

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND**

APPROVED BOARD MEETING MINUTES

April 9, 2013

Arizona State Capitol

2nd Floor Governor's Conference Room

1700 W. Washington

Phoenix, Arizona

I. Call to Order and Roll Call

Board President Bernhardt Jones called the meeting to order at approximately 1:08 p.m.

Members Present: Marv Lamer, Orlenda Roberts, Bern Jones, Michael Williams, Ray Mungaray, Sherri Collins, Clifford Rowley

Others Present: Superintendent Robert Hill, and Attorney General Representatives Kim Anderson, Michelle Kunzman, and Dennis Carpenter

II. Public Comment on Agenda Items**

Board President Bern Jones asked for Board input into the procedure to be followed for public comment. Upon discussion, it was decided to allow public comment before each item at the time the item is reached on the agenda, and Board deliberations to follow the close of public comment on the agenda item.

Spoke to the Issue: Bern Jones, G. Michael Williams, Ray Mungaray, Sherri Collins, Marv Lamer, Clifford Rowley.

Discussion Highlights: Choice to either allow public comments all at once at this time or at the time the Board reaches the item on the agenda; public comment in executive session; avoidance of folding public comments into Board deliberation; raising of hands by Board members to speak.

III. Business Agenda Items

A. Intent to Offer/Not Offer FY 2014 Employment Contracts to Management/Supervisory Personnel for Discussion, Consideration and Possible Action

<u>NAME</u>	<u>POSITION TITLE</u>
1. Ace, Sam	Principal-ASB
2. Amann, Nancy	Executive Director-ASD and PDSD
3. Benson, Pia	Regional Director-SER
4. Goetze, Jan	Regional Director-DVR
5. Koehler, William	Executive Director-ASB & Regional Cooperatives
6. Murphy, Maria	Executive Director-Human Resources
7. Pritchard, Terry	Executive Director-Operations and Finance
8. Svenningsen, Lisa	Principal-PDSD

9. Walls, Wemme

Regional Director-SWR

Spoke to the Issue: Sherri Collins, Robert Hill, Bern Jones, Kim Anderson.

Discussion Highlights: Notices of Executive Session provided to all contracted employees as required under the law; contract employees Nancy Amann, Terry Pritchard, and Lisa Svenningsen (#2,7, and 8 on the list) requested to have their contracts discussed in public session; executive session for legal advice from the Board's attorneys is allowed on this item and those three individuals, but no discussion of the three individuals is permitted in Executive Session under A.R.S. 38-431.03(A)(1) for purposes of employment/personnel matters as it pertains to the three individuals; discussion of these three individuals may occur in open session after legal advice but there is no requirement for the Board to go into executive session for discussion of personnel matters; those individuals who request discussion in open session, then any materials related to those individuals may be discussed in open session.

It was moved by Bern Jones, seconded by Michael Williams, and unanimously carried that the Board go into Executive Session pursuant to A.R.S. 38-431.03(A)(3) for discussion/consultation for legal advice with the Board's attorneys as it relates to this agenda item.

The Board went into executive session at approximately 1:23 p.m. and returned at approximately 2:30 p.m.

It was moved by Marv Lamer, seconded by Orlenda Roberts, and failed to carry by a vote of 2 in favor (Marv Lamer and Ray Mungaray) and 5 opposed that the Board consider changing the order of the agenda to place item B first then item A.

Spoke to the Issue: Sherri Collins, Marv Lamer, and Michael Williams

Discussion Highlights: Reasons for the motion to change the order; clarification that the item A and Item B are unrelated.

Bern Jones announced that those who have requested public discussion of their contract will be able to speak separately aside from the call to the public.

Public Comment on Agenda Item A

Courtney Fritz – Spoke in support the renewal of contracts for Lisa Svenningsen and Nancy Amann, quoted from a book about effective leaders, and spoke to Nancy Amann's effectiveness as a leader.

Russell Errigo (sp) – Spoke in support of a renewal of Nancy Amann's contract and asked that she be returned to work.

Nancy Amann – Spoke in support of a renewal of Lisa Svenningsen's contract, attributed the growth in enrollment at PDSB to Ms. Svenningsen, and asked that Mrs. Svenningsen be issued a three-year contract.

Beca Bailey – Spoke in support of a renewal of contracts for Lisa Svenningsen and Nancy Amann; about the positive comments made by her son, a student at PDSB, about Lisa Svenningsen; and the positive observations of Nancy Amann’s work.

Henry Garcia – chose not to speak.

Alan Amann – Spoke in support of a renewal of Nancy Amann’s contract; disclosed that Nancy Amann is his wife, provided reasons that it is in ASDB’s best interests to renew Nancy Amann’s contract; and recounted a story to illustrate Nancy’s dedication to the job.

James Revell – Spoke in support of the renewal of all contracts, and expressed the hope that ASDB can become a big family again.

Lisa Svenningsen – Spoke to item A in support of the renewal of Nancy Amann’s contract who was Ms. Svenningsen’s direct supervisor, appreciation of her availability and support of PDSB, her visibility and presence during PDSB events, and her knowledge and abilities.

Bonelle Amann - Spoke in support of the renewal of Nancy Amann’s and Lisa Svenningsen’s contract; highlighted the contributions of both individuals; and expressed the sentiment that ASDB is fortunate to have these two wonderful women.

Polly Brady-Garcia – Asked the Board to please have faith and best interest in the schools because they deserve it.

Jackie Carlile – Spoke in support of the renewal of contracts for Lisa Svenningsen and Nancy Amann who have advocated strongly for culinary program, and helped her to develop the best program for students.

David Huber – Spoke in support of the renewal of contracts for Lisa Svenningsen and Nancy Amann; expressed his fear of disciplinary action for speaking up and the need for everyone to feel safe; and highlighted the positive contributions they both have made to ASD and PDSB; the low morale due to Nancy’s absence; and the future of continued growth at ASD and PDSB is in the Board’s hands.

Bern Jones added as an aside to commend the interpreting occurring during this

meeting. Contract Renewals

Following public comment, Superintendent Robert Hill recommended the renewal of contracts for the following individuals:

<u>NAME</u>	<u>POSITION TITLE</u>
Ace, Sam	Principal-ASB
Benson, Pia	Regional Director-SER
Goetze, Jan	Regional Director-DVR
Koehler, William	Executive Director-ASB & Regional Cooperatives
Murphy, Maria	Executive Director-Human Resources

Pritchard, Terry
Svenningsen, Lisa
Walls, Wemme

Executive Director-Operations and Finance
Principal-PDSD
Regional Director-SWR

Spoke to the Issue: Michael Williams, Terry Pritchard and Lisa Svenningsen
Highlights: When asked, Terry Pritchard declined to speak to his contract, but Lisa Svenningsen requested opportunity to speak to her contract.

It was moved by Michael Williams, seconded by Ray Mungaray, and carried by a vote of 5 in favor (Marv Lamer, Orlenda Roberts, Bern Jones, Michael Williams, and Ray Mungaray) and 2 opposed (Sherri Collins and Clifford Rowley) that the Board approve all of the contracts and recommendations with the exception of #2, Nancy Amann, who we should take separately, take testimony on separately, vote on separately, and also #7, Lisa Svenningsen, take that action also separately with separate testimony from both individuals.

Spoke to the Issue: Michael Williams, Sherri Collins,

Discussion Highlights: Motion allows Lisa Svenningsen opportunity to speak to her contract.

Lisa Svenningsen was allowed to speak to her contract and stated that she would just like to see the Board's discussion in regards to her contract in open session.

It was moved by Michael Williams, seconded by Sherri Collins, and unanimously carried that the Board approve Ms. Svenningsen's contract for FY 2014.

Lisa Svenningsen clarified the pronunciation of her name and that she is a Mrs.

It was moved by Clifford Rowley, seconded by Sherri Collins, that the motion be amended to make it a three-year contract rather than a one-year contract.

Spoke to the issue: Clifford Rowley, Ray Mungaray, Marv Lamer, Michael Williams, Robert Hill

Discussion Highlights: Reasoning for amendment is stability for that position, consistency within the staff, busy school, and consistency in administration for the students; request for a substitute motion rather than an amendment; contracts historically established as one-year, and if one is to be made a three-year then all need to be a three year.

It was moved by Michael Williams, seconded by Ray Mungary, that his original motion approving the previous contracts be for one year contracts.

Clifford Rowley made a substitute motion to his motion to offer all the individuals a three-year contract.

Spoke to the Issue: Sherri Collins, Robert Hill, Michael Williams, Lisa Svenningsen, Bern Jones, Ray Mungaray, Marv Lamer

Discussion Highlights: Statutory clarification of term of contracted employees; clarification of Board's authority to change the term of contract; pros and cons of extending contract terms; Lisa Svenningsen's last completed evaluation; April 15th deadline for notices of contract renewal; pressures of making last-minute decision due to cancellation of February Board meeting; study of changing contract terms prior to making a decision; extending contracts a possibility down the road.

Contracts Non-renewal

Superintendent Robert Hill recommended the non renewal of Nancy Amann's contract. He highlighted Nancy Amann's strengths, his efforts to help her gain leadership experience, and the issues that led to her administrative leave and ultimately the recommendation not to renew her contract.

Outbursts and comments from the audience resulted in Board requests to maintain decorum and a warning from Board President Bern Jones to maintain order or risk removal from the meeting.

Bern Jones clarified that Nancy Amann requested discussion of her contract in public session and, therefore, Nancy Amann will be heard in public session.

It was moved by Michael Williams, seconded by Marv Lamer, and unanimously carried that the Board move to items C., D. E. B. and then come back to agenda item A.

Spoke to the Issue: Bern Jones, Michael Williams, Marv Lamer, Clifford Rowley
Discussion Highlights: Suggestions to take a break and/or move to other agenda items so that Nancy Amann could prepare to address the recommendation not to renew her contract.

C. Approval to Allocate FY2013 Trust Funds to Schools for Discussion, Consideration, and Possible Action

Public Comment on Agenda Item C

Polly-Brady Garcia questioned where are the trust funds?

Following public comment, Robert Hill deferred to Clifford Rowley to provide a report on behalf of the Board Finance Committee. Clifford Rowley provided the background and purpose for the recommendation, with input from Robert Hill. Trust Fund documentation provided.

Interruption from the audience met with final warning from Bern Jones that if there is any further interruption to the proceedings, the audience member(s) will be asked to leave. An audience member made comment that the board perceived as a threat, so the member was asked to leave and was escorted out by DPS officers on duty.

It was moved by Sherri Collins, seconded by Michael Williams and unanimously carried that the Board of Directors approve an FY 2013 Trust Fund allocation of 2%, meeting the 6% cap, in the amount of \$56,200 to the Schools/Programs, as recommended by the Board Finance Committee and the Superintendent.

Spoke to the Issue: Marv Lamer

Highlights: Applaud the opportunity ASDB has for these funds which speaks to the strong commitment and legacy of the agency.

D. Approval to Expend FY 2013 Trust Funds Allocated to Schools for Discussion, Consideration and Possible Action .

Spoke to the Issue: Robert Hill, Ray Mungaray, Orlenda Roberts

Highlights: First quarter Trust Fund profits of this year; reiteration of total trust fund expenditure for this fiscal year.

It was moved by Michael Williams, seconded by Ray Mungaray, and unanimously carried that the Board of Directors approve additional expenditures in the amount of \$56,200 for a total expenditure for FY 2013 of \$162,990, remaining within the 6% cap, as recommended by the Board Finance Committee and the Superintendent.

Program	Event/Activity	Amount Requested
<u>Phoenix Day School for the Deaf</u>		
Academic	MS Battle of the Books	\$ 5,000.00
Athletic	Berg Seeger Classic (track)	\$ 3,000.00
<u>Arizona School for the Deaf, Phoenix School for the Deaf, Cooperatives</u>		
Academic	Literacy Camp	\$ 10,000.00
<u>Arizona School for the Blind</u>		
Academic	Camp Abilities	\$ 2,000.00
<u>Arizona School for the Deaf</u>		
Academic	Jr. NAD Youth Leadership Camp	\$ 1,700.00
<u>Arizona School for the Blind, Cooperatives</u>		
Academic	Jr. Blind Olympics	\$ 11,000.00
<u>Tucson Athletics</u>		
Athletic	Berg Seeger Classic (track)	\$ 3,000.00
<u>Tucson Campus</u>		
Family Activity	Family Activities and Carnival	\$ 2,500.00
<u>Early Childhood & Family Education (Birth to 3)</u>		
Family Activity	ASDC Scholarships for Arizona Families	\$ 18,000.00
Subtotal: Requests for 2/4/13 ASDB Board Submission		\$ 56,200.00

E. Status of the April 25, 2013 Board Meeting for Discussion, Consideration and Possible Action

Public Comment on Agenda Item E.

Lisa Svenningsen – Asked the Board not to cancel the meeting since three board meetings have been cancelled in Phoenix, and asked the meeting be at PDS; staff want opportunity to attend the Board meeting; and Board meeting needs to occur at 5:00 p.m. per board policy.

Following public comment,

It was moved by Sherry Collins, seconded by Bern Jones, and unanimously carried that the Board keep the meeting scheduled on April 25th, but change the location to PDSD at 5:00 p.m.

Spoke to the Issue: Michael Williams, Marv Lamer

Highlights: Moving forward with meeting in Phoenix at 5:00 p.m.

Bern Jones allowed a recess at approximately 4:05 p.m. and resumed the meeting at approximately 4:20 p.m.

A. Intent to Offer/Not Offer FY 2014 Employment Contracts to Management/Supervisory Personnel for Discussion, Consideration and Possible Action

The Board returned to Item A. to invite Nancy Amann's response to the recommendation not to renew her contract.

Nancy Amann provided the Board with her educational background, explained what brought her to this field, identified her motivation and desire is what caused her to climb the career ladder, explained the horrible experience of being placed on administrative leave. She responded to the points identified by the Superintendent. Nancy invited questions of the Board and asked them to interject at anytime.

Spoke to the Issue: Michael Williams, Orlenda Roberts, Sherri Collins, Bern Jones
Discussion Highlights; potential liability exposure created by illegal search and bringing animals on campus; evaluations not conducted for Nancy Amann; authorization of nursing services and authorizing of services outside the IEP decision-making process.

It was moved by Sherri Collins, seconded by Clifford Rowley, and failed to carry by a vote of two in favor (Sherri Collins and Clifford Rowley) and five opposed (Marv Lamer, Orlenda Roberts, Bern Jones, Michael Williams, and Ray Mungary) that the Board renew Dr. Nancy Amann's contract for one year

Spoke to the Issue: Michael Williams, Sherri Collins, Marv Lamer, Bern Jones, Dennis Carpenter

Highlights: Disturbing accusations and limited time in which to make a decision; motion to renew failed so questions raised if this mean the contract is not renewed and if Board has met statutory deadline; whether or not legal advice to occur in public session or executive session; interpreters asked and agreed they could stay past 5:00.

It was moved by Michael Williams, seconded by Ray Mungaray, and unanimously carried that the Board go into executive session pursuant to A.R.S. 38-431.03(A)(3) for discussion/consultation for legal advice with the Board's attorneys on this agenda item.

The Board went into executive session at approximately 5:05 p.m. and returned at approx 5:35 p.m.

A. Intent to Offer/Not Offer FY 2014 Employment Contracts to Management/Supervisory Personnel for Discussion, Consideration and Possible Action

Before returning to Item A, Bern Jones noted that Board will move agenda item B. to the April 25, meeting agenda.

It was moved by Marv Lamer, seconded by Orlenda Roberts, and carried with a vote of 4 in favor (Marv Lamer, Orlenda Roberts, Bern Jones and Michael Williams) and 3 opposed (Sherri Collins, Clifford Rowley and Ray Mungaray) that the Board not renew the contract of Nancy Amann.

Spoke to the Issue: Michael Williams

Highlights: Does not preclude the board from offering a contract at a later time.

IV. Adjournment

It was moved by Michael Williams, seconded by Ray Mungaray that the meeting be adjourned.

The meeting was adjourned at approximately 5:40 p.m.