

BOARD OF TRUSTEES
Minutes
Thursday, April 2, 2009

1. CALL TO ORDER – ROLL CALL

President Katherine H. Smith called the regular meeting of the Anaheim Union High School District Board of Trustees to order at 3:00 p.m.

Present: Katherine H. Smith, president; Thomas "Hoagy" Holguin, clerk, Brian O'Neal, assistant clerk; Jordan Brandman, member; Joseph M. Farley, superintendent; Tim Holcomb, deputy superintendent; Dave Cowen, Fred Navarro, and Dianne Poore, assistant superintendents.

Absent: Anna L. Piercy, member; Russell Lee-Sung, assistant superintendent; and Josh Selbe, student representative to the Board of Trustees.

2. ADOPTION OF AGENDA

Staff requested the following amendment to the agenda:

Remove item 10.1 Application, Community-Based English Tutoring Program, from the agenda.

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, 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, AND MOMENT OF SILENCE

5.1 Reconvene Meeting

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

5.2 Pledge of Allegiance and Moment of Silence

The Junior Leadership Corp from South Junior High School, led the Pledge of Allegiance to the Flag of the United States of America. Chris Esperanza, principal, South Junior High School, led the moment of silence.

6. INTRODUCTION OF GUESTS

Mr. Holguin introduced Joanne Fawley, ASTA; Sharon Yager, CSEA; and Steve Gonzales, APGA.

7. REPORTS

7.1 Closed Session

Board Clerk Thomas "Hoagy" Holguin reported the following actions taken in closed session.

7.1.1 The Board of Trustees voted 4 to 0 to authorize legal counsel to settle a due process hearing, Office of Administrative Hearings Case Nos. 2008100494 and 2009020641, in the amount of \$14,500 in reimbursements.

7.1.2 The Board of Trustees voted 4 to 0 to authorize legal counsel to settle existing litigation, Orange County Superior Court Case No. 07CC07050, in the amount of \$2,312.90.

7.1.3 No action taken regarding negotiations.

7.1.4 The Board of Trustees took formal action to approve the expulsion of the following students:

1. 08-154 under Education Code 48900(k), 48915(b)(1)
2. 08-185 under Education Code 48900(a)(1), 48900(b), 48900(e), 48900(k), 48915(a)(2), 48915(a)(4)
3. 08-186 under Education Code 48900(a)(1), 48900(e), 48900(k), 48915(a)(4)
4. 08-187 under Education Code 48900(a)(1), 48900(b), 48900(e), 48900(k), 48915(a)(4)
5. 08-189 under Education Code 48900(f), 48900(k)
6. 08-191 under Education Code 48900(c), 48915(b)(1)
7. 08-192 under Education Code 48900(b), 48915(a)(2)
8. 08-193 under Education Code 48900(f), 48900(k), 48915(b)(1)
9. 08-194 under Education Code 48900(b), 48915(a)(2)
10. 08-195 under Education Code 48900(c), 48915(c)(3)
11. 08-196 under Education Code 48900(b), 48900(k)
12. 08-198 under Education Code 48900(g)
13. 08-199 under Education Code 48900(c)
14. 08-200 under Education Code 48900(f)
15. 08-201 under Education Code 48900(c)
16. 08-202 under Education Code 48900(c), 48915(a)(3)
17. 08-203 under Education Code 48900(n), 48915(c)(4)
18. 08-204 under Education Code 48900(f), 48915(b)(1)
19. 08-205 under Education Code 48900(b), 48915(c)(5)
20. 08-207 under Education Code 48900(c)
21. 08-208 under Education Code 48900(c)
22. 08-209 under Education Code 48900(c)
23. 08-210 under Education Code 48900(b), 48915(a)(2)
24. 08-211 under Education Code 48900(a)(1), 48900(k)
25. 08-212 under Education Code 48900(a)(1), 48900(b), 48900(k)
26. 08-213 under Education Code 48900(a)(2), 48900(b), 48915(a)(2)

7.1.5 The Board of Trustees took formal action to approve the readmission of students 07-13, 07-137, 07-150, 07-163, 07-165, 07-169, 07-173, 07-175, 07-176, 07-177, 07-179, 07-183, 07-184, 07-186, 07-193, 07-197, 07-198, 07-203, 07-207, 07-208, 07-209, 07-210, 07-211, 07-212, 07-218, 07-224, 07-225, 07-226, 07-230, 07-236, 07-237, 07-247, 07-251, 07-255, 07-258, 07-263, 07-268, 07-269, 07-272, 07-276, 07-277, 07-292, 07-293, 07-295, 07-303, 07-305, 07-308, 07-309, 07-315, 07-316, 07-317, 07-318, 07-321, 07-322, 07-323, 07-328, 07-329, 08-04, and 08-1.

7.1.6 No action taken regarding public employee performance evaluation.

7.2 **Principal's Report**

Mr. Esperanza presented highlights of South Junior High School including reductions in the number of suspensions, as well as an increase in API scores and overall grade point averages. He stated that 95 percent of their students have indicated they want to pursue a college degree. Mr. Esperanza said the school has a strong AVID program and stated they are receiving services from California State University, Fullerton, through the GEAR UP grant. Mr. Esperanza commented that South Junior High School hosted the Parent Institute for Quality Education and had 275 parents complete the program. He concluded by saying the quality of instruction has greatly improved due to teachers getting together to discuss teaching methods, which have benefited both teachers and students.

7.3 **Reports of Associations**

7.3.1 Joanne Fawley, ASTA president, discussed Pink Friday that was organized to bring public attention to teacher layoffs. She said over 200 people at Anaheim High School participated.

7.3.2 Steve Gonzales, representing APGA, discussed the first district-wide College Fair to be held at the Anaheim Convention Center. He thanked the Board of Trustees and district staff for their support.

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

Sal Mendoza, Mendoza Insurance Brokers, discussed the Measure Z construction projects and the discrepancies his company found in hard cost billing. He requested clarification from the district.

9. **ITEMS OF BUSINESS**

9.1 **Public Hearing, Disclosure of Collective Bargaining Agreement with the Anaheim Personnel and Guidance Association**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees opened a public hearing on the collective bargaining agreement with the Anaheim Personnel and Guidance Association for the 2008-09 year, in accordance with AB 1200 (Statutes of 1991, G.C. 3547.3, Chapter 1213), at 6:22 p.m.

There were no requests to speak.

On the motion of Mr. Holguin, duly seconded and unanimously carried by those present, the Board of Trustees closed the public hearing at 6:23 p.m.

9.2 **Adoption of the 2008-09 Collective Bargaining Agreement with the Anaheim Personnel and Guidance Association**

On the motion of Mr. Holguin, duly seconded and unanimously carried by those present, the Board of Trustees adopted the 2008-09 collective bargaining agreement with the Anaheim Personnel and Guidance Association.

9.3 **Application, Anaheim Community Foundation Helping Hands Funding Application**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees ratified the Anaheim Community Foundation Helping Hands Funding Application for Hope School. The purpose of the grant is to request financial assistance to augment the educational gardening program at Hope School. Hope teachers plan to utilize the funds to enhance their outdoor learning program by creating an outdoor classroom immediately adjacent to their garden. The Hope garden supports teachers in delivering instruction in environmental education, ecology, daily living skills, horticulture, and natural sciences, and it enhances the reading and physical education courses taught at the school. The school is applying for \$5,000 from the foundation for the 2009-10 year to build the outdoor classroom. The timeline was such that this application had to be submitted prior to board approval. There is no cost to the district.

9.4 **Memorandum of Understanding with the City of Anaheim**

On the motion of O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees approved the memorandum of understanding with the city of Anaheim. Representatives of the district and the city of Anaheim have worked together to resolve issues regarding adjoining property that the city of Anaheim and the district own, at Savanna High School and the Dad Miller Golf Course. This memorandum of understanding was developed to mitigate safety matters at the 10th hole of the golf course, which adjoins tennis courts and a parking lot at the high school. Board approval of the memorandum of understanding will permit the city and the district to co-fund improvements on the campus and the course to reduce the number of golf balls that fall onto school grounds. The district will be responsible for one-half of the actual cost of completing the project, or \$75,000, whichever is greater, and one-half of the actual and/or estimated fees. The district set aside funds for this project when the discussions began with the city over two years ago. This agreement will be signed following approval by the Board of Trustees. (Routine Restricted Maintenance and other appropriate funds)

9.5 **Educational Consulting Agreement, Jamie Shew**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees approved the educational consulting agreement with Jamie Shew as a clinician for the AUHSD High School Pops Choral Festival. Ms. Shew will share her expertise with students and staff in regards to professional performance requirements. She will provide insight on their achievement of the choral music standards and will suggest areas of growth. Outside consultation for performances of this nature are essential in order to more clearly define areas of success and areas of needs for achievement of the choral music standards. Services will be provided May 8, 2009, at a cost not to exceed \$150. (Vocal Music Funds)

9.6 **Educational Consulting Agreement, Warren Carrigan**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees ratified the educational consulting agreement with Warren Carrigan to provide home teaching to a special education student with specialized needs. Mr. Carrigan is a retired education specialist with the unique skills to meet the student's needs. This agreement allows the district to comply with the student's Individual Education Plan. Services are being provided March 2, 2009, through June 30, 2009, at a cost not to exceed \$11,050. (Special Education Funds)

9.7 **Agreement, North Orange County Regional Occupation Program, Education Pathways Initiative**

On the motion of Mr. Holguin, duly seconded and unanimously carried by those present, the Board of Trustees ratified the agreement with North Orange County Regional Occupation Program to recruit more high school students into college pathways, support the special needs of the district's most at-risk students through the integration of academics, and provide dual-enrollment opportunities for students. Services are being provided September 4, 2008, through June 30, 2011, at no cost to the district.

9.8 **Resolution No. 2008/09-E-04, 2010 Census Partner, U.S. Census Bureau**

On the motion of Mr. O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2008/09-E-04, 2010 Census Partner, U.S. Census Bureau to support the goals and ideals for the 2010 Census, to partner with school districts to achieve an accurate and complete count, and to encourage participation in the events and initiatives for overall awareness of this endeavor. The roll call vote follows.

Ayes: Trustees Brandman, O'Neal, Holguin and Smith

Absent: Trustee Piercy

9.9 **Ratification of Change Order**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees ratified the change order as listed.

Bid #2007-17, Anaheim High School Expansion Project (Measure Z and other facilities funds)	P.O. #864A0001
USS Cal Builders	
Original Contract	\$22,127,000.00
Previously Approved Change Orders	\$1,775,010.37
Change Order #32-R1	\$92,853.00
New Contract Value	\$23,994,863.37

9.10 **Rejection of Liability Claim**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees rejected AUHSD 09-07 (Tort Claim #256), as not a proper charge against the district and authorized staff to send notice of the rejection.

10. **CONSENT CALENDAR**

On the motion of Mr. O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees approved/ratified the following consent calendar, with the exception of item 10.8, which was pulled for discussion by Mr. Holguin, and 10.11, which was pulled for discussion by Mrs. Smith.

10.1 **Application, Community-Based English Tutoring Program**

This item was pulled prior to the adoption of the agenda.

10.2 **Contract, CSU Fullerton Auxiliary Services Corporation**

The Board of Trustees ratified the contract with CSU Fullerton Auxiliary Services Corporation (ASC) formalizing the agreement to appropriate \$12,574 to the CSUF GEAR UP Program as an

in-kind contribution for the salary of the program director. This item is being ratified because the contract had to weave its way through many layers of review in the California State University system before it was presented to the Anaheim Union High School District. The allocation was actually awarded July 1, 2008. The GEAR UP Program provides guidance and academic support services to underrepresented and underprivileged populations with the goal of increasing their access to higher education. This program supports AUHSD's Collaborative with CSUF, a special agreement designed to guarantee AUHSD graduates' admission to CSUF, if students meet basic entrance requirements. Services are being provided November 18, 2008, through September 2, 2009, at a cost not to exceed \$12,574. This agreement will be signed following approval by the Board of Trustees. (EIA/LEP Funds)

10.3 **Educational Consulting Agreement, UC Regents/UCLA School Management Program**

The Board of Trustees approved the educational consulting agreement with UC Regents/UCLA School Management Program (SMP) to work with AUHSD school site administrative and/or teacher leadership teams. Assistance like that referenced in this consulting agreement is a mandated requirement for school districts that are involved in the federal program improvement requirements outlined in No Child Left Behind (NCLB), which is being recommended to serve as the district's NCLB Program Improvement service provider for 2009-10 year. SMP will work with schools to identify and create structures and processes that assure continuous improvement of both student learning and professional practice. Services will be provided April 3, 2009, through September 30, 2009, at a cost not to exceed \$95,000. (Title I Funds)

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

The Board of Trustees approved the educational consulting agreement with the Orange County Human Relations Council. The district is required to distribute certain federal categorical funds to private schools. The Orange County Human Relations Council will provide training to Servite High School staff and students and assist in the development of improved interethnic relations. Services include, but are not limited to: leadership orientation, task formation, all-day student retreats, faculty workshops, planning and implementation of parent outreach and involvement strategies, assistance in the planning of school-wide projects, and student conflict resolution and anger management training. Services will be provided April 20, 2009, through June 30, 2009, at a cost not to exceed \$2,000. (Title II Funds)

10.5 **Instructional Materials Submitted for Adoption**

The Board of Trustees approved the adoption of the instructional materials. The Williams settlement requires that schools have sufficient instructional materials to be distributed to every student in all core subject areas. According to the guidelines established in the settlement, adopted materials must be distributed to students for their use in school and at home. In order to meet this requirement, the district is requesting that the Board of Trustees adopt the recommended textbooks. Once adopted, the district will use specifically designated lottery funds to acquire the new textbooks. The use of these special funds will have no impact on the district's general fund. The Instructional Materials Review Committee has recommended the selected books for use in English language arts, science, and reading. The books have been made available for public review.

10.6 **Award of Bid**

The Board of Trustees awarded the bid as listed.

<u>Bid #</u>	<u>Service</u>	<u>Award</u>	<u>Amount</u>
2009-13	Painting Anaheim High School	Case and Sons Construction, Inc.	\$133,300

10.7 **Rejection of Bids**

The Board of Trustees rejected all bids.

<u>Bid #</u>	<u>Service</u>	<u>Award</u>
2009-12	Softball Field Improvement Kennedy High School	Reject all bids

10.8 **Amend Contracts for Professional Consulting Services**

On the motion of Mr. Holguin, duly seconded and unanimously carried by those present, following discussion, the Board of Trustees authorized the amended, not to exceed contract amounts for Jubany-NAC Architecture and Westgroup Designs, Inc. The value of each contract is \$500,000. The board amended the not to exceed amounts of these contracts by increasing Westgroup Designs, Inc. by \$250,000, and decreasing the value of the contract with Jubany-NAC Architecture by \$250,000. (Measure Z, State Modernization and New Construction, QEIA, Routine Restricted Maintenance, and other appropriate funds)

10.9 **Donations**

The Board of Trustees accepted the donations as listed.

<u>Location</u>	<u>Donated by</u>	<u>Item</u>
Community Day School	Lisa Molyneux	Miscellaneous equipment and food items
Cypress	MOL (America) Inc.	40 ft. storage container
District	Social Security Administration	Miscellaneous computer equipment
Hope	Wal-Mart Foundation	\$2,000
	7-Eleven	20 art smocks
Kennedy	Dona Vogel	Elna lock machine
	Home Depot	30 cardboard/storage boxes
	Dong Vo	Miscellaneous photography equipment
Lexington	BP America Inc./ Martin L. Scott	\$250
Sycamore	Assistance League of Anaheim	Uniform shirts and shorts

Walker	Buena Park Noon Lions Club, Inc.	\$290
Western	Washington Mutual (becoming Chase)	\$164.66
	Steven Franks	25 stereo headphones/headsets

10.10 **Disposal of Surplus Miscellaneous Furniture and Equipment**

The Board of Trustees ratified the list of district furniture and equipment as surplus, salvage, old, and/or obsolete property, and authorized proper disposal through the auction process to the highest bidder.

10.11 **Conferences and/or Meetings**

On the motion of Mr. O’Neal, duly seconded following discussion, the Board of Trustees authorized payment for the board members to attend conferences and/or meetings, with payment of their necessary expenses.

CSBA Legislative Action Conference, May 17-18, 2009, Sacramento, CA, \$250, for Mr. Brandman. The vote follows.

Ayes: Trustees Brandman, O’Neal, and Holguin

Noes: Trustee Smith

Absent: Trustee Piercy

10.12 **Certificated Personnel Report**

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

10.13 **Classified Personnel Report**

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

10.14 **Field Trip Report**

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

10.15 **Individual Service Contracts**

The Board of Trustees approved/ratified the individual service contracts as submitted.

10.16 **Purchase Order Detail Report**

The Board of Trustees ratified the purchase order detail report as submitted.

10.17 **Check Register/Warrants Report**

The Board of Trustees ratified the check register/warrants report as submitted.

10.18 **Board of Trustees' Meeting Minutes**

The Board of Trustees approved the minutes as submitted.

10.18.1 March 5, 2009, Special Meeting

10.18.2 March 12, 2009, Regular Meeting

11. **SUPPLEMENTAL INFORMATION**

11.1 Minutes of Department Meetings

11.2 Associated Student Body Fund, October 2008 and November 2008

11.3 Cafeteria Fund, December 2008 and January 2009

11.4 Enrollment, Month 5 and Month 6

12. **STUDENT REPRESENTATIVE'S REPORT TO THE BOARD OF TRUSTEES**

There was no report from the student representative to the Board of Trustees.

13. **SUPERINTENDENT AND STAFF REPORT**

Dr. Farley reported on the federal stimulus program. He stated that it is very difficult to get definitive data on stimulus funding. He said there is a lot of speculation as to whether the state will allocate any money to education.

14. **BOARD OF TRUSTEES' REPORT**

Mr. Brandman stated he attended the Anaheim Leadership Team Association dinner, the Budget Committee meeting, Anaheim Library luncheon, and the town hall meeting with President Obama.

Mr. O'Neal said he attended the Friends of Education dinner, Kennedy choir performance, and visited Western High School and Ball Junior High School. He congratulated Western High School for being named a California Distinguished School.

Mr. Holguin commented on his attendance at the Friends of Education dinner, the PIQE graduation ceremony at South Junior High School; and he thanked Dr. Navarro for working with Sally Feldhaus on the essay contest. He also thanked the Board of Trustees for their support of the PIQE program.

Mrs. Smith reported her attendance at the Youth in Government event at the city of Anaheim, and her participation in the Celebration of Success Scholarship interviews for ROP.

15. **ADVANCE PLANNING**

15.1 **Future Meeting Dates**

The next regular meeting of the Board of Trustees will be held on Thursday, April 23, 2009, at 6:00 p.m.

Thursday, May 14
Thursday, June 4
Thursday, June 25
Thursday, July 16

Thursday, August 6
Thursday, August 27
Thursday, September 10
Thursday, September 24

Thursday, October 15
Thursday, November 5

Thursday, December 10

15.2 **Suggested Agenda Items**

Mr. Holguin requested we look into the Sunburst Academy Program.

Mrs. Smith requested developing a board policy requiring board members to bear the cost of conferences. She requested information on block scheduling and congratulated Western High School for being named a California Distinguished School.

16. **ADJOURNMENT**

On the motion of O'Neal, duly seconded and unanimously carried by those present, the Board of Trustees adjourned the meeting at 6:49 p.m.

Approved _____
Clerk, Board of Trustees