



## Regular Public Meeting October 13, 2011

**Dr. Ruth Ann Marston** presided over the PESD No. 1 Governing Board Meeting in the Governing Board Room.

*Other board Members present were:*

**Mr. Doug Allsworth**                      **Ms. Liz Mesa**                      **Ms. Susan Bliss**                      **Dr. Louisa stark**

*Also present were:*

<b>Ms. Myriam Roa</b> Superintendent	<b>Mr. Randy Dickason</b> Executive Director for Human Resources	<b>Mr. Tom Lind</b> Assistant Superintendent
<b>Ms. Magda Nunez</b> Interim Assistant Superintendent		<b>Lillian Hameed</b> Board Secretary

---

### **A. Regular Session – 6:00 p.m.**

1. Call to Order – Dr. Ruth Ann Marston, President
2. Pledge of Allegiance – Tom Lind

### **B. Approval of Consent Agenda**

*Ms. Bliss moved to approve the Consent Agenda as presented in the revised agenda of October 12<sup>th</sup>, which contains the addition of item B.10 which was not in the printed agenda in the book. Dr. Stark seconded and motion was passed.*

1. Approval of August 25, 2011 minutes.
2. Ratification of Payroll \$4,005,002.41 and Expense Vouchers \$2,129,990.26 in the Total Amount of \$6,134,992.67
3. Request to Approve the Annual Declaration of Curriculum and Instructional Alignment to the Arizona Academic Standards as Required by the Arizona Department of Education
4. Request to Approve Overnight Field Trip
5. Request to Approve Acceptance of Arizona Commission of the Arts Grant for Silvestre Herrera Elementary School
6. Request to Approve Addendum One to the Memorandum of Understanding with the Valley of the Sun United Way to Include Technology Enhancements to the Destination Graduation Project
7. Request for Approval or Ratification of Employment of Administrative, Certified and Support Staff

8. Request for Approval or Ratification of Employee Contract/Work Agreement Adjustments for Changes in Position
9. Request for Approval of Separation of Employment, Resignations and Retirements
10. Request for Approval of Sole Source Vendors for 2011-2012 School Year for Expenditures under \$50,000.00

*Dr. Marston directs the board to proceed to item G.5 and acknowledges Regina Rolle and her attorney, Bill Holder.*

*Mr. Holder states that the statues provide that both sides have an opportunity to present their arguments to the board for and against the hearing officer's recommendation which is the purpose of his being at the meeting. Mr. Holder requests that the Board not accept the hearing officer's findings. that Ms. Rolle is inadequate and thereby should be terminated. He makes several arguments to support his request. First, that the findings are illogical in that it states that Ms. Rolle is inadequate in preparing her lessons plans, but adequate in implementing those same lesson plans. Second, that Jack Day, the district's pre-school coordinator, testified in favor of Ms. Rolle reporting that she was in fact an adequate teacher, yet was never consulted by Mr. Graef although district policy requires the evaluator to consult with all appropriate personnel in the course of the evaluation. Last that Ms. Rolle was not given the tools necessary to improve, such as a mentor teacher.*

*Mr. Holder asks the Board to respect Mr. Day's opinion and testimony and overrule the hearing officer's findings, or have the hearing officer review the COR'S reports which were not admitted at the hearing. He now calls Ms. Rolle to the podium.*

*Regina Rolle gives a summary of her history with Phoenix Elementary. She then states that since she was placed in a traditional preschool class, and she was trained as a private school teacher, she should have been given a mentor teacher if she made mistakes. She further states that she worked very hard, and had good relationships with the parents, and that the children thrived.*

*Jennifer MacLellan, who represented the District Administration during the hearing, addressed the issues raised by Mr. Holder. Ms. MacLellan recommended the Board uphold the hearing officer's recommendation and move to terminate Ms. Rolle's employment.*

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

5. *Ms. Bliss moved to approve the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Decision Pertaining to Certificated Teacher Regina Rolle, Mr. Allsworth seconded, motion passed by unanimous vote.*

**C. Community Communications**

*Mr. Greengard addressed the Board regarding property taxes for commercial property. Asked the Board to explain why the Phoenix Elementary School District is responsible for a \$1000.00 increase in his property taxes. Dr. Marston informs Mr. Greengard that the Board cannot discuss this issue at this meeting because it is not agendized, and refers him to the superintendent to make an appointment. Ms. Roa states that she received his phone message and has already been gathering information and would be happy to meet with him.*

#### **D. Superintendent's Report**

##### **1. Announcements:**

*Ms. Bliss moves to approve the Governing Board Calendar for 2012, Mr. Allsworth seconded add the motion is passed.*

*Ms. Roa announced programs over the fall break. The PEER program has two programs, the African American Cultural camp, with a performance culminating Oct. 14<sup>th</sup>, at 9:30 am at Heard School. The PEER program at Whittier is Exploring Outer Space. In the spring intersession the programs will switch and the African American Cultural Camp will be at Whittier and the Outer Space theme at Heard.*

*On November 9<sup>th</sup>, there is a luncheon and possibly the PEER program will win an award for our great after school program.*

*The Governing Board Study Session scheduled for next week has been cancelled. The next Governing Board meeting will take place October 27<sup>th</sup>, 2011 at 6 PM.*

*The 140<sup>th</sup> celebration of the school district will be held at Dunbar school from 3:30 – 6:30 and the program with the children performing will begin at 5 PM to 6 PM*

*Ms. Roa described the new Arizona state labeling system briefly.*

#### **E. Business Services – Magda Nuñez, Interim Assistant Superintendent**

1. Ms. Bliss moves to approve Donation of “Out of Service” Cell Phones to Cell Phones for Soldiers. *Mr. Allsworth seconded. Motion is approved.*

2. Ms. Bliss moves to approve to Dispose of Obsolete Printers Stored at Ann Ott. *Mr. Allsworth seconded. Motion passes.*

3. Ms. Bliss moves to approve Fiscal Year 2010-2011 Annual Financial Report (AFR). *Dr. Stark seconded. Motion passed.*

*Dr. Stark questions the M&O balance being in the red. Ms. Nunez explains that revenues are in arrears and are posted into the following fiscal year so ending fiscal year 2011 we would show a negative balance.*

*Dr. Marston mentions that some of vendors are approaching the \$50,000 mark, and it might be of interest for the Board to see which vendors are getting a lot of business from the school board. So she has requested a report on that matter up to the end of the year to determine if fund need to be distributed more equitably.*

#### **F. Curriculum & Instruction – Tom Lind, Assistant Superintendent**

1. Request to Approve Policy JII – Student Concerns, Complaints, and Grievances and JICK Student Violence, Harassment, Intimidation, and Bullying as a First Read.

*Mr. Lind addressed the board concerning F.1 for which the motivation for revision was newly enacted legislation, and revisions to Arizona Revised Statutes 15-341.37. The two policies are listed together because Policy JII was the one policy that dealt with student concerns as well as bullying, harassment and intimidation. New legislation under House Bill 2415 provides tighter guidelines for bullying, harassment and intimidation. Therefore it is the recommendation that those items be removed from JII and incorporated into its own policy JICK. So hence we need to make the revisions to remove bullying, harassment and intimidation from JII and add the language specifically in Policy JICK. Dr. Marston inquires about how the situation of a teacher/staff member being the bully is addressed in the new policy.*

*Mr. Lind explains that in JII and JICK are specific to students bullying one another. When an adult bullying instance is brought forward, it becomes a Policy G. Mr. Dickason states that would be covered under the Human Resources Policies under Staff Conduct Policy, the Discipline policy and also under the Ethics policy. Further discussion on this matter and necessary revisions will be discussed at second reading*

Dr. Marston directs the discussion to F.2.

2. *Ms. Bliss moved to approve the Intergovernmental Agreement with the City of Phoenix for School Resource Officers and Law-Related Education Programs at Bethune, Lowell and Shaw Schools. Mr. Lind acknowledges the work Diane Wray did by spearheading the grant application process. This is the first year of a three year renewal for the School Safety Grant. Resource Officer Program.  
Dr. Stark seconded. Motion passed  
Dr. Stark commented on the improved communication and structure of the program.*
3. *Ms. Bliss moved to approve a Request for Proposal for Curriculum Audit Consultant Services, Dr. Stark seconded. Motion passed.*
4. *Ms. Bliss moved to approve a Request for Proposal for Reading, Language Arts and Literacy Consulting Services, Dr. Stark seconded. Motion approved.  
Dr. Stark inquires about the curriculum audit process, and who would conduct it. Mr. Lind referenced several organizations he felt would be interested in responding to our RFP.*

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

1. *Ms. Bliss moved for approval of an Alternative Performance Based Pay Plan Pursuant to A.R.S. Section 15-341(40) and Approval of Corresponding Resolution. Dr. Stark seconded and motion was approved.  
Dr. Marston states for the record, that in order to conform to recent legislation, the Board is offering Ms. Roa a new contract before the expiration of her current contract. The significant difference is a change in the rules on what the Superintendent may receive performance bonuses for, and so that the Board can approve her performance goals on an annual basis.*
2. *Ms. Bliss moved to approve a Three Year Employment Contract for the Superintendent, Dr. Stark seconded. Motion is passed unanimously.  
Dr. Marston asks for questions or comments. Mr. Allsworth has a question about the unilateral termination provision, which provides that if there is a unilateral termination in the second or third year then the full value of the contract is paid without any litigation or any other issue. The attorney speaks to the issue, and states that the provision in this contract is standard in the industry.  
  
Ms. Roa thanked the board and Ms. MacLellan and wanted clarify to staff that the reason the contract is being changed is that state law requires that the Board adopt a formal performance pay plan.*
3. *Request for Approval of Select Governing Board Policies from Section C as a First Reading.  
Dr. Stark has a question about school councils. Do they work and are they an important culture of the school? Mr. Dickason states they are required under state regulations, so must comply. However, there is room for restructuring.*

4. *Mr. Allsworth moves to approve Revisions to the Professional/Support Staff Supplementary Pay Plans for 2011-2012, Ms. Bliss seconded. Motion passed.*  
*Dr. Marston speaks to the issue of the lead teacher limit might need to be evaluated. And evaluations need to be carried through to insure the funds are being used appropriately.*

#### **H. Board Reports and Requests**

1. *Ms. Bliss moves to approve the Appointment of a Phoenix Elementary School District Board Member, Mr. Doug Allsworth, to be a Representative to the ASU Preparatory Academy School Council. Dr. Stark seconded. Motion approved.*

#### **I. Adjournment**

Meeting adjourned at 7:40

Board packets containing information for this meeting may be reviewed in each of the school offices and at the reception desk at the Emerson Court Administrative Complex. Additional material may be added to the packet up to 24 hours before the Governing Board meeting and will be available in the Superintendent's and at the reception desk at Emerson Court. Anyone requiring special accommodations or Spanish translations please contact the Governing Board office at 602-257-2912. This notice posted pursuant to A.R.S. §38.431.02. [The next Governing Board/Study Session meeting will be held on Thursday, October 27, 2011 at 6:00 P.M.](#)

Respectfully submitted,

---

Dr. Ruth Ann Marston  
Governing Board President