



Phoenix Elementary School District No. 1

*Regular Session Board Meeting –January 22, 2009*

Dr. Ruth Ann Marston presided over the PESD #1 Governing Board Meeting in the Phoenix Elementary School District Governing Board Room.

Other Board members present at the meeting were:

Mr. Doug Allsworth    Ms. Susan Bliss                      Ms. Liz Meza                      Dr. Louisa Stark

*Also present were:*

Ms. Myriam Roa Chief Executive Officer	Mr. Tom Lind Interim Assistant Superintendent for Curriculum and Instruction	Mr. Kenneth Baca Assistant Superintendent for Business Services
Mr. Randy Dickason Executive Director for Human Resources	Ms. Eleanor Moyza Board Secretary	

---

**A. Regular Session – 6:00 p.m.**

1. Call to Order – Dr. Ruth Ann Marston, President
2. Pledge of Allegiance – Tom Lind  
(Mr. Lind asked everyone to remain standing for a Moment of Silence in honor of Eli Bliss)

**B. Approval of Consent Agenda**

1. Minutes - September 25, 2008  
- October 9, 2008
2. Ratification of Payroll \$4,320,696.90 and Expense Vouchers \$1,838,853.61 in the Total Amount of \$6,159,550.51
3. Request for Approval of Financial Reports for Student Activity Funds Through November 2008
4. Request for Approval of Gifts and Donations
5. Request for Approval of Out of District Field Trips
6. Request for Approval of Out of State Travel
7. Request for Approval of Employment of Administrative, Certified and Classified Staff and Employee Contract Adjustments for the 2008-2009 School Year
8. Request for Approval of Separation of Employment, Resignations and Retirements
9. Request for Approval of the Following Individuals as Hearing Officers/Investigators

*(Dr. Marston stated that Item B5 has been revised in response to a request by Ms. Liz Meza, who carefully read the funding source for the field trip.)*

*Mr. Allsworth moved approval of the Consent Agenda and Ms. Bliss seconded the motion. The Board unanimously approved the motion and it was passed.*

### **C. Community Communications**

Dr. Marston stated that she has received one Community Communications Card which she would save for Section F of the agenda and asked if there were any more Community Communication Cards at this time, but there was no response.

Mr. Jack Day, PECTA President thanked Mr. Baca for providing a lot of valuable information to the staff about the budget and he also thanked him for adding their input in the process. He stated that they have a couple of concerns which have been expressed to Mr. Baca and they want the Board to be aware of them as well. He stated that they are concerned about the substitute freeze and the leveling of the classrooms and they want to play their part in the process as much as they can. He stated that they are concerned about the impact that these decisions will have on classrooms and on student achievement over the next couple of months, going into AIMS Testing. He stated that they just want to make sure that this is an absolute necessary step in making sure that the District is in a healthy financial situation going into next year, and they also want to make sure that we are looking out for the interests of our students. He stated that if you're pulling people like Literacy Coaches and Math Coaches and Social Workers and Instructional Assistants to become permanent substitutes, they aren't going to be able to fulfill their functions, which he believes are very valuable functions that they have in their own right and that if they're pulled out to become permanent substitutes, their functions will not get done and that will again, impact student achievement. Mr. Day stated that we are in a corrective action as a District and we have sites that have not passed AYP and we realize a savings of about \$200,000, which is what they've been told and they just want the Board to put this into context and they're just trying to provide that context for them.

Ms. Bliss stated that Mr. Day has made a valid point and feels that this needs to be looked at very carefully, particularly in light of the permanent substitute person who is somebody who takes over for several months. Mr. Baca stated that they still need subs for permanent substitute situations so they're not looking at pulling people to be permanent substitutes. They're talking about Sick Leave Business Leave, short term, one or two days of Jury Duty and to be able to have each school design their own coverage plan. He stated that he wants to assure the Board that they are not looking to use the freeze on substitutes to cover long-term positions and they are not looking to not cover the critical areas such as our Self-Contained Special Education Classrooms and our Pre School Classrooms, because there are legal and compliance issues and we are not looking, at this point in time to say that it is a permanent freeze. We must freeze in order to assess what we have and to be sure that we have enough to carry through to the end of this fiscal year.

### **D. Chief Executive Officer's Report**

#### **1. Awards and Recognitions**

Ms. Roa recognized Plant Services' Mike Fisher, Terry Crosier and Tony Aguirre and their team for their efforts in conserving energy throughout our school district. She stated that Phoenix Elementary was recognized in the Arizona Republic as achieving the results desired by the Arizona Public Services Solutions for Business Programs and we would like to thank our Plant Services for making our district shine.

Ms. Roa also recognized Faith North School. She stated that we are happy and proud that they were selected to receive the 2008 Governor's Achievement Award for innovative school design in the category of safety by design. Ms. Susan Engdall was presented with the award on January 9, 2009 at the State Capitol in the Executive Tower and attendance was by invitation only.

Ms. Roa gave recognition to ADM Group, Ry-Tan Construction and Jen Electric and thanked them for their generosity for donating 60 tickets for our employees to attend the Spectacular Winter Party on December 12, 2008. Ms. Roa showed the collage of pictures showing the 254 employees who had a fabulous time at the party and stated that it couldn't have been done

without their contributions. Ms. Roa thanked them again and wished a Happy New Year to the ADM Group, Ry-tan Construction and Jen Electric.

Ms. Roa recognized Tiffani Gambino and Anthony Petrongelli, Edison School Teachers for being accepted into the SMART Exemplary Educator Program and each of them will receive a certificate, a laptop bag, a one-time credit of \$199 to put toward any of the training offerings and access to the exclusive Exemplary Educator Forum on the SMART Exchange. They were not able to attend the Board Meeting tonight but congratulations were sent their way and they were wished the best.

Ryan Williams, Kenilworth School K-8 Art Teacher also received recognition which was submitted by Ms. Moncayo, Kenilworth School Principal. She stated that Mr. Williams exemplifies professionalism in all that he does and his impact is felt in every program and event at Kenilworth. He is passionate about art and strives to impart this love to our students every day. She stated that he has singlehandedly transformed the Kenilworth Art Program into an A-Plus Quality Program. Ryan is a true leader on campus and we are fortunate to have him as part of our Kenilworth Staff.

## 2. Announcements

## 3. Information Items – Budget

Mr. Baca presented information regarding the current budget situation that he had presented to employees on the day before. He stated that this was provided to Board Members last Friday in a Board Update and that he had indicated some of the areas that was recommended by the Budget Advisory Committee and approved by Cabinet, but over the course of days, the budget situation has continued to grow even more grim. He stated, (quote) “that the employees of this district although given bad news, and the employees who could have taken it in a way that would have been met with anger and frustration, from every indication of what I have heard in feedback that although it is bad news, they understand the situation and appreciate the fact that we are sharing the information with them as it becomes available. So their appreciation, their understanding tells me and indicates to all of us, their dedication and their commitment to the district and this community and I applaud them for being able to act in such a professional manner”. Mr. Baca stated that the grim, most difficult news and the worst case scenario is that we may have to cut our current budget by \$3.1 to \$4.2 Million dollars. What are the immediate reductions? He stated that what he is about to share is what the Board received and what was recommended by the Budget Advisory Committee that is comprised of Association Members as well as non-associations members, and our Business Department’s Directors. Their recommendations were that we freeze the use of substitutes immediately that are paid out of Maintenance and Operations. They recommended a hiring freeze in all non-critical areas, leveling of all classrooms at schools where we are below class size, which may or may not be feasible at this time. Freeze all field trips out of Maintenance and Operations and limit the use of District vehicles and in that, it’s trying to make sure that we still meet the needs of schools, especially when our Plant Department needs to address situations, but to really be conscious of how we are using those vehicles. Mr. Baca stated that they are asking everyone to continue saving energy, every little bit counts. APS recognized our school district for really being able to do that, but he thinks that staff has been asked to try to do a little bit more.

Mr. Baca stated that the Substitute freeze will begin on Monday. The schools will determine a coverage plan and the administrators are already sharing plans as to how they are doing this. Mr. Baca discussed field trips and how it’s hitting home and stated that it’s going to affect even our programs that we have traditionally had, such as our Track Meets and that’s because money was taken from the Desegregation Budget, which is part of Maintenance and Operations and that has to be frozen at this time. That may impact our Music Festival that we normally have at the end of the year and it impacts some schools’ ability to put on the performances that they were used to putting on that relied on bus transportation to transport the kids to those programs.

Regarding benefits, Mr. Baca stated that we know that our benefits are going to look different next year, but we have no choice. He stated that we also have to consider the benefits of the retirees and the one thing that we are able to guarantee is that anyone who qualifies for that benefit and they retire this year, we will honor. But after this year, we know that we are faced with making a decision as to whether or not we can continue funding that. In terms of salaries, he stated that he has informed our employees that we can probably guarantee that there will not be money for a raise. Mr. Baca stated that we need everyone's cooperation and understanding in this matter, but we also know that there's hope.

She stated that we have to tell people if there's any chance that they're going to lose their jobs either because of our economic situation, and we have to notify people early. She stated that when she was rified, she was a single parent with three small children and she knows it's not fun. She stated that we have really good people in this District and we have really caring people who care not only about the students but about each other and we're going to get through this and we just have to have faith that it will happen.

She stated that she wants everyone to know that the Board is supporting the staff on what we're doing and she mentioned that three Board Members were supposed to go to San Diego next month to attend the Arizona School Board's Association Conference and their trip has been cancelled so they are in the same boat as everyone else is and they know what it's like.

**E. Curriculum & Instruction – Tom Lind, Interim Assistant Superintendent**

**1. Receive and Discuss Recommendations from the Calendar Committee**

Mr. Lind thanked the members of the Calendar Committee and stated that he really appreciates their assistance in this process and stated that Mr. Allsworth and Ms. de O Campo will speak on their behalf. He reminded the Governing Board and everyone in the audience that the goal of the Calendar Committee is to provide ample time for learning and they wanted to gather information from their stakeholders and they would like to be able to recommend a multiple year calendar, if possible. Mr. Allsworth thanked the members of the Calendar Committee and stated they had a very diverse group of perspectives on the committee and he feels it was a very educational experience for him personally, and there are a lot of veteran members of the Calendar Committee that had a lot of great experiences this year and in the end they had consensus on all the controversial issues they talked about, which they're presenting today and he felt that was very gratifying as well. Mr. Allsworth spoke about the Calendar Committee and the work that was done on it and stated that one of the issues that occurs with a Calendar Committee is coordination with the high school calendar and he stated that they deviated from that two years ago and he got complaints from parents and he's sure every other Board Member did also. There were other issues with that particular calendar but they tried to revert back to more or less alignment with Phoenix Union last year and they did so again this year. Mr. Allsworth stated that they also took surveys of parents and staff members and there was a strong majority consensus that alignment with Phoenix Union is a good thing and people want that.

Mr. Lind thanked Mr. Allsworth and Ms. de O Campo for their presentations on the calendar and informed the Board that they would like to come back with a calendar recommendation hopefully at the next Governing Board Meeting.

Ms. Roa thanked Ms. de O Campo, Mr. Allsworth and the Calendar Committee Members and stated that working on a calendar is always a touchy issue and it's challenging and stated that they did it efficiently and got the information out to people.

2. Request Approval of School Improvement Plans for Bethune, Dunbar and Herrera Schools

The following people spoke to the item:

Dr. Jill Andrews, Director of Assessment, Evaluation & Externally-Funded Program

Ms. Tracey Pastor, Principal of Bethune School

Dr. Carolyn Taylor, Principal of Herrera School

Ms. Loraine Conley-Franklin, Principal of Dunbar School

*Mr. Allsworth moved for approval and Ms. Bliss seconded the motion. The Board approved the motions and it was passed.*

**F. Dr. Prudence Lee**

1. Request for Approval to Schedule a Public Hearing on March 12, 2009 at 6:00 p.m. to Consider the Closure of the Phoenix Preparatory Academy

Dr. Lee stated that the items in Section F are a continuation of the Board Study Session that was held on January 15. She stated that we received some direction from the Board and there are some legal aspects to moving forward. She stated that the first one, F1 is the legal requirement of ARS 15-341, Paragraph 36, to start the legal procedures to consider closing a school, and in this case as we discussed in the Study Session, the Prep. Dr. Lee stated that administration is recommending that the Governing Board schedule a public hearing to consider the closure of the Phoenix Preparatory Academy on March 26. Dr. Lee stated that there has been a change to the original sheet that was handed out so the date for the Public Hearing is now March 26, 2009, instead of March 12 so it will not coincide with Spring Break.

*Ms. Bliss moved for approval and Mr. Allsworth seconded the motion.*

Dr. Stark stated that parents come to see her almost every day asking about the Prep Academy and informed her that they are hearing different rumors, that the Prep will be closed and sold, or that the Prep will be closed and a hospital will be built there. Dr. Stark asked if it is possible that when the District sends out notices about the Prep Academy possibly closing, if they would send out a general, short explanation, explaining that it does not mean that it will not in the future be used for educational purposes, because otherwise it gives an enormous amount of fuel to all the rumors that are going around. Ms. Roa stated that we might want to forward that to Counsel, Jennifer McClellan and also stated that we want to work closely with Sara Bresnahan to let people know, maybe not in the public notice format that is required to be in the Board, but perhaps our intentions to make it more clear that it will be existing in some fashion as an educational institution for our students.

Ms. Kim Carter, Counselor at Phoenix Prep Academy submitted a Speaker Card and spoke to the Board and stated that the counselors were the first people hired for that building; long before a principal was named or another teacher was hired, counselors were hired in advance, working on curriculum to really set the standard for that building. She stated that for eighteen years she has hoped that building would reach the standard that the original Board who put that building through would get to. She stated that if there's one thing anybody at Phoenix Prep can do, it is to embrace change. She stated that they've been through a lot. Many principals, many different staff members and every change was made that would hopefully benefit our children and she is not thrilled with the prospect of Phoenix Prep Academy being closed. She stated that the one thing she can say about the Prep's status, they were never Prep Children; they were always Phoenix Elementary children; they were loaned to us, they started off in their elementary building and they came to us to help prepare them for high school. They belong to the District, those children still belong to the

District and she strongly recommends that we go with this initiative. She does not want to see the Prep closed, but she knows the people in that building are talented and can transfer in to another position and make an impact; and some will choose to leave the District and make an impact. She stated that it's the children she worries about and the one thing that she truly likes about that school initiative project through a partnership with ASU is the fact that we have ASU behind it and it really lends itself to the quality that Phoenix Elementary District is after. It gives our students a bridge to looking down the road, not just in Kindergarten, but an ASU connection that can take them into college. She stated that she truly believes that this is the best model for all students in our District and will become a teaching model where every teacher will have available Best Practices being implemented with our kids. She stated that they're not going to be implemented in Scottsdale with a different socio-economic group, a different environment, a different neighborhood, they'll be implemented with our kids and we'll find out what works and what doesn't. She stated that she thinks that PESD is taking a huge stride in looking at all of our children and what we can do to better prepare them for the world to come and as you can see the world we're living in right now is very hard, it's just a tough time. We start off with a tough budget, we start off with celebrations, we start off with the hope that we have schools that are working diligently to recapture what our kids need and she only sees ASU's partnership as being a benefit to everyone. She stated that it's with a heavy heart that she strongly recommends that PPA which is a slogan for "Promoting Personal Achievement", truly does that and she said let's promote personal achievement for every student and every employee in our District. Dr. Marston thanked Ms. Carter and stated that she knows that Ms. Carter gave a speech at the Prep Academy and she thanks her for that as well.

*The Board unanimously approved the motion and it was passed.*

2. Receive and Discuss Direction to Administration to Develop a Demonstration School through a Partnership Agreement with University Public School, Inc. (UPSI)

Dr. Lee stated to the Board that at the January 15 Study Session the results of the surveys, the meetings and the discussions were brought to them and she stated that last year the Board was asked for a year to study the Prep and the outcome for it. She stated that the purpose of this agenda item is to gain the Board's direction tonight to move forward with the University Public Schools to develop a detailed plan and partnership agreement.

*Ms. Bliss moved for approval and Mr. Allsworth seconded the motion.*

Dr. Marston asked Ms. Roa if she would like to comment on the way that it will be done and Ms. Roa stated that as they spent the time planning to move forward with this, if given direction by the Governing Board to move forward, then we will be meeting very quickly with not only counsel to craft the draft agreement, but also with parents to basically get enrollment and interest and get that information to them, if this is an option that we're moving forward with and also with staff on opportunities with University Public Schools if they are interested. She stated that those are the three main areas that we need the Board's direction to move forward so we can get that information and get that back to the Board for future consideration. Dr. Marston asked Ms. Roa if they need to approve a Letter of Intent as an interim step. Ms. Roa stated that she thinks that with the timing that counsel has recommended to them, they can bring a Letter of Intent to the Board, hopefully in the next month or so.

Dr. Stark stated that she is wondering how much impact the budget both from the perspective of how we stand and as far as the university stands, would potentially impact this. Mr. Larry Pieratt of University Public Schools being present at the Board Meeting, stated that the issues that the university faces has no impact on this project; this is a stand-alone project based on the state aid that's driven from the attendance of the new students in the school and it stands

on its own. Dr. Crowe put forth about \$1.5 Million dollars to support the Office of University Public Schools for the past two years but as we go into July 1<sup>st</sup>, we stand alone and the operations of both Polytechnic Elementary and then with Pre K-12 in this school, they'll have the funding to make sure they can continue. He also stated that they draw support not just from the College of Education, but from all aspects of programs in colleges and schools across the university, so their fate does not sit with the College of Education.

Dr. Marston brought up the fact that schools don't exist with just teachers, and that we provide transportation, we provide custodial services, we provide food services and those need to be insofar as possible, covered in the contract.

Dr. Lee stated to Dr. Marston that she feels we need a vote on that direction because we received direction at the Study Session and she feels this would cement the administration going forward to start talking with University Public Schools if we can have that vote.

*The Board unanimously approved the motion and it was passed.*

**(Item F3 was added within the 24 hour requirement of the Open Meeting Law)**

3. Request for Approval to set a date for public hearing on a proposed issuance of private activity bonds with respect to Phoenix Preparatory Academy

Ms. Roa clarified to the Board that motion F1 was to set the date for March 26 for the consideration to close the Prep Academy and F3 is a public hearing on proposed issuance that we're asking the Board to set for a February 12 meeting.

*Ms. Bliss moved that the Board set a hearing for the issuance of private activity bonds as listed on the agenda and described in Agenda F3 of today's date.* Dr. Lee stated that we have an attorney from Gust Rosenfeld should there be any questions on the requirement for this.

*Dr. Stark seconded the motion.*

Dr. Marston asked the Board Members if they'd like clarification since the attorney is in the audience and Mr. Allsworth stated that he would like clarification. Dr. Lee introduced Mr. Keith Hoskins, Attorney at Gust Rosenfeld, who stated that they are the District's Bond Counsel. Mr. Hoskins stated that this is a requirement of Federal Tax Law because the Board is discussing the possibility of using a portion of the facilities with a 501-C3 entity. He stated that because the Board thinks they might do it, they would have to have what is called a Tefra Hearing (Tax Equity and Fiscal Responsibility Act". A part of the new Bond Issue is going to go to finance renovations to the school and we have to go through the steps as if it was a 501-C3 Bond. He stated that the requirement is that we hold the hearing. Mr. Hoskins stated that we have to publish notice of the hearing 14 days in advance, in the paper.

*The Board unanimously approved the motion and it was passed.*

**(Item G)**

After consulting with Mr. Baca, Dr. Marston requested a motion to postpone all of Item G until the next meeting, rather than tabling it, which requires additional action at the next meeting.

*Dr. Stark moved approval to postpone Item G and Ms. Meza seconded the motion. The Board unanimously approved the motion and it was passed.* Item G was postponed until the next Board Meeting.

**\* (Item G in its entirety was postponed until the next Board Meeting)**

**G. Business Services – Kenneth Baca, Assistant Superintendent**

1. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for a Performing Arts Center for Herrera School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)
2. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for Renovations at Whittier School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)
3. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for Renovations at Lowell School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)
4. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for Renovations at Edison School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)
5. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for Classroom Additions at Edison School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)
6. Request for Approval for Issuance of Purchase Order to Ry-Tan Construction, Inc. (PESD RFQ #009-0607, Board Renewal 09/11/08) for Cafeteria and Classroom Additions at Dunbar School Pending the Second Sale of School Improvement Bonds, Project of 2006, Series B (2009)

**H. Human Resources – Randy Dickason, Executive Director**

1. None

**I. Policy Project 2008 – Dr. Prudence Lee**

1. Request for Approval of Various Governing Board Policies for a Second Reading  
*Ms Bliss moved approval of the Board Polices that are listed on Item II (I one) and Mr. Allsworth seconded the motion.*

Dr. Lee stated that this is the third in a series of 4 sets of policies that were brought to the Board in a Study Session on December 4<sup>th</sup>, and they are trying to enact older policies and also to date with what's happened in the law in several areas. She stated that we have public get up on school property, we have a lot of changes in that we need to put into our conduct policy and we need to allow people to use tobacco when they're teaching anti-tobacco on school property, and we have some staff health and safety changes. We have requirements of fingerprints for tutors and for student teachers and we have the sex offender notification that's come to the Board before and is back. She stated that we have entrance age requirements that parents may send their child for only half a day even though we have full-day Kindergarten. Student Records are correcting federal citations, student bio-metric information, the requirement of parent-consent, if we start using a retina scan to identify children or fingerprints.

Dr. Marston stated that it indicates that we have no intention of doing that. Dr. Lee stated that some requirements under federal and state law with regard to sensitive surveys of children and what we can and can't do.

Dr. Marston asked Dr. Lee if a Governing Board Policy has been made that requires Governing Board Members to be fingerprinted and if we haven't, she asked Dr. Lee if she would do one so that we'll have it. Dr. Lee stated that she does have the policy selected to do so.  
*The Board unanimously approved the motion and the policies were passed.*

**J. Board Reports and Requests**

1. Board Direction to the Chief Executive Officer (if necessary)

None

2. Board Report  
None

**K. Adjournment**

The meeting adjourned at 8:00 p.m.

Respectfully Submitted,

---

Dr. Ruth Ann Marston  
Board President

RAM: evm