

**Minutes of the Regular Governing Board Meeting  
Amphitheater Public Schools  
Tuesday, July 6, 2021**

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A Regular public meeting of the Governing Board of Amphitheater Public Schools was held Tuesday, July 6, 2021, beginning at 6:00 p.m. at the Wetmore Center, 701 W. Wetmore Road, Tucson, AZ 85705 in the Leadership and Professional Development Center. This 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  
Ms. Vicki Cox Golder, Member  
Mr. Matthew A. Kopec, Member

**Governing Board Member Absent**

Dr. Scott K. Baker, Member

**Superintendent's Cabinet Members Present**

Mr. Todd A. Jaeger, J.D., Superintendent  
Ms. Tassi Call, Associate Superintendent for Elementary Education  
Mr. Matthew Munger, 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  
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 visitor's register.

**2. PLEDGE OF ALLEGIANCE**

President Zibrat asked Mr. Kopec to lead the Pledge of Allegiance.

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

President Zibrat announced that the next Special Governing Board meeting would be held on Tuesday, July 27, 2021, 5:30 p.m. at the Wetmore Center, 701 W. Wetmore Road, Tucson AZ, 85705 in the Leadership and Professional Development Center.

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

*President Zibrat read the Call to the Audience procedures.*

Mr. John Maynard thanked the Board members for their service, and said he has three grandchildren at Ironwood Ridge High School. He spoke about Critical Race Theory, and felt that it is a trojan horse. Mr. Maynard urged the Board to not let it in, and if it is in the gate to please show it out.

## **5. INFORMATION<sup>2</sup>**

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

*For the Superintendent's Report Point Presentation see Exhibit 1.*

Superintendent Jaeger began his report by highlighting some of the activities that have taken place during summer school. He shared some pictures of students in the Amp Up! program which has over 1,000 elementary students participating this year.

Rising Fifth Grade students at Innovation Academy "visited" Washington, D.C. and designed and built Smithsonian Museum-style exhibits that represented topics of interest. Exhibits included a soccer field, a fashion house, and the game "Animal Crossing."

Holaway Elementary School students were also inspired by the Smithsonian Museums. Third-graders created a living museum. Each student researched an individual, created an exhibit, and embodied their subject for visitors.

Students at Donaldson Elementary School "visited" Australia and were tasked with choosing an animal and creating a song, skit, story, etc. to teach others about that animal.

Keeling Elementary School students "traveled" to the Galápagos Islands and created posters to help save animals from pollution.

Superintendent Jaeger then updated the Board on current public health metrics. He noted that Pima County statistics have remained fairly steady, and key metrics have remained the same over the last several weeks. For the week of June 20, 2021, there were 30 cases per 100,000 individuals testing positive for COVID-19. Pima County is still in the Moderate Transmission category and will need to be below 10 cases per 100,000 individuals before being considered in the Low Transmission category.

Superintendent Jaeger spoke about the mask protocols for the upcoming school year. He said at the June 22, 2021 Board meeting, he proposed that masks be optional for staff and students, with the stipulation that unvaccinated individuals be encouraged to continue wearing them. He said survey results were divided approximately 50-50 in favor of, and against the proposal. Superintendent Jaeger stated that recent and intervening state legislation has now eliminated any issue of local district mandates, and that additional information will be given by Ms. Tong in the Periodic Legislative Update. He stressed that the guidelines for mask wearing will now be optional for all individuals.

Superintendent Jaeger clarified vaccination mandates for school districts in Arizona. He said that school districts cannot require any vaccines, including COVID-19, but unvaccinated individuals can be quarantined if there is an outbreak, as is also the protocol for measles, etc.

He offered to answer any questions Board members might have. There were none.

President Zibrat thanked him for his report.

### **B. Debrief on Model Schools Conference**

Superintendent Jaeger explained that he, President Zibrat, Vice President Day, Dr. Baker, Mr. Kopec, Ms. Call, and Mr. Munger had recently attended the annual Model Schools conference and wanted the individuals that attended to have the opportunity to share what they learned and observed. He said Ms. Call and Mr. Munger attended workshops showcasing Model Schools around the country.

President Zibrat said it was a fabulous conference, and it was wonderful to watch Ms. Call and Mr. Munger collaborate. She appreciated comments made by Dr. Bill Daggett, a keynote speaker. She shared that he reported he has the privilege to speak in many countries around the world, and said the finest public education offered is in America, but felt that Americans

do not realize it. President Zibrat explained Dr. Daggett thought that the pandemic was a “clean slate moment” and going forward, the educational emphasis needs to revolve around relationships, because without trust there is no relationship and without relationships, no real learning can take place. She said Dr. Daggett made a statement saying students need to be prepared for their future, not our past.

Vice President Day agreed with the information presented by President Zibrat. She said there is always room for growth and is looking forward to continued collaboration and great things to come from the District in the future.

Superintendent Jaeger echoed the comments made by President Zibrat and Vice President Day, and also appreciated hearing the Model Schools conference presentations. He reported Dr. Daggett felt that technology and the workplace will be changing in the future. This change will require higher rigor and also making instruction more relevant for the students which he feels we have somewhat embodied with our Portrait of a Graduate. Superintendent Jaeger said going forward, it is the responsibility of the District to do what is right for the students and put the past behind us with a new sense of spirit and purpose. He is glad to have Ms. Call and Mr. Munger in their new positions and looks forward to their leadership.

### **C. Periodic Legislative Update**

*For the Periodic Legislative Update see Exhibit 2.*

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

Ms. Tong reported this has been the longest Legislative session ever, concluding on June 30, 2021. She explained Mr. Little would be presenting budget information later in the meeting. Ms. Tong said the list of the education bills passed is posted on the website, and she will highlight some changes that will affect the District.

She talked about several appropriation and formula adjustments that were important, including an increase to Group B funding. Ms. Tong said Results-Based Funding is still in place and will be based on Spring 2019 AzMERIT results. Additionally, a program will be created by the Arizona Department of Education (ADE) for transportation funding grants and specific details have not yet been determined. She reported changes will be made to the instructional time model, allowing a school site to deliver the required number of instructional hours through any combination of direct instruction, project-based learning, independent learning, or mastery-based learning. Ms. Tong said changes will also be made to open enrollment, including new compliance guidelines. Another change to open enrollment, is the increase in mileage from 20 to 30 miles for transporting students on free or reduced lunch or whose IEP requires transportation. She talked about a grant for a student receiving special education services, whose costs are at least three times the statewide average. Ms. Tong stated a Learning Loss Report will be required of school districts. The information must be reported to ADE by July 1, 2021 and include whether they offered in-person, teacher-led instruction for at least 100 days of the 2020-2021 school year. Ms. Tong stated that they have checked with the Department of Education and they do not yet have the form ready for schools to do their report at this time, despite the due date of July 1<sup>st</sup>. The ADE must post on its website by September 1, 2021, the school district and charter school plans to address learning loss by spending Elementary and Secondary School Emergency Relief Fund (ESSER) funds appropriated to the state.

Ms. Tong recapped a new law to Title 15, concerning face covering restrictions. The law prohibits, a county, city, town, school district governing board or charter school governing body from requiring students or staff to use face coverings during school hours and on

school property. It also prohibits any school district or charter school from requiring that a student or teacher receive a COVID-19 vaccine or wear a face covering to participate in in-person instruction. The District immediately notified families and staff when this law was approved. She said a Child Abuse Education law, which allows age and grade-appropriate classroom instruction on child assault awareness and abuse prevention during sex education instruction classes was passed.

Ms. Tong said a new law was added to Title 15, and she felt it was important for Board members to understand what the state mandated, and spoke about it in detail. The law prohibits Pre-K – 12<sup>th</sup> grade teachers, administrators, state employees or schools from requiring instruction in or making the following concepts a part of a course:

- One race, ethnic group or sex is inherently superior to another
- An individual, by virtue of their race, ethnicity or sex, is inherently racist, sexist or oppressive
- An individual should be discriminated against or receive adverse treatment because of their race, ethnicity or sex
- An individual's character is determined by their race, ethnicity or sex
- An individual bears responsibility for actions by other members of the same race, ethnic group or sex
- An individual should feel discomfort, guilt or anguish because of their race, ethnicity or sex; and/or
- Academic achievement, meritocracy or traits are racist, sexist or were created by others to oppress members of another race, ethnic group or sex

Ms. Tong explained the District already has Non-Discrimination Policy AC in place, to address a situation where an individual feels they have been discriminated against and there is a process to make a complaint through the Equal Opportunity Office (EOO). She said she wanted to clarify the existing policy, since the new law has potential consequences for violating the prohibited instruction. Teachers in violation can be subject to disciplinary action from the State Board of Education (SBE), including suspension or revocation of their certificate. The Attorney General (AG) can bring action against a teacher or public official who violates the law as an “illegal use of public funds” and school districts can be fined up to \$5,000 for each violation.

Ms. Tong reviewed changes to Empowerment Scholarship Accounts (ESA) including the exemption of students who qualify for free and reduced-price lunches and attend a school that received a D or F letter grade, from the ESA Program qualifications for qualified school attendance and scholarship requirements. It reduces the amount of time a full-time student must attend a qualified primary or secondary school from the first 100 days to any 45 days, and modifies ESA program eligibility to include full-time students attending a primary or secondary school during the current fiscal year. Additionally, kindergarten students enrolled in Arizona online instruction, must receive 200 hours of logged instruction to be eligible for an ESA.

She talked about the changes to the School Facility Board (SFB). These changes include the restructuring of SFB to create an Oversight Committee for fiscal year 2022, requiring the Superintendent of Public Instruction and the ADOA Director to serve as advisory

non-voting members and requiring specific certifications from the Oversight Committee for new construction.

Ms. Tong concluded her presentation by explaining some miscellaneous laws, including the requirement of unrestricted federal funds to be deposited into the state General Fund to pay for essential government services. She said Pima County was left out of the School Resource Officer funding, which appropriated \$1,500,00.00 in funding to Maricopa, Mohave, and Yavapai County sheriff's offices to fund a "school safety pilot program".

Ms. Tong offered to answer any questions.

President Zibrat thanked Ms. Tong for her report.

Ms. Cox Golder asked if the Group B funding was only for one year. Ms. Tong responded it is a permanent change in funding.

Mr. Kopec said he thought the School Facilities Board was doing an excellent job in distributing money, and hoped the Oversight Committee felt the same way.

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

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

***[Amphitheater Public Schools Public View - BoardBook Premier](#)***

*President Zibrat asked if there were any Items that should be pulled for further discussion. Superintendent Jaeger asked to pull Consent Agenda Item 1. A. for his recommendation.*

*President Zibrat asked for a motion to approve Consent Agenda Items B. – M. as presented. Ms. Cox Golder moved for Consent Agenda Items B. – M. be approved as presented. Mr. Kopec seconded the motion. Voice vote in favor – 4. President Zibrat, Vice President Day, Ms. Cox Golder, Mr. Kopec. Opposed – 0. Consent Agenda Items B. – M. passed.*

Superintendent Jaeger introduced Mr. Richard La Nasa and recommended him for the position of Executive Director of Operational Support. Superintendent Jaeger spoke about Mr. La Nasa's work experience with the District, most recently as the Construction Projects Manager. In that position, he obtained millions of dollars of funding through the School Facility Board (SFB) program. Before joining the District in 2019, he ran his own construction company and has prior experience as a project manager.

Superintendent Jaeger introduced Mr. Brent Spencer and recommended him for the position of Interim Principal of Ironwood Ridge High School. Superintendent Jaeger explained that a vacancy was created when Mr. Munger left to assume his new position, and with school beginning in August, it was important to have a sense of stability at the school. Mr. Spencer has been an Assistant Principal at Ironwood Ridge High School since 2012, and understands the community and what is needed to prepare for the upcoming school year. Superintendent Jaeger said in the Spring of 2022, when the recruitment process begins for that position, Mr. Spencer would be eligible to apply. Superintendent Jaeger gave additional information about Mr. Spencer's education and work experience in the District.

Superintendent Jaeger recommended Ms. Mamie Spillane as the Interim Assistant Principal of Amphitheater High School. He spoke about Ms. Spillane's work experience in the District and said she has been serving as the ISA at Amphitheater High School. He explained due to some other position changes in the District, the creation of the interim position is only for the 2021-2022 school year, and the position will help the school focus on student academics

and intervention. He concluded saying, if this position continues for next year, it will be filled through the competitive hiring process.

To mark the occasion, a picture with Mr. La Nasa, Mr. Spencer, the Governing Board members and Superintendent Jaeger was taken.

*President Zibrat asked for a motion to approve Consent Agenda Item A. as presented. Vice President Day moved for Consent Agenda Item A. be approved as presented. Ms. Cox Golder seconded the motion. Voice vote in favor – 4. President Zibrat, Vice President Day, Ms. Cox Golder, Mr. Kopec. Opposed – 0. Consent Agenda Item A . passed.*

**A. Approval of Appointment of Administrative Personnel**

*Administrative personnel appointments were approved as listed in Exhibit 3.*

**B. Approval of Appointment of Non-Administrative Personnel**

*Non-administrative personnel appointments were approved as listed in Exhibit 4.*

**C. Approval of Personnel Changes**

*Certified and classified personnel changes were approved as listed in Exhibit 5.*

**D. Approval of Leave(s) of Absence**

*Leaves of absence were approved as listed in Exhibit 6.*

**E. Approval of Separation(s) and Termination(s)**

*Separations and terminations were approved as listed in Exhibit 7.*

**F. Approval of Stipend for Coaching Volunteers**

*Stipend for coaching volunteers were approved as listed in Exhibit 8.*

**G. Approval of Vouchers Totaling and Not Exceeding Approximately \$1,167,579.65**

*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 submitted in Exhibit 9.*

Voucher #	Amount	Voucher #	Amount	Voucher #	Amount
1323	\$238,560.75	1324	\$327,769.77	1325	\$212,393.94
1326	\$74,611.10	1330	\$256,262.41	1331	\$51,853.52
1335	\$6,128.16				

**H. Acceptance of Gifts**

*Gifts were accepted as presented in Exhibit 10.*

**I. Receipt of May 2021 Report on School Auxiliary and Club Balances**

*The Governing Board approved the May 2021 report on school auxiliary and club balances as listed in Exhibit 11.*

**J. Award of Contract for High and Low Voltage Electrical Services - Based Upon Responses to Invitation for Bids (IFB) 06-17-2021**

*The Governing Board approved the award of contract for high and low voltage electrical services to Sturgeon Electric for fiscal year 2021/2022 with four one-year renewal options.*

**K. Approval of Out of State Travel**

*The Governing Board approved out of state travel requests as presented in Exhibit 12.*

**L. Approval of Verification of Desegregation Funding Matters and Submission of Desegregation Funding Report for Compliance with A.R.S. § 15-910**

*The Governing Board approved the verification of desegregation funding matters and submission of desegregation funding report for compliance with A.R.S. § 15-910 as presented in Exhibit 13.*

**M. Award of Contract for Learning Management System (LMS) RFP#06-02-2021**

*The Governing Board approved the award of contract for Learning Management System (LMS) for fiscal year 2021/2022 with four one-year renewal options, total contract length not to exceed five years.*

**7. STUDY/ACTION**

**A. Study and Approval of the Adopted Expenditure Budget for Fiscal Year 2021-2022**

*For the complete Study and Approval of the Adopted Expenditure Budget for Fiscal Year 2021-2022 report see Exhibit 14.*

Superintendent Jaeger said Mr. Little would discuss this item in greater detail and will also be talking about the implications of the state budget and how it will affect the District. He asked Mr. Little to introduce this item.

Mr. Little said the District's proposed budget was close to what is in the state budget, with the exception of changes to transportation funding. He felt that there will be a one-year tax increase to local taxpayers, but does not have any specific information at this time. Mr. Little explained the current proposed budget presented includes the desegregation funding report.

He offered to answer any questions.

Mr. Kopec asked what the impact would be for the District if tax cuts continued in future years.

Mr. Little responded that past budget history has shown that continued cuts are possible, and therefore the potential of a reduction in the General Fund exists and he will continue to monitor it.

*President Zibrat asked for a motion to Approve and Adopt the Expenditure Budget for fiscal year 2021-2022. Vice President Day made a motion to Approve and Adopt the Expenditure Budget for fiscal year 2021-2022. Ms. Cox Golder seconded the motion. Voice vote in favor – 4. President Zibrat, Vice President Day, Ms. Cox Golder, Mr. Kopec. Opposed – 0. Approval and adoption of the Expenditure Budget for fiscal year 2021-2022 passed.*

Superintendent Jaeger advised President Zibrat that if the Board was in agreement, Public Comment could be heard before adjourning to Executive Session. The Board agreed to hold Public Comment prior to Executive Session.

**PUBLIC COMMENT**

Stephanie Fox said she is currently a private music teacher and a parent with a student at Canyon del Oro High School. She spoke about the requirement of mask wearing for unvaccinated individuals and was worried about the emotional effects. She has concerns about the side effects and safety of the vaccine and felt the District was encouraging students to get the vaccine.

Stephanie Kirkland, a parent with two students at Canyon del Oro High School, thanked the Governing Board for the everything they have done for the District. She was concerned with the District's definition of an "outbreak", and what the potential requirements for and implications of an imposed quarantine would be. She commented that the vaccine is not safe or FDA approved and cautioned the District to do their research before continuing to encourage people to get the vaccine.

Superintendent Jaeger said that while the Governing Board may not respond directly to public comment, they may correct incorrect and misleading statements.

He reiterated that the District is not mandating vaccinations. Superintendent Jaeger said he resented being accused of requiring vaccinations and having someone put words in his mouth.

**8. EXECUTIVE SESSION**

*President Zibrat asked for a motion to hold Executive Session. Vice President Day moved to recess the Open Meeting to hold an Executive Session for discussion or consultation with the attorneys of the public body, Pursuant to A.R.S. § 38-431.03(A)(3) and/or (4), Concerning the Governing Board's "H Series" Policies Ms. Cox Golder seconded the motion. Voice vote in favor 4: President Zibrat, Vice President Day, Ms. Cox Golder, and Mr. Kopec. Opposed - 0. President Zibrat proclaimed they were in Executive Session at 7:00 p.m.*

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

**1. Discussion or Consultation with the Attorneys of the Public Body, Pursuant to A.R.S. § 38-431.03(A)(3) and/or (4), Concerning the Governing Board's "H Series" Policies**

**9. RECONVENE PUBLIC MEETING**

President Zibrat reconvened the meeting at 7:34 p.m.

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


See above as recorded before Executive Session.

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

Vice President Day requested an update on the athletic program.

**12. ADJOURNMENT**

*Vice President Day moved to adjourn the meeting. Mr. Kopec seconded the motion. There was no discussion. Voice vote in favor - 4: President Zibrat, Vice President Day, Ms. Cox Golder, and Mr. Kopec. Roll call vote opposed - 0. The meeting adjourned at 7:35 p.m.*

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

August 4, 2021  
Date

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Susan Zibrat, Governing Board President

August 10, 2021  
Date