

BOARD OF TRUSTEES
Special Meeting Minutes
Tuesday, May 16, 2017

1. CALL TO ORDER–ROLL CALL

Board President Anna L. Piercy called the special meeting of the Anaheim Union High School District Board of Trustees to order at 5:00 p.m.

Present: Anna L. Piercy, president; Katherine H. Smith, clerk; Al Jabbar, assistant clerk; Brian O’Neal and Annemarie Randle-Trejo, members; Jaron Fried, Ed.D., Brad Jackson, and Jennifer Root assistant superintendents; and Jeff Riel, District counsel.

Absent: Michael B. Matsuda, superintendent.

2. ADOPTION OF AGENDA

Staff requested the following amendments to the agenda:

- Exhibit B, replace pages 2 and 3

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

3. PLEDGE OF ALLEGIANCE

Board President Anna L. Piercy led the Pledge of Allegiance to the Flag of the United States of America.

4. PUBLIC COMMENTS, CLOSED SESSION ITEM

There were no requests to speak.

5. CLOSED SESSION

The Board of Trustees entered closed session at 5:02 p.m.

6. RECONVENE MEETING AND CLOSED SESSION REPORT OUT

6.1 Reconvene Meeting

The Board of Trustees reconvened into open session at 5:07 p.m.

6.2 Closed Session Report

Board Clerk Smith reported the following action taken during closed session.

The Board of Trustees, with a vote of 5-0, approved the settlement agreement in OAH Case No. 2017021003 resolving all issues.

7. PUBLIC COMMENTS, OPEN SESSION ITEMS

- 7.1 Kim Ashton, parent and choir booster president at Cypress High School, addressed the Board regarding the decision to eliminate Ms. Harvey's choir position. She announced that her daughter now wants to be a choir teacher because of Ms. Harvey.
- 7.2 Brandon Garcia, Cypress High School student, spoke in support of Ms. Harvey and the choir program. He stated that Ms. Harvey has been the most influential person in his life, and asked the Board to reconsider the decision to eliminate her position.
- 7.3 Ean Ramos, Cypress High School student, has been in choir for three years and has had three different teachers. He expressed his desire to become a choir teacher, due to Ms. Harvey's leadership skills.
- 7.4 Jacob Weber, Cypress High School student, also spoke in support of Ms. Harvey and the choir program.
- 7.5 Sophia Dickenson, Cypress High School student, spoke on behalf of Ms. Harvey. She said Ms. Harvey has made choir feel like a family.
- 7.6 Jaztyne Lim, Cypress High School student, requested the Board to please reconsider reinstating Ms. Harvey. She also expressed with emotion that choir isn't just an elective, it is a family.
- 7.7 Emma Lee, Cypress High School student, noted with excitement how Ms. Harvey has helped them grow their leadership skills and has more confidence due to Ms. Harvey.

8. ITEM OF BUSINESS

- 8.1 **Adoption of the Decision of the Administrative Law Judge Carla L. Garrett Concerning the Reduction in Force of Non-Management Certificated Employees, per the Office of Administrative Hearing Case Number 2017030178**

The Board of Trustees took action to reduce particular kinds of services provided by certificated employees. This action was necessitated by significant reductions in District revenue and declining enrollment. The decision to reduce services was not related to the competency and dedication of the individuals whose services are to be eliminated. District staff carried out the Board's decision by using a selection process that involved seniority, in accordance with the requirements of the Education Code.

On March 7, 2017, the Board took action to eliminate 47.4 management and non-management certificated positions and to notify staff members of possible layoff. Certificated employees were issued preliminary notification of possible layoff. When 24 of the non-management certificated employees requested a hearing before an administrative law judge, the District was required to defend its procedures, steps, and processes of layoff. During the pendency of the proceeding the District refined the estimate of teachers needed for the coming school year and withdrew 10 of the layoff notices. At the conclusion of the hearing,

the administrative law judge extended the time for the decision and action by the Board by five days. The administrative law judge ordered on May 11, 2017, the District may proceed with notices to these non-management certificated employees that their services will not be required for the 2017-18 year, due to the reduction of particular kinds of services; and ruled authorizing skipping of two less senior employees. The Board of Trustees must now formally accept the judge's decision and proceed with the reduction in force of the designated non-management certificated employees.

As the result of additional assured attrition, the need to reduce the number of certificated employees has been further reduced from the number authorized in the decision.

Action:

On the motion of Trustee Randle-Trejo, duly seconded and unanimously carried, following a lengthy discussion, the Board of Trustees formally adopted the decision of the Administrative Law Judge concerning the reduction in force of certificated employees, per Office of Administrative Hearing Case Number 2017030178, with said adoption of the decision effective immediately.

RESOLUTION

8.2 **Resolution No. 2016/17-HR-13, Reduction in Force Certificated Management and Non-Management Employees**

The Board of Trustees is asked to formally adopt the recommendation of Superintendent Michael B. Matsuda to notify six certificated employees whose accusations were sustained that they will be laid off from employment, effective the last working day of the current school year, as a result of a reduction in force, per Board of Trustees Resolution No. 2016/17-HR-06, adopted on March 7, 2017. Employees who have rights based on seniority and credential, per education Code, will be reassigned to another certificated position within the District.

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees formally adopted Resolution No. 2016/17-HR-13, as amended prior to the adoption of the agenda. The roll call vote follows.

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

9. **ADJOURNMENT**

On the motion of Trustee Smith, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 5:35 p.m.

Approved 
Clerk, Board of Trustees