

**Minutes of the Special Governing Board Meeting  
Amphitheater Public Schools  
Tuesday, October 26, 2021**

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A Special public meeting of the Governing Board of Amphitheater Public Schools was held Tuesday, October 26, 2021, beginning at 5:30 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. Deanna M. Day, M.Ed., Vice President  
Dr. Scott K. Baker, Member  
Ms. Vicki Cox Golder, Member  
Mr. Matthew A. Kopec, Member-*left the meeting at 7:02*

**Governing Board Member Absent**

Ms. Susan Zibrat, President

**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. Richard C. La Nasa, Executive Manager of Operational Support  
Ms. Julie Valenzuela, Director of 21<sup>st</sup> Century Education  
Ms. Michelle Valenzuela, Director of Communications

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

Vice President Day called the meeting to order at 5:30 p.m. and invited members of the audience to sign the visitor's register.

**2. EXECUTIVE SESSION\***

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

**A. Consideration and Determination of Appeal of Long-term Suspension Hearing Officer's Decision Pursuant to A.R.S. §15-843(A), Regarding:**

**a. Student # 30047031**

**B. Discussion or Consultation with the Attorneys of the Public Body, Pursuant to A.R.S. § 38-431.03(A)(3), Concerning Current Litigation**

*Vice President Day asked for a motion to hold Executive Session. Ms. Cox Golder moved that the Board go into an Executive Session to address the matters identified in item 2 of the Board's agenda and pursuant to the legal authorities listed on the agenda under item 2. Mr. Kopec seconded the motion. Voice vote in favor – 4: Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Opposed – 0. Vice President Day proclaimed they were in Executive Session.*

**3. RECONVENE PUBLIC MEETING**

Vice President Day reconvened the public meeting at 6:22 p.m.

**4. PLEDGE OF ALLEGIANCE**

Vice President Day asked Mr. A.J. Malis to lead the Pledge of Allegiance. They then recited the pledge.

**5. ANNOUNCEMENT OF DATE AND PLACE OF NEXT REGULAR GOVERNING BOARD MEETING**

Vice President Day announced that the next Regular Governing Board meeting would be held on Tuesday, November 9, 2021 at 6:00 p.m., at the Wetmore Center, 701 W. Wetmore Road, Tucson AZ 85705 in the Leadership and Professional Development Center.

**6. INFORMATION<sup>2</sup>**

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

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

Vice President Day asked Superintendent Jaeger to present his report.

Superintendent Jaeger began his report by showing some photo highlights of activities in the District.

Canyon del Oro Marching Dorados recently competed against six other bands in their first marching band competition in over two years. They took first place at the event at Canyon View High School in Phoenix and received the highest score possible in all five categories: Music, General Effect, Visual, Percussion and Auxiliary (Guard).

Ironwood Ridge High School Vanguard hosted the annual "March the Ridge" competition, with 11 bands from around Arizona participating. Ironwood Ridge placed first in the 2A division with special awards for the highest scores in Music Performance, Visual Performance, General Effect and Percussion.

Amphi High School celebrated homecoming on October 1, 2021. They honored a new Homecoming Court and welcomed back faces from Amphi High as decades of Panthers united for the 2021-2022 Homecoming. He thanked everyone who came out to support the event and make it truly something special.

Wilson K-8 held a Fall Round Up, Chili Cook Off and Silent Auction on September 30, 2021. The Wranglers enjoyed food trucks, chili tastings, musical performances, and fun yard and interactive inflatable games. He said this a very big fundraiser for the school and always has a lot of community support. He thanked the Wilson K-8 PTO for putting this on.

Amphi Middle School students worked together to create a new Pirate-themed garden that is being installed at the school. A photo showed students carrying a canoe that will be incorporated into the garden's design and will be filled with soil and plants.

Before fall break began, Nash Elementary School students were treated to a Walk 'n Roll event sponsored by Pima County. He said almost 200 students were in attendance, and the Nash Roadrunners sure lived up to their name.

He explained Treasures 4 Teachers is a local organization that receives donated supplies and in turn donates them to teachers and area school districts. The District received 5,000 cases of Lysol disinfecting wipes. There are six packs in each case, and each pack contains 80 wipes, for a total of 30,000 packs and 2.4 million wipes! He said schools can order the wipes through the District warehouse at no cost, and the generous donation will last for quite a while. Many thanks to Treasures 4 Teachers!

Superintendent Jaeger reviewed the Pima County Health Metrics. He said there is not much change since the last report. Disease data is still in the red category. Percent positivity and COVID-19 like illnesses are both in the yellow category. Hospital bed

capacity remains in the red category, with limited ICU bed capacity. The public health tracking and case investigations continues to be in the green category.

He said the data has a two week lag time and now shows an increase in the percent positivity rate. The case numbers have also increased and there are 177 cases per 100,000 individuals. He stated the test positivity rate is at 8.4%, which is considered a substantial level of transmission. Currently, with the combined data, Pima County is now in a high transmission level. Superintendent Jaeger spoke about the health care system metrics. Currently, there are 14 empty intensive care beds in all of Pima County.

Superintendent Jaeger spoke about COVID-19 cases in schools throughout the county. He said in the District, since his last report, there has been an increase from 298 cases to 387 cases reported since the school year began. He referenced a graph showing the number of new cases each day in the District. It showed there was a large increase in cases after returning from fall break. Currently, there are 7 active employee cases and 28 active student cases.

Vice President Day thanked him for his report.

**B. Public Meeting Pursuant to A.R.S. §15-481(Y) to Provide an Update on Programs Financed through the 10% Maintenance and Operations Override and the 3.5% K-3 Special Programs Override**

Vice President Day asked Superintendent Jaeger to introduce this item.

Superintendent Jaeger explained that school districts which receive override funding must annually hold a public meeting to share with the Governing Board and the public how the funds have been utilized. This information is also presented to meet the compliance requirement. He said Mr. Little and Ms. Tong will present the information, and asked Ms. Tong to begin the report.

Ms. Tong explained that Arizona law permits school districts to obtain local voter approval to override the state budget formulas for a school district's capital and or maintenance and operations (M and O) budgets. Additionally, the voters may authorize a special programs override to exceed the budget for a specific program, as was done in the past, which has funded the Amphi K-3 programs and provides free all-day kindergarten to students. She stated all school districts in Arizona receive the same amount of funding for each student, regardless of a school district's tax base or its level of need. Each school district is limited by state formulas to the amount it can spend as maintenance and operations and capital funds. The additional annual funding provided through the budget override depend on the M and O budget. The amounts provided by the budget override are a percentage of the M and O budget and, therefore, change annually.

Ms. Tong reviewed the Amphitheater Public Schools overrides that were approved by the voters on November 5, 2019. The first override is a 10% general M and O budget override and the second is a 3.5% K-3 special programs budget override. The overrides will remain in place for seven years. The District will receive the full percentage for the first five years, until school year 2024-2025. At that point, unless the voters renew the overrides, they will phase down during years six and seven. In year six, it will decrease by one third and year seven will decrease by another third. At year eight, the override ceases and the budget returns to regular state budget only.

Ms. Tong talked about changes from the 10% M and O override amount. She said the M and O override was first approved by the voters in 2005. At that time, state education funding and student enrollment were higher and the override amount was approximately

\$8.1 million. Currently, the override provides \$7,149,060 in additional funding to Amphitheater Public Schools. She compared the amounts provided by the 10% M and O override. In 2020-2021 there was \$7,792,593 received, and for 2021-2022 the override amount is less, at \$7,149,060.

She said every school in the District receives money from the 10% M and O override funding. At each elementary school there are dedicated certificated teachers for their special class offerings, which includes art, music and physical education. All middle schools benefit through additional elective classes and intervention labs, including career exploration, dance, drama, MESA, science, programming, technology, and math and writing labs. At the high school level, the students benefit from additional elective classes in areas of technology, science and fine arts. These classes include art, music, computer science, modern languages and Advanced Placement (AP) classes. Additionally, the funding provides students in all schools further benefit through tutoring and intervention programs during the school year and over the summer.

Ms. Tong reported that the 10% M and O override adds approximately 3% to the base salary for all employees. The funding helps keep District salaries competitive, and also helps to be able to hire quality educators. She clarified that this 3% to base salaries is different from the retention stipend approved for employees by the Governing Board for school year 2021-2022 and school year 2022-2023. The 3% retention stipend is paid through federal ESSER funds and just happens to be the same percentage amount. Additionally, the 10% M and O override adds facilities and technology positions to enable the District to remain current with growing technology demands and changes.

Ms. Tong spoke about the 3.5% K-3 special programs override. She said the override began with the 2019-2020 school year. The funds must be used in the K-3 program for the specific purpose approved by the voters; to provide for free all-day kindergarten, and to further reduce of size of classes in grades K-3. Currently, the override provides \$2,502,171 in additional funding for our K-3 programs. In 2020-2021, the funding amount was \$2,727,407. This year, the override funding reduction is attributed to the decline in the M and O budget and student enrollment. She said since the K-3 override funds provide free full-day kindergarten in the elementary and K-8 schools, Title I funds previously used to fund full-day kindergarten in Title I schools, are now used for other purposes in the Title I schools. In addition, prior to the K-3 override, parents in schools that did not qualify to receive Title I funds, had to pay for full day kindergarten. With the override funding, no parent pays for all-day kindergarten at any Amphitheater school.

Ms. Tong said the intention of the override is to also reduce class size for grades K-3. Since the election, regulation IIB-R (Class Size) has been revised to further reduce class size maximums for K-3 classes while the override is in place. Class sizes are:

Kindergarten - 25 students

First Grade - 25 students

Second Grade - 26 students

Third Grade - 27 students

She reported this year, the average K-3 class sizes meets the IIB-R maximums. However, policy IIB-R also puts steps in place for assistance to be provided to a teacher should class maximums need to be exceeded.

Ms. Tong concluded, saying that both overrides provide substantial benefits for all District students and their educational programs. The funding provides critical programs that are necessary for student success. She said that Amphitheater Public Schools are grateful to the voters of the school district who continue to support the students of the District with these overrides.

She stated if anyone would like to make a public comment about the overrides, they may do so at this time.

There was no public comment about this item.

Mr. Kopec thanked the community for the support of the two overrides. He said it has made an amazing impact.

### **C. Review of Federal COVID Relief Funding**

Vice President Day asked Superintendent Jaeger to introduce this item.

Superintendent Jaeger explained the information presented will provide the results from the funding survey and the plans for upcoming Elementary and Secondary School Emergency Relief-ESSER III funds, as well as a review of the spending of ESSER I and ESSER II funds.

He asked Ms. Valenzuela to present the results of the survey that gathered input on the spending of ESSER III funds. She explained the survey was sent in English and Spanish to staff, families and community members via email and it was also posted on social media platforms. She shared slides that showed the survey results. Approximately 3,000 people participated and 80% identified themselves as parents. The survey was broken into focused areas of authorized spending and each category included factors related to the topic. Participants were asked to rate how important each factor was for funding consideration.

A question asked about Academic Acceleration and Intervention, 83% of the respondents felt that extra teachers for intervention and tutoring was important or very important. 83% responded that improvements to classroom technology were important or very important. 86% felt that access to counselors and social workers was important or very important. 53% responding that access to water bottle fillers was important, and 55% felt that improvements in ventilation and air quality was important. 52% responded that additional staff for intervention and acceleration was important or very important, and 50% felt that additional support for teachers was important or very important. A question asked about Safety and Learning Opportunities, 47% responded that cleanliness of classrooms and training of custodial staff in proper cleaning techniques was important or very important.

Superintendent Jaeger thanked Ms. Valenzuela, and asked the Governing Board members if they had any questions.

Ms. Cox Golder asked for clarification of the number of respondents to the survey.

Ms. Valenzuela said there were approximately 3,000 individuals that responded.

Ms. Cox Golder asked who developed the survey.

Ms. Valenzuela said the School Operations department, primarily, Dr. Lopez created the survey.

Superintendent Jaeger asked Mr. Little to share information about the ESSER funding, and the pending application for the ESSER III funds.

Mr. Little said the agenda item recaps how ESSER funds have been spent and the proposed expenditures for ESSER II and ESSER III funds. He then gave an overview of that information.

He explained that ESSER Funds are allowed to be spent on any activity allowed under the Every Student Succeeds Act (ESSA). These include Title I, Title II, Title IV, and Title VII. Also eligible are other federal education acts, such as Individuals with Disabilities Education Act (IDEA), Carl D. Perkins Career and Technical Education Act (Perkins Act), McKinney Vento Homeless Assistance Act, and others. The funds may be used for COVID-19 related relief, prevention, and recovery efforts including coordination of preparedness and response to COVID-19 with public health departments, training staff for sanitation to minimize the spread of infectious diseases, and planning for and coordinating long term school closures. Additional uses include, purchasing educational technology for students, providing mental health services and support, and planning and implementation of summer learning and supplemental after school programs.

Mr. Little stated the District received \$3,173,678 in ESSER I funds, and there is a remaining balance of \$30,231.83. The funds were spent on salary and benefits, the purchase of bottle filling stations, 1,600 Webcams, Waterford and Pearson online programs, liability insurance, Zoom licenses and professional development.

Mr. Little spoke about ESSER II funds. He said \$13,002,600 was received and is available to spend until September 30, 2022. The funds were spent on salary and benefits, and will be used for retention stipends in fiscal years 2022 and 2023. Also, 23 intervention teachers were hired for the current fiscal year, and approximately 8,000 Chromebooks were purchased. Additionally, upgrades to air conditioning systems (to increase fresh air intake) were made and more bottle filling stations are being purchased and installed at all sites.

He explained that the District is in the process of obtaining ESSER III funds. These funds require that input be solicited for the use of funds, and the plan was developed based on the responses from the survey. The application is for \$13,002,600.

He detailed the proposed expenditures; \$8,582,495 for salary and benefits, to be used for retention stipends in fiscal year 2024 (requires Governing Board approval), 23 intervention teachers for fiscal years 2023 and 2024 and after school tutoring, summer school and Project Rise for summer 2022 and 2023. Also included are additional hours and wages for technology and health staff in fiscal years 2022, 2023 and 2024. He said \$5,624,000 is allocated to air conditioning upgrades, and approximately \$4,000,000 to the construction of an LTE based computer network to allow students to access technology from home.

Mr. Little stated \$5,559,466 is allocated for interactive technology for the purchase of 300 85" display monitors and 220 85" interactive displays, approximately 2,000 Chromebooks, 500 iPads, 500 document cameras, Zoom licensing and 500 Airtame devices to improve interaction between students and their classroom instructors, and \$667,000 for the purchase of 500 Chromebook storage carts.

He said \$2,042,939 is allocated for the replacement of multiple student desks with furniture that supports social distancing, and \$1,200,000 for personal protection equipment and supplies, estimated at \$400,000 per year for three years. \$800,000 is allocated to the construction of the previously approved Internship Center at Amphi High School to address the unique needs of that student population. Additionally, \$600,000 is for professional development of teachers over the next three summers, to address

disrupted learning using evidence-based academic, social and emotional learning strategies as specified by the requirements.

Mr. Little said this was the plan for ESSER III funds, and now was the opportunity for Governing Board members to make comments or adjustments.

Ms. Cox Golder commented that since he explained that the ESSER III funding request was based on department requests and the survey information, she asked how ESSER I and ESSER II funding was decided.

Mr. Little stated the ESSER I funding was decided when the education stability grant was not fully funded by the Governor's office and the District needed funds to cover the budget. The ESSER II funding addressed the most pressing needs. He said the retention stipend approved by the Governing Board consumed a large portion of the funds, and the need for the air conditioning upgrades and the completion of the bottle fillers were the other pressing needs.

Ms. Cox Golder commented that Mr. Little did a good job of balancing the needs of the District with the available funds.

Vice President Day asked if there were any more comments or questions.

There were none.

Superintendent Jaeger thought there was a discrepancy between the ESSER III amount and the amount Mr. Little mentioned earlier. He asked Mr. Little to clarify the amount of request for the ESSER III funds.

Mr. Little agreed there was a typo on the agenda item, and the amount of the application is for \$29,093,690.

Superintendent Jaeger said a few weeks ago during the Public Comment portion of the meeting, a comment was made alleging that the amount of funding received was tied to the requirement that students were required to wear masks. He re-iterated that the funding has no restrictions from the federal or state government relating to a masking requirement.

## **7. PUBLIC COMMENT<sup>1</sup>**

*Vice President Day read the Call to Audience Procedures.*

Emily Barncastle is a student at Amphitheater High School and stated that she was at the meeting to speak against the current mask mandate. She shared that she has been suspended twice for not wearing a mask at school. Ms. Barncastle went on to say that the mandate is against her rights and feels people should be able to make their own decisions regarding masks. She concluded by stating that the mandate is wrong.

Lisa Millerd is a 9<sup>th</sup> grade teacher at Amphitheater High School and AEA President. She stated she has been tasked with finding out how employees are surveyed to offer their input on various issues. She said that employees share with her that they are feeling overwhelmed and exhausted by the various initiatives that have been introduced. Ms. Millerd shared other concerns regarding professional development, increased supervision time, and employees' desire to not be micromanaged. She concluded with a call for collaboration between the District administration and employees.

Joni Kaminski is an Amphi parent and shared she wanted to speak out against the mask mandate. She referenced the Arizona Parents' Bill of Rights which notes that parents have the right to make healthcare decisions for their child. Ms. Kaminski stated that wearing a mask is a health decision and she felt the school district was ignoring this guideline. She went on to ask what is the metric for the end to this mandate and why can't parents have a voice in the decision?

Cami Reinhardt is an Amphi employee and shared that she is pro-choice when it comes to mask wearing. She commented on the fluctuations in student absences and stated that this happens every year, but those statistics have never been shared. She felt that information and details are omitted when statistics are shared. Ms. Reinhardt went on to say that the lack of ICU beds is due to a lack of staffing and not a space issue. She concluded with stating that putting students in detention for not wearing a mask is wrong and that masks should be optional.

Lorella Ritzel is an Amphi parent and employee. She began by comparing the number of reported COVID-19 cases in the Vail School District, where there is a not a mask mandate, to Amphi and noted that they are very similar. Ms. Ritzel went on to say that the mask mandates are arbitrary, and students are struggling. She noted that many students receive mixed messages between their parents who are against masks and their teachers who have to enforce mask wearing. She said that the situation is difficult for employees who have no say in the decision-making process and urged the District to open up the conversation.

Chad Carter started his comments referencing Common Sense Media and the framework they are implementing in schools. He said that Common Sense Media is a non-profit organization, that receives funding by various partners, including the Bezos Family Foundation, the Bill and Melinda Gates Foundation, the Chan Zuckerberg Initiative, and Jack Dorsey. Mr. Carter stated that it should concern everyone who funds this organization. He went said that Common Sense Media makes suggestions to families regarding media viewing, and he feels many selections on the site are anti-traditional values.

## 8. 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](#)

*Vice President Day asked if there were any Items that should be pulled for further discussion. There were none. Ms. Cox Golder moved for Consent Agenda Items A. – P. be approved as presented. Vice President Day seconded the motion. Voice vote in favor – 3. Vice President Day, Dr. Baker, Ms. Cox Golder. Opposed – 0. Consent Agenda Items A. – P. passed.*

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

*Non-administrative personnel appointments were approved as listed in Exhibit 2.*

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

*Certified and classified personnel changes were approved as listed in Exhibit 3.*

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

*Leave(s) of absence were approved as listed in Exhibit 4.*

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

*Separations and terminations were approved as listed in Exhibit 5.*



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

*Stipend for coaching volunteers were approved as listed in Exhibit 6.*

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

*Previous minutes for Governing Board Meetings held on September 14, 2021 and September 28, 2021 were approved as listed in Exhibit 7.*

**G. Approval of Vouchers Totaling and Not Exceeding Approximately \$2,757,719.05**

*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 8.*

Voucher #	Amount	Voucher #	Amount	Voucher #	Amount
1084	\$7,595.28	1085	\$161,903.62	1087	\$61,354.53
1088	\$185,737.02	1089	\$67,848.19	1090	\$92,830.71
1091	\$120,707.12	1092	\$284,095.24	1093	\$74,348.68
1094	\$108,594.73	1096	\$20,281.89	1097	\$184,272.27
1098	\$108,075.24	1100	\$19,655.13	1101	\$25,569.06
1102	\$46,276.36	1103	\$1,791.06	1104	\$40,558.86
1106	\$46,814.27	1107	\$1,099,409.79		

**H. Acceptance of Gifts**

*Gifts were accepted by the Governing Board as listed in Exhibit 9.*

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

*The Governing Board approved the September 2021 report on school auxiliary and club balances as listed in Exhibit 10.*

**J. Approval of Parent Support Organization(s) - 2021-2022**

*The Governing Board approved Ironwood Ridge Cheerleading Booster as submitted in Exhibit 11.*

**K. Approval of Disposal of Surplus Property via PublicSurplus.com**

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

**L. Approval of Recycle/Disposal of Surplus Electronic Equipment**

*The Governing Board approved the recycle/disposal of surplus electronic equipment.*

**M. Approval of Out of State Travel**

*The Governing Board approved the request for out of state travel as listed in Exhibit 12.*

**N. Approval of Settlement Authority**

*The Governing Board approved the settlement authority.*

**O. Approval of School Facilities Board (SFB) Grant for Cross Middle School Roof Replacement**

*The Governing Board approved the School Facilities Board (SFB) grant for Cross Middle School roof replacement as listed in Exhibit 13.*

**P. Approval of School Facilities Board FY 2021 Preventive Maintenance Program Report**

*The Governing Board approved the School Facilities Board FY 2021 Preventive Maintenance Program report as submitted in Exhibit 14.*

**9. PUBLIC COMMENT**

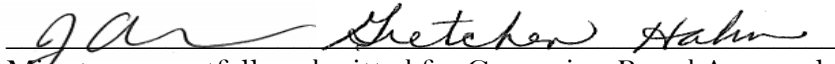
There was none.

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

Vice President Day requested a report on eSports at the next meeting.

**11. ADJOURNMENT**

*Vice President Day moved to adjourn the meeting. Ms. Cox Golder seconded the motion. There was no discussion. Voice vote in favor - 3: Vice President Day, Dr. Baker, Ms. Cox Golder. Opposed - 0. The meeting adjourned at 7:20 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*

December 6, 2021

Date

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Susan Zibrat, Governing Board President

December 7, 2021

Date