

**BOARD OF TRUSTEES**  
**Minutes**  
**Thursday, January 24, 2013**

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**1. CALL TO ORDER–ROLL CALL**

President Brian O’Neal called the meeting of the Anaheim Union High School District Board of Trustees to order at 3:00 p.m.

Present: Brian O’Neal, president; Annemarie Randle-Trejo, clerk; Anna L. Piercy, assistant clerk; Katherine H. Smith, member; 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 amendments to the agenda:

- Remove item 4.3.
- On Exhibit ZZ, item 3D, change Lazaro, Denise’s effective date from 1/7/12 to 1/7/13.

On the motion of Mrs. Piercy, 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 3:02 p.m.

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

**5.1 Reconvene Meeting**

The Board of Trustees reconvened into open session at 6:01 p.m.

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

Student Representative to the Board of Trustees Primala Parmar led the Pledge of Allegiance to the Flag of the United States of America and provided the moment of silence.

**5.3 Closed Session**

Board Clerk Annemarie Randle-Trejo reported the following actions taken during closed session.

5.3.1 No reportable action taken regarding negotiations.

- 5.3.2 No reportable action taken regarding personnel.
- 5.3.3 This item was pulled prior to adoption of the agenda.
- 5.3.4 The Board of Trustees took formal action to approve the discipline agreement with public employee, HR-2012-13-05.
- 5.3.5 The Board of Trustees took formal action to approve the expulsion of the following students:
  - 1. 12-38 under Education Code 48900(b), 48915(b)(2)
  - 2. 12-41 under Education Code 48900(c), 48915(a)(3), 48915(b)(2)
  - 3. 12-42 under Education Code 48900(f), 48900(k), 48915(b)(1)
  - 4. 12-43 under Education Code 48900(b), 48900(k), 48900(m), 48915(b)(1)
  - 5. 12-45 under Education Code 48900(c), 48900(j), 48900(k), 48915(b)(1)
  - 6. 12-46 under Education Code 48900(a)(2), 48915(a)(1), 48915(b)(2)
  - 7. 12-47 under Education Code 48900(b), 48900(c), 48915(a)(3)
  - 8. 12-49 under Education Code 48900(a)(1), 48900(b), 48915(a)(2), 48915(b)(2)

## 6. INTRODUCTION OF GUESTS

Mr. O'Neal introduced Joanne Fawley, ASTA; Lisa Rockwell and Brian Bannon, APGA; Dr. Michael Worley, NOCROP; and Leonard Lahtinen, NOCCCD.

## 7. BOARD OF TRUSTEES' RECOGNITION

### 7.1 Recognition

The Board of Trustees honored Trustee Anna L. Piercy for her service as Board president from December 2011 through December 2012.

### 7.2 CTE Business Students of the Year

The Anaheim Chamber of Commerce recognized our top performers in a Career Technical Education (CTE) business pathway at their annual Anaheim Business Awards Luncheon on December 5, 2012. Supported through the city's new Anaheim Enterprise Zone grant, this was the first time the Chamber of Commerce included student recognition as part of the event. Nominated by their business teacher, a panel of community business leaders selected the final winners. Recipients of the award exemplify the skills, leadership, and entrepreneurship of future business leaders. The winners were: Alina Lee, Oxford Academy, Entrepreneurship Pathway and Nadine Sawalha, Loara High School, Media Production Arts Pathway.

The Board of Trustees recognized Ms. Sawalha and presented her with a certificate of achievement. Ms. Lee was unable to attend the meeting; however, her certificate will be provided to her.

### 7.3 Mixed Veggies

On Friday, November 9, 2012, the California School Nutrition Association held the first ever Chop-Ed cooking competition at the 60<sup>th</sup> Annual California School Nutrition Association Conference in Pasadena. Anaheim Union High School District Food Service had two (2) teams participate in the contest. This cooking event was designed to closely mirror the "Chopped" television show where chefs from different venues compete with each other to

create a winning menu using secret menu ingredients provided to the contestants at the beginning of each course.

Twelve teams of four (4) contestants participated in the CSNA Chop-Ed competition. The competition was held at Le Cordon Bleu College of Culinary Arts in Pasadena. The contestants were each given a box with identical "mystery" ingredients. The contestants had 30 minutes to cook and present four (4) identical plates utilizing the ingredients provided to prepare a reimbursable meal that met the minimum federal requirements. The plates presented were judged on presentation, taste, meeting the Healthy Hunger Free Kids Act guidelines, proper sanitation, and the overall condition of the workplace after completion.

The "Mixed Veggies" representing AUHSD Food Service came in 2<sup>nd</sup> place. The "Mixed Veggies" participants included Krista Petty, assistant director of Food Service; Julie Thrum, supervisor of Food Service; Nancy Van Ginkel, Brookhurst Junior High School cafeteria manager; and Teresa Alvarez, Savanna High School cafeteria manager.

The Board of Trustees recognized the "Mixed Veggies" team with a certificate of achievement. Ms. Petty was unable to attend the meeting; however, her certificate will be provided to her.

## 8. **REPORTS**

### 8.1 **Principals' Report**

Dr. Ben Carpenter, Cypress High School principal, and Dr. Jodie Wales, Lexington Junior High School principal, presented an update regarding the Response to Intervention (RTI) program.

In addition, Dr. Wales discussed donorschoose.org grant applications. She indicated several donations listed on the exhibit were due to this organization.

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

There was not a report at this meeting.

### 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**

8.4.1 Joanne Fawley, ASTA President, discussed her optimism regarding Governor Brown's budget proposal.

8.4.2 Lisa Rockwell and Brian Bannon, APGA co-presidents, presented a slide show highlighting District counselors and discussed National School Counseling Week.

### 8.5 **District Update**

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

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

There were no public comments at this time.

10. **ITEMS OF BUSINESS**

**SUPERINTENDENT'S OFFICE**

10.1 **Public Hearing Concerning Candidates for the Provisional Appointment to the Board of Trustees**

Background Information:

On December 7, 2012, Mr. Jordan Brandman resigned from the Board of Trustees creating a vacancy on the five-member Board of Trustees of the District. On December 13, 2012, the Board voted to fill the vacancy by making a provisional appointment. The process for making a provisional appointment to the Board is outlined in Education Code Sections 5090-5095 and Board Policies 10221 and 10111. Board policy requires that additional input be accepted concerning the candidates for the provisional appointment from any patron of the District, in writing to the Board President, or at a public meeting of the Board. This public hearing is scheduled to provide such an opportunity. Deadline for written comments regarding candidates were due upon conclusion of the January 24, 2013, Board of Trustees meeting.

Current Consideration:

The following persons have met the residency requirement, as well as the notification and submission deadlines, to be considered for the provisional appointment to the Board:

Roberto Baeza	Al Jabbar
Vernon Beckett	Robby Johnson
Ana Calesti	Art Montez
Lori Dinwiddie	Joaquin Parra, Jr.
Juliann Ferguson	Thomas Peters
Jackie Filbeck	Al Salehi
Gabriela Hernandez	John Santoianni
Patricia Hyde	Forrest Turpen

The Board of Trustees will convene a special Board meeting on January 29, 2013, at 5:00 p.m. to interview the candidates. On January 31, 2013, at 5:00 p.m., the Board will convene a special Board meeting to appoint the new member to the Board of Trustees. The public is invited to attend both of these meetings.

Budget Implication:

None

Action:

President O'Neal opened the public hearing at 7:31 p.m.

Public Comments:

- 10.1.1 Jesus Ramirez spoke in support of Roberto Baeza.
- 10.1.2 Belen Garcia spoke in support of Roberto Baeza.
- 10.1.3 Martha Gallegos spoke in support of Roberto Baeza.
- 10.1.4 Vanessa Vo-Ramirez spoke in support of Roberto Baeza.
- 10.1.5 Kim Govea spoke in support of Roberto Baeza.

- 10.1.6 Kelli Hogencamp spoke in support of Roberto Baeza.
- 10.1.7 Katie Filbeck spoke in support of Jackie Filbeck.
- 10.1.8 James Dinwiddie spoke in support of Lori Dinwiddie.
- 10.1.9 Theresa Marie-Frankel spoke in support of Lori Dinwiddie.
- 10.1.10 Ma Luz Rosales spoke in support of Al Jabbar.
- 10.1.11 Joanne Fawley spoke in support of Al Jabbar.
- 10.1.12 Bart Williamson spoke in support of Roberto Baeza.
- 10.1.13 Monica Beauchamp spoke in support of Lori Dinwiddie.
- 10.1.14 Connie Rodriguez spoke in support of Al Jabbar.
- 10.1.15 Janice Goldsberry spoke in support of Lori Dinwiddie.
- 10.1.16 Leonard Lahtinen spoke in support of Al Jabbar.
- 10.1.17 Dave Harshad spoke in support of Al Jabbar.
- 10.1.18 Kathy Erdtsieck spoke in support of Lori Dinwiddie.
- 10.1.19 Aleem Bilwani spoke in support of Al Jabbar.
- 10.1.20 Julie Shields spoke in support of Lori Dinwiddie.
- 10.1.21 Linda Lobatos spoke in support of Lori Dinwiddie and Al Jabbar. Additionally, she opposed Roberto Baeza.
- 10.1.22 Carolyn Carpenter spoke in support of Lori Dinwiddie.
- 10.1.23 Maria Rosa Guzman spoke in support of Al Jabbar.
- 10.1.24 Anthony Mauk spoke in support of Al Salehi.
- 10.1.25 Stephanie Steler spoke in support of Al Salehi.
- 10.1.26 Arman Salehi spoke in support of Al Salehi.
- 10.1.27 Al Salehi spoke in support of self.
- 10.1.28 Paula Juarez spoke in support of Ana Calesti.

The following individuals submitted a "request to speak;" however, they were unable to remain at this meeting in order to speak.

- Ed Munson
- Arturo Ferreras
- Martha Rivera
- Marisol Ramirez
- Rida Hamida

President O'Neal closed the public hearing at 8:45 p.m.

President O'Neal called for a short break at 8:45 p.m., and he reconvened the meeting at 8:58 p.m.

The Board of Trustees moved item 10.9, Resolution No. 2012/13-E-04, Career and Technical Education Month, forward in the agenda to be heard at this time.

## **BUSINESS SERVICES DIVISION**

### **10.2 Financial Audit Report for Fiscal Year 2011-12**

#### Background Information:

California Education Code Section 41020 requires that school districts provide for an annual audit of all funds under the district's jurisdiction using an independent auditor and report out the information using the format established by the California State Controller's Office. California Education Code Section 41020.3 requires that the Governing Board review the annual audit at one (1) of its regularly scheduled meetings.

#### Current Consideration:

The Board of Trustees previously retained the firm of Vavrinek, Trine, Day & Co., LLP, certified public accountants, to conduct the District's annual audit. Representatives of the firm have completed their examination and have presented the results to District staff. The final report has been provided to the Board of Trustees and was presented in open session.

#### Budget Implication:

The contract for the audit was previously approved by the Board of Trustees April 1, 2010, for an amount not to exceed \$45,000.

#### Action:

Auditor Jimmy Escobar of Vavrinek, Trine, Day & Co., LLP discussed the audit report.

On the motion of Mrs. Piercy, duly seconded and unanimously carried, following a lengthy discussion, the Board of Trustees received and reviewed the annual audit report.

### **10.3 Agreement, Arbitrage Rebate Computation for Food Service, Certificates of Participation 2004 Series A**

#### Background Information:

Internal Revenue Regulations require arbitrage rebate computations to be completed no later than five (5) years from the date of a debt issuance, and every five (5) years thereafter. The Food Service Certificates of Participation were issued in September 2004. This arbitrage study will bring the District current with the arbitrage requirements.

American Municipal Tax-Exempt Compliance Corporation (AMTEC) recently provided the same services for the General Obligation Bond refunding.

#### Current Consideration:

AMTEC will provide the arbitrage study to determine if any excess interest was earned on the \$15,000,000 Food Service Certificates of Participation. If there has been excess interest earned AMTEC will provide the IRS form for the District to file. The District would have to make any necessary payment with the filing. School districts are not allowed to earn interest on borrowings in excess of IRS set limits. The rules and calculation are fairly complex.

Budget Implication:

The cost of the computation is \$4,700.00. The cost will be paid from the Special Reserve for Capital Outlay Fund.

Action:

On the motion of Mrs. Anna Piercy, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

10.4 **Agreement, Third Party Claims Administration**

Background Information:

The District has been associated with Claim Retention Services, Inc. (CRS), since 2007 when claim administration services were transferred from another third party administrator. Claim Retention Services, Inc. (CRS), administers the property and liability claims.

Current Consideration:

Staff has an interest in continuing to utilize the services of (CRS) in order to administer the District's property and liability claims program from February 1, 2013, through January 31, 2014. Claims administration services would include both claims within the self-insured retention of \$25,000 for property claims and \$50,000 for liability, as well as claims beyond the self-insured retention that are governed by our participation in the California State Association of County (CSAC) Excess Insurance Authority. CRS would also continue to administer claims for the District self-funded student accident insurance program.

Budget Implication:

The annual fixed rate fee for property and liability claims that occur within the self-insured retention of the District would not exceed \$21,000. Administration of claims beyond the self-insured retention would be invoiced on a time and expense basis and reimbursement requested from California State Association of County Excess Insurance Authority. Additional investigative and mileage expenses would be on an as needed basis. Claim administrative services for the student accident insurance program would not exceed \$3,000. (General Funds)

Action:

On the motion of Mrs. Piercy, duly seconded and unanimously carried, the Board of Trustees approved the agreement between the Anaheim Union High School District and Claim Retention Services, Inc.

10.5 **Agreement, Third Party Tender, Hudson Insurance Company**

Background Information:

The District entered into a contract with America West Landscape in July 2012 for Bid 2012-16, Loara High School Security Fence and Landscape Improvements. The contractor used Hudson Insurance Company as the surety to provide the required Performance and Payment Bonds. In October 2012, the District notified America West Landscape that they were unable to satisfy certain contract performance obligations and was required to cure such failures within ten (10) days. America West Landscape failed to cure the failures and the District declared the contract to be in default.

Current Consideration:

The District made a demand upon the surety, Hudson Insurance Company, to complete the project pursuant to its obligations under the Performance Bond. The surety solicited bids from qualified licensed contractors to repair and complete the project. Hudson Insurance Company chose JM and J Contractors to be the Completion Contractor. Therefore, the surety and the District desire to complete the project using JM and J Contractors.

Budget Implication:

Completion of the project will cost the District \$239,500 and was awarded to JM and J Contractors. The surety will issue the District a check in the amount of \$33,740.24 to satisfy all liquidated damages incurred as a result of America West's default on the project. (Redevelopment Funds, Deferred Maintenance, and/or other funds as appropriate)

Action:

On the motion of Mrs. Piercy, duly seconded and unanimously carried, following a lengthy discussion and a report by Facility Director Patty Neely, the Board of Trustees ratified the third party tender agreement with Hudson Insurance Company.

10.6 **Ratify Default of Contract, America West Landscape**

Background Information:

The District entered into a contract with America West Landscape in July 2012 for Bid 2012-16, Loara High School security fence and landscape improvements. In October 2012, the District notified America West Landscape that they had failed to satisfy certain contract performance obligations and was required to cure such failures within ten (10) days. America West Landscape failed to cure the failures and the District declared the contract to be in default.

Current Consideration:

The District has entered into a third party tender agreement with the surety to complete the project using JM and J Contractors.

Budget Implication:

None

Action:

On the motion of Mrs. Piercy, duly seconded and unanimously carried, the Board of Trustees ratified the default of the contract by America West Landscape.

10.7 **Developer Fee Deferral Request**

Background Information:

In 2009, the Board of Trustees took action to implement a program to defer payment of school facilities impact fees on residential developments for the 2009 calendar year. Subsequently, the Board of Trustees extended the program for the 2010, 2011, and 2012 calendar years. The school fee deferral process was put into place to defer the collection of developer fees by the District from the planning stage of a development project until after the project had been completed and ready for occupancy. AUHSD is currently the only district in southern California with such a fee deferral program, per the Building Institute Association (BIA). Since the inception of the program, two (2) contractors have requested a deferral of developer fees.

Current Consideration:

The program to defer payment of school facilities impact fees on residential developments expired on December 31, 2012.

Budget Implication:

Deferral of fees for 2012 totaled \$155,084, of which \$81,360 is still pending payment.

Action:

Public Comments: Victor Cao discussed developer fees and encouraged the Board of Trustees to continue to defer them.



On the motion of Mrs. Piercy and duly seconded, following a lengthy discussion, the Board of Trustees extended the school fee deferral process for the 2013 calendar year. The vote follows:

Ayes: Trustees Piercy, Randle-Trejo, and O'Neal  
No: Trustee Smith

The Board of Trustees moved item 10.13, Agreement, Segerstrom Center for the Arts and Anaheim High School, forward in the agenda to be heard at this time.

10.8 **Notice of Completion**

Bid #2012-14, Orangeview Junior High School	P.O. #G64A0019
HVAC Modernization (RDA Funds)	
NKS Mechanical Contracting	
Original Contract	\$1,365,160
Contract Changes	*

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

Action:

On the motion of Mrs. Smith, duly seconded and unanimously carried, 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.

**EDUCATIONAL SERVICES DIVISION**

The following item was moved forward in the agenda to be heard prior to item 10.2.

10.9 **Resolution No. 2012/13-E-04, Career and Technical Education Month**

Background Information:

The month of February has been designated as Career and Technical Education Month by the Association for Career and Technical Education. Career and technical education provides Americans with a school-to-career connection, and it is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry and contributes to America's leadership in the international marketplace.

Current Consideration:

The adoption of Resolution No. 2012/13-E-04, provides an opportunity to inform parents, guardians, and communities of the efforts that the District is taking to promote career and technical education.

Budget Implication:

There is no cost to the District.

Action:

North Orange County Regional Occupational Program (NOCROP) Superintendent Dr. Michael Worley spoke in support of resolution No. 2012/13-E-04.

On the motion of Mrs. Piercy and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2012/13-E-04, Career and Technical Education Month. The roll call vote follows.

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

10.10 **Memorandum of Understanding, Boys Town California, Inc.**

**Background Information:**

Boys Town California, Inc. is a non-profit child-care agency that provides compassionate treatment for the behavioral, emotional, and physical problems of children and families. Ball Junior High School held a community resource fair on November 14, 2012, in which Boys Town California, Inc. participated. As a result of this contact with the school, Boys Town California, Inc. offered to conduct a parenting program for parents of District students, who speak either Vietnamese or English, and who are not participating in Disciplina Positiva parenting classes. Boys Town California, Inc.'s parenting program, entitled Common Sense Parenting, is very similar to Disciplina Positiva's parenting program.

**Current Consideration:**

Boys Town California, Inc. will provide Common Sense Parenting® classes, a comprehensive six (6) session training program for parents of District students, during the 2012-13 year. The training is designed to promote the development of positive communication between parents and their adolescent, as well as to facilitate a connection between family, community, and school. The workshops will be taught in Vietnamese and in English.

**Budget Implication:**

Boys Town California, Inc. has a grant to cover the cost of services. Curriculum and instruction for the parenting classes are at no cost to the District. The District will provide appropriate-size rooms for the parenting classes at participating schools.

**Action:**

On the motion of Mrs. Randle-Trejo, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the memorandum of understanding with Boys Town California, Inc. Services will be provided February 1, 2013, through February 1, 2014.

10.11 **Agreement, North Orange County Community College District**

**Background Information:**

The North Orange County Community College District (NOCCCD) has offered concurrent enrollment in selected courses to high school students for over a decade. Students seeking enrichment opportunities in advanced scholastic, or vocational work, are enrolled as Special Admit Students through Fullerton College or Cypress College. All courses offered through the concurrent program are not offered by the high school. Courses taken as a Special Admit Student are recorded on the college permanent record as collegiate credit in the same manner as regularly enrolled college students. Having college credit documented allows high school graduates to enroll with priority status when enrolling in Fullerton College or Cypress College.

**Current Consideration:**

NOCCCD, through the Fullerton College counseling office, is offering six (6) Counseling 50 courses at four (4) of the District high schools: Anaheim, Katella, Loara, and Magnolia high schools, as well as Gilbert High School and the Independent Learning Center. This 18-hour course details the college matriculation process. Students take the college placement exam, complete the paperwork for financial aid, and complete the college application process. This consulting agreement will be in effect January 25, 2013, through June 30, 2013.

Budget Implication:

Costs for these services are \$2,000 per class for a total amount not to exceed \$12,000. (GEAR-UP Funds and Fullerton College STEM Grant Funds)

Action:

On the motion of Mrs. Randle-Trejo, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the agreement with the North Orange County Community College District (NOCCCD).

10.12 **Agreement, StaffRehab**

Background Information:

In order to ensure the right to an appropriate educational opportunity for students with special education needs (IDEA: 20 U.S.C. Sec. 1400 et seq), occupational therapy services are provided. This involves the use of various treatment modalities including self-help skills, language, and education techniques, as well as sensory motor integration, physical restoration methods, and pre-vocational exploration to facilitate physical and psychosocial growth and development.

Current Consideration:

The District has had an open position for an occupational therapist since mid-September 2012. Despite the District's efforts to secure a permanent employee, no qualified candidates have been located. At the present time, the District needs to provide make-up occupational therapy services to identified students that are currently not receiving the services as outlined in their Individual Education Plans (IEP).

Staffrehab is certified by the California Department of Education as a non-public agency to provide language and speech development and remediation, occupational therapy services, and physical therapy services. Services will be provided January 25, 2013, through March 29, 2013.

Budget Implication:

Services will be provided by StaffRehab at a cost not exceed \$18,240. (Special Education Funds)

Action:

On the motion of Mrs. Randle-Trejo, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the contract with StaffRehab.

The following item was moved forward in the agenda to be heard prior to item 10.8.

10.13 **Agreement, Segerstrom Center for the Arts and Anaheim High School**

Background Information:

ARTS TEACH residencies through Segerstrom Center for the Arts, is an arts education program in which performing arts professionals come into the schools and work directly with teachers and students to enhance and deepen the arts experience for current arts students. Backhausdance, a professional repertory dance company based in Orange County, has customized a residency for Anaheim High School Dance Production students to align with state dance standards at the advanced level. Students will work collaboratively with the professionals to create a new piece of dance choreography for performance at annual dance concerts and in the community.

Current Consideration:

The Backhausdance residency program will meet for 12 sessions of two (2) to three (3) hours each, at Anaheim High School's dance studio, under the direction and supervision of the Anaheim High School dance teacher. Jenny Backhaus, a professional choreographer who is also on the faculty at Chapman University, will come to Anaheim High School for six (6) of the 12 meetings. Her dance company members will attend the remaining six (6) sessions, for a total of 12 class meetings. Services will be provided February 1, 2013, through April 3, 2013.

Budget Implication:

Dance students at Anaheim High School raised money to cover these services. These funds cover the entire cost of the residency, including all the personnel and music selections necessary to create choreography and prepare students for performances. Costs for these services are not to exceed \$4,000. (ASB Funds)

Action:

Public Comments: Luis Carrasco and Stephanie Rodriguez encouraged the Board of Trustees to support and approve the aforementioned agreement.

On the motion of Mrs. Piercy, duly seconded and unanimously carried the Board of Trustees approved the contract/agreement between the Anaheim Union High School District and Segerstrom Center ARTS TEACH.

10.14 **School Sponsored Student Organizations, Katella and Magnolia High Schools, and South and Walker Junior 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 organizations:

- 10.14.1 Junior Upcoming Medical Professionals (JUMP), Brookhurst Junior High School
- 10.14.2 Chess Club, Katella High School
- 10.14.3 In-D Gaming, Magnolia High School
- 10.14.4 OV Club Live, Orangeview Junior High School
- 10.14.5 South Junior High School Christian Club, South Junior High School
- 10.14.6 South's Minecraft Club, South Junior High School
- 10.14.7 Jr. Vikings Leadership Club, Walker Junior 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 organization applications.

## HUMAN RESOURCES DIVISION

### 10.15 **Resolution No. 2012/13-HR-07, National School Counseling Week**

The Board of Trustees is requested to adopt Resolution No. 2012/13-HR-07, National School Counseling Week, declaring the week of February 4, 2013, through February 8, 2013, as National School Counseling Week throughout Anaheim Union High School District.

Action:

On the motion of Mrs. Randle-Trejo and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2012/13-HR-07, National School Counseling Week, by the following roll call vote.

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

### 10.16 **Revised 2012-2013 Student/Teacher Calendar with Furlough Days**

Background Information:

The 2012-2013 Student/Teacher Calendar was previously adopted at the Board meeting on June 21, 2012, and indicated up to seven (7) possible furlough days. The possible furlough days were negotiated with the Anaheim Secondary Teachers Association (ASTA) in the event further state funding reductions were implemented.

Current Consideration:

The newly revised Student/Teacher Calendar removes the possible furlough days, and restores the 2012-13 calendar, which includes two (2) furlough days and was previously adopted at the Board meeting on May 10, 2012. There will be 179 instructional days and 183 teacher work days. No additional furlough days will be implemented.

This calendar will be shared with parents, students, and the community. A separate calendar designating all furlough days for each employee unit will be adjusted and distributed to employees.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees, following discussion, received the newly revised 2012-13 Student/Teacher Calendar, as previously approved.

### 10.17 **Revised 2012-2013 Employee Work Year Calendar with Furlough Days**

Background Information:

The 2012-2013 Employee Work Year Calendar was previously adopted at the Board meeting on July 12, 2012, and included two (2) confirmed furlough days, and up to seven (7) possible furlough days. The possible furlough days were negotiated with the Classified School Employees Association (CSEA), administrators, management, and confidential employees included in the Anaheim Leadership Team Association (ALTA), in the event further state funding reductions were implemented.

Current Consideration:

The revised Employee Work Year Calendar removes the possible furlough days and maintains the two (2) confirmed furlough days. The calendar also reflects two (2) furlough days for employees in the American Federation of State, County and Municipal Employees (AFSCME) bargaining unit, approved by the Board on December 6, 2012.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees received the revised 2012-13 Employee Work Year calendar, as previously approved.

11. **CONSENT CALENDAR**

On the motion of Mrs. Piercy, duly seconded and unanimously carried, following discussion, the Board of Trustees approved/ratified the following consent calendar, with the exception of item 11.1 pulled by Mrs. Smith and item 11.18 pulled by Mrs. Piercy for discussion.

**BUSINESS SERVICES DIVISION**

11.1 **Contract Extensions for Bid #2009-04 Individualized Transportation Services**

Background Information:

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.

Current Consideration:

Bid #2009-04 includes two (2) 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).

Budget Implication:

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 fifth year of a five (5) year contract and costs reflect no change from last year. (General, Special Education, and Title I Funds)

Action:

On the motion of Mrs. Piercy and duly seconded, the Board of Trustees approved the extension of the contracts per Bid #2009-04 Individualized Transportation Services to Child Shuttle for \$105,000 and \$30,000 for Yellow Cab of Greater Orange County for the fifth year of a five (5) year contract. Costs are estimates based on prior experience.

The vote follows:

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

Abstain: Trustee Smith

11.2 **Community Center Authority (CCA)**

Background Information:

The CCA is a California joint powers authority that was created and oversees the Anaheim Convention Center. Per the CCA agreement, the Anaheim City Council has the right to appoint members to the Governing Board of the CCA subject to ratification by the AUHSD Board of Trustees.

Current Consideration:

On July 10, 2012, the Anaheim City Council appointed Maurice Turner to the Governing Board of the CCA. Mr. Turner will serve through June 30, 2016.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees ratified the appointment of Maurice Turner to the Governing Board of the Community Center Authority (CCA).

11.3 **Donations**

Action:

The Board of Trustees accepted the donations as listed on the exhibit.

11.4 **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.

11.5 **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.

11.6 **Check Register/Warrants Report**

Action:

The Board of Trustees ratified the check register/warrants report, November 27, 2012, through January 14, 2014.

11.7 **Purchase Order Detail Report**

Action:

The Board of Trustees ratified the Purchase Order Detail Report, November 27, 2012, through January 14, 2013.

## EDUCATIONAL SERVICES DIVISION

### 11.8 **Agreement, Pacific Audiologics**

#### Background Information:

Hearing and vision screenings are mandated in California public schools in kindergarten/first grade, second grade, fifth grade, tenth/eleventh grade, and upon first school entry (California Code of Regulations, Title 17, Section 2952 (c)(1)). Hearing and vision screenings in California public schools must be conducted by a credentialed specialist. The District has contracted with Pacific Audiologics for the past seven (7) years to provide this service.

#### Current Consideration:

The District does not have the personnel capacity to conduct these screenings for approximately 10,500 students. Pacific Audiologics will provide hearing and vision screenings to District students. Services will be provided January 25, 2013, through June 30, 2013.

#### Budget Implication:

The cost of services provided by Pacific Audiologics will not exceed \$55,000. (Special Education Funds)

#### Action:

The Board of Trustees approved the consulting agreement with the Pacific Audiologics.

### 11.9 **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 family, community, and school. During 2011-12, 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 English by experienced bilingual facilitators.

#### Current Consideration:

Disciplina Positiva will provide a comprehensive six (6) session training program for approximately 150 Ball Junior 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 family, community, and school. The workshops will be taught in Spanish and English. Services will be provided February 27, 2013, through May 31, 2013.

#### Budget Implication:

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.



11.10 **Educational Consulting Agreement, Orange County Human Relations Council**

Background Information:

The Orange County Human Relations Council's "BRIDGES" program is recognized by the U.S. Department of Justice and U.S. Department of Education as one (1) of seven (7) programs to help prevent hate crimes in schools and communities. The BRIDGES parent education program has proven to be successful in increasing parent involvement in several schools across Orange County, including Sycamore Junior High School, during the 2011-12 year. Parents who participate in the program will gain a deeper understanding of the public education system, its programs, parent committees, and educational decision making policies and processes.

Current Consideration:

The Orange County Human Relations Council will provide BRIDGES program training to Savanna High School parents, during the 2012-13 year. The six (6) session training program, for 60 Savanna High School parents, is designed to increase parents' participation in the school's decision-making process. Services will be provided February 5, 2013, through March 19, 2013.

Budget Implication:

Costs for these services are not to exceed \$2,000. (Title I Funds)

Action:

The Board of Trustees approved the educational consulting agreement with the Orange County Human Relations Council.

11.11 **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. Services will be provided January 25, 2013, through May 15, 2013.

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.

11.11.1 **! 1 A 1 TUTORIA !**

! 1 A 1 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 \$918.

11.11.2 **! A+ C A T**

! A+ C A T, 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 \$1,835.

11.11.3 **#1 ACADEMIC TUTORING, INC.**

#1 ACADEMIC 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 \$1,835.

11.11.4 **#1 WE CAN**

#1 WE CAN, 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 \$1,835.

11.11.5 **A + Educational Centers**

A + Educational Centers, 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 \$918.

11.11.6 **A Better Tomorrow Education**

A Better Tomorrow 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 \$2,752.

11.11.7 **A Tree of Knowledge Educational Services, Inc.**

A Tree of Knowledge Educational Services, 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 \$918.

11.11.8 **Access To Learning**

Access To Learning, 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 \$1,835.

11.11.9 **Accuracy Temporary Services, Inc. dba ATS Project Success**

Accuracy Temporary Services, Inc. dba ATS Project Success, 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 \$918.

11.11.10 **DS Learning**

DS Learning, 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 \$918.

11.11.11 **ICES Education, LLC**

ICES Education, 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 \$1,835.

11.11.12 **Innovadia LLC**

Innovadia 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 \$1,835.

11.11.13 **Smart Kids Tutoring & Learning Center, Inc.**

Smart Kids Tutoring & Learning Center, 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 \$918.

11.11.14 **The Community College Foundation**

The Community College Foundation, 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 \$918.

11.11.15 **Thomotti Inc. DBA Cypress Tutoring Club**

Thomotti Inc. DBA Cypress Tutoring Club, 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 \$2,752.

11.12 **Transportation Agreement, New Vista School**

Action:

The Board of Trustees ratified the transportation agreement to pay the parent of a special education student attending New Vista School, located at 23092 Mill Creek Drive, Laguna Hills, California 92653, for round trip daily transportation, September 5, 2012, through June 21, 2013, at a cost not to exceed \$11,111.10. (Special Education Funds)

11.13 **Individual Service Contracts**

Action:

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

11.14 **Field Trip Report**

Action:

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

## HUMAN RESOURCES DIVISION

### 11.15 **2012-13 Second Quarterly Report, Williams Uniform Complaints**

#### Action:

The Board of Trustees accepted the Williams Uniform Complaints Second Quarterly Report, October 1, 2012, through December 31, 2012, as required by Education Code Section 35186, which will be submitted to the Orange County Department of Education. The report summarizes all complaints relative to adequate textbooks and instructional materials, teacher vacancies, or misassignments, facilities conditions, and intensive instruction, as well as services for students who have not passed the California High School Exit Examination (CAHSEE) by the end of the 12<sup>th</sup> grade. There were no complaints during this quarter.

### 11.16 **Agreement, Parker & Covert, LLP**

#### Background Information:

The Board approved an agreement with Parker & Covert, LLP on August 18, 2011, for legal consultation and assistance, which is not provided by attorneys with the Orange County Department of Education for a two-year term from July 1, 2011, through June 30, 2013, at a cost not to exceed \$100,000. Legal services are provided in legal matters related to human resources, personnel, contracts, negotiations, grievances, and potential litigation. At the meeting on November 1, 2012, the Board approved to increase the amount of the agreement by an additional \$60,000, for a total agreement not to exceed \$160,000 for the two (2) year term.

#### Current Consideration:

Due to several major and on-going legal issues that occurred in 2011-12 and currently pending in 2012-13, the Board is requested to increase the amount of the agreement by an additional \$75,000, for a total agreement not to exceed \$235,000 for the two (2) year term.

#### Budget Implication:

The increased cost of this agreement is not to exceed \$75,000. (General Funds)

#### Action:

The Board of Trustees approved the agreement between Parker and Covert, LLP and the District to reflect an increase of \$75,000, for a total amount not to exceed \$235,000.

### 11.17 **Agreement, Stutz Artiano Shinoff and Holtz, APC**

#### Background Information:

The Board of Trustees approved an attorney-client retainer agreement with Stutz Artiano Shinoff and Holtz, APC, on July 12, 2012, for legal consultation and assistance, which is not provided by attorneys with the Orange County Department of Education from July 1, 2012, through June 30, 2013, at a cost not to exceed \$150,000. The services are typically related to personnel management and personnel related litigation. At the meeting on November 1, 2012, the Board approved to increase the amount of the agreement by an additional \$50,000, for a total agreement not to exceed \$200,000.

#### Current Consideration:

Due to several major on-going legal issues currently pending in 2012-13, the Board is requested to increase the amount of the agreement by an additional \$50,000.

#### Budget Implication:

Increase cost of this agreement by an additional \$50,000, for a total amount not to exceed \$250,000. (General Funds)

Action:

The Board of Trustees ratified the agreement between Stutz Artiano Shinoff and Holtz, APC and the District to reflect an increase of \$50,000, for a total amount not to exceed \$250,000.

11.18 **Certificated Personnel Report**

Action:

On the motion of Mrs. Piercy, duly seconded and unanimously carried, following discussion, the Board of Trustees approved/ratified the certificated personnel report as submitted and amended prior to adoption of the agenda.

11.19 **Classified Personnel Report**

Action:

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

**SUPERINTENDENT'S OFFICE**

11.20 **Board of Trustees' Meeting Minutes**

11.20.1 December 6, 2012, Regular Meeting

11.20.2 December 13, 2012, Regular Meeting

Action:

The Board of Trustees approved the minutes as submitted.

12. **SUPPLEMENTAL**

12.1 Cafeteria Report, October and November 2012

12.2 Enrollment Report, Month 4

13. **SUPERINTENDENT AND STAFF REPORT**

Dr. Novack thanked Mrs. Piercy for her presidency of the Board last year. She recognized and welcomed Michelle Ellis and discussed her background and qualifications. She commended the amazing AUHSD students and thanked the Board of Trustees for their leadership.

Additionally, Dr. Novack noted her attendance at the candlelight vigil for Anaheim High School Assistant Principal Michael Solis. She acknowledged his inspiration to the Anaheim students. She also recognized Savanna High School Coach Dwight Kalani Kamae (Coach K), who recently passed away. Also, she noted her opportunity to meet with approximately 100 students, Mrs. Kamae, and Coach K's son to discuss and honor him.

Dr. Sevillano discussed the Advanced Placement (AP) Summit that recently took place at Oxford Academy, as well as the upcoming opportunity to hold a summer Advanced Placement Academy.

Mr. Lee-Sung congratulated the six (6) AUHSD classified employees that were named Classified Employees of the Year. He stated they will now be moving forward to the county level of competition.

Mrs. Poore indicated she feels much better regarding Governor Brown's budget proposal, even though it is complicated and is only a proposal at this time.

Mr. Riel noted his presentation at the District Advisory Council (DAC) meeting concerning the Free Schools Guarantee.

14. **BOARD OF TRUSTEES' REPORT**

Mrs. Smith reported her attendance at the AUHSD Foundation meeting and the Insurance Committee meeting. She discussed carbon monoxide detectors and asked if we have carbon monoxide detectors in our District. Additionally, she spoke about AUHSD health benefits and inquired about the possibility of individuals making voluntary donations to the District's health fund to offset District costs.

Mrs. Piercy noted that she attended a Ball Junior High School breakfast, Lexington Junior High School holiday breakfast, ROP meeting, Insurance Committee meeting, CSEA installation of officers, the Anaheim Convention Center Grand Plaza Dedication, tour of the city of Buena Park, Bring Back the Splash meeting, and the Cypress State of the City Luncheon.

Mrs. Randle-Trejo reported her attendance at the city of Anaheim candlelight vigil on the steps of City Hall to honor the victims of Sandy Hook Elementary, Hope School Pageant of the Masters, Senator Lou Correa's debrief meeting concerning a special needs parent forum, Cypress High School's snow day, Kennedy High School's band performance, Cypress High School's dance show, CSEA installation of officers, Anaheim Convention Center Grand Plaza Dedication, AUHSD Foundation meeting, Anaheim City School District board meeting, Bring Back the Splash meeting, Honor Choir show, Oxford Academy's homecoming/basketball game, Cypress State of the City Luncheon, Governor's 2013-14 Education Budget Proposal workshop at Orange County Department of Education (OCDE), and Greater Anaheim Special Education Local Plan Area (GASELPA) board meeting. She noted Cypress College added 40 additional classes. She welcomed Michelle Ellis to her new position and thanked Pat Karlak for her report, as well as the reminder of why we are here.

15. **ADVANCE PLANNING**

15.1 **Future Meeting Dates**

The next regular meeting of the Board of Trustees will be held on Thursday, February 21, 2013, at 6:00 p.m.

Tuesday, March 12  
Thursday, March 28  
Thursday, April 18  
Monday, May 13  
Thursday, May 30  
Thursday, June 20  
Thursday, July 11

Thursday, August 22  
Thursday, September 5  
Thursday, September 19  
Thursday, October 10  
Thursday, November 7  
Thursday, December 12

15.2 **Suggested Agenda Items**

Mrs. Piercy requested a staff report regarding the number of marked visitor parking spaces (e.g. signs or "visitor" painted in the parking space) at our high schools.

16. **ADJOURNMENT**

On the motion of Mrs. Smith, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 10:41 p.m. in memory of Michael Solis and Dwight Kalani Kamae.

Approved   
Clerk, Board of Trustees