



MINUTES -- 6:00 p.m.

Monday, June 9, 2003 Regular Governing Board Meeting

Governing Board Room
215 North Carlisle Avenue
Somerton, Arizona

Attending Board

Luis Heredia
Martha Camacho (6:15p.m.)

Scott Omer

Leticia Yopez

Absent Board

Dale Phillips

Attending Public

George Brick
Maria P. Vasquez
Bob Cassidy
Mike Slawinski
Judith Bobbitt

Jody Attaway
Duane Sheppard
Paul Filby
Cliff O'Neill
Rose Arévalo

Celine Fernández
Jeanie Volpe
Shelly Reed
Cathy Witmer

Jerry Cabrera
Maureen Irr
Bill Rhodes
Bob Klein

1. OPENING AND ANNOUNCEMENTS

1.a. Call to Order

Mr. Omer

Mr. Omer called the meeting to order at 6:08 p.m.

1.b. Pledge of Allegiance

Mr. Omer

Mrs. Yopez led the Pledge.

1.c. Audience with Individuals

Mr. Omer

Information

None submitted.

1.d. Approval of Board Minutes

Mr. Omer

Action

Regular Session -- May 12, 2003

Mr. Omer asked for a Motion to accept Minutes as submitted.

MOTION: Mr. Heredia moved to approve, Mrs. Yopez seconded, Motion carried.

1.e. Call for Executive Session

Mr. Phillips

Action

A.R.S. §38-431.03 (A.1) Executive Sessions

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 a public meeting.

A.R.S. §38-431.03 (A.3) Executive Sessions

Discussion or consultation for legal advice with the attorney or attorneys of the public body.

A.R.S. §38-431.03 (A.4) Executive Sessions

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.

Executive Session was not held.

Mr. Omer moved Item 4.7 as the first item of business.

4. BUSINESS AND FINANCE

Mrs. Bobbitt

Action

4.7. Authorization to Grant and Easement to the City of Somerton for Installation of a 12" Waterline

Mrs. Bobbitt introduced Mr. Cliff O'Neill, Somerton's newly appointed City Manager. The City proposes to install a waterline for Vargas Estates near the northeast corner of Somerton Middle School. With permission, the City will try to complete their project before the beginning of the new school year, in turn leaving time for the District to complete their improvement plan on the entrance/exit at the Middle School, so the projects do not overlap. Mr. Omer asked that the City Contractor try to complete the project as soon as possible so there is little impedance of traffic as possible at the beginning of the school year

Mr. Omer asked for a Motion to approve.

MOTION: Mr. Heredia so moved, Mrs. Camacho, Motion carried.

2. REPORTS

2.a. Superintendent's Report

Mrs. Bobbitt

Information

Mrs. Bobbitt explained that a summary of the proposed Senate Budget was received. The Governor's Office will review so that the budget can be sent to the Senate for joint approval. She hopes to have final budget information next week. Administrative, Early Childhood Block, Family Literacy and the Adult Education cuts have been reinstated. This is good news for all concerned. Mrs. Bobbitt asked the Board to choose times they were available for study sessions. The Board agreed to meet on June 23 at 3:00 p.m. and June 30 at 4:00 p.m. Mr. Omer will not be available for these meetings. Contracts must be returned by Friday, June 13. This will assist Mrs. Bobbitt and Ms. Witmer with budget preparation.

Mrs. Bobbitt explained that she and Mr. Sheppard will be attending a Professional Development grants seminar in Flagstaff. They will bring information to the District regarding proposals with No Child Left Behind in mind.

Mrs. Bobbitt reported that Julie Gasaway and Mary Urich recently met with her and Dr. Nick Lund in order to finalize their choice of two Arizona counties to receive a transition grant. Yuma County was chosen as the model and Gila County was chosen with Yuma County as their mentor. Each Yuma County school will receive \$15,000 to help teachers and instructional assistants work on their degrees in education.

Students with Bachelor's Degree in areas other than education will enroll in NAU's Board of Education approved fast track program. With NAU as their mentor, students earn the Intern Certificate, which No Child Left Behind recognizes for highly qualified teachers. Emergency Certificates was the certificate applicants received prior to the Intern Certificate, but applicants with an Emergency Certificate were not considered highly qualified teachers. Only two other programs qualify for this special project: Teaching America and the Peace Corp.

2.b. Administrator's/Director's Report

Information

There were no additional comments or questions. Mrs. Bobbitt mentioned that Mrs. Lopez is enrolled in the LEAP Program and was not able to attend the Board Meeting because of her class.

The Board asked for reports from principals to be included in all Board Packets. They want to be informed. It was suggested that in August, the Administrators submit a

list of their five top priorities and use those to build their monthly reports. Mrs. Bobbitt explained that the National School Boards Association (NSBA) has information that would be a useful tool to incorporate administrative reports with the Board's goals.

2.c. Board Member Report Information

Mrs. Camacho participated as a parent on Tierra Del Sol's Discipline Committee and was pleased to see strong parent participation.

2.d. Stanford 9 Results Overview Mr. Sheppard Information

Mr. Sheppard gave an overview of the Stanford data distributed to the Board for review. Each packet included Math, Reading and Language information. Mr. Sheppard will present a more in-depth study in September. Scores at Orange Grove reflect a less mobile population. The Board asked that strategies used at OGS be shared with other District teachers. Mrs. Bobbitt was happy to have participated in Data In The Day because it validated District practices when compared to other Districts in the area.

3. CONSENT AGENDA -- PERSONNEL Mrs. Bobbitt 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

- 3.1.a.** Garcia, Gilbert Teacher, Desert Sonora Elementary
- 3.1.b.** Hinthier, Amber Psychologist, District
- 3.1.c.** Johnson, Stephanie Teacher, Orange Grove Elementary
- 3.1.d.** Kostin, Christopher Teacher, Tierra Del Sol Elementary
- 3.1.e.** Robles, Beatriz Teacher, Tierra Del Sol Elementary
- 3.1.f.** Schwehr, Sarah Teacher, Desert Sonora Elementary
- 3.1.g.** Spadafino, Christina Teacher, Somerton Middle School

3.2 REQUEST FOR RESIGNATION / TERMINATION / RETIREMENT

- 3.2.a.** Garcia, Theresa Counselor, District
- 3.2.b.** Ledet, Frances Teacher, Desert Sonora Elementary
- 3.2.c.** Moore, Michall Teacher, Tierra Del Sol Elementary
- 3.2.d.** Papaioanu, Thea Teacher, Desert Sonora Elementary

3.3 WITHDRAWAL OF CONTRACTS

- 3.3.a.** Fusana, Lourdes Teacher, Desert Sonora Elementary

3.4 LEAVE OF ABSENCE

- 3.4.a.** Córdoba, Claudia Teacher, Tierra Del Sol Elementary
- 3.4.b.** Del Cid, Alicia Special Programs Assistant, Special Services
- 3.4.c.** Lopez, Fausto Custodian, Somerton Middle School
- 3.4.d.** Macedo, Alba Teacher, Somerton Middle School
- 3.4.e.** Mares, Maritza Instructional Assistant, Tierra Del Sol Elementary
- 3.4.f.** Rodriguez, Esperanza Assistant to the Financial Services Director, District

3.5 REASSIGNMENT

- 3.5.a.** Molina, Annabel Instructional Assistant, Desert Sonora Elementary
- 3.5.b.** Villegas, Maria School Office Specialist, Tierra Del Sol Elementary
- 3.5.c.** Wilson, Madeleine Teacher, Orange Grove Elementary

3.6 ADDITIONAL ASSIGNMENTS

- 3.6.a.** Attaway, Jody Psychologist, Special Services
- 3.6.b.** Bonilla, Nora Instructional Assistant, Migrant Summer Program
- 3.6.c.** Casillas, Martina Attendance Officer, Transportation
- 3.6.d.** Castillo, Maria Parent Liaison, Orange Grove Elementary
- 3.6.e.** Weissenberg, Patricia Counselor, Tierra Del Sol Elementary
- 3.6.f.** Reeves, Cathy Speech Pathologist, District
- 3.6.g. IPT Data Input and Documentation**
- Barba, Sylvia
 - Dorman, Carmen
 - Rodriguez, Irene
 - Senf, Victoria
- 3.6.h. IPT Documentation and Inventory (ELL)**
- Barba, Sylvia
 - Rodriguez, Irene
- 3.6.i. Special Education Extended School Year**
- Cale, Donna
 - Fabien, Pierre
 - Joanicot, Eduviges
 - Karwoski, Kurt
 - Papaioanu, Thea
 - Reeves, Cathy
 - Ullery, Guadalupe
 - Weissenberg, Patricia
 - Arriola, Maricela
 - Carlos, Flor
 - Garlit, Russell
 - Martinez, Maria
 - Sanchez, Ana Laura
 - Armas, Ana
 - Gonzalez, Graciela
- 3.6.i. Special Education Extended School Year (continued)**
- Gonzalez, Maria
 - Guerrero, Maria
 - Peralta, Miriam
 - Urtuzuastegui, Rosa
 - Payán, Irma
- 3.6.j. Calendar Planning 2003-04 School Year**
- LaMarque, Marina
 - Weissenberg, Patricia
- 3.6.k. Special Services -- Compliance**
- Del Cid, Alicia
 - Diaz, Maria
 - Villegas, Maria
- 3.6.l. 2003 Summer School Additional Teaching Staff**
- Camarillo, Adriana
 - Eckstein, Barbara
 - Houg, Lynda
 - Moore, Michall
 - Singer, Kelly
 - Finkbeiner, Pamela
 - Ruiz, Mercedes
- 3.6.m. 2003 Summer School Staff (Orange Grove)**
- Carbajal, Ruby
 - Castillo, Maria
 - Zacarias, Imelda
 - Monjardin, Maria
- 3.6.n. Focus Calendar / Curriculum Alignment / Best / 8-Step Process**
- Garlitz, Jessica
 - Conwill, Dinora
 - Spearman, Bill
 - Macedo, Alba
 - Garlit, Russell
 - Lutich, Mariah
 - Martinez, Jessica
 - Klotz, Melanie
 - Birmingham, Carolyn
 - Piché, Shannon
 - Streit, Jerry
 - Fabien, Pierre
 - Rhodes, William
 - Navarro, Liz
 - Singer, Kelly
 - Hamilton, Leah
 - Spadafino, Christina
- 3.6.o. Disaggregation of SAT9 Data--School Teaching Calendar Planning for (2003-04)**
- Colvin, Roxanna
 - Cortez, Nilda
 - Bohón, Laura
 - Maxwell, Irasema
 - Brienza, Patricia
 - Herrera, Lynn
 - Rice, Susan
 - Smith, Stan
 - Volpe, Thomas
 - Ehler, Shirley
 - Garner, Charles
 - Ellsworth, Dorothy
 - Payan, Beatrice (Classified)
 - Lomeli, Elizabeth
 - Duran, Juan C.
 - Ledet, Frances
 - Ullery, Guadalupe
 - Bullington, Celia
 - Muñoz, Dina

3.6.p. Disaggregation of SAT9 Data--Restructure Focus Calendar

- Anaya, Gema
- Medina, Petra
- Sanchez, Suzanne
- Alonzo, Magnolia
- Sharp, Marichu
- Salas, Adriana
- Cervantes, Eva
- Moreno, Natalia
- Johnson, Linda
- Ricciutti, Steven
- Córdoba, Claudia
- Hunt, Pat
- Arvizo, Cecilia
- Sullivan, Jennifer
- Slawinski, Mike
- Carroll, Myrna
- Karwoski, Kurt
- Sanchez, Rosa
- Finkbeiner, Pamela
- Arvizu, Paz
- McBride, Ann
- Villafaña, Juan
- Eckstein, Barbara

3.6.q. Disaggregation of SAT9 Data--Revisit Focus Calendar

- Avery, Leah
- Weissenberg, Patricia
- Martínez, Graciela
- Sanchez, Jason
- Phillips, Cheryl (Classified)
- Martinez, María D.
- Nuñez, María
- Parker, LeAnne
- Sheppard, Patty
- Dinwiddie, Lisa (Classified)
- Joanicot, Eduvigis
- López, María T.
- Llanes, Yvonne
- Glover, Jeannie

3.6.r. Summer Food Service Program

- Beshears, Emilia
- Garcia, Blanca
- McGrew, Susana
- Peralta, Martha
- Prado, Victoria
- Rodriguez, Amelia
- Caro, Alicia
- Hollis, Charity
- Montoya, Martha
- Peru, Patricia
- Quijada, Evelia
- Sotelo, Maria
- Figueroa, Ana
- Lopez, Maria
- Morales, Martin
- Porchas, Maria
- Ramirez, Maria
- Uriarte, Leticia

3.7 LONG-TERM SUBSTITUTES (TIERRA DEL SOL ELEMENTARY)

- Alonzo, Magnolia
- Sheppard, Patricia

3.8 ESL BILINGUAL STIPEND

- Neblina, Karla

3.9 CREDIT FOR EDUCATIONAL COURSE WORK AND INCREASE IN SALARY

- Brienza, Patricia
- Sharp, Marichu
- Glass, Paula
- Moreno, Natalia

3.10 AUTHORIZATION TO ADD POSITIONS

- 3.10.a.** Temporary Part-Time Worker Financial Services Department
- 3.10.b.** COE Student Special Services Office, District

Mrs. Bobbitt submitted Consent Agenda Items 3.1 to 3.10.b. for approval. Many positions have been filled by administrators. Ms. Attaway was successful and found a District psychologist.

Mr. Omer entertained a Motion to approve.

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

*** * * * * END OF CONSENT AGENDA * * * * ***

3.11 APPROVAL FOR THE BOARD TO RESCIND AND WITHDRAW ITS APRIL 15, 2003, NOTICE OF NON-RENEWAL AND ACCEPTANCE OF NOTICE OF MARIYA LOWRY'S RESIGNATION TENDERED ON OR ABOUT APRIL 14, 2003, RETROACTIVELY TO APRIL 15 OR TO UPHOLD BOARD ACTION OF APRIL 15, 2003.

Mrs. Bobbitt read the following statement prepared by the District's attorney.

"If the Board recalls, we had the action to non renew Mariya Lowry's contract on the April 14, 2003 Board Meeting. The afternoon of April 14, 2003, we received a fax from Mariya Lowry's attorney Gerald F. Shelley requesting:

- (1) we write a letter of recommendation for Mariya Lowry so she could obtain employment with another school district;
- (2) remove all the documentation for recommending non-renewal from her personnel file;
- (3) and for the Board to accept her resignation.

A letter of resignation from Mariya Lowry was sent with the letter from the Mr. Jerrold.

Mr. McDonald called Mr. Jerrold to explain we could not accept the resignation with the conditions set out by Mr. Jerrold. We would not remove any of the documentation from her personnel file, we would not write a letter of recommendation, but we would accept the resignation without any conditions attached. Mr. Jerrold did not return Mr. McDonald's call.

Mr. McDonald called and advised me to have a Board meeting posted for 4:00 p.m. on April 15, so the Board could meet to accept the resignation with out conditions or non-renew. This was to allow flexibility for the Board if you wanted to table the action until the following day. The posting early met the 24 hour ahead of time requirement.

By 5:45 p.m., Mr. McDonald had not heard from Mr. Jerrold. He called and advised the Board to table the motion to non- renew until April 15, 2003 and hold a special Board meeting to either Non-renew or accept resignation. Mr. McDonald made at least two more attempts to contact Mr. Jerrold on Tuesday morning to tell him of the action the Board had taken and the special meeting scheduled. He left word with Mr. Jerrold's secretary since Mr. Jerrold was not available. Mr. McDonald told her the Board would meet at 4:00 p.m. and if he had not heard from Mr. Jerrold by 3:30 p.m., he would advise the Board to non-renew. Mr. McDonald called at 3:45 p.m. and told me to advise you to non-renew for lack of response from the attorney. You moved to non-renew and I had the letter of notification to the Post Office and stamped before 5:00 p.m.

May 28, 2003, we received a Notice of Claim from Skarecky and Holder in Phoenix asking for the Board to rescind and withdraw the April 15, 2003 notice on non-renewal and accept Ms. Lowry's resignation tendered on or about April 14, 2003, retroactively to April 15, 2003. If this settlement proposal is not accepted, they would request a court order to grant Ms. Lowry a liberty Interest Hearing.

Mr. McDonald is recovering from back surgery, so I have been dealing with Denise Bainton on this matter. Ms. Bainton believes that Ms. Lowry does not meet the qualifications for a "liberty hearing." Ms. Lowry's current lawyer (an AREA retained attorney in Phoenix) more often than not asks for liberty hearings in such circumstances, and Ms. Bainton has had discussions with him on this issue in the past.

Nevertheless, the Governing Board would have accepted Ms. Lowry's resignation last April if her lawyer in Yuma had responded to Mr. McDonald's inquiries. The Yuma attorney is not affiliated with the AREA, and Ms. Lowry apparently simply hired him on her own. Ms. Lowry's current attorney, the one with whom Ms. Bainton has had discussions, is an AREA retained attorney in Phoenix. If he had been involved originally, all of this would not have happened.

My view, which Ms. Bainton shares, is that we should not "punish" Ms. Lowry for her Yuma attorney's poor representation. In addition, while Ms. Lowry most likely is not entitled to a "liberty hearing," accepting the resignation now, and rescinding the non-renewal settles that issue. The Board would have accepted the resignation last April if her Yuma attorney had been responsive to Mr. McDonald's calls.

Both Ms. Bainton and I believe it would not be inappropriate to accept it now, retroactively to last April, and rescind the notice of non-renewal.

I am including the letter from Bill Holder, Ms. Lowry's attorney. Denise Bainton recommends the Board make a motion as reads:

'Move to rescind and withdraw the April 15, 2003 notice on non-renewal and accept Ms. Lowry's resignation tendered on or about April 14, 2003, retroactively to April 15, 2003.

Superintendent recommends motion as outlined by Attorney Denise Bainton and approval."

Mrs. Bobbitt explained that documentation on Ms. Lowry will remain in her Personnel File and prospective employers will receive honest information in regard to Ms. Lowry. Mr. McDonald made sure that it was understood that no conditions were made.

Mr. Heredia asked that this type of information be submitted for review in a more timely manner in the future. Mrs. Bobbitt explained that the District had no control over the time the resignation and informational letters came from the attorney. She agreed that, whenever possible, the Board will receive information to review.

Mr. Omer entertained a Motion to approve.

MOTION: Mr. Heredia moved to rescind and withdraw the Board's April 15, 2003, notice of non-renewal and accept the notice of Mariya Lowry's resignation tendered on or about April 14, 2003, retroactively to April 14 effective May 30, 2003. Mrs. Camacho seconded, Motion carried.

3.12 APPROVAL OF DEAN OF STUDENTS POSITION AT SOMERTON MIDDLE SCHOOL

Dr. Blek, the Interim Supervisor, Mr. Brick, Principal, and the School Resource Officer submitted information agreeing that this position contributed to marked improvement with Somerton Middle School students. Mrs. Bobbitt recommended Item 3.12 for approval. This will be a full time position next year

Mr. Omer entertained a Motion to approve.

MOTION: Mrs. Camacho to approve 2003-04 school year so moved, Mrs. Yopez seconded, Motion carried.

3.13 HIRING OF GERALD STREIT AS ASSISTANT PRINCIPAL AT SOMERTON MIDDLE SCHOOL

Mrs. Bobbitt recommended Mr. George Streit as the new Assistant Principal. The other current staff that interviewed were Mr. Rhodes, Ms. Merino, and Mr. Slawinski. Mr. Streit has thirteen years of experience as an administrator. The Interview Committee: Mrs. Bobbitt, Mr. Brick, Mrs. Odom, and Mr. Sheppard, agreed on additional questions to understand the dream and vision each candidate has for the Middle School. Mr. Streit will officially begin his new position on July 1.

Mr. Omer entertained a Motion to approve.

MOTION: Mr. Heredia so moved, Mrs. Camacho seconded, Motion carried. Mr. Heredia asked that a set committee be chosen when hiring and evaluating so that the process is more uniform.

3.14 APPROVAL TO ADD 1.0 INNOVATIVE PROJECT POSITION AT SOMERTON MIDDLE SCHOOL FROM TITLE III

Mrs. Bobbitt explained that her husband, Doug Bobbitt, has been volunteering at the Middle School to work with selected students. As a result of Dr. Bobbitt’s assistance, 75 percent of selected students raised their grades. Mr. Brick, Dr. Blek and SMS staff recommend continuation of this project because of the dramatic change in students attending. Mr. Klein corrected the funding source to be Title V not Title III.

Mr. Omer agreed that if such improvement was noted in this short time, the project deserves an opportunity to be used for long term. Mr. Omer asked for clarification of whether the position or the individual was being approved. Mrs. Bobbitt said it is the position. Mr. Heredia asked what other projects were funded by Title V. The summer school and Dr. Anderson from Brazosport were a couple that was funded by Title V. No other project will lose funding because this project is funded.

Mr. Omer entertained a Motion to approve.

MOTION: Mr. Heredia so moved, Mrs. Camacho seconded, Motion carried. Mr. Heredia asked for an extra effort to advertise the position in a reasonable time frame.

3.15 APPROVAL TO ACCEPT ROBERT WEEKES’ RESIGNATION

Mrs. Bobbitt explained that a letter of resignation was submitted by Mr. Weekes and additional information was given to the Board for review from his attorney. Mrs. Bobbitt submitted documentation to the Department of Education’s Certification Investigative Unit for their investigation. This precludes having to go to a hearing.

Mrs Bobbitt assured the Board that both Mr. Weekes and his attorney understand that documentation was submitted to the Investigative Unit at the State Department of Education for them to pursue. Mr. Weekes’ license may be revoked upon completion of their investigation. The Board was assured that no letters of recommendation will be written nor will misinformation be given to prospective employers. Mr. Heredia reminded that Board that they could go in to Executive Session at another time, as necessary.

Mr. Omer entertained a Motion to approve.

MOTION: Mr. Heredia so moved. Mrs. Bobbitt added that this type of resignations cannot be accepted without being reported to the Board of Education. Because it was reported to the Board of Education, it can be presented to the Board. Mr. Heredia moved to accept the resignation, Mrs. Yopez seconded, Mr.Omer opposed, Motion carried.

4. BUSINESS AND FINANCE

Mrs. Bobbitt

Action

- 4.1. Signing of Accounts Payable and Payroll Vouchers** **No Action**
- 4.2. Ratification of Accounts Payable Vouchers for May**
- 4.3. Approval of Accounts Payable Encumbrance Vouchers**
- 4.4. Approval of Accounts Payable and Payroll Vouchers for 2003-04**
- 4.5. Acceptance of Student Activity Information**

Mrs. Bobbitt submitted Items 4.1 to 4.5 for approval.

Mr. Omer entertained Motion to approve Items 4.1 to 4.5

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

4.6. Acceptance of Book Donation to Mrs. Glover’s Class, Tierra Del Sol Elementary

Mr. Omer entertained a Motion to approve.

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

5. ADJOURNMENT

Mr. Omer entertained a Motion to adjourn.

MOTION: Mrs. Yepez moved that the meeting be adjourned. Seconded by Mrs. Camacho. Motion carried. The meeting adjourned at 7:40 p.m.

Signature of Board President/Clerk

Date