

FINAL

**AMPHITHEATER PUBLIC SCHOOLS
Tucson, Arizona**

MINUTES OF REGULAR PUBLIC MEETING OF THE GOVERNING BOARD

Place, Date and Time of Meeting

Wetmore Center, 701 West Wetmore Road, April 7, 2015 at 5:00 PM

Board Members Present

Deanna M. Day, President
Jo Grant, Vice President
Dr. Kent Paul Barrabee, Member
Julie Cozad, Member
Scott A. Leska, Member

Central Administrators Present

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

OPENING OF MEETING - 5:00 PM to HOLD EXECUTIVE SESSION

Deanna M. Day

Ms. Day called the meeting to order at 5:02 PM. Ms. Grant motioned to recess the Open Meeting and hold an Executive Session, Ms. Cozad seconded the motion and the motion passed 5-0. The Board recessed into Executive Session at 5:03 PM.

1. EXECUTIVE SESSION

A. Motion to Recess Open Meeting and Hold an Executive Session for

1. Consideration and Decision Upon Expulsion Hearing Officer's Recommendation, Pursuant to A.R.S. §15-843(F)(2), Regarding:

- a. Student # 30023067;
- b. Student # 30033409;
- c. Student # 30052984;
- d. Student # 30009123; and
- e. Student # 30016821.

2. Discussion and Consultation with Representatives of the Governing Board In Order to Consider Its Position and Instruct Its Representatives in the Meet and Confer Process with Employee Organizations regarding the Meet and Confer Process Regarding the Salaries, Salary schedules or Compensation Paid in the Form of Fringe Benefits of Employees of the Public Body, Pursuant to A.R.S. §38-431.03(A)(5).

B. Motion to Close Executive Session and Reconvene Open Meeting

Upon return to the Board Room Ms. Day called for a motion to close Executive Session and reconvene the Open Meeting. Ms. Grant made the motion, Mr. Leska seconded and the motion passed 5-0. Ms. Day announced that the Board will be reconvening into a continuation of Executive Session at the end of the Open Meeting.

CONTINUATION OF OPEN MEETING - START TIME IS 6:00 PM OR THE CONCLUSION OF EXECUTIVE SESSION.

Call to Order and Signing of Visitors' Register

Ms. Day called the meeting to order at 6:26 PM and invited members of the audience to sign the visitors' register.

Pledge of Allegiance to the Flag

Harelson Elementary School

Ms. Day asked Mr. Nelson to introduce our guests for the Pledge of Allegiance. Mr. Nelson commented on the outstanding students from Harelson and asked Ms. Diana Walker, Principal, to introduce them. Ms. Walker noted tonight's pledge leaders are members of the Harelson Chess Team. The students brought trophies and medals they had won. The chess team consists of 16 members, boys and girls, in Kindergarten through 4th Grade. Ms. Walker introduced team mentor and coach Mack Mullner, who is one of less than 100 chess players in the U.S. to hold a Grand Master status. Also supporting the team is a teacher Jennifer Jones and a parent Kelly Calvert-Welter. Each team member has participated in seven of eight local tournaments. Ms. Walker highlighted the accomplishments of each member present. They introduced their parents, described their awards and then led the Pledge of Allegiance. Mr. Leska thanked the students and presented each with a certificate of commendation.

Recognition of Student Art

Harelson Elementary School

Dr. Barrabee introduced the student art. Art work displayed for the month of April included: Kindergarten - Van Gogh "Starry Night in Tucson" and Georgia O'Keeffe inspired poppies; 1st Grade - Kandinsky color mixing weaving and Bulldog portraits; 2nd Grade - Japanese scrolls (culture) and Op Art weaving (optical illusions); 3rd Grade - Op Art positivity self-portraits and Ojos de Dios (god's eyes) weaving; 4th Grade - Radial Design weavings (Math) and Mine Craft Selfies (x, y coordinates); 5th Grade - Pop Art Candy (proportion and grids) and 6th Grade - Humane Society Dog watercolor portraits (proportion). Dr. Barrabee commended the students' work and thanked Art teacher Ms. Devon Inglee.

Announcement of Date and Place of Next Regular Governing Board Meeting:

Ms. Day announced the next Special Meeting of the Governing Board on Tuesday, April 21, 2015, 5:00 PM, at the Wetmore Center, 701 W. Wetmore Road.

Ms. Day asked that Action Item 7. A. **Resolution of the Governing Board Recognizing the Contributions of Educational Support Personnel in the District and Setting April 22, 2015 as a Date for Special Recognition** be moved up before recognitions. There was no objection. Ms. Day read the Resolution. A video honoring Educational Support Staff was shown. Dr. Barrabee moved to approve the Resolution honoring Support Staff. Ms. Cozad seconded and the motion passed 5-0.

2. RECOGNITION(S)

A. Recognition of Canyon del Oro High School Superintendent's Student Advisory Council

Board Book Information: *The students in Amphitheater School District are our most important assets. That is no more evident than when they step up to take leadership positions at their schools. The Governing Board would like to recognize the Superintendent's Student Advisory Council at Canyon del Oro High School (CDO), and thank them for their service to their classmates and school. Their input during group discussions and their concern for CDO provide the students and Superintendent an opportunity to talk informally about student issues and concerns. We know students have busy school, work, and extra-curricular schedules. Taking the time to discuss issues that are important to their peers is a clear indication that council members care about their school. The following are members of the CDO Superintendent's*

Advisory Team: Samantha Ball, Anthony Felix, Jared McElmell, Jacqueline Schamahorn, Timothy Black, Abelardo Duarte-Upton, Camilla Escalante, Isabella Gaziano, Christine Bellavia, Emie Elstad, Turner Washington, Etienne Wegrzyniak, Zachary Hurst, Victor Jimenez, Amaia McNair and Juliana Thomas.

Mr. Nelson introduced the CDO High Superintendent Advisory Council. He noted that each school is a little different, and when meetings are conducted at CDO if you were to walk in, you would probably say he has no classroom management because they are going a mile a minute, all the time and everybody talks. They sit back, work things out and they are a lot of fun. Mr. Nelson introduced each advisory council member present and highlighted their accomplishments. Ms. Grant presented them with certificates of commendation.

B. Recognition of Canyon del Oro High School Academic Decathlon Team

Board Book Information: *The Canyon del Oro (CDO) Academic Decathlon Team earned the top score at the Arizona Academic Decathlon in March 2015. For the first time ever, the CDO Academic Decathlon has won the state championship for the second consecutive year. The team will represent Arizona at the United States Academic Decathlon Finals in Garden Grove, CA in April, 2015. The CDO team scored 46,341 out of a possible 60,000 points beating the second place team by 1,531 points. The team score is determined by the answers to a total of 2,010 questions, as well as the scores from numerous speeches, interviews, and essays. In Academic Decathlon, students match their intellects with students from other schools. They are tested in ten categories: Art, Economics, Essay, Interview, Language and Literature, Math, Music, Science, Social Science, and Speech. Each team has nine students: 3 "A" or Honor students, 3 "B" or Scholastic students, and 3 "C" or Varsity students. The following are members of the CDO Academic Decathlon Team: Michael Yuhas, Matt Welch, Caleb Yetman, Mason Sargent, Martin Ramirez Araujo, Christina Redford, Sarah Spurlin, Nicole Enos, Luisa Placencia Carranza, Zachary Azares - Regional team member and Coach Chris Yetman.*

Mr. Nelson asked CDO Principal, Mr. Paul DeWeerd, to introduce the ultra-successful CDO Academic Decathlon Team and sponsor. Mr. De Weerd said it was a special treat to be here with the team who successfully defended their State Championship. It is also a great honor to introduce their teacher, advisor, coach, parent, chaperone, mentor, sponsor and chief fund raiser, Mr. Chris Yetman. Academic Decathlon is a competition that requires a phenomenal amount of work. The students study seven curricular areas, give prepared speeches, are interviewed by a panel of judges and write an essay. This year they studied a nebulous theme about energy innovation and ingenuity. They now know a lot about energy policy and the history of energy policy, as well as innovations in Art, Music and the economics of energy and a lot of other things that are very important in our world. Mr. Yetman introduced the Decathletes and highlighted their individual accomplishments. The team is going to Garden Grove, CA to represent Arizona against some formidable completion from California and Texas, as well as Chinese teams. There will be 50 teams and CDO hopes to finish in the top 5. Caleb Yetman presented his short speech as a sample of what is done in competition. Mr. Yetman thanked Mr. DeWeerd, CDO, Administration at Wetmore, and the School Board. It takes a lot of work, time and money to get the students where they are, they are all going to be successful and it wouldn't be possible without everyone's help. Dr. Barrabee handed out certificates of commendation.

C. Recognition of National Merit Finalists

Board Book Information: *Each year, students across the country compete to become National Merit Scholarship Finalists. Of the 1.5 million entrants, some 50,000 with the highest PSAT/NMSQT® (Pre-Scholastic Aptitude Test/National Merit Scholarship Qualifying Test) Selection Index scores (critical reading + mathematics + writing skills scores) qualify for recognition in the National Merit® Scholarship Program. Fifteen thousand of those students are notified by mail that they are Semifinalists. They then advance to Finalist standing. All winners of Merit Scholarship® awards are chosen from the Finalist group, based on their abilities, skills, and accomplishments – without regard to gender, race, ethnic origin, or religious*

preference. A variety of information is available for National Merit Scholarship selectors to evaluate: the Finalist's academic record, information about the school's curricula and grading system, test scores, the high school official's written recommendation, information about the student's activities and leadership, and the Finalist's own essay.

*National Merit Scholarship Corporation (NMSC) notifies approximately 8,300 Finalists that they have been selected to receive a Merit Scholarship® award. Merit Scholarship awards are of three types: **National Merit® \$2500 Scholarships:** Every Finalist competes for these single payment scholarships, which are awarded on a state representational basis. Winners are selected without consideration of family financial circumstances, college choice, or major and career plans. **Corporate-sponsored Merit Scholarship awards:** Corporate sponsors designate their awards for children of their employees or members, for residents of a community where a company has operations, or for Finalists with career plans the sponsor wishes to encourage. These scholarships may either be renewable for four years of undergraduate study or one-time awards. **College-sponsored Merit Scholarship awards:** Officials of each sponsor college select winners of their awards from Finalists who have been accepted for admission and have informed NMSC that the sponsor college or university is their first choice. These awards are renewable for up to four years of undergraduate study. Merit Scholarship awards are supported by some 440 independent sponsors and by NMSC's own funds. Sponsor organizations include corporations and businesses, company foundations, professional associations, and colleges and universities.*

*Amphitheater Public Schools is proud to announce six Finalists for the 2015 National Merit Scholarship program. From Ironwood Ridge High School: **Mitchell J. Wagner, Matthew D. Mitchell, Scott M. McKinley** and **Ryan A. Larson**. From Canyon del Oro High School: **Nicole Enos** and **Michael Yuhas**.*

Mr. Nelson asked Ms. Mindy Blake, Community Relations, to provide a brief overview of the National Merit Program. (*See Background Information.*) Ms. Blake invited Mr. Paul DeWeerd, CDO Principal, and Mr. A.J. Malis, Ironwood Ridge High School Assistant Principal to introduce the finalists. Mr. De Weerd said it was an honor to present the students to them again, this time as finalists. Michael Yuhas is unable to attend tonight as he is participating in the Skills USA competition in Phoenix. Michael applied for admission into the U.S. Coast Guard with an interest Naval Architecture and Engineering which would help him design naval ships and parts. He is involved in building houses in Mexico and in track and field as a pole vaulter. Nicole Enos is with us tonight. Nicole is having an extremely good year as she continues to excel academically taking a full complement of AP courses. She has narrowed her college search to Boston University and U.C. Berkley, where she intends to study bioengineering. She also spends a large amount of time in philanthropy and charity work volunteering for Blue Print Mission, building houses in Mexico, Youth Refuel Mission and Velo Vets Wounded Warrior Project. Ms. Cozad presented certificates of commendation for Nicole and Michael.

Mr. Malis introduced the Ironwood Ridge finalists, sharing information about each. Ryan Larson's best experience in high school was playing 4 years of Varsity Golf. In the fall he is taking his talents on to the University of Utah majoring in Journalism or Communications. Scott McKinley will always remember the summer program he attended at New Mexico Tech that focused on Astronomy and Physics. During his time in the program he was involved with a team that determined the orbit of a near earth asteroid. Scott will be taking his Physics and Astronomy talent to the University of Arizona. Matthew Mitchell's stand out moment was when he won second place in the drum line competition during his Sophomore year. Matthew also plans on attending the University of Arizona with a double major in Physics and Astronomy and possibly a minor in French. One of Mitchell Wagner's best experiences was finishing sixth on the IRHS Cross Country team at the State Championship meet. Mitchell will continue his education at Baylor University majoring in Engineering or Computer Science. These four young men are not only talented in the classroom and academically, but are well-rounded scholars as well. She presented certificates of commendation. The finalists thanked their teachers for getting them to this point.

D. Presentation of Distinguished Service Awards

Board Book Information: *The Distinguished Service Award was established to recognize employees' initiative, collaboration, loyalty, and contribution to the Amphitheater Public School District. Employees are recognized on a monthly basis during the school year. All Amphitheater employees are eligible to be nominated by their colleagues for this recognition. We would like to recognize the following individuals for the month of April:*

Deanna Fife, Forensics/Biology Teacher, Canyon Del Oro High School

Kim Steely, Registrar, Coronado K-8 School

Mr. Nelson introduced the Distinguished Service Awards (DSA), which provides an opportunity every month to recognize two employees from our hardworking staff and invited Mr. Bejarano to introduce the recipients for April 2015.

Kim Steely - Kim has worked for Amphi High for 11 years. She is dedicated, honest, hardworking and committed to Coronado and the District. She always makes students and family her top priority and she is willing to do whatever it takes to meet their needs. She builds positive relationships with people she works with and strives to make everyone's experience at Coronado a positive one. Kim is a problem solver and is not afraid to take on a challenge to make Coronado a better place. For example, she worked to streamline the registration process so that parents, students and staff would have a positive experience. Parents, students and staff have come to trust and know Kim as part of the Coronado family. Ms. Day presented Ms. Steely with the Distinguished Service Award.

Deanna Fife - As a teacher in the District with more than 20 years' experience, Dee brings the same enthusiasm each day as a first year teacher. A long time educator, she has been a model example in all areas of teaching. Dee has always worked positively to influence Science teachers across the District. She has led collaborative groups of Science teachers who have worked to develop common curriculum and assessments that directly impact student achievement. Dee pursues professional development opportunities to improve her instructional strategies. Examples include: the National Science Educational Leadership Association Summer Institute, the Building Capacity for Science Conference and the Next Generation Science Standards Conference. Dee eagerly shares her learning from these events with other members of the Science Department at CDO and across the District. Dee's commitment to CDO and the District extends far beyond the classroom. She's an active member of the CDO Site Council and she serves as the sponsor of the Key Club. In addition Dee is frequently involved in organizing events for CDO teachers that enhance the overall school climate. What really makes Dee special is her love for teaching students. Ms. Day noted that Dee will be retiring and she will always have a place at Amphi. Whatever she does for the next 20 or more years of her life it will be for kids and teaching and passion. Ms. Day presented Ms. Fife with the Distinguished Service Award.

3. PUBLIC COMMENT'

Ms. Day read the open call to the audience.

Mr. Bob Burrous addressed the Board regarding middle school accelerated math classes taken at Legacy Charter School transferring to Amphitheater high schools. Mr. Burrous provided the Board with handouts of information and suggested several goals that a revised policy or a new interpretation of an existing policy should address. Suggested was: transfer friendly policy; remove the requirement that high school courses taken in middle school require the teacher to be high school certified; align Amphitheater's credit transfer policy with AZ Department of Education and Federal minimum requirements (vice the District's higher standard); that requirements be clearly documented in course catalogues and on the website as requirements need to be understood by out-of-district stakeholders sometimes years before enrollment in high school; make the policy about test requirements for courses that will not transfer clearer; have the District's high schools attend Charter and Private school "high school fairs", when invited, to communicate credit transfer requirements and other information.

Mrs. Renee Burrous addressed the Board regarding the transfer of Middle School accelerated math classes taken at a Charter School transferring to Amphitheater high schools. Her daughter is an 8th Grader at Legacy Charter School and she has taken high school Algebra and Geometry in middle school. Concerns were: conflicting information as to whether Algebra and Geometry would transfer; clarification for those whose courses will not transfer: take the test with a passing score (what is the correct score needed), take the course over again, or take other classes; have the policy available and posted so it can be easily provided to out-of-district families. They ask that their daughter's Algebra and Geometry be recognized according to the policy that is in the Ironwood Ridge catalogue they were given.

Mr. John Fife, President of the Amphi Education Association (AEA), addressed the Board regarding the completion of the Meet and Confer process. Mr. Fife said it was an honor to say the Meet and Confer process has been successfully completed for the year. He thanked the Governing Board team for their hard work and creativity in helping them reach agreement. It was not an easy task considering the State budget cuts. Information will be going out to AEA constituents next week. A ratification vote will be taken next week and the results will be reported at the next Governing Board meeting.

Ms. Day called for a 10 minute break which began at 7:33 PM. Ms. Day called the meeting back to order at 7:42 PM.

4. INFORMATION

A. Status of Bond Projects

Mr. Nelson asked Mr. Chris Louth to present the latest update on our Bond Project. Mr. Louth went over the presentation as noted below.

I. INSTRUCTIONAL SPACE / PORTABLE REPLACEMENT

A. Wetmore Center Portable Replacement / New Professional Development Building: Construction is 54% complete. Phase 3 renovations: Professional Development Building construction is in process. The Wetmore project is on schedule and on budget.

B. Donaldson Elementary School Addition / Remodel: Design Development drawings are complete and Construction Documents are being prepared.

C. Mesa Verde Elementary School Addition / Remodel: Construction Documents are complete and being priced.

II. NEW SCHOOL

A. New Elementary School: Programming of the new school is complete and Schematic Design is in process. A website is available for project updates www.amphi.com/stem-school-news

Ms. Day asked if the Board had any questions. Dr. Barrabee said he was excited to see the progress of the construction at Wetmore. And as always, the support of the community in helping the District to meet its needs is greatly appreciated.

B. State and Federal Programs

Board Book Information: *State and Federal Programs funding is supplementary funding allocated to district-level programs and to qualifying schools in an effort to improve and enhance the regular education program. Our State and Federal Programs department oversees a number of components funded through a variety of grants. Among the programs coordinated with and through this department are the Language Acquisition Department, Title I, Title II, Title III, McKinney-Vento, Native American Education, and the*

Parents-As-Teachers program. The Director of State and Federal Programs, Darlene Mansouri, will present an overview of the scope and responsibility of the department.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 4. B. attach] (Exhibit A)

Mr. Nelson introduced the State and Federal Programs briefing. Federal funding is a large part of the District's revenue and supports many programs. When the Board did a Site Visit to the Federal Programs Office, the impact of Federal Programs became obvious from questions the Board had. Darlene Mansouri, Director of Federal Programs, will provide an overview. Ms. Grant in particular was interested in the range of Federal Programs that impact the District. Ms. Mansouri presented a PowerPoint presentation highlighting the different academic support grants, the purpose, the support they provide to students, parents and staff and the primary funding sources. Ms. Day asked the Board for any questions. Dr. Barrabee noted he was almost overwhelmed when the Board visited their office and saw the list of all the programs being coordinated. Dr. Barrabee asked if all the Districts have the same grants and same responsibilities. Mr. Nelson clarified that it is based upon the poverty level of students in the school district and that school districts have the choice not to accept Federal funds. There are a few who do not; however, most that are eligible chose to use Federal Funds. Mr. Nelson noted that Ms. Mansouri stepped into her position at a very challenging time, at a full run, and has done an incredible job for which the District is very appreciative. Ms. Cozad commented that it is a big job keeping track of all the deadlines for grants. If you miss the deadline, you do not get the funding, which is millions of dollars. Dr. Barrabee asked if the grants the District receives are adequate for the responsibilities that we face. Ms. Mansouri commented, "Never." There is always an overwhelming need for students, especially in current economic times families are challenged to help support their children. Mr. Nelson added that it is a two-fold issue. First is the funding that has been cut over the last 6 to 7 years, and second is the increasing number of regulations and guidelines that sometimes don't make a lot of sense, are harmful and a roadblock to ways we think we can better serve our children. Dr. Barrabee asked what is done when the funding from the grants is inadequate. Mr. Nelson stated that we supplement them through M & O. For example, Title 7 is severely underfunded and we have a Director and three teacher/tutors that we have to fund from other sources.

C. Auditor General's Classroom Dollars Report 2014

Board Book Information: *Information on the Auditor General's "Arizona School District Spending (Classroom Dollars) Fiscal Year 2014" report will be presented.*

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 4. C. attach] (Exhibit B)

Mr. Nelson introduced the report. This time of year there is a lot of talk about the Auditor General's report which divides school district funding into several categories. Mr. Scott Little, Chief Financial Officer, will present the Board with additional information about what the report means, the categories and where the District stands. Mr. Little explained that annually the Auditor General's office produces the Dollars in the Classroom Report. It is a requirement that it be produced as a result of Proposition 301. The law was very specific about them approaching it on a percentage basis. For many years we have gone through the report and this year more time was put into breaking out the data. In order to really look at the numbers, one needs to look at what is in each category. Key points about the District to note are:

- Per Student and Classroom - we are well above the State average.
- Administrative - we spend the least in Pima Co., we are 15% below the state average and 55% below the national average.
- Plant Operations - we have more square feet per student in our buildings and they are older. We are a bit high on this and trying to make improvements, but it is a challenge with the cuts in capital funding.
- Food Services - if the money was not spent on Food Services, it could not be spent on anything else. We are in the middle in this category.
- Transportation - varies from district to district based on city vs. rural routes. We are in the middle in this category.
- Student Support - we spend more and are higher than the state and national average. We have high demands and our population needs support. The State has recognized it is critical.

- Instructional Support - is spending on teacher development. We are in the middle at approximately the State average and just below the national average.

This year the AZ Legislature wanted to press schools to put more money in the classroom based on the designations on the Auditor General's report. We now have new definitions passed by the Legislature, yet that may not change the Auditor General's report. After much lobbying they now appear to have a much better understanding of Student Support and Instructional Support and have quit viewing it as "administration". Using the new classroom spending definitions we would sit at 68.43% dollars in the classroom, just below the national average of 71.3%. That is a pretty impressive number considering the lack of funding from the State. If we were fully funded by the State we would be looking better than the national average. It shows we are putting most of our spending into the classroom compared to other districts in Tucson. Ms. Day asked if there were any questions from the Board. Mr. Leska asked if Support Staff is not typically classroom spending. Mr. Little said there are things charged in Student Support that do in fact occur in classrooms. Mr. Leska asked if there was a comparison of how much we spend per student on teachers compared to other districts, if that data can be provided. Mr. Little said there is some data we could attempt to harvest, unfortunately the number is a number in a vacuum without looking at class sizes and all sorts of other factors. Mr. Leska said he would like to know the comparison of what on average, per pupil, we spend for just teachers. And group together non-classroom support staff as well compared to other districts. Mr. Nelson said we can see if we can do that. However, if it is used for comparison purposes it is unlikely we can get other districts to pull and give us their information. Mr. Little concluded that within the data that is in the U.S. Education Statistics report in the Auditor General's Office, the only number is an average teacher salary number. Dr. Barrabee thanked Mr. Little for a clear presentation.

D. Periodic Legislative Update

Board Book Information: *A status summary of education-related legislation which has been proposed in the first regular session of the 52nd Arizona Legislature will be provided in advance of the Board Meeting for the Board's information. The Arizona Legislature, 52nd Legislature, First Regular Session adjourned Sine Die on April 3, 2015 at 3:34 A.M. This Item is presented to permit the Governing Board to review and discuss the status of education-related legislation which was proposed in the first regular session of the 52nd Arizona Legislature this year. The currently proposed legislation is grouped together by the general topic. Bills that have not been reviewed previously by the Board are noted in blue. Bills that have had no further action since the Board's last review are noted in red.*

<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 4. D. attach] (Exhibit C)

Mr. Nelson introduced the update saying that Mr. Jaeger would highlight key pieces of legislation from the current session. The Legislature dismissed Sine Die, meaning that they do not intend to come back. Mr. Jaeger outlined the education-related bills that passed and their impact, including the Legislative Budget for Public Education, SB1476. Ms. Day asked for Board Member questions. Dr. Barrabee commented he sees a lot of burdens being placed upon us without the funds to help us cope with those burdens. Of all the bills, the one that will be the most is the bill that requires funding based on changing enrollment numbers throughout the year, and how that will affect contracts.

5. CONSENT AGENDA

Ms. Day asked if there were Board Member requests to have any items addressed separately. Mr. Leska requested that Item 5. H. be set aside for discussion. Dr. Barrabee made the motion to approve Consent Agenda Items A-G and I-K. The motion was seconded by Ms. Cozad and passed unanimously 5-0. Appointment of personnel is effective provided all district, state, and federal requirements are met.

Mr. Leska wanted to know, in light of the budget discussions, what the increased cost of WAN service would be. Mr. Nelson asked Mr. Little to provide information. Mr. Little said there is no cost increase on the contract until 2017 when the fiber network goes live. Mr. Leska then asked who is putting in the fiber, and if it is a

company who is going to be profiting off us, why we are paying extra for it. Mr. Little explained that FCC rules prohibit school districts from owning fiber networks. Under the Federal E-rate rules we can only lease communications services, we cannot own them. Our current contract provider uses a microwave-based system which is at its maximum capability. There is no additional capability to expand the bandwidth within the allotable FCC frequencies. Therefore, in order to provide the additional service capacity needed it requires us to move to a fiber-based solution. Mr. Leska asked if the vendor we are using will install it for our use. Mr. Little said the current vendor is not the one receiving the new contract. The new vendor will build the fiber network. Mr. Leska asked if we will be on the hook next year for an additional \$50K. Mr. Little explained that it will 2 years out in 2017, and the amount would actually be reduced by E-rate funding. Based upon the current numbers we would only be responsible for 48% of the \$56K because the Federal E-rate funds provide the balance. Mr. Leska asked how much in addition will the district be on the hook for 2 years from now. Mr. Little replied \$20K. Mr. Nelson asked Mr. Little to talk about the expansion. Mr. Little noted that the information was detailed in a Friday Memo to the Board. It was a 13% increase in cost to provide and in some cases, up to a 40,000% increase in bandwidth. For us to have the bandwidth in place for 2107 is like the construction of a school; to have it ready you have to start constructing years in advance. You have to go through the planning and permitting process. And for us it is especially complicated as in order to actually build the fiber network we are dealing with four political subdivisions: the City of Tucson, the Town of Oro Valley, Pima County and the State of Arizona. We have to go through a permitting process to gain access to the right of way in order to put the fiber in place. Ultimately the end result is an exponential increase in the bandwidth and the capabilities for the technology system at a fraction of what the cost would be. Compared to what we are paying on a per gig basis now, we are bringing the cost down substantially while exponentially expanding bandwidth. Mr. Leska asked why the District is expanding the capabilities. Mr. Little explained that we are expanding because demands for the technology are requiring it. We have situations already where bandwidth becomes saturated because something new for use in the classroom comes along. New technology comes in place and that technology demands that we plan for it now. Mr. Leska stated that what he is getting at is he believes that the demand for high stakes testing online and more data to be gathered from these tests is going to be required by the Federal Government. He is in a quandary as he is pro technology for use in the classroom, but is against online high stakes testing and student data gathering. Mr. Nelson explained that the demand for bandwidth goes up all the time. For example, at Copper Creek we were able to arrange an international interactive video conference learning activity, which really pushed our bandwidth. Those are the kinds of opportunities that we want to provide for our students. Mr. Leska again expressed his belief that the government will use the increased bandwidth of school districts for high stakes testing and student data gathering.

Ms. Day asked if there was any further discussion or comment on Item 5. H. Dr. Barrabee moved to approve Item 5. H. and Ms. Cozad seconded the motion. The Motion carried 4-1.

A. Approval of Appointment of Personnel

Certified and classified personnel were appointed, as listed in Exhibit 1.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. A. attach]

B. Approval of Personnel Changes

Certified and classified personnel were appointed as listed in Exhibit 2.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. B. attach]

C. Approval of Leave(s) of Absence

Leaves of Absence requests were approved for certified and classified personnel as listed in Exhibit 3.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. C. attach]

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

Certified and classified personnel separations were approved as listed in Exhibit 4.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. D. attach]

E. Approval of Vouchers Totaling and Not Exceeding Approximately \$1,463,376.08 (Final Total)

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

FY 14-15

Voucher #105	\$209,445.42	Voucher #106	\$780,539.38	Voucher #107	\$101,791.65
Voucher #108	\$234.94	Voucher #109	\$57,394.30	Voucher #110	\$47,243.33
Voucher #111	\$266,727.06				

F. Acceptance of Gifts

The Board accepted the Gifts and Donations as listed.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. F. attach] (Exhibit 5)

G. Receipt of Monthly Status Report for the Fiscal Year 2014-2015

The Monthly Status Report is accepted as submitted.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088> , Item 5. G. attach] (Exhibit 6)

H. Award of Contract for Wide Area Network (WAN) Services District-Wide Based Upon Responses to Request for Proposal (RFP) 14-0022

Board Book Information:

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. H. attach] (Exhibit 7)

I. Approval of Out of State Travel

Out of state travel was approved for students and/or staff (source of funding indicated).

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. I. attach] (Exhibit 8)

J. Approval of Grants

Grant for Amphitheater Middle School from the Dairy Council of Arizona was approved as submitted.

Board Book Information: *Lisa Powell from Amphitheater Middle School has received a Dairy Council of Arizona grant in the amount of \$3,750.00. The funding will be used towards the cost of supplies for two Wellness Weeks and the All Day Health Field Day.*

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. J. attach] (Exhibit 9)

K. Review and Approval of Supplemental Texts

Approval of the list of Supplemental Texts were approved as submitted.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 5. K. attach] (Exhibit 10)

6. STUDY/ACTION

A. Study and/or Action Regarding New STEM Elementary School Construction

Board Book Information: *At its March 24 meeting, the Governing board reviewed the current bond program – its genesis, its elements and progress, and the remaining body of work yet to be completed under the voter approved program, with a focus on the new STEM elementary school. Work on the new school has been underway in some form since before the bond election occurred, but has particularly intensified of course during the last several months, as the project has gotten underway.*

As we reviewed during the March 24 discussion, planning for the new school required capital budget set asides over the last few years to ensure the district could meet budget demands for costs not covered by the bonds at the time the school was set to open in FY16-17. However, the recent actions of the Legislature and Governor to again cut school district capital budgets – now to the proverbial bare bones – creates an unimagined reality that necessitates consideration of the immediate future of the new school project. Indeed,

who could imagine that our legislature would cut several million dollars in capital funding from our District, leaving it with little more than a handful of change next year, in relative terms. The limited capital funds remaining in next year's budget offer little ability for a school district of Amphitheater's size to operate and maintain its existing schools, let alone open an entirely new one within a year.

The school was originally time tabled for opening in the fall of 2016, requiring that construction begin in the next few months. Proceeding with construction to maintain that original time line would require commitment of not only the capital accrued for the new school to date but also the lion's share of the small amount of capital funding for next year. One possible action for the near future would be to delay the timeline for construction of the school for one year. Such action would allow the District some now very necessary time to absorb the realities of the additional capital budget reductions for next fiscal year and allow additional time to further build capacity to meet the budgetary demands (particularly with respect to capital needs) for the opening of a new school. In the meantime, however, the design phase of the school could proceed through to the completion of construction documents, as that work does not require the expenditure of maintenance and operations funds or capital funds.

Ms. Day asked Mr. Nelson to introduce the Study/Action Item. Mr. Nelson reviewed that at the March 24, 2015 meeting the Board was presented with a list of pros and cons to look at. Tonight that discussion will be continued. Mr. Swain, who is the architect of record for the new STEM school, is in the audience tonight. If there are some technical questions we can't answer we might call on him. The Administration is recommending that the Board approve a 1-year delay on the construction schedule, but to continue completion of the Design Phase. Ms. Day called for discussion and comments from the Board.

Ms. Cozad commented that it is a good move right now, but in a year she will ask the same questions of if we can sustain the operating cost at \$800K a year. Mr. Nelson said that one of the things the delay will give the District time to do is to see what happens with capital and to explore Public Private Partnerships. When the design phase is complete we can evaluate where we are.

Dr. Barrabee said that at the Foundation Gala he spoke with Mary Snider, Councilwoman of Oro Valley. She mentioned how much Oro Valley was looking forward to it. Dr. Barrabee mentioned to her that there are some challenges ahead and wondered if the town of Oro Valley might possibly help; she said that they don't have money for that. The public support part locally is going to be challenging. We might encourage the Oro Valley council to use its influence one way or the other to get private support.

Mr. Leska said he supports finalizing the Conceptual Design only. The reason why is because he and his wife owned an electrical engineering business and when a design is put on hold after it is 100% done, especially with today's technology advancements, codes changes in 6 months to a year, especially in the data and electrical fields. If we go on to the final design and don't pull a permit right away, we are not locked into those particular codes. If we go through it we have a very high potential of having to redesign certain aspects of the school if we do not pull a permit and construct right away. Mr. Leska's recommendation was that the District goes through the Conceptual Design only as within 12 months the technology could change. Mr. Nelson stated that the District checked with Oro Valley and they will not be putting in a new code until 2018. Mr. Leska said there are different codes, not just building codes.

Ms. Grant said that maybe Mr. Swain can address the question. If we went all the way through and got a permit, her understanding is that permits are good for one year, and you can also get an extension on the permit for up to another year.

Mr. Swain, president of Swain and Associates Architects, addressed the Board. He explained that Oro Valley building codes will not change until the 2018 code cycle. One of the things that the State Legislature did a few years ago is pass legislation that any county with a population of between 500,000 to 1,500,000 does not require building permits for public schools. As the architects they are actually the building officials. They are building

officials for many of the new schools within Pima Co., which happens to be within that population range. Typically, going through a building process a permit is good for a year and can be renewed for additional 6 month cycles. Because of the downturned economy they have approved extending building permits. Mr. Swain said he respects that obviously technology does change. One of the things being done with the new STEM school is providing a very high end, flexible, fiber optic backbone technology which needs to anticipate change 20 and 30 years out. With the new backbone the school will be in very good shape as we move forward.

Mr. Leska asked Mr. Nelson what the push is to go to the Design Phase instead of just the Conceptual Design. Why not wait 6 months to start design. Mr. Nelson said the reason the Board is being asked to delay the opening of the STEM school for a year is to see what happens with the homes that are being built in the area, the number of children who will live there, to look for private partnerships, etc. To be able to do that, particularly with the partnerships, one thing the District will need is a design. It can't be too abstract or the chances of garnering support are not good. Mr. Leska stated with all due respect he is not sure a design is needed in order for entities to donate money. In his opinion, when reaching out to companies like Raytheon and Rausch, they are looking for a really strong desire, commitment and student population. Therefore he believes we shouldn't go forward without looking for partnerships and should delay design 6 more months.

Ms. Grant said if this is what we want to do, and we need their help to do it. Ms. Grant would like to show that we are shovel ready so if we decide we can do it, then we are ready to go rather than we get to the Conceptual, then we have to wait to do the Design and then more delays. That takes us back to what we discussed earlier. There are deadlines and the Bond money must be spent by November 2017.

Dr. Barrabee commented that we have the money to get the design. If in a worse case situation we have to give back the balance of the Bond money because we aren't able to go forward, then at some point 2 or 3 years from now when we want to go forward again, because financial conditions in the State have changed, we would already be further along in the process of providing the STEM school. The money we would need in a new Bond election would be less. Dr. Barrabee said that is the reason he supports going forward with design.

Mr. Leska commented that several weeks ago he requested a list of the five elementary schools with the highest operating costs, and can one be closed to make the STEM school work. The operation costs would be substantially less for the STEM school. Having that data would be helpful before we move on.

Ms. Cozad commented by delaying the opening for a year, if the growth happens, we get students back - then we can make that call. Ms. Cozad said she agrees that the District go forward with the Design Phase.

Ms. Day asked for a motion from the Board. Ms. Grant moved that the Board approve a 1 year delay of the construction of the new STEM school with a continuation of the Design Phase. Ms. Cozad seconded the motion. Motion carried 4-1.

7. ACTION

A. Resolution of the Governing Board Recognizing the Contributions of Educational Support Personnel in the District and Setting April 22, 2015 as a Date for Special Recognition

Board Book Information: *Quite recently, Governor Ducey advanced a budget proposal in which he rather explicitly suggested that school district employees who do not fit under the definition of classroom expenses have less value in our state's public education system than others who do fit under that definition. As the Governing Board has repeatedly recognized, however, all school district employees play a vital and valuable role in providing a safe, strong, and successful education to our state's children. After all, it takes many employees of every job description to operate a school district. Any suggestion which might intentionally or inadvertently operate to devalue one group of individuals or another for the sake of a political argument or position is certainly disappointing, particularly at time when the future of our state depends more than ever on its ability to attract and retain qualified personnel of every nature into public school employment.*

The District's Educational Support Personnel (ESP), also known as "Classified Staff" serve in many crucial roles throughout the district, including but certainly not limited to: bus drivers and monitors, carpenters, groundskeepers, secretaries and clerks, food service personnel, and custodians. Each of these people serve our students and the public are essential in creating safe, clean, and welcoming school environments that meet student, parent and community needs.

While one day a year of recognition does not approach the level of appreciation due to these dedicated support staff members, the Governing Board has for several years set aside one day each year to shine a spotlight of sorts on their contributions. Accordingly, a resolution (attached) has been prepared for the purpose of setting April 22, 2015 this year as the date when the contributions of Educational Support Personnel are especially recognized.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50148088>, Item 7. A. attch] (Exhibit 11)

8. STUDY

A. Discussion of Governing Board Town Hall Meetings

Board Book Information: *At the Governing Board meeting of March 24, 2015, Mr. Leska requested that an item be placed on the Board's agenda to discuss the potential of holding one to two "Town Hall Meetings" each year at school sites, for the purpose of soliciting community input on matters of District business.*

Mr. Leska previously held his own individual Town Hall meeting on January 31, 2015 at the Oro Valley Public Library, at which he reported some 30 to 40 people were present, consisting of students, teachers, parents, and grandparents. Mr. Leska has indicated that, at his individual town hall meeting, he discussed his background and some of the legislation then pending in the State Capitol. He then "opened the floor up" to audience concerns. Mr. Leska described the following issues that were raised:

- *Student Attendance Policies – District and State*
- *State Budget Cuts and Implications for District*
- *District Staffing Levels*
- *Post Retirement Employment*
- *Teach for America*
- *Student Data Collection and Retention*
- *Teacher Performance Data Collection and Retention*
- *AZMERIT*
- *Restrictions of Access to School Campuses*

Each of the foregoing matters presented to Mr. Leska are certainly within the jurisdiction of the Board as matters the whole Board may at some time consider, deliberate upon, or discuss with the potential of also taking action that in some manner affects such matters.

As the Board Members consider the potential of the full Board holding similar "Town Hall" meetings to hear from the public on matters of concern to the Board, it is important to remain mindful of the implications and requirements of the Arizona Open Meetings Law relative to such meetings. As the Board Members know, whenever a meeting of the Board occurs, "All discussions, deliberations, considerations, or consultations among a majority of the members of a public body regarding matters that may foreseeably require final action or a final decision by the governing body, constitute "legal action" and, therefore, must be conducted in a public meeting or executive session in accordance with the Open Meeting Law. Arizona Agency

Handbook, Arizona Attorney General, p. 7-6, (2013), citing A.R.S. §§ 38-431.01(A) and 38-431(3), Ariz. Att'y Gen. Ops. 75-8, 179-4 and 105-004.

The Open Meeting Law rules do not prohibit a member of a public body from voicing an opinion or discussing an issue with the public either at a venue other than a public meeting of the body. Id. Thus, when Mr. Leska held his individual meeting with members of the public to solicit their concerns and respond to them, the law was not implicated. Where, however, the entire Board (or merely a quorum of the same) would be meeting for the same purpose, compliance with the Open Meeting Law would be required.

Compliance with the Open Meeting Law, of course, requires not only the posting and publication of a notice of the time, date, and place of the meeting, as well as an agenda of the matters to be discussed, considered, or decided at the meeting. A.R.S. § 38-431.02(G). After the meeting is properly held, the Board must also publish and maintain minutes of the meeting. A.R.S. § 38-431.01(B). Both of these requirements under the Open Meeting Law present particular challenges in the context of a town hall type of meeting of the Governing Board.

The Governing Board may only discuss, consider, or decide those matters listed on their posted and published agenda for a meeting and "other matters related thereto." A.R.S. § 38-431.02(H). While the "other matters" clause might suggest there is some flexibility for a public body in this respect, the Arizona Attorney General has stated the clause should be construed narrowly, noting that the "other matters" must in some reasonable manner be "related" to an item specifically listed on the agenda. Arizona Agency Handbook, Arizona Attorney General, p. 7-14 (2013). Thurston v. City of Phoenix, 157 Ariz. 343, 344, 757 P.2d 619, 620 (App. 1988). Whenever matters not specifically listed on an agenda are brought up, the Arizona Attorney General has stated, "The better practice, and the one that will minimize subsequent litigation, is to defer discussion and decision on the matter until a later meeting so that the item can be specifically listed on the agenda". Id.

By its very nature, a town hall meeting is intended to be an opportunity for members of the public to raise issues of concern to them. The unpredictability of that kind of meeting is antithetic to the Open Meeting Law which is very much about predicting and publishing in advance the topics of discussion, consideration and action. It is impossible to list matters that will be discussed by the Board at a Town Hall meeting, because those matters are raised by the public itself within the context and at the time of the meeting.

The Administration is aware that, at a recent meeting, Mr. Leska learned that a Governing Board from another state holds town hall meetings at which its individual members separate from one another in "stations" of a sort and members of the public can rotate from one member's station to another to make comments or discuss matters of concern with the individual members. This remains problematic under the Open Meeting Law. The collective gathering of the Board in a meeting and the consequential mandate for Open Meeting Law compliance cannot be negated by separating the Board members apart. As the Attorney General has expressly stated, "Public officials may not circumvent public discussion by splintering the quorum and having separate or serial discussions with a majority of the public body members. Splintering the quorum can be done by meeting in person, by telephone, electronically, or through other means to discuss a topic that has been or later may be presented to the public body for a decision." Id. While this splintering concern is primarily focused on communications between Board Members, it is important to recognize that the very purpose of a town hall meeting is to hear from constituents who have concerns and may seek legal action from the Board as a whole as to those concerns.

A “Round Robin” kind of approach where members of the public rotate from member to member, presumably not only presenting their matters of personal concern but also soliciting and reasonably expecting individual Board Member response to those concerns invites violations of the Open Meeting Law, because Board Members are discussing, considering, deliberating, and potentially deciding matters in a manner that excludes members of the public from hearing all of that discussion, consideration, deliberation and decision-making. Consider the following example:

At a Town Hall Meeting, a member of the public, Mr. John Jones, wishes to express his concern regarding the District’s policy on a significant matter. He hopes not only to express his concern about the current policy, but also to affect how the policy might be revised. When the Board Members break into their individual stations to hear from the public, Mr. Jones begins by addressing his concerns at the first station for Board Member 1. He tells Board Member 1 what his concerns are. Board Member 1 responds by echoing the concern and promising to ask for action to address the information he has just received from Mr. Jones. Standing at the same station when Mr. Jones addresses Board Member 1 are Mrs. Meredith Mason and Mr. Thomas Thompson, two parents who disagree with the merits of Mr. Jones’ comments and concerns. They therefore remain at station 1 to provide their input on the policy at issue, while Mr. Jones moves on to Stations 2 and 3, where he shares his concerns in a similar but not exactly the same way with Board Members 2 and 3. Because they were at a different station, Mrs. Mason and Mr. Thompson never hear Board Members 2 and 3 respond to Mr. Jones, and they conclude the only Board Member who intends any action on the matter to be Board Member 1.

In a later Board Meeting, the policy matter comes up for Board discussion and action. Because of the extensive discussion which occurred, however separately at the town meeting, the Board Members vote after very little discussion at the subsequent meeting to dramatically change the policy, just as Mr. Jones proposed. Mrs. Mason and Mr. Thompson are very surprised to later learn that the Governing Board voted to change policy, and they feel they had no notice or warning of the same. In fact, they feel misled because when they were present at Stations 2 and 3, they never heard anything from Board Members 2 and 3 suggesting that they felt the policy should be changed. When they later learn that Board Members 2 and 3 did in fact not only comment on the policy matter at their Town Hall stations, but that the Board members actually formed opinions on the matter and promised Mr. Jones to take action at a future Board meeting, Mrs. Mason and Mr. Thompson feel disenfranchised and left out of the decision making process of the Board. They consequently file an Open Meeting Law violation complaint with the Arizona Attorney General.

In addition, Board Members 4 and 5 are greatly concerned about the policy change because Mr. Jones never spoke to them at the Town Hall meeting. They were therefore surprised by the proposal to change the policy which was made from the dais, with no advance notice, by Board Member 1 and supported by vote by Board Members 2 and 3. Board Members 4 and 5 feel that they have been denied equal access to information because of the limited discussion that occurs at the subsequent meeting. Board Members 1, 2 and 3 did not of course intend any slight; they simply did not realize that the extensive discussion Mr. Jones had with them was not also shared with Board Members 4 and 5.

Another aspect of Open Meeting Law compliance to be considered when holding whole Board town hall meetings is the preparation of minutes. If Board members were to meet with members of the public in stations, there would need to be a means of recording the minutes at each station and then ultimately preparing them in a manner that accurately reflects the discussion, deliberation and consideration that occurs at each station, while at the same time distinguishing individual communication from communication involving the Board as a whole – a function that could prove difficult.

Town Hall Meetings, in function, are much like the Governing Board's current practice with respect to Call to the Audience – moments when the public is specifically invited to inform the Board on concerns, desires and opinions of matters within the jurisdiction of the Board. The Board allows members of the public two opportunities during each of its regular and special meetings to address matters of concern that are not on the agenda – once at the beginning of each meeting and once before the end of the meeting. In addition, the Board allows members of the public to address the Board and provide input on specific matters that are listed on each agenda – at the time of (and preceding) the Board's action on those items. Notably, Call to the Audience presents certain challenges under the Open Meeting Law – challenges the legislature and Attorney General have addressed. In 2000, the Legislature addressed the inherent limitations on open calls to the audience during public meetings by revising A.R.S. § 38-431.01(H) to provide that a public body may allow open calls to the audience to allow individuals to address the public body on any issue within the jurisdiction of the public body, while at the same time noting and reminding that members of the public body may not discuss or take action on matters raised during the call to the public that are not specifically identified on the agenda. As Board Members will recall, the law does allow public body members to respond to criticisms made by those who have addressed the public body, ask staff to review a matter, or ask that a matter be put on a future agenda. A.R.S. § 38-431.01(H); See also Ariz. Att'y Gen. Op. I99-006.

So limited is the ability of the Board to respond to Call to the Audience matters, the Attorney General advises that, "The best practice is to include language similar to the following on the agenda to explain in advance the reason members of the public body cannot respond to topics brought up during the call to the public that are not on the agenda: "Call to the Public: This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date." Arizona Agency Handbook, Arizona Attorney General, p. 7-14 (2013).

With a Town Hall meeting essentially constituting a large scale open call to the audience, the limitations on Board Member response to open call to the audience arguably apply under the Attorney General's analysis. Thus, Board Members are well advised that, in the context of a Town Hall Meeting, they should only briefly respond to matters of criticism, direct staff to study an issue raised, or ask that a matter be scheduled for further consideration and decision at a later date. Such a limited response from Board members in the context of a Town Hall meeting, however, can beg the question, "Then why have this meeting?" from the public that attends. Invited to, as Mr. Leska has previously described it, "have some give and take" with members of the Board, members of the public can obviously feel disenfranchised and frustrated by the limitations which the Open Meeting Law places on the Board Members by virtue of the fact that a quorum or more is meeting.

Thus, Board Members may wish to evaluate whether the existing mechanisms of Open Call to the Audience presented twice at each Board Meeting, as well as obvious means of public communication through mail, email and telephone provide adequate opportunities for the public to address matters of concern to the Board Members without raising complicating factors and compliance matters under the Open Meeting Law.

Mr. Nelson introduced the Study Item regarding Town Halls and Open Meeting Law. Mr. Leska spoke. As part of some of the training sessions at the National School Boards Association Annual Conference in Nashville, he attended a session on how to reach out to constituents. He expressed how one of his passions for the District is reaching out to constituents and getting the pulse of the community. There were 20 Districts represented in the session and about 6 that do Town Hall meetings around the country regularly and have the same type of Open

Meeting laws as Arizona. His intention is that the Administration gives an update on what is going on. The Board needs to be there because they need to know what is going on and what the people's thoughts are first hand. They don't have to respond. At the Nashville session participants said that a long line of people going up to a microphone and expressing a piece of their mind is ineffective, it is more of a gripe session. And that isn't the intent either. His intent was similar to the round robin, but no one moves, so it wouldn't have that implication of doing the Open Meeting laws. His thoughts were going to the community, because the Board has to go to them. Relying on them to come here doesn't work as the districts in the Nashville session mentioned. They went to the communities, they went to individual schools, and they actually went to other HOAs, big communities, a Rotary Club, etc. Obviously the Board doesn't get paid enough to do that do it every night. Mr. Leska said he was thinking of setting up tables where one Board Member and one Administrator or one staff member would take notes. There would be a conversation of 10 or 15 people bouncing back ideas. The note taker would take everything down. The Board Member, Administrator, or whoever is sitting there wouldn't have a per se response to anything, just to listen to what the community wants. And that is why he had his first town hall meeting. It was very informative and he only shared the information with Mr. Nelson; perhaps he shared it with other Board Members. It is sort of outlined here by some bullet points. To get a pulse on the community the Board needs to understand what the community wants. There is discussion about a budget with possible cuts, and raises or at least bonuses, or whatever we want to call it. We are talking about a school that may or may not be wanted in the community. There are some people that he talked to that don't want the STEM school and others absolutely do. He is one of those that think absolutely we need it. That was how the other boards and districts around the country who sat on this session did it to help circumvent, well, not circumvent, to help protect themselves from any Open Meeting laws. There's no round robin. And then at the end of the night, or whatever is done, one person compiles the notes that they take and those are the issues. Then maybe go to another high school 2 or 3 months later. Maybe four times depending on the size of the event. That was his intent, so that the Board is not just sitting here. Mr. Leska noted that at the meeting tonight Administrators are here, teachers, a few students, a few parents, and other constituents. But we're not really touching the hearts of the people. Some people are in bed by now; or they are playing, doing homework, are at baseball games, soccer games, etc. We are not reaching those people because they can't come here and they aren't going to come here for 3 minutes.

Ms. Day opened the item up for discussion using the same form as last time. Dr. Barrabee commented that one of the reasons we had a recall 15 years ago this May (he was on the Board), was because the Board that existed at that time did not have an Open Call to the audience. They also didn't allow Board Members to request items to be put on the agenda. There were other problems as well, but that's what is relevant to this discussion. When the recall succeeded the very first thing we did was not only to provide an Open Call to the audience, but two Open Calls to the audience. And, the opportunity for the audience to comment on anything that was in the agenda. This could be more representative of the concerns of Board Members because Board Members could get things on the agenda, which was quite an improvement. The Board did experiment with holding Board Meetings at different schools and the main reason we stopped was because logistically it was very challenging. Perhaps someone else from that period remembers other reasons. Certainly the intent was consistent with the concerns Mr. Leska mentioned. One of the concerns with having a Board Member facilitate these interactions is of course that, except for the President, none of us represent the Board. Dr. Barrabee asked Mr. Jaeger for clarification on the role of the President. Mr. Jaeger explained that the President also has very limited authority to represent the Governing Board. The Board has conveyed to the President of the Board certain authorities such as setting the agenda, but to say that the President represents the Board is about the title and the fact that they sign things (that are approved) on behalf of the Board. But just as you are noting, even the President of the Board does not represent the Board in making decisions or taking action outside of an official Board Meeting. Dr. Barrabee concluded that the fact that as individuals we do not represent the Board, therefore also we don't represent the District, creates some challenges depending upon how we would represent ourselves. There seems to be an oscillation in the discussion between taking notes and "back and forth", two phrases which are not consistent with each other. Dr. Barrabee stated that he has a great deal of difficulty putting any additional burdens on our Administration because we really have minimal personnel to cover a huge number of

responsibilities. He expressed concern about keeping them healthy, because burnout can happen not to just teachers; it can happen to staff as well. We need them working at their best capabilities. Dr. Barrabee said he would like to see more outreach in terms of communication perhaps through the newspaper, perhaps encouraging more to be done through our webpage, in the same way that we discussed the issue of textbooks. That is the sort of thrust he would encourage in terms of economy and recognizing the limitations we have in terms of our time and energy. It's great any time any Board Member chooses to be available to the public. A report to the Board from someone acting as an Ombudsman is something that is very valuable. For example, when returning from a trip with ASBA a report would be put on the agenda. What was reported was not open for discussion per se, as there were items that needed to be considered separately, but it was a way that people could be told what occurred. Dr. Barrabee encouraged anyone on the Board who has contact with the community, and would like to report to the Board as a whole, to ask for a place on the agenda for a report. From there maybe be a Friday Memo on a topic, and then perhaps interest in proposing some action on a topic, where it can be discussed with the Board.

Ms. Cozad said she feels she is an elected official and has to listen to the constituents, so getting out and doing Town Hall meetings is a good idea. She has attended them in other districts and they don't have to be those sessions, they can be informative. Anything discussed in open meeting, could be discussed at a Town Hall. For example, if budget was discussed in an open meeting that information could be given at a Town Hall. Mr. Jaeger explained that as noted in the board item, was again the concerns about a Town Hall concept that would involve all the Board trying to convene a common Town Hall. What Mr. Leska is describing is different of course. It presents its own challenges, which he has already noted, in terms of staffing it, finding the time and keeping it going.

Ms. Grant pointed out that a lot of it depends on how big the District is. One of the women at the sessions in Nashville went to all PTO meetings and 4 schools every other month - in a small District. The idea is understood. However, Town Hall meetings do not solve families being busy. Some people don't even know what a School Board is. Perhaps the format of the meeting could be changed. Publish it in the school newspapers and have the agenda posted in the schools. If we have a Town Hall meeting we are listening; does that mean we are not listening when here at Wetmore?

Dr. Barrabee commented almost all studies of how the population of the State feels about Public Education and funding suggests very high support. One of the other problems trying to respond to people personally is the longer you are on the Board, the more you realize the expertise it takes to run a District. Individually Board Members are not competent to provide depth of information to give a fair picture.

Mr. Leska stated that of course we listen to the public in meetings at Wetmore. He will be suggesting future agenda items based on hearing constituents comments tonight, and appreciates everyone thinking outside the box. He believes the drain is partially due to not listening the constituents.

Mr. Nelson wrapped up the discussion. Another part of the reason for dropping off-site meetings was attendance was no higher.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Ms. Day asked the Board if there were any requests for future agenda items. Ms. Cozad requested a cross-check of credit transfer information. Mr. Leska requested: an item or Friday Memo on what Elementary School costs the most to operate and other costs to make the STEM school work, a Study Session about the sessions attended at the National School Boards Association Annual Conference, planning for future direction, a look at possible conflicting messages regarding credit transfers, gaming (video) for learning, and if we have a policy to take out teacher assessments when the Legislature changes the requirement.

PUBLIC COMMENT

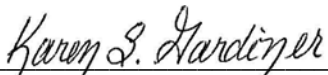
Ms. Day asked if there was any further Public Comment. There was none.

Open Meeting business was completed. Ms. Day stated that the Board had unfinished Executive Session business and called for a motion to recess back into Executive Session. Ms. Grant moved that the Board recess into Executive Session, Ms. Cozad seconded, motion passed 5-0. The Board recessed into Executive Session again at 9:50 PM.

A quorum of the Board returned to the Board Room. *(Ms. Day had not yet returned.)* Ms. Cozad moved that Executive Session be closed and the Open Meeting reconvene. Ms. Grant seconded the motion and the motion passed 4-0 at 10:35 PM

ADJOURNMENT

Ms. Cozad motioned to adjourn, Dr. Barrabee seconded the motion and the motion passed 4-0. The meeting adjourned at 10:36 PM.



Respectfully submitted,
Karen S. Gardiner

Deanna M. Day, President

Date

Approved: TBD