

ANAHEIM UNION HIGH SCHOOL DISTRICT

501 N. Crescent Way, P.O. Box 3520, Anaheim, California 92803-3520, www.auhsd.us

BOARD OF TRUSTEES Minutes Thursday, March 10, 2016

1. CALL TO ORDER–ROLL CALL

Board President Randle-Trejo called the regular meeting of the Anaheim Union High School District Board of Trustees to order at 2:30 p.m.

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

Absent: Michael B. Matsuda, superintendent.

2. ADOPTION OF AGENDA

Staff requested the following amendments to the agenda:

- Closed session item 4.6, remove employee numbers HR-2015-16-16, HR-2015-16-17, HR-2015-16-18, HR-2015-16-19, HR-2015-16-20, HR-2015-16-21, and HR-2015-16-22.
- Exhibit F, replace page BOT 24.
- Exhibit G, replace pages 3 and 15.
- Exhibit AA, replace page 3.

On the motion of Trustee Jabbar, duly seconded and unanimously carried, following discussion, 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 2:34 p.m.

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

5.1 Reconvene Meeting

The Board of Trustees reconvened into open session at 4:00 p.m.

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

Student Representative to the Board of Trustees Sophia Soliman led the Pledge of Allegiance to the Flag of the United States of America and provided a moment of silence.

5.3 **Closed Session Report**

Board Clerk Piercy 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 anticipated litigation.
- 5.3.3 No reportable action taken regarding anticipated litigation.
- 5.3.4 The Board of Trustees took formal action, with a 5-0 vote, to appoint Dr. Cherylin Lew to the position of coordinator, Special Youth Services.
- 5.3.5 No reportable action taken regarding personnel.
- 5.3.6 The Board of Trustees took formal action, with a 5-0 vote, to non-reelect certificated employee HR-2015-16-15, for the 2016-17 school year.
- 5.3.7 The Board of Trustees took formal action to approve the expulsion of the following students.
 - 1. 15-28 under Education Code 48900(a)(1)
 - 2. 15-29 under Education Code 48915(c)(3) and 48900(c)
 - 3. 15-30 under Education Code 48900(f)
 - 4. 15-32 under Education Code 48900(a)(1), 48900(b), 48900(c), and 48900(h)
 - 5. 15-33 under Education Code 48900(c) and 48915(b)(1)
 - 6. 15-34 under Education Code 48900(b) and 48915(c)(5)
 - 7. 15-35 under Education Code 48900(c), 48900(d), and 48915(b)(1)
 - 8. 15-36 under Education Code 48900(b)(4) and 48900(c)(2)

Newly appointed Special Youth Services Coordinator Dr. Cherylin Lew thanked the Board of Trustees.

6. **INTRODUCTION OF GUESTS**

The Board of Trustees recognized our community stakeholders for their interest in the Anaheim Union High School District and for attending our Board meeting. Thank you for your participation and contribution as we create an educational environment that graduates socially aware, civic-minded students who are college and career ready for the 21st century.

In addition, Board of Trustees' President Randle-Trejo introduced Dean Elder, ASTA president.

7. **REPORTS**

7.1 **Student Representative's Report**

Sophia Soliman, student representative to the Board of Trustees, reported on student activities throughout the District.

7.2 **Reports of Associations**

Dean Elder, ASTA president, spoke regarding the tentative agreement and future agreement work. He also commented on the support by ASTA for the Ball Rally and stated that Teresa Shimogawa, Joanne Fawley, and Lisa Eck were among those who helped organize this event.

Julie Payne, CSEA vice president, spoke regarding negotiations.

7.3 **Parent Teacher Student Association (PTSA) Reports**

There were no reports.

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

- 8.1 Kristine Alonzo, parent, spoke regarding Senate Bill (SB) 277 and Amendment H.
- 8.2 Carolyn Radillo, parent, showed a video regarding SB 277 and Amendment H.
- 8.3 Lisa Heyrend, parent, spoke regarding SB 277 and the personal belief exemption.
- 8.4 Catherine Pascal, District licensed vocational nurse (LVN), requested an LVN be placed in school sites where there is greater medical need.
- 8.5 Dr. Del Grace, District health service coordinator, spoke of LVN support at school sites, and the role of a registered nurse in the District.
- 8.6 Katrina Weed, District health tech, requested that she be reclassified as an LVN.

9. **ITEMS OF BUSINESS**

RESOLUTIONS

- 9.1 **Resolution No. 2015/16-B-11, Adjustments to Income and Expenditures General Funds; Resolution No. 2015/16-B-12, Adjustments to Income and Expenditures, Various Funds; and the 2015-16 Second Interim Report**

Background Information:

Education Code Section 42131 (a)(1) states that pursuant to the reports required by Section 42130, the governing board of each school district shall certify, in writing, within 45 days after the close of the period being reported, whether the school district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year. These certifications shall be based upon the board's assessment, on the basis of standards and criteria for fiscal stability adopted by the State Board of Education pursuant to Section 33127, of the district budget, as revised to reflect current information regarding the adopted State Budget, district property tax revenues pursuant to Sections 95 to 100, inclusive, of the Revenue and Taxation Code, and ending balances for the preceding fiscal year as reported pursuant to Section 42100. The certifications shall be classified as positive, qualified, or negative, as prescribed by the Superintendent of Public Instruction for the purposes of determining subsequent actions by the Superintendent of Public Instruction, the Controller, or the county superintendent of schools, pursuant to subdivisions (b) and (c). These certifications shall be based upon the financial and budgetary reports required by Section 42130 but may include additional

financial information known by the governing board to exist at the time of each certification. For purposes of this subdivision, a negative certification shall be assigned to any school district that, based upon current projections, will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. A qualified certification shall be assigned to any school district that, based upon current projections, may not meet its financial obligations for the current fiscal year or two subsequent fiscal years. A positive certification shall be assigned to any school district that, based upon current projections, will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

Current Consideration:

The Board of Trustees was requested to certify the 2015-16 Second Interim Report as positive. The Board understands its fiduciary responsibility to maintain fiscal solvency for the current and subsequent two fiscal years.

Budget Implication:

As part of the interim reporting process, budget adjustments are made to income, expenditures, and fund balances. Resolution No. 2015/16-B-11, Adjustments to Income and Expenditures, General Funds; and Resolution No. 2015/16-B-12, Adjustments to Income and Expenditures, Various Funds; authorizes budget adjustments, per Education Code Sections 42602 and 42610.

Action:

On the motion of Trustee O'Neal and duly seconded, following discussion, the Board of Trustees adopted the resolutions and approved the positive certification. The roll call vote follows.

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

9.2 **Resolution No. 2015/16-B-13, Adopt Resolution Approving the Notice of Exemption for the Katella High School DROPS-Site Improvement and Modernization Projects**

Background Information:

On July 17, 2014, the Board of Trustees approved the District's Facilities Master Plan (FMP) to address the facilities needs of the District over the next 10 years.

At the Board of Trustees meeting of August 19, 2015, the Board approved the Lease-Leaseback delivery method of procuring construction for the Katella High School DROPS-Site Improvement Project (the "DROPS Project") as one of the projects identified in the approved FMP. Proposals were received from prequalified contractors, and on November 5, 2015, the Board of Trustees approved the agreement with Pinner Construction Company, Inc. (Pinner) for this project. The DROPS Project has two phases requiring two separate notices to proceed (NTP). Having completed Phase 1 (Due Diligence), on February 18, 2016, the Board of Trustees awarded the Guaranteed Maximum Price (GMP) to Pinner to start Phase 2 (Construction) of the DROPS Project.

Current Consideration:

The approved FMP included the following projects to be constructed on the Katella High School campus. The listed projects include the current scope of work for the DROPS Project, as well as expanded scopes of work to be constructed in the future: (1) water infiltration tanks, bioswales, and water-efficiency irrigation; (2) site improvements to address hardscape deficiencies and safety issues in the quad; (3) shade structures and canopies; (4)

security fencing throughout the campus; (5) drought tolerant landscaping; (6) photovoltaic panels on parking canopies; (7) interior modifications of classroom buildings; and (8) replacement of student store (collectively, the "Projects").

The District is required pursuant to the California Environmental Quality Act (CEQA) to evaluate each potential public works project to determine whether that project might have a significant effect on the environment. Where an approved project is determined to be exempt from CEQA, the District may file a Notice of Exemption (NOE) with the Orange County Clerk, who must then post the NOE for a period of 30 days.

The District has evaluated the Projects and has determined that the Projects are categorically exempt from CEQA.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Jabbar and duly seconded, the Board of Trustees adopted Resolution No. 2015/16-B-13, approving the Notice of Exemption for the Projects and directed that the NOE be filed with the Orange County Clerk. The roll call vote follows.

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

9.3 **Resolution No. 2015/16-BOT-06, Requesting an Immediate Temporary Moratorium on Approval for Charter Schools**

Background Information:

The California Constitution establishes access to a public education as a fundamental right fully guaranteed and protected. The California Constitution forbids the use of public money to support any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools. In 1992, California passed the Charter Schools Act establishing Education Code Section 47600 et seq. The current Education Code provisions provide limited fiscal, facility, and educational program accountability, as well as transparency related to the development and operation of charter schools.

Current Consideration:

In 2013, Governor Edmund G. Brown Jr. signed historic school funding legislation establishing the Local Control Funding Formula intended to increase resources to the state's neediest students and restore local control over how money is spent on schools. Education Code Section 47605 vests in the local school board the authority for determining whether a charter school petition meets the legal requirement outlined in Education Code Section 47605. Local school board most knowledgeable of education programs and needs within its jurisdiction invest significant time and resources reviewing proposed charter school petitions prior to accepting or rejecting a charter school petition as required by Education Code. The recent practices of county offices of education and the State Board of Education in summarily overruling rigorous evaluations of charter applications by local school boards is undermining the practice of "local control," wherein districts develop priorities and plans with input from all stakeholders including parents, students, teachers, and community members.

Current charter school laws lack specific requirements for the following: (1) the same facility standards as public schools including preventing student exposure to asbestos and lead in paint and other hazardous materials; (2) governing boards elected by and responsive to

their constituency; (3) explicitly requiring open access to budgets and salaries, especially executive compensation; and (4) explicitly complying with the Freedom of Information Act request or the California Public Records Act.

California taxpayers and citizens deserve to have transparency and accountability with respect to public school funding. Local school districts deserve the right to authorize locally controlled charter schools. The current charter laws regulating charter schools need to be updated to assure local control, transparency, and accountability to the taxpayers and parents.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Jabbar and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2015/16-BOT-06, Requesting an Immediate Temporary Moratorium on Approval of Charter Schools. The roll call vote follows.

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

BUSINESS SERVICES

9.4 Bond Audit Report for Fiscal Year 2014-15

Background Information:

Vavrinek, Trine, Day and Co., LLP recently issued the audit report for the General Obligation Bonds, Building Fund (Measure H). The report was presented to the Citizens Oversight Committee on February 9, 2016. California Education Code Section 15286, requires the audit report be submitted to the Board of Trustees no later than March 31 of each year.

Current Consideration:

The Board of Trustees retained the firm of Vavrinek, Trine, Day & Co., LLP, certified public accountants to conduct the District's 2014-15 audit of the General Obligation Bonds, Building Fund (Measure H). 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.

Budget Implication:

The impact to the budget is routine.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially accepted the General Obligation Bonds, Building Fund (Measure H) Audit Report for the year ended June 30, 2015.

EDUCATIONAL SERVICES

9.5 New Board Policy 7610, Physical Education Policy, Second Reading

Background Information:

Through the guidance of the Physical Education (PE) Task Force and Educational Services Department, representatives from a cross-section of stakeholder groups formed a PE task force team during the 2012-13, 2013-14, and 2015-16 school years. The task force was

charged with reviewing specific sections of the PE Board Policy 7610 to ensure the language and intent of the policy and administrative regulations reflected current day educational codes, philosophy and student needs. Consequently, the recent federal program monitoring (FPM) audit resulted in several findings involving the District physical education policy and program: curriculum, required minutes of instruction, teacher credentialing, and assessment.

Current Consideration:

The policy and administrative regulations would ensure students receive physical education instruction by a credentialed teacher, learn the full PE curriculum, participate in a minimum of 400 minutes of PE every 10 days, and demonstrate physical fitness through assessment at the end of the ninth grade.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved Board Policy 7610.

9.6 **Revised Board Policy 8704-R, Student Suspension-Reasons for Suspension 1.0 (h and j); Tobacco Products, Second Reading**

Background Information:

The District has several policies that prohibit tobacco possession and use on and in school District facilities, as well as at school sponsored events. This includes school buildings and grounds, District vehicles, personal vehicles used to transport students, and sites leased or rented by the District for school sponsored events. With new and emerging trends occurring, it is necessary to update policies surrounding tobacco and define types of tobacco products in three areas of the Board Policy: 6317.15 Tobacco-Free School and Workplace, 8700-R Student Discipline, and 8704-R Student Suspension. Specifically, the section regarding Reasons for Suspension under Board Policy 8704-R Student Suspension would add additional definitions of the types of tobacco products that are cause for suspension including electronic nicotine delivering systems (ENDS) and/or electronic smoking devices (ESDs) and possession of these devices designated as drug paraphernalia.

Current Consideration:

The Tobacco Use and Prevention Education (TUPE) project coordinator within the District is requesting to specifically define "tobacco products" in AUHSD's Board Policy language by updating the policy language to create consistency of possession and use involving tobacco products on our campuses. The language would include ESDs and ENDS regarding Policy 1.0 (h) Reasons for Suspension–Tobacco Products, as well as consider these items as drug paraphernalia.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item, requiring no formal action by the Board of Trustees, the Board reviewed revised Board Policy 8704-R and provided direction to staff.

9.7 **Revised Board Policy 8700-R, Student Discipline-10. Tobacco, Second Reading**

Background Information:

The District has several policies that prohibit tobacco possession and use on and in school District facilities, as well as at school sponsored events. This includes school buildings and grounds, District vehicles, personal vehicles used to transport students, and sites leased or rented by the District for school sponsored events. With new and emerging trends occurring, it is necessary to update policies surrounding tobacco and define types of tobacco products in three areas of the Board Policy: 6317.15 Tobacco-Free School and Workplace, 8700-R Student Discipline, and 8704-R Student Suspension. Specifically, this section regarding Student Discipline would define these products, which are classified as Section C of Class I Infractions on page 34 of Board Policy 8700-R.

Current Consideration:

The Tobacco Use and Prevention Education (TUPE) project coordinator within the District is requesting to specifically define tobacco products in AUHSD's Board Policy language by updating the policy language to create consistency of possession and use involving tobacco products on our campuses. The language would include electronic nicotine delivering systems (ENDS) and/or electronic smoking devices (ESDs) regarding Policy 8700-R Section C of Class I Infractions, 10.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item, requiring no formal action by the Board of Trustees, the Board reviewed revised Board Policy 8700-R and provided direction to staff.

9.8 **Revised Board Policy 6317.15, Tobacco-Free School and Workplace, Second Reading**

Background Information:

In 2014, for the first time ever, teen use of e-cigarettes surpassed the use of traditional cigarettes. Electronic smoking devices (ESDs) or electronic nicotine delivering systems (ENDS), also known as e-cigarettes, hookahs, mods, and/or vape pens, are a technology-chic version of the traditional cigarette. The District has several policies that prohibit tobacco possession and use on and in school District facilities, as well as at school sponsored events. This includes school buildings and grounds, District vehicles, personal vehicles used to transport students, and sites leased or rented by the District for school sponsored events. With new and emerging trends occurring, it is necessary to update policies surrounding tobacco and define types of tobacco products in three areas of the Board Policy: 6317.15 Tobacco-Free School and Workplace, 8700-R Student Discipline, and 8704-R Student Suspension.

Current Consideration:

The Tobacco Use and Prevention Education (TUPE) project coordinator within the District is requesting to specifically define tobacco products in AUHSD's Board Policy language by updating the policy language to create consistency of possession and use involving tobacco products on our campuses. The language would include electronic nicotine delivering systems (ENDS) and/or electronic smoking devices (ESDs) regarding Policy 6317.15 Tobacco-Free School and Workplace.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item, requiring no formal action by the Board of Trustees, the Board reviewed revised Board Policy 6317.15 and provided direction to staff.

9.9 **School-Sponsored Student Organizations**

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:

9.9.1 Macondo, Savanna High School

9.9.2 Maker Club, Ball Junior High School

Budget Implication:

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

Action:

On the motion of Trustee Jabbar, duly seconded and unanimously carried, 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 student organizations.

SUPERINTENDENT'S OFFICE

9.10 **2016 California School Boards Association Delegate Assembly Election**

Background Information:

The California School Boards Association (CSBA) is the nonprofit education association representing the elected officials who govern public school districts and county offices of education. With a membership of nearly 1,000 educational agencies statewide, CSBA brings together school governing boards, as well as administrators from districts and county offices of education to advocate for effective policies that advance the education and well-being of the state's more than six million school-age children. A membership-driven association, CSBA provides policy resources and training to members and represents the state-wide interests of public education through legal, political legislative, community, and media advocacy.

CSBA's Delegate Assembly is a vital link in the association's governance structure. Working with local districts, county offices, the board of directors, and executive committee, delegates ensure that the association reflects the interests of school districts and county offices of education throughout the state.

Delegates are elected by CSBA member boards by region and serve a two-year term. Nominees for delegates must be a member of a member board within that geographic region.

Current Consideration:

Given the District's size relative to student population, AUHSD is entitled to one delegate, which is Trustee Randle-Trejo. This is an additional opportunity for the Board of Trustees to consider voting for candidates. At the Board of Trustees' discretion, you may or may not wish to vote for one or more candidates. The Board, as a whole, may vote for up to eight candidates. No more than one vote for any candidate may be submitted. The ballot also contains a provision for write-in candidates. The ballot must be postmarked by the U.S. Post Office on, or before, Tuesday, March 15, 2016.

Budget Implication:

There is no implication to the budget.

Action:

On the motion of Trustee Piercy, duly seconded and unanimously carried, following discussion, the Board of Trustees determined to vote for the following eight delegates: Dana Black, Lauren Brooks, Judith Franco, Candice Kern, Rosemary Saylor, Francine Scinto, Michael Simons, and Lynn Davis.

10. **CONSENT CALENDAR**

On the motion of Trustee Smith, duly seconded and unanimously carried, following discussion, the Board of Trustees approved all consent calendar items, with the exception of items 10.11 and 10.12 pulled by Trustee O'Neal.

BUSINESS SERVICES

10.1 **Bond Audit Agreement with Vavrinek, Trine, Day and Co., LLP**

Background Information:

Proposition 39 was authorized in the November 2000 general election, and it allows school districts to incur bonded indebtedness based on a 55 percent vote, rather than the two-thirds vote previously required. Proposition 39 contains specific provisions that require: 1) the bond money only be used for construction, reconstruction, rehabilitation, or replacement of school facilities; 2) the specific projects that use bond funds must be identified; and 3) the District is required to have an annual independent performance and financial audit of the bond proceeds.

The District issued Measure H bonds in May 2015. This requires the District to have a bond audit under the Proposition 39 rules. Vavrinek, Trine, Day and Co., LLP (VTD), is the District's current general financial auditor. Since the District already uses VTD to perform the annual audit, it is recommended to use them for the bond audit. This increases efficiency in the audit and keeps the cost of the audit down. The audit report will be provided to the District.

Current Consideration:

The Board was requested to approve the contract with Vavrinek, Trine, Day and Co., LLP. This is a one year contract for the audit of the July 1, 2015, to June 30, 2016, fiscal year, with a renewal option for two subsequent years.

Budget Implication:

The cost to the General Fund for 2015-16 is \$10,000; 2016-17 is \$10,000; and 2017-18 is \$10,000, plus out of pocket expenses. (General Funds)

Action:

The Board of Trustees approved the audit contract.

10.2 **Content Filtering**

Background Information:

The Anaheim Union High School District has used Lightspeed Systems' Rocket product to filter its internet content. Children's Internet Protection Act (CIPA) of 2000 requires protection measures to block or filter Internet access to pictures that are: (a) obscene; (b) child pornography; or (c) harmful to minors (for computers that are accessed by minors). The District has concluded its initial three year commitment and is seeking to review solutions that maximize value of features at a competitive price.

Current Consideration:

Approval of this item will enable the District to proceed with a competitive request for proposal, under Public Contract Code (PCC) 20118.2, for web caching. PCC 20118.2 states, "Due to the highly specialized and unique nature of technology, telecommunications, related equipment, software, and services, because products and materials of that nature are undergoing rapid technological changes, and in order to allow for the introduction of new technological changes into the operations of the school district, it is in the public's best interest to allow a school district to consider, in addition to price, factors such as vendor financing, performance reliability, standardization, life-cycle costs, delivery timetables, support logistics, the broadest possible range of competing products and materials available, fitness of purchase, manufacturer's warranties, and similar factors in the award of contracts for technology, telecommunications, related equipment, software, and services."

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees approved the use of PCC 20118.2 to proceed with competitive requests for proposals for content filtering equipment, software, and related services.

10.3 **Run-Off Claims Administration Agreement, Keenan & Associates**

Background Information:

The District workers' compensation program for industrial injuries prior to 1996 was fully self-insured, as permitted by California Education Code Section 17566 and the California Department of Self-Insurance Plans.

Current Consideration:

Claims from this period of self-insurance have been administered by Keenan & Associates since first occurrence of the injuries. The agreement is to renew claims administration services for the period October 1, 2015, through September 30, 2016.

Budget Implication:

The total cost is not to exceed \$5,525. (Workers' Compensation Funds)

Action:

The Board of Trustees approved/ratified the agreement.

10.4 **Agreement, School District Auctions**

Background Information:

Surplus sale is one of the approved methods for disposal of surplus equipment from a public agency. The District currently utilizes a nonexclusive contract with various auctioneers to dispose of surplus equipment throughout the District that is obsolete and/or reached the end of its useful life. The District seeks alternate sources for the sale of surplus property on an as-needed basis.

Current Consideration:

School District Auctions has a unique base of buyers that the District can utilize to sell specialized equipment. Such equipment includes the large presses and old reprographic equipment that the District has been looking to sell for some time. This contract would be utilized on an as-needed basis for the sale of surplus property.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees approved the agreement with School District Auctions.

10.5 **Award of Bids, E-Rate 19**

Background Information:

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

At the September 10, 2015, meeting of the Board of Trustees, the process to utilize competitive request for proposals (RFP) was approved and staff proceeded with the bidding process.

Current Consideration:

As a result of the bidding process there are four requests for proposals that would be awarded to the lowest responsible and responsive bidders pursuant to Public Contract Code (PCC) 20118.2 and one public works bid pursuant to PCC 20111 as follows:

Award of Bids

Bid #	Service	Award	Amount
2016-05	Cell Phone Services Districtwide	**T-Mobile USA, Inc.	*\$242,845/Year
2016-07	Wireless Infrastructure	Sehi Computer Products, Inc.	\$374,819

2016-08	Firewall Maintenance District-wide	Mark Enterprises, Inc	\$ 96,135/Year
2016-10	Structured Cabling	X-Act Technology Solutions	\$159,000

*Amounts are estimates and based on actual usage may be higher or lower.

**Performance and pricing will be reviewed by staff after the initial two year term to determine the most cost effective solution for the District and may be approved annually for up to three additional years by the director of Purchasing and Central Services.

Budget Implication:

Under the Federal E-Rate program, the District will directly subsidize the cost of the material, equipment, and services being awarded. This means that the District will pay a considerable amount less and will qualify for 80 percent of eligible services based on the Free-and-Reduced numbers.

2016-05	Year 1	E-Rate: \$27,597	General Funds: \$215,248
	Year 2	E-Rate: \$18,398	General Funds: \$139,399
	Year 3	E-Rate: \$9,199.01	General Funds: \$148,598
	Year 4 & 5	E-Rate: \$0	General Funds: \$157,797
2016-07		E-Rate: \$281,844	General Funds: \$ 92,975
2016-08		E-Rate:\$65,780/Yr	General Funds: \$30,355/Year
2016-10		E-Rate: \$127,200	General Funds: \$31,800

*USAC has been phasing out telecommunication services on a 20 percent annual sliding scale, which started in the 2015-16 fiscal year and will continue until it is 0 percent funded.

Action:

The Board of Trustees awarded Bids 2016-05 and 2016-08 for up to five years pursuant to PCC 20118.2 to be reviewed at the end of each term, and will be approved or terminated by the director of Purchasing and Central Services. Bid 2016-07 will be awarded as listed pursuant to PCC 20118.2. Bid 2016-10 will be awarded pursuant to PCC 20111.

10.6 **Piggyback Bids, Purchase Through Public Corporation or Agency**

Background Information:

A committee was formed to guide the selection and standardization process of furniture to support classroom flexibility. The committee includes educators from various schools who have offered their own classrooms to demonstrate 21st century classroom furniture. The members represented the entire District from subject matter to school site. In January 2015, the committee visited Irvine's, then newest school, Jeffery Trail Middle School and the recently modernized wing of Northwood High School. There, the committee observed 21st century furniture being used in the classroom, giving them ideas on how they could incorporate similar or better utilization in their own rooms. Each committee member methodically selected classroom furniture that would sustain the 4Cs, enhance the 21st century teaching practices and the District's and teachers' visions into the design of each classroom. In December, the committee reconvened and determined that the furniture and configurations selected would become the District's new standard.

In accordance with the District's facility master plan, it was determined that the Measure H bond would only be able to furnish 50 percent of the classrooms Districtwide, which equates to a little over 600 classrooms. Therefore, a method of determining the teachers that are to

receive the furniture had to be developed. Staff created a process, which included an online application that would be reviewed by a committee for the selection of teachers who will receive the furniture. Staff also determined that this first wave of furniture purchases would include approximately 238 classrooms Districtwide at an estimated cost of \$18,000 per classroom. Original estimates of the per classroom costs was at \$25,000. The school sites and number of classes were determined by various factors such as actual funds available, future modernization projects, and total number of classrooms per school site.

Current Consideration:

By piggybacking onto other public agencies' existing bids, our District can take advantage of lower costs through economy-of-scale, and also avoid the time and expense of the public bid process, while keeping the District within our legal requirements. Per Public Contract Code (PCC) 20118 a district may acquire various materials, supplies, and equipment by utilizing in an existing contract of another public entity, which is commonly known as piggybacking. Staff has analyzed purchasing options for classroom furniture and it has been determined that the Hawthorne Unified School District-Bid-13-14-1 can be utilized to acquire these products at their best value from Culver-Newlin, Inc. at a cost not to exceed \$4,284,000. Staff has also negotiated better discounts than those currently on this piggybackable bid, which in turn will save the District a considerable amount of money. This will also allow enough time for deliveries to be made for the start of the 2016-17 school year.

Budget Implication:

There will be a cost savings upwards of 56 percent off of list price for furniture. (Measure H Funds)

Action:

The Board of Trustees approved the use of a piggybackable bid for the purchase of 21st century classroom furniture and related items.

10.7 **Piggyback Bids, Purchase Through Public Corporation or Agency**

Background Information:

The State Air Resources Board, through the South Coast Air Quality Management District (SCAQMD), offered a grant to replace pre-1994 school buses using diesel fuel with "clean-fuel" school buses. All pre-1994 school buses with a Gross Vehicle Weight Rate (GVWR) of more than 14,000 lbs. were supposed to be replaced by January 2015. SCAQMD had posted an opportunity for school districts to apply for grants to replace these buses. Under the grant, SCAQMD will pay \$120,000 for the cost of a new clean-fuel school bus to replace a pre-1994 school bus. The applying school district must commit to paying a \$10,000 co-pay and any remaining balance for each bus being replaced, including any additional options not included in the base model, such as air conditioning, luggage racks or engine retarders. Anaheim Union High School District was awarded seven new propane buses per this grant.

Current Consideration:

By piggybacking onto other public agencies' existing bids, our District can take advantage of lower costs through economy-of-scale, and also avoid the time and expense of the public bid process, while keeping the District within our legal requirements. Per Public Contract Code (PCC) 20118 a district may acquire various materials, supplies, and equipment by utilizing an existing contract of another public entity, which is commonly known as piggybacking.

Staff has determined that the South County Support Services Agencies Bid# 14005 to Creative Bus Sales, Inc. is the best value for the acquisition of these buses. The total cost of the seven buses is \$988,090, with a total net cost to the District of \$148,090 after deducting the awarded grant amount.

Budget Implication:

The total expenditure will be \$148,090. (General Funds)

Action:

The Board of Trustees approved the purchase of seven propane buses from Creative Bus Sales, Inc. utilizing the South County Support Services Agency's piggybackable Bid# 14005 pursuant to PCC 20118.

10.8 **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, as well as authorized proper disposal in accordance with Education Code Section 60510 et al.

10.9 **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, as well as authorized staff to dispose of the textbooks and instructional materials in accordance with Education Code Section 60510 et al.

10.10 **Donations**

Action:

The Board of Trustees accepted the donations as submitted.

On the motion of Trustee O'Neal and duly seconded, following discussion, the Board of Trustees ratified items 10.11 and 10.12 with the following vote.

Ayes: Trustees Jabbar, Smith, Piercy, and Randle-Trejo

Abstain: Trustee O'Neal

10.11 **Purchase Order Detail Report**

Action:

The Board of Trustees ratified the report, February 9, 2016, through February 29, 2016.

10.12 **Check Register/Warrants Report**

Action:

The Board of Trustees ratified the report February 9, 2016, through February 29, 2016.

10.13 SUPPLEMENTAL INFORMATION

- 10.13.1 ASB Fund, January 2016
- 10.13.2 Cafeteria Fund, December 2015
- 10.13.3 Enrollment, Month 6

EDUCATIONAL SERVICES

10.14 **Instructional Materials Submitted for Adoption**

The Instructional Materials Review Committee recommended the selected books for English, ELD, science, IB program, and world languages courses. The books have been made available for public view.

Action:

The Board of Trustees approved the selected materials.

10.15 **Individual Service Contracts**

Action:

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

10.16 **Field Trip Report**

Action:

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

HUMAN RESOURCES

10.17 **Agreement Amendment, Artiano Shinoff and Holtz, APC**

Background Information:

The Board of Trustees approved an attorney-client retainer agreement with Artiano Shinoff and Holtz, APC, on June 18, 2015, for specific legal consultation and services, which are not provided by attorneys at the Orange County Department of Education, July 1, 2015, through June 30, 2016, at a cost not to exceed \$125,000. The services are typically related to personnel management and personnel related litigation.

Current Consideration:

Due to several major on-going legal issues currently pending, staff has ascertained that an increase to the amount of the agreement by an additional \$225,000, for a total amount not to exceed \$350,000, is needed.

Budget Implication:

Increase the amount of this agreement by an additional \$225,000. (General Funds)

Action:

The Board of Trustees approved the agreement to reflect an increase of \$225,000, for a total amount not to exceed \$350,000.

10.18 **Certificated Personnel Report**

Action:

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

10.19 **Classified Personnel Report**

Action:

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

11. **SUPERINTENDENT AND STAFF REPORT**

Dr. Jaron Fried shared that Superintendent Matsuda was in Washington, D.C. receiving a Leaders to Learn From recognition.

12. **BOARD OF TRUSTEES' REPORT**

Trustee O'Neal said he attended the Sister City Commission meeting, Parent Academy Graduation at Kennedy High School, Budget Committee meeting, ROP Celebration of Success, Hope School and Orangeview Junior High School Open House, Ball Rally, Graduation Planning meeting, as well as *Killing Ed* screening.

Trustee Smith reported her attendance at the ROP Celebration of Success and Ball Rally.

Trustee Randle-Trejo invited everyone to the Sylvia Mendez Tribute on March 31, 2016.

13. **ADVANCE PLANNING**

13.1 **Future Meeting Dates**

The next regular meeting of the Board of Trustees will be held on Thursday, April 14, 2016, at 6:00 p.m

Tuesday, May 10
Thursday, June 9
Thursday, June 16
Thursday, July 14
Thursday, August 11

Thursday, September 8
Thursday, October 13
Thursday, November 10
Thursday, December 8

13.2 **Suggested Agenda Items**

There were no suggested agenda items.

14. **ADJOURNMENT**

On the motion of Trustee Piercy, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 5:15 p.m.

Approved


Clerk, Board of Trustees