



Phoenix Elementary School District No. 1
Regular Public Meeting/Regular Session/Executive Session
March 25, 2010

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
(Was ill and went home after
Item H3)

Ms. Liz Meza

Dr. Louisa Stark

Also present were:

Ms. Myriam Roa
Superintendent
(Absent)

Mr. Tom Lind
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. **Call to Order – 5:30 p.m.**

1. Call to Order – Dr. Ruth Ann Marston, President
2. Pledge of Allegiance - Randy Dickason

(Item G was discussed out of the order of discussion)

G. **Superintendent's Report** – Mr. Tom Lind

Mr. Lind announced that our Superintendent, Ms. Myriam Roa has a new grandson, who was born on March 17, 2010.

○ Awards and Recognitions

- Mr. Lind gave recognition to Mr. and Mrs. Gregory Torrez of La Azteca Wedding Plaza and their daughter, Josephine for their generosity to Lowell School. Ms. Rosanna Hidalgo, Principal of Lowell School introduced the Torrez family and thanked them for their donation of \$7,500 worth of formalwear for the Lowell School drummers, band and choir and stated that they have been very helpful to the choir for the past two years. She stated that during 2008-2009, Josephine donated her time to measure students for their clothes, ordered uniforms and packaged each outfit for the students. During the current school year, formalwear was donated and Josephine donated hours of her time to measure students in choir, drumming, band and began a detailed inventory for choir and drummers. Fourth grade students also benefited from this gift and wore the shirts and vests for the holiday program and students in the upcoming musical will also be wearing the clothes. She stated that the students and teachers are profoundly appreciative of the Torrez family's donation to Lowell School and its Performing Arts Programs. She thanked them again for their generosity and for making a difference in the students' lives.

Mr. Torrez said a few words and stated that first and foremost he wanted to honor his mother, who is not physically here, but her spirit is always with him and she's on his left and his father is on his right in everything he does. He stated they are trying to follow the path that his mother had set in place many

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years ago to focus on education, mainly K-8 and mainly Phoenix Elementary School District #1 and he and his family are just honored to be able to assist Ms. Hidalgo and Lowell school.

Dr. Marston stated to Mr. Torrez that the District appreciates his family and families like his who have been long-time supporters of our schools and made them so much better than they otherwise could be.

- Mr. Lind gave recognition to Salon des Enfants and Mr. John Avedisian, Art Teacher at Magnet Traditional School gave the presentation and stated that Judges Robert Miley, Krista Anderson and Sherry Kimmel, all local professional artists, awarded 1st, 2nd and 3rd prizes to students in grades 5th, 6th, 7th and 8th. There were 15 Honorable Mentions awarded, along with a Grand Best of Show Award. He stated that Mr. Tom Lind, in Ms. Myriam Roa's stead, awarded the Superintendent's Award and all of those students will receive a ribbon and a set of art supplies. The students who won Best of Show and the Superintendent's Award have their work purchased by the art department for \$50 and their work is entered in the district's permanent collection. All proceeds from the art sales go to the student artists.
 - ◇ Griselda Suarez Cazares, 5th grader at Herrera School, was awarded the Superintendent's Award.
 - ◇ Leonardo Garcia, 6th grader at Whittier School, was awarded the Grand Prize - Best of Show Award.

Other winners were:

5th Graders: Lyric Kerney - Faith North School - 1st Place
Manuel Garcia - Kenilworth School - 2nd Place
Alexis Martinez - Capitol School - 3rd Place

6th Graders: Gerardo Carrillo - Emerson School - 1st Place
Francisco Ortega - Emerson School - 2nd Place
Jasmin Kuzmic - Magnet Traditional - 3rd Place

7th Graders: Deana Venthoven - Herrera School - 1st Place
Abraham Avila - Herrera School - 2nd Place
Lewis Ontiveros - Dunbar School - 3rd Place

8th Graders: Jessica Aguilar - Kenilworth School - 1st Place
Jeisenia Estrada - Kenilworth School - 2nd Place
Noel Araiza - Herrera School - 3rd Place

- Mr. Lind gave recognition to "Read Across America" and Mr. Jack Day, Early Childhood Coordinator stated that "Read Across America" was celebrated in our schools on the week of March 1st and every school held fun events celebrating Dr. Seuss' birthday and also the importance of reading. He stated that he and Ms. Annette Brown coordinated these activities with the school's Literacy Coaches and Librarians and with the help of RIF monies, each student received a book of their choosing. Mr. Day stated that the Cat in the Hat visited schools as well as dozens of volunteer readers including governing board members, district staff, community members and parents.
- Mr. Lind gave recognition to Herrera School's Wall-Raising at the school's new Performing Arts Center. Dr. Carolyn Taylor, Herrera School Principal and Mr. Michael Fisher, Director of Plant Services gave the presentation of the wall-raising along with videos. Dr. Taylor stated that wall-raising is a very unique project in an Arizona School and also stated that the new center will be a LEED-Certified Building which means that it is "green", and environmentally-friendly materials are being used and waste material is being separated and will be recycled. The students and staff are actively involved and learning in the process as the architects from ADM Architectural Firm and Ry-Tan Construction meet with them to explain the process and materials. This wall-raising is unusual because the walls are constructed and lifted from the ground by a crane and will be put in place rather than built brick by brick. Weather permitting, the project will continue to Friday, March 26, 2010.
- Announcements
Information Items

(Item E2 was discussed out of the order of discussion)

E 2. Approval of Consent Agenda

1. Ratification of Payroll \$3,954,953.10 and Expense Vouchers \$1,812,494.36 in the total amount of \$5,767,447.46
2. Request for Approval of Gifts and Donations
3. Approval of Financial Reports for Student Activity Funds through February 2010
4. Request to Approve of Out of District Field Trip
5. Request for Approval of Employment of Administrative, Certified and Classified Staff
6. Request for Approval of Separation of Employment, Resignations and Retirements

Ms. Bliss moved for approval and Ms. Meza seconded the motion. The board unanimously approved the motion and the Consent Agenda was passed.

B. Call for Executive Session

1. Discussion to obtain legal advice and to direct attorney for the public body pursuant to A.R.S. §38-431.03.A.3 regarding concerns pertaining to the University Public Schools, Inc. (UPSI) collaboration agreement and regarding potential contract modifications or termination.

A.R.S. §38-431.03.A.3 Upon a public majority vote of the members constituting a quorum, a public body may hold an executive session but only for the following purposes: Discussion or consultation for legal advice with the attorney or attorneys of the public body. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

Mr. Allsworth moved for approval to move into Executive Session and Ms. Bliss seconded the motion. The board unanimously approved the motion and moved into Executive Session at approximately 5:56 p.m.

2. Adjourn to Regular Session

C. Resume Regular Session

The Regular Session resumed at approximately 6:15 p.m.

D. UPSI Collaboration Agreement

1. Consideration of Direction to the Attorney for the Public Body Regarding Potential Contract Modifications or Regarding Potential Termination

At Dr. Marston's request, Mr. Lind outlined the possible reasons for termination of the contract and stated that in dialogue with our Superintendent and her Cabinet there are several areas that we feel have not been fully-implemented during the implementation of the school at this time.

- #1: The lack of ongoing communication and planning time mutually agreed upon by the two parties to work with the implementation and planning for the school program.
- #2: There has not been the ability to address the academic performance of the students at this particular point in time and we would like to ensure that our students are academically succeeding and we would like the opportunity to analyze the student performance data as well.
- #3: We would be interested in improving the Professional Development opportunities that are available to our teachers as well as to their teachers in a cooperative manner.
- #4: The area that is of concern is the implementation of 9th grade and the manner in which the planning has not occurred for that in a timely manner for implementation next school year.
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Dr. James Rund, Senior Vice President for University Student Initiatives from ASU, and representing the President of the University informed the Board of plans for fixing this situation in the future. Board Members and Cabinet Members were given an opportunity to express their thoughts and concerns about Dr. Rund's statement and the Agenda Item.

Mr. Tom Lind thanked the Governing Board for bringing this Item forward as an Agenda Item and he also thanked Dr. Rund for joining us this evening. Mr. Lind informed the Governing Board that earlier this week, Cabinet Members had the opportunity to dialogue with Dr. Rund as well as several other staff members from Arizona State University and he believes that the dialogue was the beginning of a new day. He stated that they agreed that there are problems and they spoke about what they thought some of those problems were and they also agreed that a fresh start was very possible. He acknowledged to the Board that their Superintendent and Cabinet Members had the opportunity to discuss this earlier this week and he assured them that they have staff members' full support to ensure that the goals of this project will be successful and they accept the responsibility for ensuring that they carry forward with their part of that particular project.

Dr. Marston informed the Board Members that there are three choices:

#1: They can discontinue the agreement now or at a future time;

#2: Board Members can involve themselves in this discussion further and determine that they have to have some tight assurances by timeline and make demands of this partnership;

#3: They can trust their staff and direct them to come back to the Governing Board after talking with Dr. Rund and whoever else they need to be talking with, with a plan, list the assurances that we need and the timelines that are necessary.

Board Members *Mr. Allsworth, Dr. Stark, and Ms. Meza* chose the #3 choice. *Ms. Bliss* stated that she does not want the 3rd choice.

Dr. Marston asked the Board Members if they want to make a formal motion on this or if they will just be in agreement that they want to give direction to staff to report back to them on an ongoing basis as to the progress being made on repairing this collaboration and eventually, to have an updated agreement with the narrative for the collaboration included in the contract.

Attorney Ms. Jennifer MacLellan stated that if the Board's prerogative is to direct staff to update them at a later time, there is no motion necessary. But if the Board's prerogative is to direct her, the Attorney, to seek modification to the Collaboration Agreement, they will need a motion. *Dr. Marston* stated that the Board will need to do both of those things and they do need a motion. *Dr. Marston* asked the attorney if she is in agreement that the narrative needs to be formally-incorporated in the contract. *Ms. MacLellan* replied that it would be her recommendation that if it's the Board's desire that she be moved to seek modification of the Collaborative Agreement to include the narrative, specifically. She stated that the Governing Board of UPSI would have to consider this and accept it at a later date, so this would be an ongoing negotiation and she can work with *Dr. Rund* or his designee to facilitate that.

Ms. Bliss moved that the Governing Board direct Counsel to add the narrative to the contract with UPSI and *Dr. Stark* seconded the motion. *Mr. Allsworth* stated that he hasn't heard enough to support the motion, so he voted against it. The Board moved approval of the motion by 4-0 and it was passed. *Dr. Marston* stated that they don't need to have a motion to direct our staff if what she said is something that the Board is in agreement with.

F. Community Communications

None

H. Business Services – Kenneth Baca, Assistant Superintendent

1. Request for Approval for Issuance of Purchase Order to Award Fence (PESD Quote No. 044-0910) for Installation of Perimeter Fence and Gate at Shaw Elementary School

Ms. Bliss moved approval of Item H1 and *Dr. Stark* seconded the motion. The Board unanimously approved the motion and Item H1 was passed.

2. Request to Receive and Discuss Budget Information and Considerations
3. Request Authorization to Issue a Request for Proposal for Marketing Materials and Services for Phoenix Elementary School District #1
Ms. Bliss moved approval of Item H3 and Mr. Allsworth seconded the motion. The board unanimously approved the motion and it was passed. (Although Ms. Bliss was ill, she attended the board meeting and went home after Item H3).
4. Request to Receive and Discuss the Progress of the District's Capital Override Projects
5. Request for Approval to Issue Purchase Orders for the Purchase of Technology Equipment Upgrade, Repair and Services Funded by Voter Approved 2006 Capital Outlay Budget Override
Mr. Allsworth moved for approval of Item H5 and Ms. Meza seconded the motion. The board approved the motion by 4-0 and it was passed.
6. Request for Approval for Issuance of Purchase Order to Weatherproofing Technologies, Inc. (Mohave Contract 09A-WPTI-0416) for Roof and Playground Caulk Repairs at Herrera School
Mr. Allsworth moved for approval and Ms. Meza seconded the motion. The board approved the motion by 4-0 and Item H6 was passed.

I. Curriculum & Instruction – Tom Lind, Assistant Superintendent

1. Request for Approval of Pilot Professional Development Project Targeted for Special Education and General Education Teachers to Increase Student Engagement and Content Proficiency through Technology Integration Provided by Level 3 Audio Visual
Ms. Sara Marcum, Interim Director of Student Services presented the information to the governing board with Power Point.
Mr. Allsworth moved approval and Dr. Stark seconded the motion. The board approved the motion by 4-0 and the item was passed.

J. Human Resources – Randy Dickason, Executive Director

1. Request for Approval of Termination of Contract with the New Teacher Project
Dr. Stark moved for approval and Ms. Meza seconded the motion. The board approved the motion by 4-0 and Item J1 was passed.

K. Board Reports and Requests

1. Update on University Public School Phoenix (UPSP)
2. Board Direction to the Superintendent (if necessary)
3. Board Report

L. Adjournment

Mr. Allsworth moved for approval to adjourn the board meeting and Ms. Meza seconded the motion. The board meeting adjourned at 8:30 p.m.

Respectfully,

Dr. Ruth Ann Marston
Board President

RAM: evm

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