District benefits from economies of scale by contracting with Public Economics, Inc. for these services because the cost of these services is shared by multiple districts that are often affected by each project area.

Current Consideration:

The District has an interest in continuing consultant services with Public Economics, Inc. for the current fiscal year and beyond. This agreement amendment will extend the effective date of the agreement until June 20, 2014.

Budget Implication:

The cost is not to exceed \$50,000. (Redevelopment Funds, and/or other funds as appropriate)

Action:

The Board of Trustees approved the agreement amendment with Public Economics, Inc.

12.4 **Rejection of Liability Claim**

Action:

The Board of Trustees rejected a liability claim that was filed on November 5, 2012, and it was identified as AUHSD 13-02 (Tort Claim #318). After review, staff determined that the claim was not a proper charge against the District and authorized staff to send the notice of rejection. This claim alleges personal injury.

12.5 **Notices of Completion**

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 notices of completion with the office of the county recorder as listed below.

12.5.1 Bid #2012-15, Magnolia High School	P.O. #G64A0020
Drainage and Landscape Improvements (RDA Funds)	
C.S. Legacy Construction	
Original Contract	\$1,427,100
Contract Changes	\$0
Total Amount Paid	\$0
12.5.2 Bid #2012-18, Western High School	P.O. #G64A0031
Tennis and Basketball Courts Project (RDA Funds & Developer Fees)	
Big Ben, Inc.	
Original Contract	\$1,235,000
Contract Changes	\$0
Total Amount Paid	\$0

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

12.6 **Ratification of Change Order**

Bid #2012-15, Magnolia High School	P.O. #G64A0020
Drainage & Landscape Improvements (RDA Funds)	
C.S. Legacy Construction	
Original Contract	\$1,427,100
Change Order #1	\$0
New Contract Value	\$0

Action:

The Board of Trustees ratified the change order as listed.

12.7 **Rejection of Bids**

<u>Bid #</u>	<u>Service</u>	<u>Award</u>
2013-09	Building E and F Lighting and Low Voltage Upgrade Oxford Academy (Maintenance Funds)	Reject all bids

Action:

The Board of Trustees rejected all bids.

12.8 **Donations**

<u>Location</u>	<u>Donated by</u>	<u>Item</u>
Cypress	Roy Kenny	\$216
District	SchoolsFirst Federal Credit Union	\$388

	Thomas "Hoagy" Holguin	\$400 for the District Campus Employee of the Month plaque
Kennedy	Wells Fargo Bank	\$150
Loara	Sam's Club	2,010 cupcakes
	Susan Powanda	\$425 for senior yearbooks
Sycamore	House of Blues	\$2,624 to the band program
	Target	\$66.34
	PTSA	\$1,650

Action:

The Board of Trustees accepted the donations as listed.

12.9 **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 et. al.

12.10 **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.

12.11 **Purchase Order Detail Report**

Action:

The Board of Trustees ratified the purchase order detail report, October 23, 2012, through November 26, 2012.

12.12 **Check Register/Warrants Report**

Action:

The Board of Trustees ratified the check register/warrants report, October 23, 2012, through November 26, 2012.

EDUCATIONAL SERVICES DIVISION

12.13 **Membership, Learning Ally**

Background Information:

Learning Ally's collection of more than 75,000 digitally-recorded textbooks and literature titles is the largest of its kind in the world. Learning Ally allows students with print disabilities access to the District-wide curriculum.

Current Consideration:

The purpose for renewing the District membership with Learning Ally is to provide unlimited downloads, mainstream listening devices, teacher tools, professional development, integrated text-to-speech, and also free listening options. Some of the students that will need access to Learning Ally would be students who have recently lost their vision and have not yet learned, or mastered, Braille and are unable to use large print material.

Budget Implication:

The price for each student membership is \$79. The District will pay the annual membership fee to Learning Ally, at a cost not to exceed \$395. (Special Education Funds)

Action:

The Board of Trustees approved the annual membership for Learning Ally. The membership will be in effect January 20, 2013, through January 19, 2014.

12.14 **Membership, Orange County Department of Education and Special Education Legal Alliance**

Background Information:

The Special Education Legal Alliance (Alliance) is a collaboration comprised of all school districts in Orange County. The Alliance provides districts professional development, trainings, seminars, outreach, advocacy, and other supports addressing special education issues throughout Orange County. The Alliance supports various legal issues related to special education matters that have significant impact on districts throughout Orange County. To fund the Alliance, each Orange County district provides \$.20 per ADA.

Current Consideration:

The Alliance will continue to provide education, support, advocacy, and assistance to the District on important legal issues related to special education matters. The District significantly benefits from Alliance services.

Budget Implication:

The District will pay the Orange County Department of Education a fee of \$6,210.07 for the 2012-13 year. The fee for the 2011-12 year was \$9,459.51. (Special Education Funds)

Action:

The Board of Trustees approved the payment of membership dues for the Special Education Legal Alliance to the Orange County Department of Education. Services will be provided December 7, 2012, through June 30, 2013.

12.15 **Educational Consulting Agreement, Disciplina Positiva**

Background Information:

Disciplina Positiva is a parent education program designed to promote the development of positive communication between parents and their adolescent children, as well as to facilitate a connection between the family, the community, and the school. During the 2011-12 year, South Junior High School, Western High School, and the Parent Involvement/McKinney-Vento offices at the District Campus piloted the program, which was well received by parent participants. Classes were tailored to the specific needs of the schools and included criteria for effective home discipline, ways to maximize the potential of adolescents, and to understand adolescent behavior. Workshops were taught in Spanish and in English by experienced bilingual facilitators.

Current Consideration:

Disciplina Positiva will provide a comprehensive six (6) session training program for approximately 150 Western High School parents, during the 2012-13 year. The training is

designed to promote the development of positive communication between parents and their adolescent children and to facilitate a connection between the family, the community, and the school. The workshops will be taught in Spanish and English.

Budget Implication:

The costs for these services are not to exceed \$4,000. (Title I Funds)

Action:

The Board of Trustees approved the educational consulting agreement with Disciplina Positiva. Services will be provided January 28, 2013, through March 18, 2013.

12.16 **Partner Stipend and Award Grant Agreement, Orange County United Way (OCUW) Community Tax Day (CTD)**

Background Information:

The Orange County United Way (OCUW) leads the annual Earned Income Tax Credit (EITC) Campaign, which serves low-income working families in Orange County. OCUW works in partnership with the Internal Revenue Service (IRS) and members of the Orange County Financial Stability Alliance (OCFSA). The OCUW Community Tax Day (CTD) Partner Stipend and Award Program is available to qualified CTD partner sites. The District has been a participating member and partner site for the past three (3) years. Students who are enrolled in an Accounting Pathway, and earn at least the intermediate level of IRS Tax Preparation certification, qualify to participate in the Community Tax Days.

Current Consideration:

OCUW will provide the District with a minimum \$2,000 grant stipend, which supports the cost of this activity. If the District is able to serve more than 50 clients, the District may become eligible for an additional EITC Award from OCUW. The award is intended to encourage and compensate CTD Partner sites to serve the greatest number of EITC eligible clients possible. Additional awards may range from \$500 to a maximum of \$8,000 to be awarded to the participating Accounting Pathway programs.

Budget Implication:

The funding will support the 11 Community Tax Days hosted at the District Campus and Cypress High School, at no cost to the District. (OCUW Community Tax Day Award Grant Agreement funding)

Action:

The Board of Trustees approved the award grant agreement. The grant term will be December 10, 2012, through June 15, 2013. Signatures from OCUW will be provided upon Anaheim Union High School District Board approval.

12.17 **Independent Contractor Agreements, Supplemental Educational Services Providers**

Background Information:

Supplemental Educational Services (SES) are a requirement of the No Child Left Behind Act of 2001 (NCLB), for schools in years two (2) through five (5) of Program Improvement (PI). The District is required to contract with SES providers, which are approved by the California Department of Education (CDE).

Current Consideration:

Ball, Brookhurst, Dale, Orangeview, South, and Sycamore junior high schools, as well as Anaheim, Katella, Loara, Magnolia, Savanna, and Western high schools, qualify for SES. Per NCLB regulations, parents of students who qualify for SES select the CDE-approved SES providers.

Budget Implication:

Each participating student is allowed a maximum of \$917.15 in services, or the most current state approved per pupil rate. (Title I Funds)

Action:

The Board of Trustees approved the following independent contractor agreements. Services will be provided December 7, 2012, through May 15, 2013.

12.17.1 **# 1 At-Home Tutors, Inc.**

1 At-Home Tutors, Inc., an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$13,800.

12.17.2 **# 1 Touch Screen Tablet Computer Tutoring**

1 Touch Screen Tablet Computer Tutoring, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$19,300.

12.17.3 **1-on-1 Learning with Laptops**

1-on-1 Learning with Laptops, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$56,900.

12.17.4 **1 to 1 Study Buddy Tutoring**

1 to 1 Study Buddy Tutoring, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$12,000.

12.17.5 **24 Horas de Tutoria**

24 Horas de Tutoria, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$7,400.

12.17.6 **A to Z In-Home Tutoring, LLC**

A to Z In-Home Tutoring, LLC, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$9,200.

12.17.7 **Aavanza (Extreme Learning DBA Aavanza)**

Aavanza (Extreme Learning DBA Aavanza), an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$37,700.

12.17.8 **Able Academics**

Able Academics, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$7,400.

12.17.9 **Advanced Reading Solutions LLC dba UROK Learning Institute**

Advanced Reading Solutions LLC dba UROK Learning Institute, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$6,500.

12.17.10 **Alpha! Innovation through Education**

Alpha! Innovation through Education, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$5,600.

12.17.11 **Alternatives Unlimited, Inc.**

Alternatives Unlimited, Inc., an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$9,200.

12.17.12 **Anaheim Kumon Center**

Anaheim Kumon Center, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$15,600.

12.17.13 **Aprende! Tutoring**

Aprende! Tutoring, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$31,200.

12.17.14 **Brain Hurricane**

Brain Hurricane, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$18,400.

12.17.15 **Datamatics, Inc dba Achieve HighPoints**

Datamatics, Inc dba Achieve HighPoints, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$12,000.

12.17.16 **EduThink**

EduThink, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$10,100.

12.17.17 **Friendly Community Outreach Center (FCOC)**

Friendly Community Outreach Center (FCOC), an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$8,300.

12.17.18 **Future Stars Tutoring Services Center**

Future Stars Tutoring Services Center, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$12,000.

12.17.19 **Healthy Families**

Healthy Families, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$14,700.

12.17.20 **Keep Hope Alive Project**

Keep Hope Alive Project, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$22,100.

12.17.21 **Leading Edge Tutors**

Leading Edge Tutors, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$5,600.

12.17.22 **Learning Partners, Inc., DBA Sylvan Learning-Anaheim Hills**

Learning Partners, Inc., DBA Sylvan Learning-Anaheim Hills, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$7,400.

12.17.23 **Milestones Family Learning Center**

Milestones Family Learning Center, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$22,100.

12.17.24 **Oxford Tutoring, Inc.**

Oxford Tutoring, Inc., an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$19,300.

12.17.25 **Professional Tutors of America, Inc.**

Professional Tutors of America, Inc., an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$18,400.

12.17.26 **Studentnest, Inc.**

Studentnest, Inc., an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$41,300.

12.17.27 **Syntelesys Educational Services, Inc. dba #1 Academia de Servicio de Tutoria**

Syntelesys Educational Services, Inc. dba #1 Academia de Servicio de Tutoria, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$10,100.

12.17.28 **Tutoring USA Inc. dba Club Z!**

Tutoring USA Inc. dba Club Z!, an independent contractor, will provide services as required by the NCLB federal mandate. Based on parent request, the total cost to the District is not to exceed \$43,200.

12.18 **Instructional Materials Submitted for Adoption**

Action:

The Board of Trustees adopted the selected instructional materials. The Instructional Materials Review Committee recommended the selected books for basic and supplemental courses in Career Technical Education (CTE) Pathways, performing arts, reading, language arts, ELD, and electives. The books have been made available for public view.

12.19 **Individual Service Contracts**

Action:

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

12.20 **Field Trip Report**

Action:

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

HUMAN RESOURCES DIVISION

12.21 **Agreement, School Services of California, Inc.**

Background Information:

American Federation of State, County and Municipal Employees (AFSCME) and the District reached an impasse on negotiations for the 2011-2014 collective bargaining agreement. After failing to reach an agreement in mediation, the parties entered into factfinding. As part of this process, a three (3) person factfinding panel was created. The District appointed Mr. Ron Bennett, CEO, School Services of California, Inc., to serve on the panel.

Current Consideration:

Ratify the agreement that provides for services of the factfinding panel member and collective bargaining negotiations. The agreement commenced on October 18, 2012, and terminates on April 30, 2013.

Budget Implication:

Services are billed at an hourly basis ranging from \$95 to \$255 per hour. (General Funds)

Action:

The Board of Trustees ratified the agreement between the Anaheim Union High School District and School Services of California, Inc.

12.22 **Student Teaching Agreement, California State University, Dominguez Hills**

Background Information:

The District has traditionally entered into agreements with university programs to provide opportunities for university students to meet their field work requirements and to gain valuable experience in a professional setting within our District schools. AUHSD has had a student teaching agreement in place with the California State University, Dominguez Hills, since 2003.

Current Consideration:

This agreement is a renewal of the current agreement already in place, which expires on December 31, 2012. University students will meet with school site master teachers to be involved in the student's preparation for student teaching. This agreement provides opportunities for the student teacher to observe, participate, assist, and teach in the master teacher's classroom for one (1) semester. Master teachers will model to the student teacher effective planning, instruction, and management strategies, as well as discuss these strategies with the student teacher. Additionally, professional attire, development, and conduct will be reviewed. This agreement is in effect from January 1, 2013, through June 30, 2015.

Budget Implication:

There is no cost to the District.

Action:

The Board of Trustees approved the student teaching agreement between the Anaheim Union High School District and California State University, Dominguez Hills.

12.23 **Certificated Personnel Report**

Action:

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

12.24 **Classified Personnel Report**

Action:

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

SUPERINTENDENT'S OFFICE

12.25 **Board of Trustees' Meeting Minutes**

12.25.1 November 1, 2012, Regular Meeting

12.25.2 November 16, 2012, Special Meeting

Action:

The Board of Trustees approved the minutes as submitted.

13. **SUPPLEMENTAL**

Enrollment Report, Month 3

14. **SUPERINTENDENT AND STAFF REPORT**

Dr. Novack congratulated Trustees Smith, O'Neal, and Randle-Trejo for their re-election to the Board of Trustees. She thanked the Board for the opportunity for her to attend the CSBA

Conference and also thanked the student ambassadors for their participation in Words Out Loud. Lastly, she wished Trustee Brandman the best in his new endeavor as an Anaheim City Council member.

Dr. Sevillano informed the Board that we had 11 schools that hit their API target and we now have four (4) schools applying for distinguished school status. He noted that applications will be submitted for Cypress and Kennedy high schools, as well as for Lexington and Walker junior high schools. Dr. Sevillano also discussed the accomplishments of the articulation meeting held last week.

Mr. Lee-Sung reported on the Board Members' perfect attendance and stated that Dr. Novack will receive an honorary Perfect Attendance Award. He thanked Trustee Brandman for his service to the District.

Mrs. Poore spoke about the Red Apple Awards and congratulated Trustees on their re-election.

Mr. Riel wished Trustee Brandman the best in his new position as an Anaheim City Council member.

15. **BOARD OF TRUSTEES' REPORT**

Mr. Brandman said it has been an honor to serve the District and thanked everyone for their support.

Mrs. Smith said she enjoyed the E-Ticket Facilities Tour and Words Out Loud.

Mrs. Randle-Trejo said she attended the Band Spectacular, Oxford Academy choir show, student ambassador dinner, 34th Annual Buena Park Mayor's Prayer breakfast, Hope basketball game and Homecoming dance, E-Ticket Facilities Tour, CTA dinner, Senator Lou Correa's Parent Forum, CSBA Annual Conference, and Words Out Loud. She wished Trustee Brandman good luck and best wishes in his new position as an Anaheim City Council member.

Mr. O'Neal said he attended the Band Spectacular, Budget Meeting, student ambassador dinner, Hope basketball game and Homecoming dance, E-Ticket Facilities Tour, CTA dinner, ROP board meeting, and Words Out Loud. He said it has been a pleasure working with Mr. Brandman and wished him well.

Mrs. Piercy noted her attendance at the Band Spectacular, Veterans Day celebration, student ambassador dinner, Buena Park Mayor's Prayer Breakfast, Hope Homecoming dance, E-Ticket Facilities Tour, Insurance Committee workshop, Bring Back the Splash meeting, and Words Out Loud.

16. **ADVANCE PLANNING**

16.1 **Future Meeting Date**

The Board of Trustees will hold the annual organizational meeting on Thursday, December 13, 2012, at 6:00 p.m.

16.2 **Suggested Agenda Items**

There were no suggested agenda items.

17. **ADJOURNMENT**

On the motion of Mr. O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 9:47 p.m. in honor of Jordan Brandman. Additionally, Mrs. Piercy closed the meeting in memory of Laurie Brown and Richard Barrington.

Approved  Clerk, Board of Trustees