



MINUTES

Attending Board	Leticia Yopez Martha Camacho	J. Scott Omer	Luis Heredia
Absent Board	Dale Phillips		
Attending Public	Duane Sheppard Paul Filby Maria E. DeLaFuente Frank Reed Eldaa Galindo Cathy Witmer	Jeanie Volpe Robert Dreger Shelly Reed-Mezei Veronica Lopez Bryan Lundberg Judith Bobbitt	Elizabeth Merino Jody Attaway George Brick Maria P. Vasquez Rose Arévalo

TIERRA DEL SOL ELEMENTARY

1002 South Somerton Avenue, Somerton, Arizona

Thursday, May 12, 2005 -- 6:00 p.m.

PUBLIC HEARING 2004-05 REVISED BUDGET

At 6:09 p.m. Ms. Witmer presented the Revised 2004-05. Budget increased \$232,200 from Sudden Growth dollars, \$20,192 from PL874 (Impact Aid) funds, \$483,982 from Balance Carry Over, and \$9,615 from Excess Utilities. There were two areas under budget: Unrestricted Capital with \$6,998 and Soft Capital with \$76,881. She explained that there is a visible reduction in salary and increase in purchased services because of the retirees that have contracted with Educational Services, Inc. (ESI). The \$232,000 is one time money, which included the salary of the Principal that was hired prior to the actual year her school will open. The additional funds will be placed to cover insurance costs.

There was no further discussion. The Public Hearing closed at 6:13 p.m.

REGULAR SESSION

Immediately Following Public Hearing

1. OPENING AND ANNOUNCEMENTS

- | | | |
|--|-----------------|--------------------|
| 1.a. Call to Order | President/Clerk | |
| Mr. Heredia called the meeting to order at 6:13 p.m. | | |
| 1.b. Pledge of Allegiance | President/Clerk | |
| Mr. Omer led the Pledge. | | |
| 1.c. Audience with Individuals | President/Clerk | Information |
| None were submitted. | | |

1.d. Approval of Board Minutes

President/Clerk

Action

• **Special and Executive Sessions: 04/21/2005**

Mrs. Bobbitt asked for the approval of Minutes to reflect the correction that Mrs. Camacho arrived late and was not absent.

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer moved to approve the April 21, 2005 Minutes with the noted change, Mrs. Camacho seconded, Motion carried.

2. REPORTS

2.a. Superintendent's Report

Information

Mrs. Bobbitt explained that she participated in the Data Sweep with Crane, YUHS, District One, and Antelope districts. The information given to the Board has not been reviewed by Principals. Various schools were commended for their concentrated improvement efforts, which brought their scores up. Huck Fitterer also sent Mrs. Bobbitt an e-mail of congratulations as Somerton District is at the top ten for instructional time maximized and OrangeGrove was the highest in the County. She commended Dr. Reed and his Staff.

Mrs. Bobbitt invited everyone to the Architectural Design Concept meetings Tuesday, May 24 from 1 to 5 p.m. and Wednesday, May 25 from 8-12 and 1-5 p.m. Mr. Ron Essley, Emc2 Group, will be in Mrs. Bobbitt's office to receive design input for the District Administration and Transportation Center.

Mrs. Bobbitt spoke at the BEST Graduation. Both Ms. Fernandez and Mr. Brick received recognition for their program support. Eleven out of the 104 graduates are from Somerton. Dina Muñoz, DSS Teacher and family earned their Masters and Bachelors.

Mr. Heredia said the data allows the District to focus on improvement areas. He added that staff needs to know that we use the data and don't allow it to use us. Mrs. Bobbitt mentioned that this is a good public relations program as other Districts see what is going on in Somerton. Mr. Heredia noted that other Principals could make this a recruiting opportunity, and cautioned administration, that waivers may be used to ward off this situation in the future.

2.b. Administrators'/Directors' Report

Information

No further discussion.

2.c. Board Member Report

Information

Mr. Heredia received a good report about Literacy Night. He attended the Family Literacy Program event, which was very well attended. He said the play performed by the adults teaches the benefit of parent involvement. He suggested Staff look in to submitting this as a model to be used throughout the state and to ASBA awards.

Mrs. Yopez asked about progress of teacher recruiting. Mrs. Bobbitt said there is an aggressive effort on the part of the Administration and the District will also utilize a recruitment video in partnership with Yuma Union High School (YUHS) and the Crane School districts. At this point, Administrators are only filling the positions they know will be vacant. Mr. Heredia asked for reports of positions filled, contracts returned, and how many emergency certified teachers will be utilized at each school.

Mrs. Camacho commended Dr. Reed for using foresight and working in preparation of the 2005-06 school year.

A moment of silence was observed for the passing of Mr. Phillips' father.

2.d. Construction Update

Information

Mrs. Bobbitt explained that construction is on target and Mrs. De La Fuente had taken a tour of the new facility. She is planning additional tours to include teachers. In efforts to save money, the kinder and preschool areas will be on opposite sides of the campus, which was a change from the original plan.

2.e. Bond Presentation

Information & Action

- I. Approval To Consider And, If Deemed Appropriate, Adopt A Resolution Authorizing The Issuance and Sale of Refunding Bonds Of The District, Certificates of Ownership Of Supplemental Interest Payments And Certain Other Documents Pertaining To The Refunding Bonds.

Mr. Bryan Lundberg, the District's Financial Consultant, explained that his firm, Peacock, Hislop, Staley, & Given, assisted with the approval of \$4,200,000 Class B Bonds program in November, 2002. After continued discussion with Mr. Klein, he understands that the construction projects are moving along and the District may have interest in accelerating the repayment of the Class B bond principal. No ADM growth would mean completing the bond program in May 2008.

Paying bonds, authorized before Student's First, will no longer recuperate bonding capacity. As is the case for the District. This is important for the District because it has about \$265,000 of Class A bonds due this July. Mr. Scott Ruby, the District's Bond Counsel, prepared the resolution presented to the Board.

Mr. Lundberg explained that if the Board chose to executive the Resolution everything needs to be ready prior to June 30. Approval allows the District to executive refinancing which will free up tax collection to pay Class B bonds as they will be due at the same time. Mr. Lundberg explained that it is difficult to know whether future construction costs will be lower or higher, unfortunately, the trend is they may continue raising. He negotiated a \$20,000 issuance cost with the parties involved, which is the lowest fee they could charge. He added that if the District waited, it would pay the same amount, only later.

Mrs. Bobbitt explained that the high school district has proposed contributing about \$120,000 for construction of the new Transportation Center, which would allow them to house and repair vehicles here, which would be a savings for them. In addition, the Technology Department suggested utilizing the current District Office for their use, which would be another cost saving solution. Possible ADM increase most likely will not offset the steady 20 percent increase in the construction industry costs.

Mr. Lundberg explained that the authorizing resolution has a not to exceed amount of \$265,000 and the perimeters give leeway to have new bonds mature within 5-10 years, interest would not exceed what the voter pamphlet reads. The other piece approves the form of documents filed with the District which would go to investors. an escrow trust would say you'd hire a trustee with capital in excess until bonds become due July 1, 2005. It authorizes the Superintendent and Ms. Witmer to carry out actions needed to complete the transaction. He recommended approval of the document presented and authorization to the Superintendent or Financial Services Director to execute the process.

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer moved to approve adoption of the resolution authorizing the issuance and sale of refunding bonds of the District, Certificates of Ownership of Supplemental Interest Payments and certain other documents pertaining to the refunding of bonds with Ms. Witmer or Mrs. Bobbitt as authorized to execute, Mrs. Camacho seconded, Motion carried with four ayes and no nays.

3. PERSONNEL CONSENT AGENDA

Superintendent

Action

The following items may be approved in one motion under the Consent Agenda. If a particular item is to be discussed, it may be pulled from the Consent Agenda and taken as a separate Agenda item. The Board may take action on the following items or defer them to the next regularly scheduled meeting.

3.1. HIRING

- | | |
|---------------------------|--|
| • Atencio, Nicole | Teacher, Tierra Del Sol Elementary |
| • Ayala, Maria | Teacher, Tierra Del Sol Elementary |
| • Cooper, Samantha | Teacher, Orange Grove Elementary |
| • Galindo, Eldaa | Assistant Principal, Tierra Del Sol Elementary |
| • Gonzalez, Francisco | Teacher, Valle Del Encanto Learning Center |
| • Lynema, Mary | Teacher, Desert Sonora Elementary |
| • Muñoz, Luciano | Teacher, Somerton Middle School |
| • Vasquez-McCall, Vanessa | Teacher, Valle Del Encanto Learning Center |
| • Vazquez, Leslie | Teacher, Tierra Del Sol Elementary |
| • TBA | Kitchen Manager, Valle Del Encanto Learning Center |

3.2 ADDITIONAL ASSIGNMENTS

- Flores, Walther Teacher, Somerton Middle School

Adult Education/Family Literacy

- | | | |
|-----------------------|-------------------|----------------|
| • Armenta, Maria I. | • Martinez, Edith | • Parra, Robin |
| • Valladares, Adriana | • Vasquez, Martha | |

Special Education

- | | | |
|-------------------|--------------------|---------------------|
| • Flores, Walther | • Paramo, Patricia | • Sepulveda, Angela |
|-------------------|--------------------|---------------------|

3.3 GROWTH RIDERS

- | | |
|-------------------|----------------|
| • Arviso, Cecilia | • Singer, Dale |
|-------------------|----------------|

3.4 RESIGNATIONS

- | | |
|----------------------|------------------------------------|
| • Ashmore, M. Dianne | Teacher, Tierra Del Sol Elementary |
| • Ashmore, William | Teacher, Somerton Middle School |

3.5 SUBSTITUTE(S)

- Garcia, Patricia

Mrs. Bobbitt noted that Agenda Item 3.1 'May' Lynema should be 'Mary', also under 3.1 the recommendation for the TBA Kitchen Manager is to hire Isabel Sotelo. In addition, Mrs. Bobbitt introduced Eldaa Galindo, as 2005-06 Tierra Del Sol Assistant Principal. She submitted all other Consent Agenda items for approval as submitted.

Mr. Heredia entertained a Motion.

MOTION: Mrs. Camacho so moved, Mr. Omer seconded, Motion carried.

4. BUSINESS AND FINANCE

- INFORMATION ONLY*
- Accounts Payable and Payroll Voucher Actual Amounts
 - Student Activity Report

4.1. Approval of Revised 2004-05 Budget

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer moved to approve 2004-05 Revised Budget, Mrs. Yepez seconded, Motion carried.

4.2. Approval of Sole Source Vendor: Language Circle Enterprise

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer so moved, Mrs. Yepez seconded, Motion carried.

4.3. Ratification of Accounts Payable Vouchers for March and April, 2005

Mr. Heredia entertained a Motion.

MOTION: Mrs. Camacho so moved, Mrs. Yepez seconded, Motion carried.

4.4. Discussion and Possible Action to Award Food Service Management Contract to Sodexo School Service

Mrs. Bobbitt noted that Mr. Klein submitted information for the Board to review and she enthusiastically recommended approval. Because this will be a baseline year, which generates an overwhelming amount of time spent on distributing and tallying applications, she feels that being self managed would be detrimental to the District. This type of auditing services and professional development opportunities have been of benefit to the District. Mrs. Bobbitt mentioned that current Managers do not have the broad picture of financial procedure and requirements crucial to food service operations. Because she and Ms Witmer will be retiring soon, she feels that a new Superintendent may be overwhelmed with a self managed program. The year to year contract allows additional time for review and consideration.

Mr. Omer agreed that his concern was that we do not have staff with the managerial experience Sodexo provides although the savings noted may be debatable. Mrs. Yepez asked whether Principals would be responsible for food service management, if the District chose to be self managed. Mrs. Bobbitt said it may be a possibility, which would generate additional work.

Mr. Heredia noted that he asked to postpone the decision because the proposal was given the day of the Board Meeting. He added that the projected yearly savings of \$100,000 which are recycled in to the Food Service budget may be cost savings due to part-time versus full-time employees. He asked for research regarding cost savings that could show competition for another managerial or vending entity. He noted that he is biased in this matter and feels that comparisons should be available from other self managed Districts, data that was not included in Sodexo's proposal.

Mr. Heredia noted that this is the only department that is out sourced in the District and his ideology is to utilize local vendors and commodities. Mr. Omer said his experience is that local commodities can be more expensive in some cases. Because this is mid-May, Mr. Omer suggested approving the contract and working on other possibilities and research costs at the beginning of next year. Mrs. Camacho agreed.

Mr. Robert Dreger, Sodexho Regional Manager, explained their presence in Arizona and understands the importance of receiving a cost benefit analysis regarding outsourcing. Mr. Heredia said his concern is for the stability of the community when employees are hired on a part-time basis. Mr. Dreger said that other districts' employees are given the option to be on Sodexho's payroll or stay with their district. Somerton is the only District not to have Sodexho employees. He said he felt it is important for small districts to outsource for this type of service. Mr. Heredia reiterated his interest in postponing the decision to see how cost effective it would be to have an in-house manager and to look in to vending opportunities. Mr. Omer felt it more prudent to approve the contract and have Mrs. Bobbitt get cost information prepared for presentation at another meeting.

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer moved to have Mrs. Bobbitt sign the contract as submitted and to research true cost of in-house management as opposed to contracting, Mrs. Yopez seconded, Mr. Heredia said he needs facts to make a decision and said he hoped no one would be penalized because of discussions with Board Members. He added that because this is the only out sourced department, the District should be able to maintain the program. Motion carried with three ayes and one nay (Mr. Heredia), Motion carried.

4.5. Discussion and Possible Action on Salary Range Changes

Mrs. Bobbitt asked for discussion of Items 4.5, 4.7, 4.8, 4.9 in Executive Session with Ms. Witmer because of impacting budget factors. Item 4.6 will be an update on two students recommended for long-term suspension. The Board will enter in to Executive Session according to ARS §38-431.03 A.1 and A.5.

4.6. Approval of Tribute at Valle Del Encanto Learning Center

The Board was given information regarding the monument in honor of Mr. Tim Hogan at Valle Del Encanto Learning Center suggested by Mr. Heredia. The estimated cost is \$25,000, which would be cut in half by donation of construction services. It would be more expensive after construction completion. Mr. Heredia explained Mr. Hogan spearheaded the 1994 lawsuit that generated 1998 State Facilities Board funds. He feels his efforts merit recognition, but is concerned about the cost. Mrs. Bobbitt commended, the Project Superintendent, Tony "TC" Covarrubias who is soliciting financial commitment by contractors to help with the design. She'll follow up with him and report to the Board.

Mr. Omer questioned Mr. Hogan being honored as he would be unknown to people in the community. Mrs. Camacho felt the money would be better spent somewhere else, since the District is always struggling for funds. Mr. Heredia said he hoped a fundraising project could fund the monument as Mr. Hogan's contributions to the state are significant. Mr. Omer said he's rather see if paid by non-District funds.

The Board chose not to take action on this item.

CALL FOR EXECUTIVE SESSION

Mr. Heredia

Action

4.10. A.R.S. §38-431.03 Executive Session

- A. 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:
1. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at the public meeting.
 3. Discussion or consultation for legal advice with the attorney or attorneys of the public body.
 4. 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.
 5. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the public body.

A.R.S. §15-841 B., F., H.1. Suspension and Expulsion of Pupils

- B A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a delay weapon as defined in §13-105, use or possession of a gun, or excessive absenteeism. A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in §15-802. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.
- F. A school district may also reassign a pupil to an alternative educational program if the pupil refuses to comply with rules, refuses to pursue the required course of study or refuses to submit to the authority of teachers, administrators or the governing board.
- H.1. for the purpose of causing, or in reckless disregard of causing, interference, with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.

THE BOARD MAY ENTER IN TO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING AND RETURN TO REGULAR SESSION TO TAKE ACTION:

4.10a. Discussion and Possible Action on Pupil Disciplinary Proceedings in Executive Session

- Somerton Middle School Case Number: SMS 05/01/12 LTS#12
- Somerton Middle School Case Number: SMS 05/01/12 LTS#13

4.10b. Approval of Hearing Officer's Recommendation for Long-Term Suspension

- Somerton Middle School Case Number: SMS 05/01/12 LTS#12
- Somerton Middle School Case Number: SMS 05/01/12 LTS#13

Mrs. Bobbitt recommended to enter Executive Session referring to Arizona Revised Statute ARS 15-841B, F and H1 regarding Student Suspension and Expulsion. Mrs. Yepez asked for the date and time of the Promotion Ceremony, it's June 2 at 6:00 p.m.

Mrs. Bobbitt added that after this session is concluded, the Board will continue with Executive Session and referred A.R.S. §38-431.03 -- A1, 3, 4, and 5. Ms. Witmer will present information regarding the budget impacting factors in order for the Board to make an informed decision on Item 4.6.

MOTION: Mr. Omer so moved to enter in to Executive Session in accordance with the noted statutes, he noted that ARS 38-431.03 - 5 was not on the Agenda, but the statute quoted covers the information they will be reviewing, Mrs. Yepez seconded. Comment from the audience was solicited, Mrs. Bobbitt explained that the discussion does not include current employees, it would effect new employees without full certification and would not go against what was approved previously by the Board. In addition, the Board will discuss the new positions as noted on the Agenda, which will hopefully result in a saving.

Dr. Reed asked for clarification as to whether teachers would receive letters of intent if they were emergency certified. Mrs. Bobbitt said contracts will be adjusted as recommendations are made. Ms. Merino noted that custodians were concerned that Item 4.9 does not address custodial services at Valle Del Encanto. Mrs. Bobbitt explained that for the square footage that each custodian is in charge of, the District will only need to shift current custodians to cover the new area and it would be appropriate for current industrial standards. This can be addressed at the next meeting. Motion carried at 8:09 p.m.

The Board returned from Executive Session at 9:23p.m.

Mr. Heredia entertained a Motion to resume Regular Session.

MOTION: Mr. Omer moved to resume Regular Session, Mrs. Yepez seconded, Motion carried, the Board resumed Regular Session at 9:23 p.m.

4.10a. Discussion and Possible Action on Pupil Disciplinary Proceedings in Executive Session

4.10b. Approval of Hearing Officer's Recommendation for Long-Term Suspension

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer so moved to approve, Mrs. Yepez seconded,

4.5. Discussion and Possible Action on Salary Range Changes

4.7. Approval to Change Teacher Salary Range Assignments

4.8. Approval to Change Instructional Assistants Salary Range Assignments

4.9. Approval of New Positions:

- | | |
|--|--|
| a. Speech Therapist, District | g. Nurse/health Aide, Valle Del Encanto |
| b. Speech Aide, District | h. Library Aide, Valle Del Encanto |
| c. Speech Aide, District | i. Special Education Teacher, Tierra Del Sol |
| d. Kindergarten Teacher, Valle Del Encanto | j. Second Grade Teacher, Tierra Del Sol |
| e. Kindergarten Teacher, Valle Del Encanto | k. Fourth Grade Teacher, Tierra Del Sol |
| f. School Office Specialist, Valle Del Encanto | l. Fifth Grade Teacher, Tierra Del Sol |

Mr. Heredia entertained a Motion.

MOTION: Mr. Omer moved to approve, Mrs. Yepez seconded,

5. ADJOURNMENT

Mr. Heredia entertained a Motion to adjourn.

MOTION: Mrs. Yepez so moved, Mr. Omer seconded, Motion carried. The meeting adjourned at 9:24 p.m.

Signed and Dated by Board President/Clerk _____