

**Minutes of the Regular Governing Board Meeting  
Amphitheater Public Schools  
Tuesday, March 9, 2021**

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A Regular public meeting of the Governing Board of Amphitheater Public Schools was held Tuesday, March 9, 2021, beginning at 6:00 p.m. at the Wetmore Center, 701 West Wetmore Road, Tucson, AZ in the Leadership and Professional Development Center. The meeting was held under COVID-19 pandemic related conditions.

**Governing Board Members Present**

Ms. Susan Zibrat, President  
Ms. Deanna M. Day, M.Ed., Vice President  
Dr. Scott K. Baker, Member  
Ms. Vicki Cox Golder, Member  
Mr. Matthew A. Kopec, Member

**Superintendent's Cabinet Members Present**

Mr. Todd A. Jaeger, J.D., Superintendent  
Dr. Roseanne Lopez, Associate Superintendent for Elementary Education  
Mr. Michael Bejarano, Associate Superintendent for Secondary Education  
Ms. Michelle H. Tong, J.D., Associate to the Superintendent and Legal Counsel  
Mr. Scott Little, Chief Financial Officer  
Ms. Kristin McGraw, Director of Student Services  
Ms. Tassi Call, Director of 21<sup>st</sup> Century Education  
Dr. Shannon McKinney, Director of Curriculum and Assessment  
Mr. James Burns, Executive Manager of Operational Support  
Ms. Michelle Valenzuela, Director of Communications

**1. CALL TO ORDER AND SIGNING OF THE VISITOR'S REGISTER**

President Zibrat called the meeting to order at 6:00 p.m. and invited members of the audience to sign the visitors' register.

**2. PLEDGE OF ALLEGIANCE**

Superintendent Jaeger announced the students leading the Pledge were from Rio Vista Elementary School. He informed the Board that Rio Vista Principal, Ms. Dianna Kuhn, the students, and their parents were already gathered and waiting around at the exterior flagpole to lead the Pledge of Allegiance. He explained when the Pledge is over attendees will return, and Ms. Kuhn will discuss the student art on display. He apologized to people listening online and explained there was no way to broadcast the Pledge and invited the attendees present to walk to the flagpole. The students who led the pledge were Nevaeh, Hector, Karinna, Felicity, Julio, Charlie, Sherri, Alexander, Aaliyah, Alan, Lila, and Jared.

On behalf of the Governing Board's appreciation, the students were presented with certificates and a group picture was also taken to mark the occasion.

**3. RECOGNITION OF STUDENT ART**

When the Board, Superintendent Jaeger and the attendees returned to the room, Superintendent Jaeger invited Ms. Kuhn to talk about the art display.

Ms. Kuhn said Ms. Stephanie Williams, Rio Vista Art Teacher, was not able to attend the meeting, however Ms. Williams provided some notes to describe the students' artwork. Ms. Kuhn noted that art classes were a little bit different this year, and the art displayed was made when students were in hybrid learning or was done at home. Students have learned about lines and shapes, the color wheel, the value scale, the rule of thirds, and art vocabulary. They created ocean scenes, pencil line and shape drawings, and practiced the Fauvist style of art.

To mark the Governing Board's appreciation, a certificate of for the artwork presentation was given to Ms. Kuhn for the Art Teacher and the students at Rio Vista Elementary School.

#### **4. ANNOUNCEMENT OF DATE AND TIME OF THE NEXT SPECIAL GOVERNING BOARD MEETING**

President Zibrat announced the next Special Governing Board meeting would be held on Tuesday, March 23, 2021 at 5:30 p.m., at the Wetmore Center, 701 West Wetmore Road, Tucson, AZ 85705 in the Leadership and Professional Development Center.

#### **5. RECOGNITIONS**

##### **A. Recognition of Amphitheater District 2021 Spelling Bee Winners**

Superintendent Jaeger said the Spelling Bee was virtual. He thanked Painted Sky Principal, Bethany Papajohn for hosting the event and asked her to introduce the winners.

Ms. Papajohn explained that the students participated in three differently formatted spelling bees. The first was at their school, the winners of which then participated in the District Spelling Bee via Zoom. The winners of the District Spelling Bee then went on to the County Spelling Bee, which was also a Zoom format. At the County Spelling Bee, the Scripps program required participants to type their answer. Ms. Papajohn thanked the proctors, site facilitators, and Board Members for their hard work to make these events a success. Ms. Papajohn announced the following top five places:

First Place: Athena McElvaine, Fifth Grade, Amphi Academy Online

Second Place: Ethan Arvizu, Sixth Grade, Harelson Elementary School

Third Place: Svea Neilson, Fourth Grade, Copper Creek Elementary School

Fourth Place: Leslie Moreno, Fifth Grade, Donaldson Elementary School

Alternate: Alexander Owens, Eighth Grade, Wilson K-8 School.

The students who were present introduced their guests they brought with them.

On behalf of the Board, President Zibrat congratulated the Spelling Bee winners and were presented with a certificate of recognition. A group picture was taken of the students, the Governing Board, Superintendent Jaeger, and Ms. Papajohn to mark the occasion.

##### **B. Presentation of Distinguished Service Award**

Superintendent Jaeger invited Mr. Bejarano to present the Distinguished Service Awards.

Mr. Bejarano explained that the Distinguished Service Awards (DSA) are presented monthly to recognize employees' initiative, collaboration, loyalty, and contributions to the Amphitheater School District. These employees represent a high level of dedication and commitment to the Amphi family, and the values and mission of the District.

Mr. Bejarano announced that the Distinguished Service Award recipient for the month of March for support staff is Ms. Vita Thomas, Special Education Teaching Assistant at Copper Creek Elementary School. A video presentation was shown honoring Ms. Thomas for the work she has done in the District. Ms. Thomas said she was honored to receive the award.

Mr. Bejarano then announced that the Distinguished Service Award recipient for the month of March for certificated staff is Ms. JoAnne Carlson, teacher at Wilson K-8 School. A video

presentation was shown honoring Ms. Carlson. Ms. Carlson expressed her appreciation for the award.

On behalf of the Board, President Zibrat congratulated the award winners. Ms. Thomas and Ms. Carlson received a certificate of recognition from the Governing Board, a DSA award, and a gift card from the Amphi Foundation. Ms. Thomas and Ms. Carlson, the Governing Board, and Superintendent Jaeger stood for a group picture to mark the occasion. Also, in their honor as DSA recipients, a plaque with their name is on display in the Leadership and Professional Development Center. Superintendent Jaeger thanked both recipients for their hard work, and he thanked the Amphi Foundation for their continued support of the DSA program.

#### **C. Recognition of Canyon del Oro High School Superintendent's Student Advisory Council**

Superintendent Jaeger introduced this item by thanking all the students who participated on the Superintendent's Student Advisory Council. He explained that he meets with the students regularly throughout the year and appreciates their input about their school and the District. He invited Canyon del Oro High School Principal, Ms. Tara Bulleigh, to introduce the students.

Ms. Bulleigh thanked the Board and stated that due to other activities, some students were unable to attend. She read the names of all the Council members: Joseph Zaragoza, Harrison Byrnes, Kaylynn Calvin, Micaela Hernandez, Virginia Burns, Edward Harwood, Abdullah Campas, Ernesto Alvarez, and Kylie Strang. She then introduced the students in attendance: Kylee Hernandez, Gavin Bourland, Christian Hernandez, Bridget Farrell, Ella Johnson, and Adrian Reyes Segarra.

President Zibrat invited the students who were in present to introduce their family members and comment on their experience on the council. On behalf of the Board, the students received certificates of recognition for their participation on the Superintendent's Student Advisory Council. To mark the occasion, a group picture was taken with the students, Ms. Bulleigh, the Governing Board, and Superintendent Jaeger.

#### **D. Recognition of 2021 Literacy Bowl Top Five National Champions**

Superintendent Jaeger said he was pleased to have a school receive an award at a national level, and invited Ms. Valenzuela to introduce this award.

Ms. Valenzuela explained that Ms. Gabrielle Gonzalez's Fourth Grade class from Prince Elementary School finished in Fifth Place in the National Imagine Literacy Bowl. They were named a National Imagine Literacy Bowl MVP Classroom. They averaged more than 240 minutes of reading activities during the online competition. Ms. Gonzalez said she was proud of her classroom readers: Abraham Alegria Martinez, Romeo Bonillas, Maria Borja, Gabriel Bryant, Victoria Carrillo Neyoy, Anabelle Chavez Zavala, Jayden Daniel, J'maya Deloach, Azaiah Fernandez Saiz, Asifiwe Furaha, Aidric Goss, Liliana Jimenez, Manuel Landy, Anitah Mahoro, Damon Meresa, Arturo Morales Figueroa, Xelia Narcho-Morago, Geornia Paschall, Dante Romo-Morales, Emil Torres, Julian Valdivia, Annelise Vasquez-Monte, and Vanessa Vigil.

On behalf of the Board, President Zibrat congratulated the students for their tremendous reading abilities. The students received certificates of recognition for their participation from the Board and a group picture was taken with Ms. Gonzalez, the Governing Board, and Superintendent Jaeger to mark the occasion. No students were present.

*President Zibrat called a seven minute break.*

*President Zibrat asked Board members if there was any objection to allowing the Oro Valley Town Update to be presented at this time. There was none.*

## **Oro Valley Town Update**

President Zibrat asked Superintendent Jaeger to introduce the item which was taken out of the published agenda order.

Superintendent Jaeger thanked the Board for allowing the change in the agenda. He commented that Amphitheater has three jurisdictions that overlap the District and one of them is the Town of Oro Valley. He said the District has a wonderful relationship with the Town of Oro Valley, which continues to be a big supporter of our programs, our students, and our schools. He looked forward to hearing the annual report and invited the Mayor of Oro Valley, Mr. Joe Winfield, to present the Oro Valley Town Update.

Mayor Winfield expressed his appreciation to the Board members for their care and concern for the students, staff, and families in the Amphitheater District. He shared that his family moved to Oro Valley because of the schools in the Amphitheater District.

He talked about the Oro Valley Youth Advisory Council, which consists of students in grades 9-12 who participate in the Town's planning and decision-making process. The Youth Council serves in the community and learns civic engagement skills to become leaders, help develop policies, and have a voice in town leadership. The Youth host events in the community to give teens activities, such as "Dive-In Movie Night" at the pool, and a "Barbecue by the River." Also, they work to bridge the age gap between youth and seniors. He said, even though COVID-19 reduced some of the activities, the students still found ways to make an impact in the community.

Mayor Winfield noted that beginning in January, they were able to return the "Spotlight on Youth" program, which highlights teens' achievements. The teens that are highlighted are selected by the School Resource Officers and school representatives for their success in academics, the arts, community service, entrepreneurship, humanitarian efforts, and sports. In January, the Town of Oro Valley recognized Painted Sky Elementary School student, Melody Davis. In February, the Town of Oro Valley recognized Innovation Academy student Audrey Alameda.

He then explained the role of the School Resource Officers as law enforcement officers, teachers, and counselors to the students and the school community. All Oro Valley SROs are members of the Arizona School Resource Officers Association. They respond to calls for service at the schools and coordinate law-related instruction to the students.

Mayor Winfield then spoke about the Parks and Recreation Department. He mentioned the many spring break activities that are available through Camp Cloud including arts and crafts, songs, dance, science experiments, and hikes. He said a zipline opened at the Naranja Park playground, and is being enjoyed by many people. He reported that the work on the Parks and Recreation Master Plan continues and a priority list has been created, which will be presented to the community in the future.

He offered to answer any questions. There were none.

Superintendent Jaeger thanked Mayor Winfield for his leadership and support of the District. He commented they have had the opportunity to meet together to discuss items of mutual interest, and he looks forward to additional conversations.

## **6. PUBLIC COMMENT**

Ms. Lisa Millerd, teacher at Amphitheater High School (AHS) and Amphi Education Association (AEA) President, spoke about the purpose of the organization and her role as president. She said Amphi EA is a professional organization offering members benefits like trainings and is a local union with an affiliation to state and national groups. Ms. Millerd said members elect the AEA board, and the core values they follow are similar to the District's. She said Governing Board Policy requires the Amphi EA president to provide communication to District personnel and community members, attend Governing Board meetings, and assist in the awareness of policies, procedures, and the grievance

process. She stated the president is to seek information from a variety of sources, confer with District administration on critical areas of concern, and represent members of the bargaining unit in hearings and in areas of concern. In addition, the president is to meet with the superintendent or the superintendent's designee monthly. Ms. Millerd said the union represents the interests of all Amphi employees and when she speaks to the Board, she is speaking for the employees.

Ms. Tong read a comment from Ms. Valerie Fanelli, an Amphi parent. Ms. Fanelli requested students not be required to wear masks when they participate in sports. She felt that children cannot breathe while playing sports. She said they are not super spreaders of COVID-19 and cases are very low at this time. Ms. Fanelli said her son would like to participate in track, but she will not allow him to if he has to wear a mask while running. She asked that parents be allowed to decide if their child needs to wear a mask while playing sports.

Ms. Darlene Rowe, a teacher at Coronado K-8 School, felt that schools are only reopening so students can begin taking the required standardized tests. She believed that all other elementary school teachers at Coronado and in the District felt the same way. Ms. Rowe said the first week of school will consist of teaching students the new routines and procedures now in place. The following weeks will be spent preparing students for the tests and the test administration. She wanted the Board to be aware of the ten mandatory tests, because she thought there are too many required for her third grade students. She is concerned for their social and emotional well-being.

Mr. Daniel Roper spoke to the Board and referenced a prior Governing Board meeting presentation, questioning the validity of the Ohio schools' study and the BinaxNow test. He felt the BinaxNow test is not reliable and requested the Board do more research on the test before it is used in the District.

Superintendent Jaeger spoke to correct the record and responded to the last statement made during the Call to the Audience. He clarified the District's position concerning the Ohio study. He said the District has no intention of using the protocol outlined in the study, and only referenced the study because it validated the importance of mask wearing. The District is not allowed to utilize the approach used in the Ohio study and will continue to practice compliance with public health guidelines.

## **7. INFORMATION<sup>1</sup>**

### **A. Oro Valley Town Update**

As recorded above, the Oro Valley Town Update was presented earlier in the meeting.

### **B. Superintendent's Report; Update on Pandemic Conditions and Operations**

*See Exhibit 1 for Superintendent Jaeger's Power Point Presentation.*

Superintendent Jaeger felt the District is very fortunate to have so much support from the communities surrounding our schools. He said he values the relationship with Oro Valley, as they provide the SROs to our schools and financial support for Project Graduation.

He reported on a recent meeting with the members of the Church of the Nazarene, which is located near Canyon del Oro High School, to discuss the church's planned expansion. The project will include several youth athletic fields. They discussed the District's support of the overall project and a reciprocating parking agreement to accommodate the community use of their fields. He commented that he was excited to learn more about the improvements, which will provide additional recreational facilities that are needed in the northern part of the District.

Superintendent Jaeger announced that he was elected to the Board of Directors of the Catalina Council of Boy Scouts of America, as was Mayor Winfield. He said he was glad to be part of an organization that supports students of any gender and was excited to learn that two young ladies had recently been recognized as Eagle Scouts.

Superintendent Jaeger said he and other superintendents were asked to participate in the Greater Tucson Chamber of Commerce Young Leaders' Program. The program mentors new and emerging leaders that are interested in community involvement. Students participating in the program receive background information about the different public sectors.

Superintendent Jaeger continued his report by highlighting accomplishments in the District.

Canyon del Oro High School and IB Diploma Programme student Jojo Taylor was recognized as one of Junior Achievement of Arizona's 2021 '18 Under 18.' Students receiving this award show exemplary achievement in entrepreneurial spirit, leadership, making the community better, and extraordinary skillset.

He said, as Mayor Winfield also mentioned, the Oro Valley Spotlight on Youth program recognized Audrey Alameda from Innovation Academy for her academic achievement and community involvement. Audrey was very involved with Innovation Academy's Cereal Drive this year, is a member of the Student Council and National English Honor Society (NEHS). She was also recognized as an "Inspired Young Researcher." Oro Valley Spotlight on Youth program recognized Melody Davis as a top student at Painted Sky. Melody is respected by her peers and teachers, as she puts her best effort into all she does. She is part of the National Elementary School Honor Society and serves her community well through several different organizations.

Superintendent Jaeger talked about National School Social Work Week. He said the social workers in the District have an important role, which has been especially apparent this year. They have provided professional development to administration and staff on social and emotional learning and trauma informed practices. He is grateful for the District's social workers and thanked them for their support to students and staff.

He acknowledged the continuing financial support of the Amphi Foundation. They announced their spring funding awards, which totaled \$106,746.00. The funds donated come from community supporters go directly to schools throughout the District. The funding will allow 18 schools to complete 39 projects. He thanked the Amphi Foundation Board and Director Leah Noreng for their continued support.

Superintendent Jaeger showed a picture of a plastic tower growing lettuce. He explained this was another example of the support from the Amphi Foundation for Science, Technology, Engineering and Math (STEM) learning. The Amphi Foundation partnered with "Lettuce Grow" and will provide every school in the District with a hydroponic tower garden. In the past couple of weeks, the schools have received their growing towers and credit to order seedlings.

Superintendent Jaeger then gave the following update on COVID-19 pandemic conditions and the reopening of schools.

He reviewed Gubernatorial Order 2021-04. The order cites updated guidance from the Centers for Disease Control and Prevention (CDC). Governor Ducey has mandated new community transmission categories and metrics by the Arizona Department of Health Services (AZDHS). He said their website format has changed and the bar graphs have been replaced with a description of local and county transmission metrics. The mandates require a return to in-person learning for all schools by March 15, 2021, or the Monday following district spring breaks (if applicable). It also sets a basic requirement for all grades for in-person learning, either hybrid or full, and the type of learning based upon transmission level and grade levels. Districts must also offer a virtual learning option. At this time, Pima County is in the substantial transmission level, and according to the mandate guidelines, middle and high schools may reduce attendance if they choose.

Superintendent Jaeger showed a slide of the AZDHS COVID-19 benchmarks. In Pima County, the new case rate per 100,000 individuals is substantial, percent positivity is low, and transmission level is substantial. He said the new order requires using data from the last seven days, whereas prior

data used the last fourteen days of information. He explained based on the current data, elementary schools require hybrid learning and middle and high schools should be in hybrid learning mode or have reduced attendance.

Superintendent Jaeger outlined the guidelines for full reopening on March 22, 2021.

The Pima County Health Department (PCHD) has given its support to a return to school based on the improved Pima County health metrics, transmission rates, contact tracing, and case investigation. There are low rates of transmission throughout Pima County schools and especially in Amphi schools. The District's multiple and layered mitigation strategies (mask wearing, physical distancing to the greatest extent possible, enhanced and CDC compliant ventilation practices, hand washing/hygiene practices, and cleaning and disinfecting protocols) will continue.

He stated that since reopening in hybrid, there has been a decrease in the need to quarantine. Additionally, throughout the District, there have been substantial and increased vaccination levels.

Superintendent Jaeger said a reopening survey was emailed to all employees last week. If staff had specific concerns, they were asked to communicate their concern to the Support Staff Advisory Council or the Certificated Staff Advisory Council representatives at their site. An emergency meeting with both groups was held to discuss these concerns. He appreciated and valued the input from staff regarding reopening, commenting that even though there were differing opinions, everyone wants to resume in-person learning. He thanked employees, council representatives, and Amphi EA for their time and effort given to the reopening process.

He said there were many concerns, but the primary concerns were regarding public health readiness, and the capacity for six-foot physical distancing. Teaching and support staff had concerns about the preparation time required to resume full in-person learning, and interruptions of having to quarantine. They also wanted assurance of maximum compliance with other mitigation measures besides physical distancing, such as ventilation, cleaning, and sanitation. A concern of many staff was the upcoming spring break and the potential for spread when everyone returned.

Superintendent Jaeger shared the results of a survey of families. He said the challenge for the District was planning for the virtual alternative without knowing how many students would participate. Families were asked whether they wanted their child to attend in-person or participate in a virtual alternative. 6,609 families responded to the survey. 94% preferred in-person learning and 6% requested a virtual alternative. He also mentioned that some students at Amphi Academy Online are seeking to return to in-person learning.

Superintendent Jaeger gave an update on staff vaccinations. A survey was sent to 1,487 employees. Employees who indicated on a previous survey that they did not want to receive the vaccine were not included in the second survey. 682 employees responded that they have received two doses, 191 employees have received one dose, and 187 are scheduled for their second dose. 22 employees are scheduled for their first dose. 135 employees responded they have been unable to schedule an appointment. The District has worked to secure appointments for those employees. He commented that the supply has been limited, but more vaccine and vaccination sites should be coming soon.

Superintendent Jaeger reported about vaccine efficacy. He said, based on information from the PCHD, the first dose of Moderna and Pfizer is 60-90% effective in protecting from hospitalization and death. The second dose is 95% effective and can be taken up to 6 weeks from the first dose. The Johnson and Johnson dose is 66% effective in protecting against mild to moderate symptoms and 85-86% effective in protecting from death.

Superintendent Jaeger said in partnership with PCHD/AZDHS/ASU, the District has been selected for in-school testing using the BinaxNow antigen test, which provides results in fifteen minutes. District staff have been trained to conduct the test on school campus for symptomatic students and staff. The process for student consent of the test is being formulated now.

Superintendent Jaeger stressed the importance of ongoing mitigation strategies. He said CDC guidelines still need to be followed. These include staying home when sick, wearing facemasks, handwashing, avoiding touching our faces, physical distancing, and quarantining if needed. He reviewed that in the past, after school breaks and holidays, community transmission increases. The vast majority of spread among school age populations is due to family and social gatherings, and athletic events where proper mitigation is not practiced. He concluded by asking everyone to help the District's schools stay open by following CDC guidelines in their personal lives and enjoy their spring break.

He asked if the Board had any questions.

Dr. Baker asked for clarification of the number of employees that were not interested in receiving the vaccine. Superintendent Jaeger responded approximately 200 employees were not interested.

### **C. Status of Bond Projects**

Mr. Burns presented the following report on the Bond projects throughout the District.

*For detailed information on the Bonds report, see Exhibit 2.*

Amphitheater High School (AHS) Arizona School Facilities Board (SFB) projects include a structural evaluation of the 300 wing, the main gym roof replacement, Central Plant 5 boiler replacement, and Central Plant 1 hot water line leak assessment.

Canyon del Oro High School (CDO) Bond projects include Heating, Ventilation and Air Conditioning (HVAC) design retrofit in the Dance Studio building BN, which is now 95% complete. SFB projects include campus roofing phase II for building P, which is 50% complete and the north gym locker room HVAC replacement.

Ironwood Ridge High School (IRHS) SFB projects include roofing replacements to building A which is 100% complete, building E is 90% complete, building B is 60% complete, and building F is 10% complete. A weatherization design grant was approved for buildings E and F.

Amphitheater Middle School (AMS) SFB projects include classroom 810 HVAC replacement. The purchase order has been issued and the new unit has been ordered.

Copper Creek Elementary School Bond projects include the design work for staff and special needs restroom remodel, which is now complete. Remodeling of the Americans with Disabilities Act of 1990 (ADA) restroom is 95% complete. SFB projects include the assessment of the roof on the Multi-Purpose Room (MPR) and repair of the HVAC control.

Cross Middle School SFB projects include the roof replacement design documents, which are 80% complete.

Donaldson Elementary School SFB projects include the MPR boiler replacement. The purchase order has been issued and the new unit has been ordered.

Harelson Elementary School SFB projects include the design grant submission for the Funhouse weatherization.

Mesa Verde Elementary School SFB projects include the roof replacement.

Painted Sky Elementary School Bond projects include the replacement of one 130-ton chiller.

Rillito Center SFB projects include building A and D weatherization. The assessment inspection test has been completed.

Walker Elementary School SFB projects include the HVAC replacement unit for classroom 15, which has been ordered. Classroom 5 HVAC replacement is complete.

Wilson Elementary School Bond projects include the fire alarm system replacement. Construction will begin soon.



Mr. Burns offered to answer any questions the Board may have. There were none.

#### **D. Auditor General's Classroom Dollars Report 2020**

*For detailed information on the Auditor General's Classroom Dollars 2020 report, see Exhibit 3.*

Superintendent Jaeger noted that the Auditor General's report is received a year after the fiscal year has ended. He invited Mr. Little to review this report with the Board.

Mr. Little said the "Dollars in the Classroom" report is mandated by Proposition 301. As part of that legislation, the Auditor General has to report the District's spending in each of certain specified category. He said an important part of the report is the District's total spending compared to other districts in the area. He noted that the District is still well below the national average of funds spent per student. Mr. Little compared statistics from other districts, reporting that the dollars spent for administration is lower than to other districts, but our transportation number is higher. He explained that it is difficult to compare data with area districts, since each district has their own unique spending needs. He said a better approach was to compare districts by removing transportation and food service data. Mr. Little presented information showing the District is similar in instructional spending and lower in administration costs as compared to area districts.

He offered to answer any questions.

Ms. Cox-Golder asked if the District is reimbursed for transportation spending. Mr. Little responded saying that the District is reimbursed on a per route mile basis, but the funding calculation is not favorable for schools located in suburban and urban areas that have many stops on the routes.

President Zibrat noted that it was Mr. Little's birthday and invited those in attendance to sing Happy Birthday to him.

#### **E. Periodic Legislative Update**

*For detailed information on the Periodic Legislative Update, see Exhibit 4.*

Superintendent Jaeger asked Ms. Tong to give a review of what is happening in the legislature.

Ms. Tong provided information on federal, state, and local legislation. She stated, the federal Coronavirus Aid Relief and Economic Security (CARES) Act is a relief package. Arizona received \$626,000,000.00 in Education Stabilization Funds (ESF). Amphitheater Public Schools was allocated approximately \$5,600,000.00 from the Arizona Enrollment Stability Grant. Another Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act extended the use of these funds until December 31, 2021.

She reviewed another type of relief funding, the Elementary and Secondary School Emergency Relief (ESSER) Fund. The District received approximately \$3,100,000.00 in ESSER 1 Funds, and noted the spending deadline expires September 30, 2022. Additional funding of approximately \$13,000,000.00 was received through the ESSER 2 Funds, which expire on September 30, 2023. She mentioned there is an ESSER 3 proposal that has not yet been awarded.

Ms. Tong recapped Executive Order 2021-04, which mandated that schools must open by March 15, 2021. She explained Executive Order 2021-05 ends the attendance limitations on public gatherings of no more than 50 people. She said while the order was primarily for businesses and public events, it will help the District plan for upcoming events. She shared the Arizona State Congress session deadlines. March 26, 2021 is the last day for each house to consider bills passed from the other house. April 16, 2021 is the last day for consideration of bills in conference committees and April 20, 2021 is the 100<sup>th</sup> day of regular session.

Ms. Tong talked about specific bills that were introduced by the state legislators in the three legislative districts that cover the Amphitheater School District. From District 3, Representative Alma Hernandez; HB 2241 and HB2754. From District 9, Senator Victoria Steele; SB 1005, HB 2146, HB 2147, HB2148, HB2149, HB 2150, HB 2151 and Representative Pamela Powers Hannley; HB 2251. From District 11, Representative Mark Finchem; HCR 2030. She then gave an update on the bills that have been signed by the Governor.

**HB2018 - Schools; Audits; Financial Records; Budgets**

This bill requires school districts and charter schools to submit a copy of their audit reports to the county school superintendent and Arizona Department of Education (ADE), which ADE must publish, and Governing Boards must publicly accept by roll call vote.

**HB2023 Schools - Employees; Employment; Discipline**

This bill requires ADE to investigate written complaints of immoral or unprofessional conduct by a noncertificated employee.

She said there were other bills that have already been passed in one house but have not been signed by the Governor. She explained she wanted the Board to be aware of them since they are moving quickly.

**SB1139 – Classroom Site Fund; Distribution**

This bill removes the requirement that school districts and charter schools must spend Classroom Site Fund (CSF) monies in the following ways. 40% for increased teacher compensation based on performance and employment related expenses, 40% for maintenance and operation purposes, and 20% for teacher base salary increases and employment-related expenses. If signed, districts may use the money without those restrictions.

**SB1452 - Arizona Empowerment Scholarship Accounts; Revisions**

This bill expands the definition of “qualified student” to allow a student eligible to receive an Arizona Empowerment Scholarship Accounts (ESA). The change would include students that receive federal Title I services for low-income students, and free or reduced-price lunch to attend another school, a private school, or be homeschooled. She stated the Arizona School Board Association (ASBA) does not support this bill.

**SB1165 - Schools; Performance Evaluations**

She explained this bill is only for one year and exempts school district governing boards or charter school governing bodies from conducting performance evaluations of principals and certificated teachers in school year 2020-2021. Furthermore, a teacher cannot be disqualified from receiving performance pay from the Classroom Site Fund, because they did not have a performance evaluation.

Ms. Tong discussed COVID-19 Liability Protection Bills. She has been following the bills closely and explained the differences. She said these bills apply not just to schools but all employers and businesses. They address a situation where an individual sues, alleging they contracted COVID-19 at that location, because proper mitigation was not in place.

**HB2549 - Probable Cause Hearing; Pandemic Liability**

This bill requires courts to first conduct a validity hearing to ascertain if it was possible that COVID-19 was contracted at that location.

**SB1377 - Civil Liability; Public Health Pandemic**

This bill provides liability protection for public school districts during the pandemic. If a public school district has acted in good faith to protect against the pandemic, they would not be held liable. If sued during a public health pandemic, the claimant must prove by clear and convincing evidence that the person or provider failed to act, or acted with gross negligence, or willful misconduct.

Ms. Tong concluded, saying the passing of these bills will be positive for any entity that potentially could face a lawsuit, including school districts. She said the next Legislative Update will be presented on April 13, 2021 and asked the Board if there were any specific suggestions or requests for action that they would like the District to lobby.

Vice President Day had a question about the District's active involvement in lobbying. Ms. Tong responded that the District signs in on bills and is associated with many groups that lobby.

#### **8. CONSENT AGENDA<sup>3</sup>**

*Details of agenda items, supporting documents, and presentations are available in the electronic BoardBook by clicking on the hyperlink below.*

<https://meetings.boardbook.org/Public/Organization/2065>

*President Zibrat asked if there were any Items that should be pulled for further discussion. There were none. Ms. Cox Golder moved for Consent Agenda Items A. – M. be approved as presented. Mr. Kopec seconded the motion. Roll call vote in favor – 5: President Zibrat, Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Roll call vote opposed – 0. Consent Agenda Items A. – M. passed.*

##### **A. Approval of Appointment of Non-Administrative Personnel**

*Non-administrative personnel appointments were approved as listed in Exhibit 5.*

##### **B. Approval of Personnel Changes**

*Certified and classified personnel changes were approved as listed in Exhibit 6.*

##### **C. Approval of Leave(s) of Absence**

*Leave(s) of absence were approved as listed in Exhibit 7.*

##### **D. Approval of Separation(s) and Termination(s)**

*Separation(s) and termination(s) were approved as listed in Exhibit 8.*

##### **E. Approval of Stipend for Coaching Volunteers**

*Approval of stipend for coaching volunteers were approved as listed in Exhibit 9.*

##### **F. Approval of Minutes of Previous Meeting(s)**

*Minutes of the February 9, 2021 Governing Board meeting was approved as submitted in Exhibit 10.*

##### **G. Approval of Vouchers Totaling and Not Exceeding Approximately \$2,647,378.30**

*A copy of vouchers for goods and services received by the Amphitheater Public Schools and recommended for payment has been provided to the Governing Board. The following vouchers were approved as presented and payment authorized as listed in Exhibit 11.*

Voucher #	Amount	Voucher #	Amount	Voucher #	Amount
1208	\$46,995.84	1209	\$29,688.68	1210	\$730,051.24
1212	\$330,259.81	1213	\$6,506.73	1214	\$130,031.84
1215	\$103,119.39	1216	\$833,957.22	1217	\$11,834.77
1218	\$354,600.24	1219	\$33,186.06	1220	\$36,307.50
1221	\$838.98				

##### **H. Acceptance of Gifts**

*Gifts were accepted by the Governing Board as listed in Exhibit 12.*

##### **I. Approval of Disposal of Surplus Property via PublicSurplus.com**

*The Governing Board approved the disposal of surplus property via PublicSurplus.com.*

**J. Approval of Fireworks for Ironwood Ridge High School Graduation Ceremonies**

*The Governing Board approved the fireworks display for Ironwood Ridge High School graduation ceremonies as presented in Exhibit 13.*

**K. Review and Approve Resolution Authorizing the District to Sign Documents to Settle the Lawsuit Filed by Vistoso Partners, LLC in Pima County Superior Court Case No. C20210162 and to Execute a Quit Claim Deed to Vistoso Partners for the Real Property Obtained at No Cost from Vistoso Partners, LLC Pursuant to a Special Warranty Deed with Right of Reversion and for which the Reversionary Condition Has Occurred**

*The Governing Board approved the resolution authorizing the District to sign documents to settle the lawsuit filed by Vistoso Partners, LLC as submitted in Exhibit 14.*

**L. Approval of School Facilities Board (SFB) Grant for Ironwood Ridge High School HVAC Controls Repair**

*The Governing Board approved the SFB Grant for Ironwood Ridge High School HVAC controls repair as presented in Exhibit 15.*

**M. Approval of School Facilities Board (SFB) Grant for Wilson K-8 School Chiller Compressor Replacement**

*The Governing Board approved the SFB Grant for Wilson K-8 School chiller compressor replacement as presented in Exhibit 16.*

**9. STUDY/ACTION**

**A. Post-Retirement Employment Opportunities during the 2021-2022 Fiscal Year for Staff Retiring in the Current Fiscal Year**

Superintendent Jaeger invited Ms. Tong to present this item to the Board.

Ms. Tong talked about the difficulties in hiring teachers across the nation, especially during the pandemic. She said when a District employee retires, state law does not allow them to be employed by an Arizona State Retirement System (ASRS) provider directly, but they are allowed to be leased back through a third-party vendor (TPV). Currently, the District has a post-retirement, third-party “employee-leasing” arrangement with Educational Services, Inc. (ESI). At the end of this fiscal year, the agreement program with ESI expires and renewal of the agreement requires Board approval.

Ms. Tong’s recommendation to the Board was to keep the same terms in place. She explained the current agreement allows all employees to be hired back after the required one-year separation from their ASRS provider as mandated by the statute. At the beginning of the next school year, a retired employee that is rehired, would return under the same terms and salary they had before retiring. The returning employees would also receive any salary increases that may be approved by the Board.

President Zibrat asked if there were any questions, there were none.

*Vice President Day moved the Board accept the proposed hiring of retirees through a TPV as presented in the Agenda Item. There was no discussion. Roll call vote in favor – 5: President Zibrat, Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Roll call vote opposed – 0. Study/Action item 9.A. passed.*

**10. EXECUTIVE SESSION**

**A. Executive Session for Discussion of Employment and Evaluation of the Superintendent, Pursuant to A.R.S. § 38-431.03(A)(1)**

*President Zibrat said after consultation with Superintendent Jaeger, and due to the late hour, she requested Agenda Item 10. A., Executive Session, be postponed. All Board members were in agreement.*

11. **PUBLIC COMMENT**

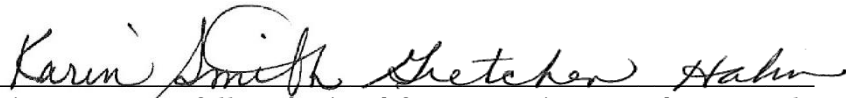
There were none.

12. **BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

There were none.

13. **ADJOURNMENT**

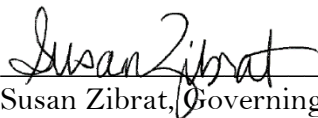
*President Zibrat asked for a motion to adjourn the meeting. Vice President Day so moved. Ms. Cox Golder seconded the motion. There was no discussion. Roll call vote in favor - 5: President Zibrat, Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Roll call vote opposed - 0. The meeting adjourned at 8:45 p.m.*

  
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Minutes respectfully submitted for Governing Board Approval  
Karin Smith, Executive Assistant to the Superintendent & Governing Board  
Gretchen Hahn, Secretary III, Governing Board Office

April 21, 2021

Date

  
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Susan Zibrat, Governing Board President

April 27, 2021

Date