

ANAHEIM UNION HIGH SCHOOL DISTRICT

501 N. Crescent Way, P.O. Box 3520, Anaheim, California 92803-3520, www.auhsd.us

BOARD OF TRUSTEES

Minutes

Thursday, February 15, 2024

1. CALL TO ORDER–ROLL CALL

Board President Randle-Trejo called the regular meeting of the Anaheim Union High School District Board of Trustees to order at 3:45 p.m.

Present: Annemarie Randle-Trejo, president; Jessica Guerrero, assistant clerk; Katherine H. Smith, and Brian O’Neal, members; Michael B. Matsuda, superintendent; Jaron Fried, Ed.D., Brad Jackson, and Nancy Nien, Ph.D., assistant superintendents; Robert Saldivar, executive director, and Karl H. Widell, District counsel.

Absent: Anna L. Piercy, clerk

2. ADOPTION OF AGENDA

Staff requested the following amendment to the agenda:

- Page 2 of the agenda, pull closed session item 4.5

On the motion of Trustee O’Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees adopted the amended agenda. The roll call vote follows.

Ayes: Trustees O’Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

3. PUBLIC COMMENTS, CLOSED SESSION ITEMS

There were no requests to speak.

4. CLOSED SESSION

The Board of Trustees entered closed session at 3:46 p.m.

Trustee Piercy entered closed session at 3:47 p.m.

Trustee Piercy exited closed session at 4:59 p.m.

5. RECONVENE MEETING, PLEDGE OF ALLEGIANCE, AND CLOSED SESSION REPORT OUT

5.1 Reconvene Meeting

The Board of Trustees reconvened into open session at 6:02 p.m.

5.2 **Pledge of Allegiance and Moment of Silence**

Student Representative to the Board of Trustees Daniella Ruiz led the Pledge of Allegiance to the Flag of the United States of America and provided a moment of silence.

5.3 **Closed Session Report**

Assistant Board Clerk Guerrero reported the following actions taken during closed session.

5.3.1 No reportable action taken regarding public employee performance evaluation, superintendent.

5.3.2 The Board of Trustees unanimously approved the settlement agreement in OAH Case No. 2023100270, resolving all issues in dispute by providing assessments, compensatory education, and other reimbursements.

5.3.3 No reportable action taken regarding negotiations.

5.3.4 No reportable action taken regarding personnel.

5.3.5 This item was pulled prior to the adoption of the agenda.

5.3.6 The Board of Trustees unanimously voted to accept the agreement with employee HR-2023-24-09.

6. **ITEMS OF BUSINESS**

RESOLUTION

6.1 **Resolution No. 2023/24-B-11, Authorizing the Issuance of Anaheim Union High School District (Orange County, California) 2024 General Obligation Refunding Bonds**

Background Information:

The District has previously issued (i) \$21,225,000 of its 2012 General Obligation Refunding Bonds, (ii) \$57,455,000 of its 2015 General Obligation Refunding Bonds and (iii) \$63,455,000 of its General Obligation Bonds, Election of 2015, Series 2015 (Prior Bonds).

Current Consideration:

The District now desires to issue up to \$66,000,000 of general obligation refunding bonds (Bonds) to refinance the outstanding Prior Bonds.

All benefits from the refunding will be delivered to the property owners in the District. The final maturity of the Bonds will not be later than the final maturity date of the Prior Bonds.

- (a) Bond Resolution. This resolution authorizes the issuance of the Bonds, in one or more series of federally taxable or federally tax-exempt bonds, specifies the basic terms, parameters, and forms of the Bonds, as well as approves the forms of a Purchase Contract, Preliminary Official Statement, Continuing Disclosure Certificate, and Escrow Agreement. In particular, Section 1 of the resolution establishes the maximum aggregate principal amount of the Bonds to be issued (\$66,000,000). Section 3 of the resolution authorizes the Bonds to be sold at a negotiated sale to Piper Sandler & Co. (Underwriter), and Section 4 states the maximum underwriter's discount (0.50

percent) with respect to the Bonds. All of the Bonds will be issued as current interest bonds; capital appreciation bonds are not authorized.

- (b) Form of Purchase Contract. Pursuant to the Purchase Contract, the Underwriter will agree to buy the Bonds from the District. All of the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the closing by various parties. Upon the pricing of the Bonds, the final execution copy of the Purchase Contract will be prepared following this form.
- (c) Form of Preliminary Official Statement. The Preliminary Official Statement (POS) is the offering document describing the Bonds, which may be distributed to prospective purchasers of the Bonds. The POS discloses information with respect to among other things (i) the proposed uses of proceeds of the Bonds, (ii) the terms of the Bonds (interest rate, redemption terms, etc.), (iii) the bond insurance policy for the Bonds, if any, (iv) the security for repayment of the Bonds (the *ad valorem* property tax levy), (v) information with respect to the District's tax base (upon which such *ad valorem* taxes may be levied), (vi) District financial and operating data, (vii) continuing disclosure with respect to the Bonds and the District, as well as (viii) absence of litigation and other miscellaneous matters expected to be of interest to prospective purchasers of the Bonds. Following the pricing of the Bonds, a final Official Statement for the Bonds will be prepared, substantially in the form of the POS.
- (d) Form of the Continuing Disclosure Certificate. The form of the Continuing Disclosure Certificate can be found in APPENDIX C to the POS. Effective July 3, 1995, all underwriters of municipal bonds are obligated to procure from any public agency issuing debt a covenant that such public agency will annually file "material financial information and operating data" with respect to such public agency through the web-based Electronic Municipal Market Access (EMMA) system maintained by the Municipal Securities Rulemaking Board (a federal agency that regulates "broker-dealers," including investment banking firms that underwrite municipal obligations). This requirement is expected to be satisfied by the filing of the District's audited financial statements and other operating information about the District, in the same manner the District has filed in connection with prior bond issuances.
- (e) Escrow Agreement. Pursuant to the Escrow Agreement, proceeds from the sale of the Bonds in an amount sufficient to redeem all or a portion of the outstanding Prior Bonds will be deposited in an escrow fund (Escrow Fund) held by U.S. Bank Trust Company, National Association (acting as Escrow Agent). The monies in the Escrow Fund will be used by the Escrow Agent to refund the Prior Bonds on their first respective optional redemption dates. As a result of the deposit and application of funds so provided in the Escrow Agreement, the Prior Bonds will be defeased and the obligation of Riverside County to levy *ad valorem* property taxes for payment of the Prior Bonds will cease.

Budget Implication:

There is no impact to the budget resulting from the issuance of the Bonds.

Action:

On the motion of Trustee O'Neal and duly seconded, following discussion, the Board of Trustees adopted Resolution No. 2023/24-B-11, Authorizing the Issuance of Anaheim Union High School District (Orange County, California) 2024 General Obligation Refunding Bonds. The roll call vote follows.

Ayes: Trustees O’Neal, Smith, Guerrero, and Randle-Trejo
Absent: Trustee Piercy

EDUCATIONAL SERVICES

PUBLIC COMMENT

Stephen Blount, trustee, North Orange County Community College District, spoke in support of the naming of the Anna Piercy Arts Education Building. He mentioned he has known Trustee Piercy for 34 years and has served with her on various committees.

6.2 Naming of Facility, Anna Piercy Arts Education Building

Background Information:

Board Policy, 5201 Naming of Facility, was adopted on April 14, 2011, by the Board of Trustees, to develop procedures for the naming of facilities to honor individuals in the District. As per the Board of Trustees’ request, an ad hoc committee was formed to review the proposals and to make policy recommendations to the superintendent for Board consideration.

Current Consideration:

The Board of Trustees was requested to approve the request to rename the Fine Arts Wing, Building 700, at Lexington Junior High School after Trustee Anna Piercy. Mrs. Piercy is a passionate and committed advocate for our students and school sites. Elected to the AUHSD Board of Trustees in 2006, Mrs. Piercy's contributions to education span over several decades. She began her remarkable 37-year career in AUHSD in 1968, teaching various subjects including geography, art, and reading, and later history, English, speech, as well as drama. Her commitment to education is paralleled by her extensive service in local government, including roles on the Cypress City Council, the North Orange County Regional Occupational Program, and several other significant positions. The District’s ad hoc committee evaluated the request, developed a report, and made a recommendation to the Board for their consideration. The recommendation was to name the 700 Building at Lexington Junior High School the "Anna Piercy Arts Education Building."

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O’Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the renaming of the facility.

7. REPORTS

7.1 Student Representative’s Report

Student Representative to the Board Daniella Ruiz highlighted Anaheim High School’s Track and Field Ribbon Cutting Ceremony, Katella High School’s ASB Annual Dance for special needs students, as well as Magnolia High School’s Annual International Show and Food Fair scheduled for Friday, February 16. She also mentioned the Girls’ Soccer team at Oxford Academy has progressed to the quarterfinals for CIF, as well as the Arabic club at Western High School has resumed activities and is performing the traditional Arabic dances across District school sites. Additionally, she congratulated Mr. Reed from Kennedy High School on being named one of the AUHSD Teachers of the Year.

7.2 **Student Speakers**

Alyssa Singh, Western High School student, extended an invitation to the Board of Trustees to the 4th Annual Black History Month Celebration taking place February 23, 2024, at the AUHSD Performing Arts Center.

7.3 **Reports of Associations**

Geoff Morganstern, ASTA president, reported on the ratification vote for the tentative ASTA agreement. He and Christie Bettendorf will be traveling to Chicago to present at the National Education Association's Leadership Summit in March and will also be joining the District in its Community Schools presentation to Los Angeles Unified School District. On behalf of ASTA and all members, he expressed support regarding the cost of having District Aeries servers hosted by Aeries.

Jennifer Sasai, ALTA president, conveyed warm wishes to Trustee Piercy, as well as provided updates on the arrangements for Black History Month and Lunar New Year celebrations, the AI Summit, and Open Houses. Furthermore, she extended congratulations to the student athletes competing in CIF tournaments.

7.4 **Parent Teacher Student Association (PTSA) Report**

There was no report.

8. **PRESENTATIONS**

8.1 **LCAP Midyear Update for 2023-24**

Background Information:

Senate Bill (SB) 114 amended Education Code 52062 (6)(A) to require school districts to present a midyear update to the 2023-24 Local Control and Accountability Plan (LCAP) and budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board or body of the school district. This information item addressed the following requirements of Education Code 52062 (6)(A):

1. Report all available midyear outcome data related to metrics identified in the current year's local control and accountability plan.
2. Report all available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

Current Consideration:

District staff presented the LCAP midyear update to the Board of Trustees.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the information.

8.2 **AIME Web Design Internship**

Background Information:

During the 2022-23 year, the District launched the AIME Web Design Internship, with 42 students participating from the District's comprehensive high schools. The students were trained in web design techniques, professional skills, and worked on improving, as well as updating departmental and school websites throughout the school year. Students received a \$599 scholarship upon completion of the internship. The program was led by teachers Sean Manning and Julieanne Reall.

This school year, the program has continued with 32 students enrolled in the program, led by teachers Sean Manning and Brody Hoffman.

Current Consideration:

The teachers and students from the AIME Web Design Internship provided a presentation to the Board of Trustees on the program.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the information.

9. **PUBLIC COMMENTS, OPEN SESSION ITEMS**

There were no public comments.

10. **ITEMS OF BUSINESS**

10.1 **School-Sponsored Student Organizations**

Background Information:

The Board of Trustees shall give approval for the establishment of all student organizations. The proposed organizations shall not engage in any activities, other than those that are organizational in nature, until the Board of Trustees has approved its application.

Current Consideration:

The following schools submitted school-sponsored student organization applications:

10.1.1 Design Lab, Gilbert High School

10.1.2 Eagle Cafe, South Junior High School

Budget Implication:

Each school-sponsored student organization offsets operational costs through donations and fundraising efforts.

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the school-sponsored student organization applications.

The student representative to the Board of Trustees, Daniella Ruiz, cast her preferential vote for the school-sponsored organizations.

RESOLUTIONS

10.2 **Resolution No. 2023/24-F-06, Approval of Notice of Exemption for the Gilbert High School Outdoor Gym Project**

Background Information:

On June 16, 2022, the Board of Trustees approved the District's Facilities Master Plan (FMP), which provides a roadmap for the future improvement and development of the District's facilities over the next ten years. Capital improvements at Gilbert High School are identified in the approved FMP. The Gilbert High School Outdoor Gym Project (Project) is consistent with the intent of the approved FMP.

The scope of work of the Project consists of: (1) Installation of shade structure; (2) Construction of perimeter fencing for new shade structure; (3) Utility infrastructure improvements for installation of a new drinking fountain and lighting; and (4) Paving at new shade structure.

Current Consideration:

Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq., the District is required to evaluate each potential public works project to determine whether that project might have a significant effect on the environment. CEQA and the Guidelines promulgated thereunder (California Code of Regulations, Title 14, Division 6, Chapter 3, Article 19) provide for categorical exemptions from the provisions of CEQA. Where an approved project is determined to be exempt from CEQA, the District may file a Notice of Exemption (NOE) with the Orange County Clerk-Recorder, who must then post the NOE for 30 days.

The District has evaluated the Project and has determined that it is categorically exempt from CEQA.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-F-06, approving the NOE for the Project, and directed that the NOE be filed with the Orange County Clerk-Recorder. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.3 **Resolution No. 2023/24-E-11, Career and Technical Education Month**

Background Information:

The month of February has been designated as Career and Technical Education Month by the Association for Career and Technical Education. Career and technical education provides Americans with a school-to-career connection and it is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry, as well as contributes to America's leadership in the international marketplace.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-11 for Career and Technical Education Month. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is making to promote career and technical education.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-11. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.4 **Resolution No. 2023/24-E-12, National Parent/Teacher Association Founders Day**

Background Information:

National Parent/Teacher Association Founders Day honors the dedication of the Parent/Teacher Association (PTA), which was established more than a century ago.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-12 for National Parent/Teacher Association Founders Day. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is making to support parent involvement and working on behalf of all children and families.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-12. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.5 **Resolution No. 2023/24-E-13, Black History Month**

Background Information:

Black History Month in February celebrates the contributions that African Americans have made to American history in their struggles for freedom and equality, as well as deepens our understanding of our nation's history.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-13 for Black History Month. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is taking to honor the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-13. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.6 **Resolution No. 2023/24-E-14, Read Across America 2024**

Background Information:

In 1997, an organization known as the National Education Association (NEA) advocated for a special day to celebrate reading throughout the United States. The first Read Across America Day was held on March 2, 1998. This nationwide observance coincides with the birthday of Dr. Seuss, who is known for writing children's books. The United States, particularly students, parents, and teachers, join forces on Read Across America Day, annually held on March 2.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-14 for Read Across America 2024. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is making to support community involvement in the education of our youth.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-14. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.7 **Resolution No. 2023/24-E-15, Preserve Music in Our Schools Month**

Background Information:

The month of March has been designated as Preserve Music in our School Month. For at least the past two decades, the U.S. House of Representatives has passed annual concurrent resolutions stating the importance of music education for all children in America's schools.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-15 for Preserve Music in Our Schools Month. The adoption of the resolution recognizes that music education is an important component of a well-rounded academic curriculum. The skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, create, communicate, as well as work cooperatively, are vital for success in the 21st century workplace.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-15. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.8 **Resolution No. 2023/24-E-16, Arts Education Month**

Background Information:

Arts education in California is mandated for pupils in grades one through twelve, inclusive by Sections 51210 and 51220 of the Education Code to provide that the adopted course of study shall include instruction in visual and performing arts, including instruction in the subjects of dance, music, theatre, and visual arts. This is aimed at the development of aesthetic appreciation and the skills of creative expression. Governors and mayors throughout the United States issue proclamations declaring March as Arts Education Month.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-16 for Arts Education Month. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is making to support Arts Education Month for the month of March.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-16. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.9 **Resolution No. 2023/24-E-17, Women's History Month**

Background Information:

Women's History Month had its origins as a national celebration, in 1981, when Congress passed Public Law 97-28, which authorized and requested the President to proclaim the week, beginning March 7, 1982, as Women's History Week. Throughout the next five years, Congress continued to pass joint resolutions designating a week in March as Women's History Week. In 1987, after being petitioned by the National Women's History Project, Congress passed Public Law 100-9, which designated the month of March, as Women's History Month. Since 1995, Presidents Clinton, Bush, and Obama have issued a series of annual proclamations designating the month of March as Women's History Month.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-17 for Women's History Month. The adoption of this resolution provides an opportunity to inform parents, guardians, and communities of the efforts that the District is making to support Women's History Month.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-17. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.10 **Resolution No. 2022/23-E-18, National Athletic Training Month**

Background Information:

Since 1950, an organization known as the National Athletic Trainers' Association (NATA) has advocated for setting a standard for professionalism, education, certification, research, and practice settings nationwide. Since its inception, NATA has been a driving force behind the recognition of the athletic training profession. March has been designated as National Athletic Training Month.

Certified athletic trainers employed by the District are nationally certified and dedicated to providing professional health care for our student-athletes. The athletic healthcare services provided by certified athletic trainers include the education, prevention, recognition, evaluation, treatment, as well as rehabilitation of athletic injuries and illness. The District continues to be recognized as a leader in sports-related concussion management for high school athletes. Our athletic trainers work collaboratively with parents, school staff, and community medical providers to promote safe participation for over 23,000 student-athletes each year.

Current Consideration:

The Board of Trustees was requested to adopt Resolution No. 2023/24-E-18 recognizing March as National Athletic Training Month. The adoption of this resolution provides an opportunity to inform parents, guardians, and the community of the efforts that the District is making in the involvement of protecting our youth.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-E-18. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

10.11 **Resolution No. 2023/24-BOT-03, Compensation for Board Meeting**

Background Information:

Education Code Section 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month. Education Code Section 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed, but authorizes the Board, by resolution, to compensate a Board member for meetings he/she missed due to one of the following reasons: (1) performance of other designated duties for

the District during the time of the meeting; (2) illness or jury duty; or (3) hardship deemed acceptable by the Board.

Current Consideration:

Trustee Piercy was not present at the February 15, 2024, Board of Trustees' meeting due to illness.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees adopted Resolution No. 2023/24-BOT-03. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

BUSINESS SERVICES

10.12 Agreement, Donald Krotee Partnership, Inc.

Background Information:

The Facilities and Maintenance and Operations departments require design assistance from a licensed architect or engineer in order to prepare design documents for construction. Projects often range in size and complexity depending on the scope of work identified. Donald Krotee Partnership, Inc. (Krotee) has been a District design professional for many years, primarily working on specialty projects.

Current Consideration:

Krotee is currently providing design services for the Cook Auditorium. The District has an interest in continuing to utilize the services provided by Krotee as required for construction work associated with the Facilities and Maintenance and Operations departments. A new agreement is required to continue the services with Krotee. The firm has prior knowledge of the District's facilities, projects, and standard procedures.

Budget Implication:

The agreement will be for a total cost not to exceed \$300,000, for services February 16, 2024, through February 15, 2027. (Facilities Funds, Maintenance Funds, and/or other funds as appropriate)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

10.13 Public Utility Easement, City of Anaheim

Background Information:

The city of Anaheim Public Utilities Department (APU) has an ongoing citywide program to convert electrical, telecommunications, and CATV overhead facilities to new underground facilities at major streets, with the purpose of beautifying the urban environment, while improving service reliability to customers. APU is seeking the authorization of its customers to place underground conduit and cables on their property to replace the currently installed

overhead lines and power poles. The granting of a public utility easement (Easement) will be required to implement these improvements.

Current Consideration:

Anaheim Public Utilities is requesting an Easement at Loara High School. The proposed Easement will be located along the property line on the west driveway off Cerritos Avenue. The Easement will not interfere with any future development on the campus. The city of Anaheim anticipates recording the Easement by July 2024, at no cost to the District. The installation of the new facilities will be performed in summer of 2024 and will be completed prior to the start of the 2024-25 year. Maintenance and repairs will be the responsibility of the city of Anaheim.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees granted the public utility easement to the city of Anaheim.

10.14 **Ratification Lease-Leaseback Agreement, Asphalt, Fabric & Engineering, Inc. dba AFE Sports, Cypress High School Track and Field-RFP #2023-23**

Background Information:

Staff is using the Lease-Leaseback (LLB) delivery method to procure construction for the Cypress High School Track and Field. Education Code Section 17406 is the LLB provision, which allows districts to lease to a person, firm, or corporation real property that belongs to the school district for the purpose of constructing buildings and improvements thereon, for District use during the term of the lease, as well as requires that title to the buildings and improvements vest in the District at the expiration of that term.

Current Consideration:

The District issued RFP #2023-23 inviting contractors to submit qualifications and proposals to perform the work associated with the subject project, and for preconstruction services. After a review of the submitted qualifications and proposals, and interviews of shortlisted firms, staff recommended to the Board of Trustees (Board) the selection of Asphalt, Fabric & Engineering, Inc. dba AFE Sports (AFE) as one of the LLB contractors for this project.

AFE competitively bid the subcontractor packages to various companies and has identified the subcontractors they plan to use on the project. Staff has negotiated the LLB agreement, which includes the guaranteed maximum price (GMP) and contingencies, pursuant to the terms indicated in the forms of the LLB contract documents previously approved by the Board. The assistant superintendent, Business, under the Board approved delegation of authority, has entered into the LLB agreement with AFE. The agreement is subject to ratification by the Board.

Budget Implication:

The final LLB agreement, which includes the GMP and associated contingencies, and the preconstruction services agreement, will not exceed \$11,571,140. The total project cost including District contingencies and allowances will not exceed \$11,916,947. (Special Reserve Fund for Capital Outlay Projects)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees ratified the preconstruction services agreement, and the LLB agreement with AFE for the subject project.

EDUCATIONAL SERVICES

10.15 **Memorandum of Understanding (MOU), University of Southern California (USC), Center for Affective Neuroscience, Development, Learning, and Education (CANDLE)**

Background Information:

The USC Center for Affective Neuroscience, Development, Learning, and Education (CANDLE) brings educational innovation and developmental affective neuroscience into partnership, and uses what is learned to guide the transformation of schools, policy, as well as the student and teacher experience for a healthier and more equitable society. CANDLE integrates research in schools and laboratory settings, leveraging the expertise of both practitioners and scientists to link how innovative pedagogy, as well as collaborative learning has positive effects on brain development and mental health. When students make the connections that intersect the three drivers of the Career Preparedness Systems Framework (CPSF), CANDLE defines this as "transcendent thinking." CANDLE has conducted research that correlates transcendent thinking to actual brain growth that has been tied to better mental wellness.

Current Consideration:

CANDLE would like to work with the District to examine to what extent do Capstone showcases provide opportunities for students to illustrate their 21st century skills, technical skills, as well as voice and purpose. CANDLE will work with the Education Services Department to create and calibrate measures to evaluate CPSF during Capstone showcase experiences. This measure will be used to evaluate the Capstone showcase experience and its impact on students. Services will be provided February 16, 2024, through June 30, 2025.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Smith, duly seconded and unanimously carried, the Board of Trustees approved the MOU.

10.16 **Memorandum of Understanding (MOU), California State University, Fullerton, on behalf of Project Rebound**

Background Information:

Project Rebound (PR) is an initiative by California State University, Fullerton, aimed at providing educational and vocational opportunities to high school students, primarily in under-resourced communities. The program focuses on enhancing college and career readiness, promoting higher education enrollment, and fostering college success. PR is dedicated to offering a comprehensive range of services, including academic tutoring, postsecondary planning, educational field trips, as well as assistance with college and financial aid applications. The team at PR, consisting of experienced educators and advisors, is committed to empowering students through education, as well as supporting their academic and personal growth.

Current Consideration:

PR seeks to establish a collaborative relationship with the District to extend its educational and vocational programs to students within the District high schools. This partnership aims to leverage the resources and expertise of PR to create a more enriching educational environment for students at these schools. The collaboration would involve PR staff, working closely with District teachers, counselors, as well as administrators to develop and implement targeted services. These services are designed to align with the needs of the students and the goals of the high school, ensuring a synergistic approach to student success. Services will be provided February 16, 2024, through February 16, 2026.

Budget Implication:

There is no impact to the budget.

Action:

On the motion of Trustee Guerrero, duly seconded and unanimously carried, the Board of Trustees approved the MOU.

10.17 **Agreement, Karen Garrett**

Background Information:

The District's Choral Festival is a two-day event where our choirs are assessed by three professionals in the categories of tone, intonation, musicality, diction, accuracy, balance, blend, and presentation. These scores result in a final rating of Superior, Excellent, or Good, to accompany tapes from the adjudicators affirming achievement, and providing feedback on areas for improvement. The District Choir Festival is scheduled for March 19, 2024, through March 20, 2024.

Current Consideration:

Karen Garrett was vocal director at Santiago High School in Corona for 26 years and is currently adjunct professor at California Baptist University, teaching classes in Music Education, Choral Conducting, and directing Choral Ensembles. Professor Garrett served on the state board of the American Choral Directors Association as Repertoire and Standards Chairman for Women's Choirs from years 2005-09 and served as president of the Southern California Vocal Association from years 2016-18. She has served as session clinician for sight-singing and the state music education standards at CMEA, SCVA, and ACDA conferences. Professor Garrett is the author of "Sight Singing for Festival Choirs," a sight singing course for choirs, available through JW Pepper. In 2020, she was voted "Choral Director of the Year" for the state of California by the California Choral Directors Association. Professor Garrett earned her B.A. in vocal performance at California University East Bay and her Masters in Choral Conducting from the University of Southern California. Services will be provided March 19, 2024, through March 20, 2024.

Budget Implication:

The cost of services is not to exceed \$500. (LCFF Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

10.18 **Agreement, Dr. Anna DeMichele**

Background Information:

The District's Choral Festival is a two-day event where our choirs are assessed by three professionals in the field in the categories of tone, intonation, musicality, diction, accuracy, balance, blend, and presentation. These scores result in a final rating of Superior, Excellent, or Good, to accompany tapes from the adjudicator's affirming achievement, and providing feedback on areas for improvement. The District Choir Festival is scheduled for March 19, 2024, through March 20, 2024.

Current Consideration:

Anna DeMichele is a professor of Music at Cerritos College. She also holds the position director of Music at California Heights United Methodist Church in Long Beach and maintains an active schedule as a vocal adjudicator, conductor, and vocalist. Dr. DeMichele holds the degrees Doctor of Musical Arts and Master of Arts in conducting from The Claremont Graduate University and a Master of Music degree in Vocal Performance from California State University, Long Beach, where she also received the Bachelor of Music degree in Choral/Vocal Education and the California Teaching Credential. She has served at the state level as a grant reader and reviewer of music performing groups for the California Arts Council and has spent several summers as the chorus master for the Classical Musical Festival in Eisenstadt, Austria. Dr. DeMichele is a member of Phi Kappa Phi and Pi Kappa Lambda honor societies. Services will be provided March 19, 2024, through March 20, 2024.

Budget Implication:

The cost of services is not to exceed \$500. (LCFF Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

10.19 **Agreement, Dr. Jonathan Talberg**

Background Information:

The District's Choral Festival is a two-day event where our choirs are assessed by three professionals in the field in the categories of tone, intonation, musicality, diction, accuracy, balance, blend, and presentation. These scores result in a final rating of Superior, Excellent, or Good, to accompany tapes from the adjudicator's affirming achievement, and providing feedback on areas for improvement. The District Choir Festival is scheduled for March 19, 2024, through March 20, 2024.

Current Consideration:

Recipient of the President's Award from the California Music Educators Association honoring "extraordinary accomplishments in music education," Dr. Jonathan Talberg serves as director of Choral Activities at the Bob Cole Conservatory, where he is conductor of the international award-winning Bob Cole Conservatory Chamber Choir and the CSULB University Choir. Recent career highlights include leading the Chamber Choir to first place at the Austrian Spittal International Choir Festival and the "Choir of the World" competition in Wales. Additionally, he and the choir have performed with groups as diverse as the Kronos Quartet, the Los Angeles Master Chorale, the Pacific Symphony, and the Rolling Stones.

A passionate advocate for choral music education, Dr. Talberg is regularly engaged to conduct honor choirs across the U.S., including numerous all-state choruses, and National Association for Music Education conference choirs. His choirs from Long Beach

State have performed in venues throughout Europe and Asia, including the Sistine Chapel, St. Peter's Basilica, and the Great Hall of the People in China. Services will be provided March 19, 2024, through March 20, 2024.

Budget Implication:

The cost of services is not to exceed \$500. (LCFF Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

10.20 **Agreement, K12Logic LLC**

Background Information:

The District has utilized Eagle Software, dba Aeries Software Inc. (Aeries Software) Aeries student Information System (SIS) since the 2012-13 year. This system is used to track student data electronically including schedules, grades, student records, attendance, and other important information. It is also used for California Longitudinal Pupil Achievement Data Systems (CALPADS), which is a system used to maintain student-level data including student demographics, course data, discipline, assessments, staff assignments, and other data for state reporting. The Board of Trustees approved a sole source justification in March 2019, to enable the District to continue Aeries maintenance and support.

Current Consideration:

Aeries Software is in process of moving all of their customer base to cloud services. Presently, the majority of their customer base is hosted in the cloud. Orange County Department of Education (OCDE) legal counsel recommend the District update its sole source justification so that cloud services are explicitly covered. The cost for annual maintenance, updates, and support exceeds the current bid limit as defined in Public Contract Code Section 20111, currently set at \$114,500. A sole source justification is needed when only one source is available and the estimated value of the purchase exceeds the bid limit.

The only company that can maintain and provide cloud service updates to the Aeries product is Aeries Software and should be considered a sole source vendor. Sole sourcing a vendor will require an opinion from an independent consultant with expertise regarding the product or service required by a district. The opinion should be obtained from an impartial third party prior to an award of any contract. Gregory Lindner is a retired Chief Technology Officer, most recently with the Los Angeles Department of Education. He will analyze our student information requirements and develop a sole source justification document. This document will then be brought to the Board of Trustees for approval at a future Board meeting. Services will be provided February 16, 2024, through June 30, 2024.

Budget Implication:

The total cost is not to exceed \$2,500. (General Fund)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement with K12Logic LLC.

10.21 **Contract, Independent Psychoeducational Assessment, Dr. Robin Morris**

Background Information:

The District employs school psychologists and other personnel who evaluate a student's needs for special education and related services. The District has both the right and obligation to assess special education students in all areas of suspected disabilities. Under the Individuals with Disabilities Education Act and California special education law, a parent of a special education student who disagrees with an evaluation conducted by a school District has a right to obtain an independent education evaluation at public expense. When a request for an evaluation is made, a District must either fund an independent evaluation or file a request for due process within a reasonable period of time to prove that the District's evaluation was appropriate.

Current Consideration:

Following parent's request for an independent psychoeducational evaluation and consultation with parent and parent's representative, the District determined that it was in the best interest of the student and the District to provide an independent psychoeducational assessment and allow the individualized education program team to consider the information.

Budget Implication:

The total cost for these services is not to exceed \$6,000. (Special Education Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the contract.

10.22 **Agreement, Tyler Durman**

Background Information:

Tyler Durman, a nationally-renowned motivational speaker, will present to students during a one-time assembly. Mr. Durman provides practical solutions for teens on topics such as increasing respect in relationships at home and on self-motivation to succeed in school.

Current Consideration:

Mr. Durman will present to students of Ball Junior High School at an assembly scheduled for March 12, 2024.

Budget Implication:

The cost of services is not to exceed \$5,000. (Site Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees approved the agreement.

HUMAN RESOURCES

10.23 **Public Hearing, Disclosure of 2023-24 Collective Bargaining Agreement with ASTA**

Background Information:

The Board of Trustees must hold a public hearing to hear comments related to the collective bargaining agreement with the Anaheim Secondary Teachers Association (ASTA) for the 2022-23 year, in accordance with AB 1200 (Statutes of 1991, G.C. 3547.3, Chapter 1213).

Copies of the disclosure are available for review and study in the Business Office, 501 N. Crescent Way, Anaheim, California.

Current Consideration:

After the negotiation process with ASTA has concluded, the collective bargaining agreement is presented to the public via a Board of Trustees' meeting. This is the public's opportunity to provide feedback and voice their support or any concerns associated with the agreement.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board formally opened the public hearing to provide the public an opportunity to speak on the proposed agreement.

President Randle-Trejo opened the public hearing at 7:05 p.m.

There were no requests to speak.

President Randle-Trejo closed the public hearing at 7:05 p.m.

10.24 **Adoption of the 2023-24 Collective Bargaining Agreement with ASTA**

Background Information:

The District and the Anaheim Secondary Teachers Association (ASTA) has a three-year agreement for the 2022-23, 2023-24, and 2024-25 years. The District and ASTA brought forth proposals to begin the negotiations for the 2023-24 year and negotiations commenced in the fall of 2023. A tentative agreement was reached on January 11, 2024.

Current Consideration:

The tentative agreement is for the 2023-24 year. The tentative agreement includes a 4.5 percent increase on the salary schedule retroactive to July 1, 2023. The agreement also includes other contract language changes.

Budget Implication:

The 4.5 percent salary schedule increase will impact the budget with an additional estimated expense of \$7,990,174 per year. (General Fund)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees adopted the 2023-24 collective bargaining agreement with ASTA.

10.25 **Initial Contract Proposal, AUHSD to APGA**

Background Information:

In accordance with Board Policy 6500.01, the District's initial contract proposal to Anaheim Personnel and Guidance Association's (APGA) must be presented in writing to the Board of Trustees.

Current Consideration:

Before the negotiation process begins, proposals are presented to the public via a Board of Trustees' meeting. The District's initial contract proposal to APGA for the 2023-24 year was presented to the Board of Trustees.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the proposal in order to proceed to the public hearing.

10.26 **Public Hearing, Initial Contract Proposal, AUHSD to APGA**

Background Information:

The Board of Trustees is required to hold a public hearing to hear comments related to the District's initial contract proposal to APGA.

Current Consideration:

The Board must hold a public hearing of the District's initial contract proposal to APGA for the 2023-24 year. This is the public's opportunity to provide feedback and voice their support or any concerns associated with the proposal.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board formally opened the public hearing to provide the public an opportunity to speak on the proposed agreement.

President Randle-Trejo opened the public hearing at 7:07 p.m.

There were no requests to speak.

President Randle-Trejo closed the public hearing at 7:07 p.m.

10.27 **Initial Contract Proposal, APGA to AUHSD**

Background Information:

In accordance with Board Policy 6500.01, the Anaheim Personnel and Guidance Association's (APGA) initial contract proposal to the District must be presented in writing to the Board of Trustees.

Current Consideration:

Before the negotiation process begins, proposals are presented to the public via a Board of Trustees' meeting. APGA's initial contract proposal to the District for the 2023-24 year was presented to the Board of Trustees.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the proposal in order to proceed to the public hearing.

10.28 **Public Hearing, Initial Contract Proposal, APGA to AUHSD**

Background Information:

The Board of Trustees is required to hold a public hearing to hear comments related to the Anaheim Personnel and Guidance Association's (APGA) initial contract proposal to the District.

Current Consideration:

The Board must hold a public hearing of APGA's initial contract proposal to the District for the 2023-24 year. This is the public's opportunity to provide feedback and voice their support or any concerns associated with the proposal.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board formally opened the public hearing to provide the public an opportunity to speak on the proposed agreement.

President Randle-Trejo opened the public hearing at 7:07 p.m.

There were no requests to speak.

President Randle-Trejo closed the public hearing at 7:07 p.m.

10.29 **Initial Contract Proposal, AUHSD to AFSCME**

Background Information:

In accordance with Board Policy 6500.01, the District's initial contract proposal to American Federation of State, County and Municipal Employees (AFSCME) must be presented in writing to the Board of Trustees.

Current Consideration:

Before the negotiation process begins, proposals are presented to the public via a Board of Trustees' meeting. The District's initial contract proposal to AFSCME for the 2023-24 year was presented to the Board of Trustees.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the proposal in order to proceed to the public hearing.

10.30 **Public Hearing, Initial Contract Proposal, AUHSD to AFSCME**

Background Information:

The Board of Trustees is required to hold a public hearing to hear comments related to the District's initial contract proposal to AFSCME.

Current Consideration:

The Board must hold a public hearing of the District's initial contract proposal to AFSCME for the 2023-24 year. This is the public's opportunity to provide feedback and voice their support or any concerns associated with the proposal.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board formally opened the public hearing to provide the public an opportunity to speak on the proposed agreement.

President Randle-Trejo opened the public hearing at 7:08 p.m.

There were no requests to speak.

President Randle-Trejo closed the public hearing at 7:08 p.m.

10.31 **Initial Contract Proposal, AFSCME to AUHSD**

Background Information:

In accordance with Board Policy 6500.01, the American Federation of State, County and Municipal Employees (AFSCME) initial contract proposal to the District must be presented in writing to the Board of Trustees.

Current Consideration:

Before the negotiation process begins, proposals are presented to the public via a Board of Trustees' meeting. AFSCME's initial contract proposal to the District for the 2023-24 year was presented to the Board of Trustees.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board officially received the proposal in order to proceed to the public hearing.

10.32 **Public Hearing, Initial Contract Proposal, AFSCME to AUHSD**

Background Information:

The Board of Trustees is required to hold a public hearing to hear comments related to the American Federation of State, County and Municipal Employees (AFSCME) initial contract proposal to the District.

Current Consideration:

The Board must hold a public hearing of AFSCME's initial contract proposal to the District for the 2023-24 year. This is the public's opportunity to provide feedback and voice their support or any concerns associated with the proposal.

Budget Implication:

There is no impact to the budget.

Action:

Although this was an information item only, requiring no formal action by the Board of Trustees, the Board formally opened the public hearing to provide the public an opportunity to speak on the proposed agreement.

President Randle-Trejo opened the public hearing at 7:09 p.m.

There were no requests to speak.

President Randle-Trejo closed the public hearing at 7:09 p.m.

11. CONSENT CALENDAR

On the motion of Trustee O'Neal and duly seconded, following discussion, the Board of Trustees approved all consent calendar items, with the exception of items 11.10, Exhibit II, pulled by Trustee O'Neal; 11.11 pulled by Trustees O'Neal and Guerrero; as well as 11.13 and 11.18 pulled by Trustee Randle-Trejo. The roll call vote follows.

Ayes: Trustees O'Neal, Smith, Guerrero, and Randle-Trejo

Absent: Trustee Piercy

BUSINESS SERVICES

11.1 Award of Bids, E-Rate 27

Background Information:

The Schools and Libraries Program of the Universal Service Fund, commonly known as E-Rate, is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC), and provides discounts to assist most schools and libraries in the United States to obtain affordable digital services, equipment, software, and internet access.

The process to utilize competitive request for proposals (RFPs) was approved by the Board of Trustees on September 14, 2023, and staff proceeded with the bidding process.

Current Consideration:

As a result of the bidding process, the following RFP were awarded to the lowest responsible and responsive bidders per Resolution No. 2023/24-B-05, pursuant to Public Contract Code (PCC) 20118.2.

Award of Bid

<u>Bid#</u>	<u>Service</u>	<u>Award</u>	<u>Amount</u>
2024-09	Network Equipment	Sehi Computer Products, Inc.	\$846,310

Budget Implication:

Under the Federal E-Rate program, USAC will directly subsidize the cost of the material, equipment, and services being awarded. The District will qualify for a reduction in cost based on the District's percent of students that qualify for Alternate Income Form.

E-Rate: \$719,364

General Fund: \$126,946

Action:

The Board of Trustees awarded Bid No. 2024-09 pursuant to PCC 20118.2 as listed.

11.2 **Piggyback Bid, Farm to School Fresh Produce**

Background Information:

By piggybacking onto other public agencies' existing bids, the District can take advantage of lower costs through economy-of-scale, and also avoid the time and expense of the public bid process, while keeping the District within legal requirements. Per Public Contract Code (PCC) 20118, a district may acquire various materials, supplies, and equipment by utilizing an existing bid of another public entity, which is commonly known as piggybacking.

Current Consideration:

The District has determined that the following can be utilized to acquire farm to school fresh produce at the best value:

Val Verde Unified School District Request for Quote (RFQ) Farm to School Fresh Produce, Fruits, Vegetables, and Greens, RFQ# 2023-2024-02, awarded to Old Grove Orange Inc. for the purchase and delivery of farm fresh produce, including oranges, apples, watermelons, and other produce. The use of this bid is not exclusive, and the District can purchase similar products from other suppliers as needed.

Budget Implication:

This agreement allows the Food Services Department to take advantage of the lower costs and services afforded to other districts. The anticipated expenditure for the procurement of these products will be approximately \$50,000. (Cafeteria Funds)

Action:

The Board of Trustees approved the use of the piggyback bid as listed above with Old Grove Orange Inc. pursuant to PCC 20118 through June 30, 2024, including extensions of the agreement.

11.3 **Award of Bid**

The Board of Trustees was requested to award the following bid:

<u>Bid#</u>	<u>Service</u>	<u>Award</u>	<u>Amount</u>
2024-13	Anaheim High School Temporary Parking Lot Paving (Maintenance Funds)	Universal Asphalt Company, Inc.	\$95,000

Action:

The Board of Trustees awarded Bid #2024-13.

11.4 **Amendment No. 1, Lease-Leaseback Agreement, Scorpio Enterprises dba Aire-Masters Air Conditioning Districtwide HVAC Replacements-RFP #2023-08**

Background Information:

Staff is using the Lease-Leaseback (LLB) delivery method to procure construction for the Districtwide HVAC Replacements (Project). Education Code Section 17406 is the LLB provision, which allows districts to lease to a person, firm, or corporation real property that belongs to the school district for the purpose of constructing buildings and improvements thereon, for District use during the term of the lease, and requires that title to the buildings and improvements vest in the District at the expiration of that term.

Current Consideration:

The District issued RFP #2023-08 inviting contractors to submit qualifications and proposals to perform the work associated with the Project. After a review of the submitted qualifications and proposals, as well as interviews of shortlisted firms, staff recommended to the Board of Trustees the selection of Scorpio Enterprises dba Aire-Masters Air Conditioning (Aire-Masters) as the LLB contractor for the Project. On June 15, 2023, the Board of Trustees ratified the LLB agreement with Aire-Masters.

Construction is currently underway for the work initially approved by the Board of Trustees. Additional scope of work has been developed, specifically for the construction of the Gilbert High School Outdoor Gym (ESSER). Aire-Masters bid the subcontractor packages to various companies for the additional scope of work, and has identified the subcontractors they plan to use on the Project. Staff has negotiated the LLB agreement amendment, which includes the guaranteed maximum price (GMP) and contingencies, pursuant to the terms indicated in the forms of the LLB contract documents previously approved by the Board of Trustees. The LLB agreement shall be amended to include the additional scope of work under Amendment No. 1.

Budget Implication:

The current GMP, associated contingencies and allowances for the originally bid work is \$7,703,874. The LLB agreement's GMP will be amended by \$670,000 to incorporate the additional scope of work as described above under Amendment No. 1. The total Project costs for the amended GMP including District contingencies and allowances will not exceed \$8,393,974. (ESSER Funds, Facilities Funds, Maintenance Funds, and/or other funds as appropriate)

Action:

The Board of Trustees ratified Amendment No. 1 to the LLB agreement with Aire-Masters.

11.5 **Amendment, Agreement, Tao Rossini, A Professional Corporation**

Background Information:

The District, at times, requires the services of outside legal counsel for facilities related matters. The District utilizes the Orange County Department of Education's counsel for legal services, but sometimes there are requirements that are outside the scope of the services and expertise they typically provide to the District. In these circumstances, outside counsel is recommended and utilized.

Current Consideration:

The District desires to amend the current agreement with Tao Rossini, A Professional Corporation, for ongoing legal consultation and services related to facilities matters for an additional year through June 30, 2026.

Budget Implication:

The agreement will be increased by \$150,000, for a total cost not to exceed \$210,000. The agreement amendment will be based on 1) the original hourly fee schedule, and 2) the terms and conditions of the original agreement. (Measure H Funds, Facilities Funds, Maintenance Funds, General Fund, and/or other funds as appropriate)

Action:

The Board of Trustees approved the amendment.

11.6 **Agreement Assignment, RTM Engineering Consultants**

Background Information:

On November 18, 2021, the Board of Trustees approved the selection of KNA Structural Engineers (KNA) for engineering services pursuant to RFP #2022-04. The firm specializes in structural engineering.

Current Consideration:

The District received a letter from KNA, which explained the firm had been purchased and fully owned by RTM Engineering Consultants (RTM) effective August 1, 2022. The merger includes the assignment of all contractual agreements, including the current agreement with the District. As stipulated in the District's agreement with KNA, an assignment is only allowed by written consent of both parties. Therefore, the District must approve the assignment in order for the agreement to continue RTM pursuant to the original terms and conditions.

Budget Implication:

There is no impact to the budget.

Action:

The Board of Trustees approved the assignment of the agreement from KNA to RTM.

11.7 **Declaring Certain Furniture and Equipment as Unusable, Obsolete, and/or Out-of-Date, and Ready for Sale or Destruction**

Action:

The Board of Trustees approved the list of District furniture and equipment as unusable, obsolete, and/or out-of-date, and ready for sale or destruction, as well as authorized proper disposal in accordance with Education Code Section 17545 or 17546.

11.8 **Declaring Certain Textbooks and Instructional Materials as Unusable, Obsolete, and/or Out-of-Date, Damaged, and Ready for Sale or Destruction**

Action:

The Board of Trustees approved the list of District textbooks and instructional materials as unusable, obsolete, and/or out-of-date, damaged, and ready for sale or destruction as surplus, as well as authorized staff to dispose of the textbooks and instructional materials in accordance with Education Code Section 60510 et al.

11.9 **Donations**

Action:

The Board of Trustees accepted the donations as submitted.

11.10 **Purchase Order Detail Report and Change Orders**

Action:

On the motion of Trustee O'Neal and duly seconded, the Board of Trustees ratified the reports January 8, 2024, through February 4, 2024, with the following vote.

Ayes: Trustees Smith, Guerrero, and Randle-Trejo

Abstain: Trustee O'Neal

Absent: Trustee Piercy

11.11 **Check Register/Warrants Report**

Action:

The Board of Trustees voted as follows on the report January 8, 2024, through February 4, 2024.

Ayes: Trustees Smith and Randle-Trejo

Abstain: Trustees O'Neal and Guerrero

Absent: Trustee Piercy

11.12 **SUPPLEMENTAL INFORMATION**

11.12.1 ASB Fund, December 2023

11.12.2 Cafeteria Fund, November 2023

11.12.3 Enrollment, Month 6

EDUCATIONAL SERVICES

11.13 **Grant Agreement, Orange County United Way**

Background Information:

Orange County United Way (OCUW) is a nonprofit organization based in Orange County, California. Its mission is to improve lives and strengthen the community by focusing on education, health, housing, and financial stability. The organization collaborates with local businesses, government agencies, nonprofits, and individuals to address the community's most pressing needs.

For the last several years, OCUW has provided grant funding for the Anaheim's Innovative Mentoring Experience (AIME) Summer Internship Program, which provides internships to District students. The grants have provided funding for staff time, supplies, and scholarships to students who participate in the internship program.

Current Consideration:

OCUW would like to provide a grant for the AIME Summer Internship Program in the amount of \$30,000. The grant term is effective January 1, 2024, through December 31, 2024.

Budget Implication:

The District will receive \$30,000 in funds through this agreement.

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees ratified the grant agreement.

11.14 **Agreement, Rosetta Stone**

Background Information:

Twenty percent of the District student population is composed of English Learners/ plurilingual students. Of these students, 500 are identified as newcomers (students who have been in the country twelve months or less). In order to provide greater support to newcomers, the District provides a Rosetta Stone license to each for home and school use. This will be the eighth year with Rosetta Stone.

Current Consideration:

Rosetta Stone offers online access to an e-learning solution designed for English Learner/ plurilingual students at the emerging level of English proficiency to build fundamental language skills. Their platform engages students by developing skills through a predefined sequence and method using sounds, images, and text to help students acquire English. A renewal of 360 Rosetta Stone licenses are being provided September 20, 2023, through September 20, 2024. An additional 140 Rosetta Stone licenses are being provided November 6, 2023, through October 4, 2024.

Budget Implication:

The cost for the first 360 licenses is \$31,595. The cost for the additional 140 licenses is \$8,984. The total cost is not to exceed \$40,579. (Title III Funds)

Action:

The Board of Trustees ratified the agreement.

11.15 **Memorandum of Understanding (MOU), Inter-Special Education Local Plan Area (SELPA), Buena Park School District**

Background Information:

AUHSD operates several unique special education programs that are not available in some local school districts. School districts may enter agreements to provide services to special education students that are living in other districts. At times, the District admits special education students from other school districts into some of the District's unique special education programs.

Current Consideration:

Buena Park School District (BPSD) has requested to enter into a MOU with the District permitting students from BPSD to be enrolled in specialized programs understanding operated by the District. The MOU for placing special education students from BPSD in the District programs was presented to the Board of Trustees for consideration of approval. Services are being provided August 1, 2023, through June 30, 2024.

Budget Implication:

BPSD will fund these services per billing agreement between BPSD and AUHSD/Greater Anaheim SELPA.

Action:

The Board of Trustees ratified the MOU between the District and BPSD.

11.16 **Agreement, Barnett Berry**

Background Information:

Mr. Barnett Berry was a research professor at the University of South Carolina (UofSC) and the founding director of the Accelerator for Learning and Leadership for South Carolina (ALL4SC), an initiative launched in 2019, to marshal the resources of universities that have high research activity and to focus on high need school communities. In 1999, he founded the Center for Teaching Quality to ignite change inside of public education driven by the ideas and practices of teachers. Mr. Berry has authored a wide array of over 120 policy and research reports, journal articles, and commissioned papers. His most recent research *Teacher Leadership for Whole Child Education* features two school districts in North America: Surrey Schools (British Columbia) and Anaheim Union High School District. This consulting agreement was previously approved under UofSC; however, Mr. Berry is no longer employed with UofSC.

Current Consideration:

The District would like to hire Mr. Berry as a consultant to assist the District in developing and sustaining a system of whole child education, including writing, and submitting grant proposals for unrestricted, as well as restricted funds in support of the District's efforts to create transformative teaching and learning environments for both students and the educators who support. Further, Mr. Berry will be responsible for researching prospective funders that align with the District's vision and mission. The additional \$10,000 funding request is to cover travel costs and the writing of a White Paper. Services are being provided September 15, 2023, through July 31, 2024.

Budget Implication:

The total cost for these services is not to exceed \$25,000. (General Fund)

Action:

The Board of Trustees ratified the agreement.

11.17 **Agreement, Flypoet Entertainment**

Background Information:

The 4th AUHSD Black History Month Celebration will be held on February 23, 2024, at the AUHSD Performing Arts Center. This is a student-led celebration created by collaborative efforts of the Black Student Union Clubs throughout the District and the Black Lives Matter Task Force. This year's celebration highlights are performances by Fly Poet Entertainment and the Magnolia Urban African Dancers.

Spoken Word is poetry explicitly written to be performed on-stage, rather than read from the page. As an art form, it focuses on the aesthetics of wordplay, intonation, and voice inflection. Spoken word is a powerful, high-energy, form of cultural expression that has strong ties to storytelling, modern poetry, post-modern performance, and monologue theatre. An Interpretive Painter will also be a part of this performance creating a work of art live on-stage.

Current Consideration:

Flypoet Entertainment is providing a spoken word artist and interpretive painter that will perform at the 4th Annual AUHSD Black History Month Celebration. Services will be provided February 23, 2024.

Budget Implication:

The total costs for these services is not to exceed \$2,800. (General Fund and/or Innovation Funds)

Action:

The Board of Trustees approved the agreement.

11.18 **Agreement, Magnolia Urban African Dancers**

Background Information:

The 4th AUHSD Black History Month Celebration will be held on February 23, 2024, at the AUHSD Performing Arts Center. This is a student-led celebration created by collaborative efforts of the Black Student Union Clubs throughout the District and the Black Lives Matter Task Force. This year's celebration highlights are performances by Fly Poet Entertainment and the Magnolia Urban African Dancers. Magnolia Urban African Dancers was formed by Tamara Mobley and a small group of enthusiastic seniors at Magnolia High School. These students will perform a 4-minute dance that was choreographed by Tamara Mobley, a seventeen-year District employee, who works at Loara High School as a Campus Safety Aide. The other musicians will perform a short musical introduction, and give a very short audience participatory musical interlude. Tamara Mobley and all adult participants have over 40 years of experience as performing artist, as well teaching artists in California, Massachusetts, and Pennsylvania.

Current Consideration:

Magnolia Urban African Dancers will perform at the 4th Annual AUHSD Black History Month Celebration. Services will be provided February 23, 2024.

Budget Implication:

The total cost is not to exceed \$600. (LCFF and/or Innovation Funds)

Action:

On the motion of Trustee O'Neal, duly seconded and unanimously carried, following discussion, the Board of Trustees approved the agreement.

11.19 **Instructional Materials Submitted for Adoption**

The Instructional Materials Review Committee has recommended the selected books for dual enrollment, English, IB Physics, and world languages courses. The books have been made available for public view.

Action:

The Board of Trustees adopted the selected materials.

11.20 **Instructional Materials Submitted for Display**

The Instructional Materials Review Committee recommended the selected materials for display, for courses in English language development. Before the materials can be approved for adoption, they must be made available for public review. The Board of Trustees was requested to consider adoption of the materials following the end of the period of public display, February 16, 2024, through March 7, 2024.

Action:

The Board of Trustees approved the display.

11.21 **Individual Service Contracts**

Action:

The Board of Trustees approved/ratified the individual service contracts as submitted.
(Special Education Funds)

11.22 **Field Trip Report**

Action:

The Board of Trustees approved/ratified the report as submitted.

HUMAN RESOURCES

11.23 **Certificated Personnel Report**

Action:

The Board of Trustees approved/ratified the report as submitted.

11.24 **Classified Personnel Report**

Action:

The Board of Trustees approved/ratified the report as submitted.

SUPERINTENDENT'S OFFICE

11.25 **Membership, Digital Promise**

Background Information:

The Digital Promise League of Innovative Schools is a national network that connects and supports the most forward-thinking leaders in education. League members represent more than 150 districts in 38 states serving more than 4.4 million students. Their diverse experiences reflect the advancements, challenges, and vital work of public education in the United States. The League of Innovative Schools was launched at the White House under President Barack Obama within the U.S. Department of Education.

Current Consideration:

The Digital Promise League of Innovative Schools has connected us with key education and industry leaders, as well as community partners. It is a coalition of leading superintendents committed to partnering with developers, research institutions, and one another to demonstrate, evaluate, and scale up innovations that deliver better results for students. It will continue to strengthen our business collaboration with educational institutions and community partners.

Budget Implication:

The cost of the membership for the 2023-24 year is not to exceed \$3,500. (General Fund)

Action:

The Board of Trustees approved the membership.

11.26 **Conferences and/or Meetings, Superintendent**

It was recommended that the Board of Trustees approve and/or ratify the attendance to the following conferences for the superintendent with payment of necessary expenses (registration, travel, hotel, parking, ground transportation, etc.)

11.26.1 Community Engagement Initiative (CEI), February 1, 2024, through February 2, 2024, Santa Clara, CA, at a cost not to exceed \$500. CEI will cover the costs for the flight and hotel. (CEI Fund)

11.26.2 ASU+GSV, April 14, 2024, through April 17, 2024, San Diego, CA, at a cost not to exceed \$3,000. (General Fund)

Action:

The Board of Trustees approved and/or ratified for the superintendent to attend the conferences.

11.27 **Conferences and/or Meetings, Board of Trustees**

It was recommended that the Board of Trustees approve and/or ratify the attendance to the following conferences for the Trustees with payment of necessary expenses (parking, ground transportation, etc.)

National AI K12 Deeper Learning Summit, February 29, 2024, through March 2, 2024, Anaheim, CA, at a cost not to exceed \$50. (General Fund)

Action:

The Board of Trustees approved for the Trustees to attend the conference.

12. **SUPERINTENDENT AND STAFF REPORT**

Superintendent Matsuda reported the District's National K12 AI Summit is sold out. He gave a special mention to Amy Kwon, Sean Manning, Seema Sidhu, Brian Brady, Orange County Supervisor Doug Chaffee, Chan Zuckerberg Initiative, and Google for their work and cooperation on this event.

Dr. Fried highlighted the Black History Month celebration at AUHSD Performing Arts Center on February 23, 2024, and stated the CABE Conference is coming up with recognitions for Dr. Renae Bryant as Administrator of the Year, as well as Sycamore Junior High School will be receiving the Seal of Excellence Award.

Dr. Nien provided a special recognition to the 11 Western High School football players receiving college scholarships, along with the rest of the football team and staff supporting the team.

Mr. Saldivar acknowledged Carlos Hernandez and his staff, as well as Loara High school for hosting the Community Schools Leading and Learning visit. He reported over 400 people participated in the first LCAP session and approximately 17,000 people have taken the survey. In addition, he recognized District counselors during National Counselors' Week.

Student Representative Daniella Ruiz reported she will be attending the CABE Conference representing Savanna High School's Global Language Leadership Academy. She also led a Pledge Presentation at Gauer Elementary School for parents.

13. **BOARD OF TRUSTEES' REPORT**

Trustee O'Neal reported he attended the Servathon at half-dozen school sites, seven Open House events, the Choral Showcase at AUHSD Performing Arts Center, the Budget Committee Meeting, ROP Board Meeting, LCAP Meeting, and Cypress City Council Meeting, where Trustee Piercy received the "Key to the City," as well as had a park dedicated to her.

Trustee Smith indicated she attended the Student Discipline Task Force Meeting, Insurance Committee Meeting, Student Health Advisory Committee Meeting, as well as thanked Orlando Griego and his team for supplying healthy meals to District students. She made a special note on learning about genetics. Lastly, she acknowledged the AUHSD School News magazine, as well as The Gamut.

Trustee Guerrero said she attended the Budget Committee Meeting, the Project S.A.Y. Teen Center Ribbon Cutting Ceremony, Save the Music Foundation check presentation at Ball Junior High School, judged South Junior High School's "South Talks Soapbox Speeches," Tet Parade, Open Houses at Anaheim and Savanna high schools, as well as the Cypress City Council Meeting.

Trustee Randle-Trejo reported her attendance for Open Houses at Anaheim and Loara high schools, Anaheim High School Girls' Water Polo game, GASELPA Board Meeting, ROP Board Meeting, judged South Junior High School's "South Talks Soapbox Speeches," Cypress City Council Meeting, Tet Parade, and UCI Summit on "Conquering Hate." She provided a special shoutout to John Bautista and his team for the great work with AUHSD Spotlight. Lastly, she congratulated the District's sport teams, who have completed in CIF tournaments, as well as wished everyone a Happy Valentine's Day and Lunar Year.

14. **ADVANCE PLANNING**

14.1 **Future Meeting Dates**

The next meeting of the Board of Trustees will be held on Thursday, March 7, 2024, at 6:00 p.m.

Thursday, April 18
Tuesday, May 7
Thursday, June 6
Thursday, June 13
Thursday, July 18
Thursday, August 8

Thursday, September 12
Thursday, October 17
Thursday, November 14
Thursday, December 12
Thursday, December 19

14.2 **Suggested Agenda Items**

There were no suggested agenda items.

15. **ADJOURNMENT**

On the motion of Trustee O'Neal, duly seconded and unanimously carried, the Board of Trustees adjourned the meeting at 7:30 p.m.

Approved 
Clerk, Board of Trustees