

**AMPHITHEATER PUBLIC SCHOOLS  
Tucson, Arizona**

**MINUTES OF SPECIAL PUBLIC MEETING OF THE GOVERNING BOARD**

**Place, Date and Time of Meeting**

Wetmore Center, 701 West Wetmore Road, August 5 at 6:00 PM.

**Board Members Present**

Susan Zibrat, President  
Deanna M. Day, Vice President  
Julie Cozad, Member  
Jo Grant, Member

**Board Members Absent**

Dr. Kent Paul Barrabee, Member

**Central Administrators Present**

Patrick Nelson, Superintendent  
Todd A. Jaeger, J.D., Associate to the Superintendent and General Counsel  
Scott Little, Chief Financial Officer

**Central Administrators Absent**

Monica Nelson, Associate Superintendent

**OPENING OF MEETING**

**Call to Order and Signing of Visitors' Register**

Ms. Zibrat called the meeting to order at 6:00 PM and asked members of the audience to sign the visitors' register. No members of the community were present.

**Pledge of Allegiance**

Mr. Nelson led the Pledge of Allegiance.

**Announcement of Date and Place of Next Special Governing Board Meeting**

Ms. Zibrat announced the next Regular meeting of the Governing Board: Tuesday, August 12, 2014, at 5:30 PM Wetmore Center, 701 W. Wetmore Road.

**PUBLIC COMMENT<sup>1</sup>**

Ms. Zibrat asked if there was any public comment. There were no public comments.

**1. STUDY/ACTION**

**A. Approval of Governing Board "Pro-Statement" for November 4, 2014 Budget Override Election**  
**Board Book Information:** *The County School Superintendent's Office has advised that it is necessary for the Governing Board to submit a pro-statement in favor of the November proposition for continuation of the existing maintenance and operations budget override. Such statement will be included in the ballot information materials as one of the ten (10) pro-statements permitted by law (A.R.S. § 15-481).*

Ms. Zibrat invited Mr. Nelson to introduce the Study/Action Item. Mr. Nelson stated that the item, which Mr. Jaeger will explain, involves modification to the existing laws that the Legislature made relative to the passage of overrides and the interpretation of the County Superintendent's Office.

Mr. Nelson invited Mr. Jaeger to summarize the details. Mr. Jaeger stated that one of the bills the Board studied previously was a Senate bill that revised the Statute permitting override elections. It eliminated the ability to include advocacy in the District's statement about why the override election was called for. However, an existing clause in the Statute, which was not changed, contains language about the submission of Pro-Statements and has a provision that says that the Governing Board shall sign all Pro-Statements. That language has been in question for years as to its meaning. Are Governing Boards actually supposed to sign everyone's Pro-Statement? The County School Superintendent's Office has concluded that the language, they believe, still requires the Governing Board to submit a Pro-Statement, and in current law would now require that one of the ten (10) Pro-Statements permitted from the community be a Pro-Statement from the Governing Board. Mr. Jaeger stated he has spoken with the County School Deputy Superintendent, Mr. Hernandez, several times about the topic. He sought advice from colleagues and polled a number of school lawyers, receiving opinions both ways. An important point that was made was: why take the risk of not submitting a Pro-Statement? It was decided to call for this meeting and propose a draft statement for consideration. Subsequent to sending the draft yesterday it was decided that it would be important for people to hear more specifically from the Board about the financial stewardship of the District, and how seriously that responsibility is taken. There are two (2) drafts for consideration; the latter is recommended.

Mr. Jaeger then read the second draft. Ms. Zibrat asked for member comment on the proposed Pro-Statement. There was significant discussion regarding reference to academic programs and assuring that the statement emphasized that the override was a continuation of an existing override with no new taxes.

Ms. Grant moved for the approval of the draft with a minor edit (insertion of the word "the"). Ms. Day seconded the motion. Ms. Zibrat asked for final comments; there were none. The Board approved the second draft 4-0.

#### **BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

There were no Board Member requests.

#### **PUBLIC COMMENT**

There were no public comments.

#### **ADJOURNMENT**

A motion was made by Ms. Cozad, and seconded by Ms. Grant, that the Board Meeting be adjourned. Ms. Zibrat declared the meeting was adjourned; the time was approximately 6:13 PM.

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Respectfully submitted,  
Karen S. Gardiner

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Susan Zibrat, President

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Date

Approved: TBD