

DRAFT

**AMPHITHEATER PUBLIC SCHOOLS
Tucson, Arizona**

MINUTES OF SPECIAL PUBLIC MEETING OF THE GOVERNING BOARD

Place, Date and Time of Meeting

Wetmore Center, 701 West Wetmore Road, Leadership and Professional Development Center, October 25, 2016
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

Central Administrators Absent

Scott Little, Chief Financial Officer

Others Present

Clyde Dangerfield, Attorney

Call to Order and Signing of Visitor's Register

Ms. Deanna M. Day

Ms. Day called the meeting to order at 5:07 PM and invited any visitors who had not already signed the register to do so.

Pledge of Allegiance

Mr. Patrick Nelson

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

Ms. Day announced the next Regular Meeting of the Governing Board on Tuesday, November 15, 2016, at 6:00 PM, at the Wetmore Center, 701 W. Wetmore Road, Leadership & Professional Development Center, SE Parking Lot and Entrance.

PUBLIC COMMENT

There was no public comment.

Details of agenda items, supporting documents and presentations are available for review in electronic BoardBook by clicking on the hyperlinks below each agenda item.

1. CONSENT AGENDA

Ms. Day asked if there were Board Member requests to have any items addressed separately. Mr. Leska requested to set aside **Item 1.J. Receipt of Monthly Status Report for the Fiscal Year 2016-2017** and **Item 1.L. Approval of Request for Waiver of Graduation Requirement** for discussion.

ACTION: APPROVED. MOTION: Ms. Grant moved to approve Consent Agenda items A. - I., K. and M.- P., SECOND: Ms. Cozad, VOTE: 5-0 (Voice Vote). Appointment of personnel is effective provided all district, state, and federal requirements are met.

Discussion began on **Item 1.J. Receipt of Monthly Status Report for the Fiscal Year 2016-2017** Mr. Leska said that he set the item aside for discussion because School Finance is one of the most complicated things to understand and Mr. Little is not here this evening to tell us a little bit about this particular item. He stated he didn't know if the Board wanted to table the item for more discussion, or how that works. He commented to Mr. Nelson that they had talked a bit about it in an email and asked if he would like to expound upon that. Mr. Nelson said it was up to Mr. Leska if there is something he can answer or briefly take them through it, or if the Board wants Mr. Little to go through it in more detail next time. Mr. Leska said it would help him to understand the expenditures and what it really means. He understands what it means but wants to know the tax rates, the secondary, the primary and the outstanding says \$91M on the bonds and expenditures. He said he just wants an overview. Mr. Nelson said he could provide a quick overview but Mr. Little would prefer to go into a little more detail on the primary and secondary tax rates and provide a comparison with other districts. Mr. Leska said that would be great and he is referring to page 71 of the Board Book. Mr. Nelson said if you look across the top at all of the categories and then the total, then simply go down from that, it gives you the budget capacity then the expenditures. The thing to note is each quarter, when we do this monthly status report if you have questions about the spending each quarter, you will see some variations depending upon what comes due during that particular quarter. If you go down to the middle of the page where it says total expenditures year-to-date that is what we have expended so far then the next column is an important one, that is the anticipated encumbrances where we have committed the funds already. For example, under M & O where you see \$45M that is the encumbered contractual funds that we have committed to through the end of the year. You add that together to get the total expenditures and encumbrances. Also remember when we do the total budget capacity what we do is to extend the capacity greater than our estimated revenue in case we get a grant or something like that. In Arizona you have to have the capacity or you cannot spend it. We expand the capacity beyond our anticipated revenue for that particular reason. Then if you go down further you see Mr. Little provides a comparative from the previous year-to-month and you will see very little change except on Desegregation, and that depends on the expenditures for that particular quarter. The very last line, Bond Balance Outstanding, is essentially the amount of money that we still owe on our bonds. The assessed valuation is around approximately \$431M and we owe \$91M. We've been paying that off as quickly as we can. That is an overview, it would be helpful to have Mr. Little provide more detail as we have a chart that compares districts in Southern Arizona with us on primary and secondary tax rate. You will find that ours is one of the best. Mr. Leska asked if the outstanding amount we owe on bonds right now was \$91M. Mr. Nelson confirmed that was correct. Mr. Leska asked if in our last budget approval they approved approximately \$85M for total expenditures. Mr. Nelson confirmed it was total expenditures. Mr. Leska said he would probably have more [questions] now that he can understand the spreadsheet better, and asked if all M & O includes building, maintenance, plus teachers' salaries and staff salaries and what else it included. Mr. Nelson explained that is correct, it includes just about everything except for the categories that you see that we are required to report out differently. Approximately 85% of M & O is salaries for employees.

Discussion then began on **1.L. Approval of Request for Waiver of Graduation Requirement.** Mr. Leska expressed concern that the new IB student knew what courses were needed to graduate and in the past have not approved special waivers knowing they needed to take the classes. Mr. Leska said that Mr. Nelson mentioned in an email to him, and perhaps copied all Board Members, that we have online PE courses that the new student could take such as: bowling, personal wellness, healthy living, lifetime fitness, etc. to make up the course. Mr. Leska said it is his opinion that if we didn't approve a waiver before, why should we approve this one. The second waiver, which he knows is more controversial, is a student who has a condition that her parents and doctor say cannot take PE. Mr. Leska stated he has a family member who has the same condition and they participated in a modified PE program in high school. Online courses could be taken. He is inclined to not allow it because all the other students have to abide by it. Ms. Cozad said in regards to the student with the condition, she thinks the Board would be treading dangerously if the Board voted against it and there is a

doctor's note. Mr. Leska commented that the doctor's note just says he recommends not doing it and doesn't go into any detail. Usually we get details and this doctor's note was very benign, one sentence, "I recommend her staying out of PE for 4 years". Dr. Barrabee said he doesn't know anything about this condition, but it may be that it is a condition that you do not simply have or not have it, but have to different degrees, as with most conditions. Dr. Barrabee would agree with Ms. Cozad's view that the doctor would know the degree to which it is disabling for the student, we don't. It might have been nice if there had been something more specific; however, the very fact that the doctor wrote it and referred to the condition, to deny it we would have to assume that the doctor was wrong. That is to say that the doctor thought that it was sufficiently serious to write the letter and it is tricky. The only fall back would be to somehow question the doctor and ask him specifically if the student's particular case was severe. Dr. Barrabee said he doesn't know enough about the disease to know how much it varies among people so for one person it might mean being just a little more careful and for another person it might be quite dangerous. In doubt he would side with the doctor under the circumstances.

Ms. Day asked if the Board was ready to make a decision. Mr. Leska said he was going to make the motions separately, the first one is item 1. L. the one with the budget. Ms. Day pointed out that budget is Item 1.J. Mr. Leska made a motion on Item 1.J.

ACTION: APPROVED. MOTION: Mr. Leska moved to approve Consent Agenda item 1.J. as presented, SECOND: Ms. Grant, VOTE: 5-0 (Voice Vote).

Mr. Leska said that his second motion is on Item 1.L to DISAPPROVE the PE Waiver for Canyon del Oro Student # 30058712 (New IB Student) and to APPROVE the PE Waiver request for Student # 30056606 from Canyon del Oro (Medical) because he agrees with their [Board's] arguments.

ACTION: WITHDRAWN. MOTION: Mr. Leska moved to DISAPPROVE the PE Waiver for Canyon del Oro Student # 30058712 (New IB Student) and to APPROVE the PE Waiver request for Student # 30056606 from Canyon del Oro (Medical), SECOND: Ms. Cozad for discussion purposes.

Discussion continued. Dr. Barrabee asked for a refresher on how the Board has handled similar situations with requests for PE Waivers for students in the IB program. Mr. Nelson said it has been handled two different ways. The first time was last Spring when PE Waivers for four IB students were denied. Inadequate information was provided to the Board to make a decision. The counselors were contacted and asked for more information, it was provided to the Board and the Board then voted to allow the students to not take PE and approved the waivers. That is the most recent instance. Dr. Barrabee asked for clarification that in the first instance the Board denied the waiver, and these were the same students [that were approved later]. Mr. Nelson confirmed they were. Dr. Barrabee asked if essentially with more information the Board changed its decision. Both Mr. Nelson and Ms. Day said yes. Dr. Barrabee asked if the information that influenced that decision was the same as this case, or if it was different. Mr. Nelson said not to same the extent. Dr. Barrabee asked if we could reverse the decision if we got additional information. Mr. Nelson confirmed they could. Ms. Day asked if it could be put off to the next meeting without saying no this time.

Dr. Barrabee said he moved to table it. Ms. Day gave a reminder that there was already a motion on the floor. Mr. Leska said he could withdraw his motion but before he does so he wants to talk about the other person and the comment made by Ms. Cozad and Dr. Barrabee. Did the doctor know the options presented of being able to take online PE courses that does not include an extensive amount of physical activity as well? Maybe we can get more information from the doctor as part of the tabling.

Mr. Leska said on that note he withdraws his motion.

Ms. Grant asked in the case of the student that moved here from Houston, what more information would they like to have? She reviewed that he was in the IB program in Houston. TX and Houston gives 1.0 full credit for marching band. Amphitheater does not recognize the 1.0 here, we only recognize it as 0.50 credit so he is one

credit short for PE for Amphitheater. Ms. Grant said she wasn't sure what other information Ms. Barcanic or the parent could provide to the Board because they moved to Arizona and he wants to be in the IB program here. It isn't like he is not going to get that 1.0 credit. He still has to take something, it's just not PE. Ms. Day commented that it is her understanding he will be graduating with plenty of credits. Ms. Cozad affirmed that he will graduate with way over our required credits and in lieu of PE will have to take courses to replace PE and he'll take electives as part of IB. Ms. Day said she personally would rather see him take our classes rather than online bowling which we pay other providers for. Mr. Leska said before he withdraws [his motion] that was why his argument several months ago was to allow the reduction [of 1.5 PE credits to 1.0 PE credits] right away instead of with the next cohort. To allow all students to take advantage of that half credit reduction as opposed to only incoming Freshmen. Ms. Day said the Board has it within their purview to waive it for them, which is what the Board can do here tonight. Mr. Leska commented that was only for these two students, but not the entire high school population. Ms. Day said correct, that could be revisited, but it is within the Board's purview to make it right for these students now.

Mr. Nelson pointed out that Mr. Leska had withdrawn his motion. Mr. Leska said he has withdrawn his motion and wasn't sure if Dr. Barrabee wanted to make a motion. Ms. Day called on Dr. Barrabee. Dr. Barrabee said he doesn't have a suggestion. Ms. Day asked Dr. Barrabee if he wanted to table the item. Ms. Grant stated she wanted to make a motion and did so.

ACTION: APPROVED. MOTION: Ms. Grant moved to approve both PE Credit Waivers, SECOND: Ms. Cozad, VOTE: 4-1 (Voice Vote), "Nay" vote cast by Mr. Leska.

A. Approval of Minutes of Previous Meetings APPROVED

Minutes for August 2, 2016, August 23, 2016, September 20, 2016 and October 17, 2016 were approved as submitted. (*October 4, 2016 minutes will be resubmitted for approval due to revisions.*)

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.A.] (Exhibit A)

B. Approval of Appointment of Personnel APPROVED

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

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.B.]

C. Approval of Personnel Changes APPROVED

Certified and classified personnel changes were approved, as listed in Exhibit 2.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.C.]

D. Approval of Leave(s) of Absence APPROVED

Leave(s) 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=50219242>, Item 1.D.]

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

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

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.E.]

F. Approval of Reclassified Position - ELL District Coordinator APPROVED

The retitling and reclassification of the Instructional Support Assistant position to ELL District Coordinator with an increase in scheduled work days and compensation was approved as submitted.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.F.] (Exhibit 5)

G. Approval of Vouchers Totaling and Not Exceeding Approximately \$3,109,627.22 (Final Total) APPROVED

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 2016-2017

Voucher #450	\$469,274.53	Voucher #451	\$909,891.00	Voucher #452	\$324,873.27
Voucher #453	\$81,404.25	Voucher #454	\$83,048.43	Voucher #455	\$175,005.77
Voucher #456	\$129,730.67	Voucher #457	\$8,825.82	Voucher #458	\$771,049.87
Voucher #459	\$119,583.72	Voucher #460	\$10,965.91	Voucher #461	\$25,973.98

H. Acceptance of Gifts APPROVED

The Board accepted the gifts and donations listed.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.H.] (Exhibit 6)

I. Approval of Parent Support Organization(s) - 2016-2017 APPROVED

The following Parent Support Organizations were approved: **Amphi Middle School Parent Teacher Organization, Amphi Baseball Booster Club, Coronado Performing Arts Boosters, Canyon del Oro Baseball Booster Club and Coronado Wrestling Booster.**

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.I.] (Exhibit 7)

J. Receipt of Monthly Status Report for the Fiscal Year 2016-2017 APPROVED

The monthly status report for September 2016 was approved as submitted.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.J.] (Exhibit 8)

K. Approval of Out of State Travel APPROVED

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=50219242>, Item 1.K.] (Exhibit 9)

L. Approval of Request for Waiver of Graduation Requirement APPROVED

The waivers were approved as submitted. Students are required to replace the credits with other course work.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.L.] (Exhibit 10)

M. Approval of School Facilities Board FY 2016 Preventative Maintenance Program APPROVED

The FY 2016 Preventative Maintenance Report was approved as submitted.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.M.] (Exhibit 11)

N. Approval of EasySave Energy Program Grant APPROVED

The Governing Board approved authorization of the EasySave Program Participation Agreement and Energy Services Agreement, and that the agreements be executed by the Executive Manager of Operational Support.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.N.] (Exhibit 12)

O. Approval of School Facilities Board (SFB) Supplemental Grant for: Coronado K-8 Roof Replacement APPROVED

The Governing Board acknowledged acceptance of the amended grant amount.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.O.] (Exhibit 13)

**P. Approval of School Facilities Board (SFB) Grant for: Amphitheater High School Fire Alarm Replacement
APPROVED**

The Governing Board executed the Terms and Conditions and accepted the Building Renewal Grant for the fire alarm replacement at Amphitheater High School, Project Number 100210281-9999-018BRG in the amount of \$46,620.00.

[<https://v3.boardbook.org/Public/PublicAgenda.aspx?ak=1000433&mk=50219242>, Item 1.P.] (Exhibit 14)

Ms. Day asked for a motion to recess the Open Meeting and hold an Executive Session.

ACTION: APPROVED. MOTION: Ms. Grant moved to recess the Open Meeting and hold an Executive Session, SECOND: Ms. Day, VOTE: 5-0 (Voice Vote), TIME: 5:29 PM.

2. EXECUTIVE SESSION

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

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

- a. Student # 30048101;
- b. Student # 30022418;
- c. Student # 30013517;
- d. Student # 30021768;
- e. Student # 30048790;
- f. Student # 30057144;
- g. Student # 30049224; and
- h. Student # 30010183.

B. Motion to Close Executive Session and Reconvene Open Meeting

Upon return to the Board Room Ms. Day asked for a motion to close Executive Session and reconvene Open Meeting.

ACTION: APPROVED. MOTION: Ms. Grant moved to close Executive Session and reconvene Open Meeting, SECOND: Ms. Cozad, VOTE: 5-0 (Voice Vote), TIME: 6:53 PM.

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Ms. Day asked the Board if there were any requests for future agenda items. Mr. Leska requested a future item on PE Waivers.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

Ms. Day asked for a motion to adjourn.

ACTION: APPROVED. MOTION: Ms. Grant moved that the meeting be adjourned, SECOND: Ms. Cozad, VOTE: 5-0 (Voice Vote), TIME: 7:54 PM.

Respectfully submitted,
Karen S. Gardiner

Deanna M. Day, President

TBD
Date

Approved: TBD