



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: June 21, 2011

TITLE: Continuing Review and Revision of Governing Board Policies; Approval of Revisions to Policies Contained in Policy Classifications A (Foundations and Basic Commitments); B (School Board Governance and Operations); C (General School Administration); D (Fiscal Management); E (Support Services); and F (Facilities Development)

BACKGROUND: This item follows the Governing Board's study of the same on April 12, 2011. At that time, the Administration presented background on the ASBA policy system, which the District subscribes to and uses to organize and facilitate its policy adoption and maintenance process.

This particular item reflects the ongoing process of periodic review of Governing Board Policies. In conducting this type of review, the Administration (or ASBA) proposes revisions to policies where the policies are outdated; where changes in law or state rules necessitate revision; or where the Board has directed changes. Some changes presented in the resulting draft, most commonly.

Please note that the attachments include two drafts of revisions to Policy Manual Sections A-F are presented in two formats: first, a "redline" version which shows all the detail of the changes made in traditional editing format; and then second, a "final" version showing all the proposed changes incorporated into one "clean" document.

To aid Board members in conducting their review in a more manageable manner, I am attaching two lists. The first lists all those policies containing substantive changes. The next list details those policies that would be new additions to our policy manual or which would be deletions from our manual. In a couple of instances, the new additions reflect policies that the Board has already approved but are simply listed as "new" for ASBA tracking purposes.


As was presented in April, there are several important things to bear in mind as these drafts are reviewed:

- All recommended deletions are indicated in red with a strikethrough, with the exception of a few circumstances of specific Amphitheater District information that sometimes appear as deletions. That is simply a function of current ASBA formatting and will not be deleted.
- Recommended additions/changes are in blue.
- All sections of the drafts which are unchanged under the proposed revisions (i.e., comport with current policy language) appear in black.
- Many documents have only minor or technical changes that are not substantive. Typically such changes or corrections are made to enhance sentence structure, improve grammatical presentation, correct semantics, accommodate statutory codification adjustments, and so forth.
- Many of the documents have no proposed changes at all.

Additional revisions requested by Board members through the April 2011 review of this item have been included in the drafts which are attached.

RECOMMENDATION: This item is presented for the Board's approval at this time, which is recommended.

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: June 15, 2011



Vicki Balentine, Ph.D., Superintendent

POLICY REVISIONS

Manual Introduction

Language, code and index updates

Section A (Foundations and Basic Commitments)

No revisions: **A, AA, AA-E, ADA, ADAA**

Legal/Cross reference only: **ABA, AC, ACA**

Minor language only: **AC-E, AD**

Minor language/cross reference: **ABAA**

Deleted: **ACA-RB, ACA-RC**

AC-R - Timelines for the initial complaint filing, investigation and responses have been added.

ACA-R (was ACA-RA) - Timelines for the initial complaint filing, investigation and responses have been added.

ACA-E (was ACA-RB) - Complaint form added.

Section B (School Board Governance and Operations)

No revisions: **BAA, BBBB, BBBE, BDB, BDF, BED, BEDH-EA, BEDH-EB, BHA**

Legal/Cross reference only: **BB, BCA, BDH, BEDI, BIA, BJ, BK, BKA**

Minor language only: **BA, BBA, BBBC, BCB-E, BDD, BEDF, BG, BGB, BGC, BGE, BGF**

Delete: **BDG-R, BEDK, BKB**

BBA – Descriptions of the legislative, executive, and appraisal responsibilities of the Board are added.

BBAA – Sets forth that a quorum of the Board may be met by appearance of a member in person or through technological devices

BBBB (Board Member Oath of Office). The requirement that at least one day between the date an elected or appointed official took the oath of office and the date the official could commence the term of office was removed (per legislation). The member must take the oath, however, before the member can commence the term and perform any official act. Signing the oath of office is the official taking of the oath; a ceremony may be held, if desired, but it does not constitute the official oath. Also, newly elected Board members must review the Open Meeting Law before taking office.

BCB (Board Member Conflict of Interest). Adds language that school district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Conditions for purchases of supplies, materials, and equipment from Board members are set forth.

BDA (Board Organizational Meeting). Adds language that, if a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.

BDE (Board Committees). Clarifies that the Board shall not establish standing or permanent committees, and there shall be no standing or permanent committees composed of the Board members.

BDG (School Attorney). Removes language permitting the Board to utilize the services of the County Attorney. Permits the Board to retain private counsel and services as necessary.

BE (School Board Meetings). Adds reference to Policy BEDA which sets out new notice posting requirements. Policy BE has been further adjusted to address a potential technical complication concerning the manner by which a scheduled Board meeting may be postponed or cancelled.

BEC (Executive Sessions / Open Meetings). Adds provisions to requirements necessary for the Board to meet in executive session.

BEC-E (Executive Sessions / Open Meetings Minutes). New form to follow for recording of Executive Session Minutes.

BEDA (Notification of Board Meetings). Language added to A.R.S. 38-431.02 by Senate Bill 1303 further clarifies requirements for the posting of meeting notices. The statute now specifies that the minimum twenty-four hour notice of a meeting may include Saturday when the public has twenty-four hour access to a physical posting location of the notice, but does not include Sundays or holidays identified in A.R.S. 1-301.

BEDB (Agenda). Revised to clarify and differentiate what, when, and how the several types of items on an agenda can be addressed without violating Arizona's open meeting law (OML). The particular agenda form the district uses will now be displayed as a Manual exhibit following policy BEDB.

BEDBA (Agenda Preparation and Dissemination-Regular Meetings). Removes language permitting the Superintendent to remove items from a published Governing Board agenda.

BEDC (Quorum). Lacking a quorum, meetings cannot be convened and board actions necessary to authorize critical functions of the district may not be accomplished. Senate Bill 1196 adds a subsection to A.R.S. 5-321 that permits the remaining members of a board having one or more vacant member seats to qualify as a quorum for the purpose of transacting business, with the stipulation that a single board member does not constitute a quorum.

BEDD (Rules of Order). Modifies procedural rules regarding addressing the Board, the making and seconding of a motion.

BEDG (Minutes). Sets forth requirements for how and when Board meeting Minutes will be prepared, maintained, stored and be made available to the public for inspection.

BEDG-R (Minutes of Open Session Governing Board Meetings, Board Subcommittees and Advisory Committees). Sets requirements for the inclusion of information in Board or board-authorized meetings other than executive sessions.

BEDH (Public Participation at Board Meetings). Extensive language simplification.

BGC-R (Policy Revision and Review). New Regulation which adds guidelines for utilization of the Policy Services Program of the Arizona School Boards Association (ASBA) in the amendment of District policies or in the adoption of new policies originated by the District.

BGD (Board Review of Regulations). Provides for the Board to receive advance copies of administrative regulations.

BGE-R (Policy Communication/Feedback). Provides guidelines for making revisions to Manual

BGE-E (Policy Communication/Feedback: Change Memorandum). Provides memorandum form for policy revisions.

BHC (Board Communications with Staff Members). New policy requiring employees to exhaust administrative remedies before discussing concerns with Board members; clarifies that employees who wish to address the Board as a member of the public should follow established guidelines. Board members will communicate to employees through the Superintendent.

BHD (Board Communication with the Public). New policy clarifying procedure for discussion with Board members.

BIB (Board Member Development Opportunities). Encourages Board member development via governmental and national school boards associations. Requires professional journals and books in the school libraries to be made available to every Board member.

BIBA (Board Member Conferences, Conventions and Workshops). New policy sets guidelines for Board members' training opportunities, conference attendance and resource-sharing.

BID (Board Member Compensation and Expenses). Permits recompense to Board members for expenses incurred in connection with school business. Notes legislative limit on reimbursement amounts.

BIE (Board Member Insurance/Liability). HB 2011 slightly revised A.R.S. 15-341(A)(31) and recodified it as 15-341(A)(29). The revised language has the effect of directing that the governing board shall ensure the identified insurance coverage is secured. The statement is added in BIE to clearly state the board's directive for district compliance with the statutory requirement.

Section C (General School Administration)

No revisions: **CE, CE-R, CFD-R, CH-R**

Legal/Cross reference only: **CA, CCB, CHD**

Minor language only: **CB, CH**

Delete: **CF**

CBA

CBCA

CBI (Evaluation of Superintendent). The sentence, "Evaluations are confidential." was deleted from the CBI document nearly three years ago. Only the evaluations of teachers are confidential as provided in 15-537(G). Because the legislature did not extend in statute the provision of confidentiality to any other class of school district personnel, except for certain narrow conditions, the evaluations of those employees are accessible under the public records laws.

CC

CCB-R NEW

CD

CFD

CFD-E NEW

CHCA

CHCA-R

CK

CM (School District Annual Report). Deleted from CM is the excess utilities annual report due to the expiration of the statutory authorization to budget for excess utilities. Added, through A.R.S. 15-213.01 by House Bill 2332, is the requirement for annual reports to be filed with the School Facilities Board and the Department of Commerce Energy Office by school districts having a guaranteed energy cost savings contract.

Section D (Fiscal Management)

No revisions: **DA, DBI, DD, DDA-R, DFB, DFD, DJGA**

Legal/Cross reference only: **DB, DBC, DK**

Minor language only: **DBC-R, DDA, DG, DH, DID, DJ, DJGA-R, DKC**

Minor language/legal reference: **DBF, DFA, DGA, DI, DIB, DM**

Delete: **DKC-E**

DBJ (Budget Transfers). Technical correction by ASBA. HB 2011 deletes from language in A.R.S. 15-905(G) a provision, valid until June 30, 1999, that authorized expending monies in excess of the capital outlay section of the budget only by action taken at a board meetings and if monies were available in the reserve. Policy Services had inadvertently left the provision in DBJ.

DD-E NEW

DEC (Funding from Federal Tax Sources.) HB2725 added to A.R.S. 15-905 language applicable to districts receiving Impact Aid Program funds pursuant to Title VIII of the Elementary and Secondary Education Act of 1965. The statute specifies the school districts are to establish a local impact aid fund into which impact aid monies are to be deposited. A separate accounting is to be made for the fund monies and shall not be combined with any other source of local, state or federal assistance. Monies in the fund shall be expended pursuant to federal law only for the purposes allowed by 15-905. The school district **MUST** comply with the uniform system of financial records to account for monies in the fund. The Superintendent of Public Instruction shall separately account for monies in each school district's impact aid fund in the annual report required by section 15-255. Monies in the fund are considered federal monies and are not subject to legislative appropriation. Policy document model DEC is recommended for Board adoption to require compliance with 15-905.

DFE (Income from School Sales and Services). A.R.S. 15-342(27) was revised to include the authority to sell advertising space on school buses. Although no limitation is placed on the sale of advertising, the statute continues to prescribe restrictions and requirements on the content in the advertising, as well as the placement of advertising displayed on the exterior of school buses.

A.R.S. 15-342(27) also added a provision that school districts may sell advertising space at athletic facilities. 15-342(27)(c) directs that a school district that sells advertising on school buses and athletic facilities shall establish an advertisement fund composed of revenues from those sales. It further states that the advertisement fund is not subject to reversion, meaning that unexpended balances remain in the fund in perpetuity.

A.R.S. 15-342(34) adds that school districts may sell advertising on school district websites and websites maintained by schools in the school district. A.R.S. 15-342(34)(b) directs that a website advertisement fund shall be established for revenues from the sale of website advertising, and the monies in the website advertising fund are not subject to reversion. The governing board may use website advertisement funds for any pupil related costs as the board determines.

DGD NEW??????????
DGD-R NEW??????????
DGD-E NEW??????????

DIA (Accounting System). Previously A.R.S. 15-914.01(A) granted statutory authority for a school district with a student count of at least four thousand students to apply for State Board of Education (SBE) approval to assume accounting authority for the district in place of accounting authority residing with the county school superintendent. HB 2011 revised 15-914.01(A) to remove the student count requirement. Standards have been added at 15-914(D) by which any qualifying school district may seek approval by the SBE to assume accounting responsibility. The authority to submit an accounting responsibility plan to the SBE, and the requirement, upon approval of that plan, compelling the district to contract with an independent certified public accountant for an annual financial and compliance audit have been written into policy DIA.

DIC (Financial Reports and Statements). House Bill 2369, approved in the Second Regular Session of the 48th Legislature, amended A.R.S. 15-904 authorizes the distribution of the annual financial report by either a newspaper of general circulation in the district, electronically on the Arizona Department of Education (ADE) web site, by the official newspaper of the county or by mail to each household in the district. If the ADE web site is used there must be a link from the district web site to that location.

DID-R
DIE

DIE-R (Audits/Financial Monitoring). The standards to qualify for approval of an accounting responsibility plan, as described above the discussion for Policy DIA, are set out

DJB

DJE (Bidding / Procurement Procedures) A.R.S. 41-4401, through HB 2745, was revised to direct that school districts award a contract only to entities that complies with the E-Verify procedures for employers. The statute also requires school districts to ensure that such laws and regulations are followed.

Language from A.R.S. 15-213 is included to encompass additional procurements not requiring bidding by school districts, including the acknowledgement of the exemptions provided through intergovernmental agreements and contracts between school districts as well as between school districts and other governing bodies. Finally, also added is the authority given for school districts to engage in online bidding by A.R.S. 41-2671 through 2673.

Also added is language requiring verbal quotations for purchases of \$5,000 to \$25,000; written quotations for purchases from \$25,000 to \$50,000; and competitive bidding and procurements procedures for purchases of \$50,000 and greater. Additional language describes when quotations and bidding/proposals are not required for acquisition.

DJE-R (Bidding/Purchasing Procedures). The Cooperative Purchasing Agreements section of this administrative regulation has been revised to reflect new competitive bidding requirements as described above (DJE). The regulation has been substantially expanded for the purpose of providing more extensive guidance to a school district's procurement procedures and practices.

DJE-E

DJG (Vendor/Contractor Relations). Issues and concerns with earlier language in A.R.S. 15-512 concerning the fingerprinting of contractors, subcontractors, and vendors led to further alterations in House Bill 2031. Contractors, subcontractors, and vendors contacted to provide services on a regular basis at an individual school shall obtain a valid fingerprint clearance card unless the superintendent or principal grants an exemption. The statute now states a contractor, subcontractor, and vendor may be exempt from the fingerprint card requirements if the superintendent or principal

determines the provider is not likely to have independent access or unsupervised contact with students as a result of the provider's normal job duties while at the school. To comply with the revised 15-512, contractors, subcontractors, and vendors must obtain a valid fingerprint clearance card by December 31.

DJG-R NEW

DK-E

DKA PA

DKA-E NEW

DN PA

Section E (Support Services)

No revisions: **EA, EBAB, EBAB-R, EBCD, EDA, EDA-R, EDC-R, EDC-E, EEAA-R, EEAG, EEAG-R, EEB-RA, EEB-RB, EFE**

Legal/Cross reference only: **ECAD, EEAA, EEAEA, EEAEB, EEBD, EF, EHB, EI**

Minor language only: **EBAA, EBAA-R, ECAC-R, ED, EDB-R, EDBA, EDC, EEAEAA-E, EGAD**

Minor language/legal reference: **EDB, EEAEAA-R, EEAEC, EF-E**

Delete: **EBBB-RB, EDA-EA, ECA-EC, ECB-R, ECE, ECE-R, EEAED, EEAED-R, EGAD-R**

EB

EB-R NEW

EBBB

EBBB-EA

EBBB-EB

EBBB-EC

EBC

EBC-RA NEW

EBC-RB NEW

EBC-RC NEW

EBC-RD NEW

EBC-RE NEW

EBC-E NEW

EBCD-R NEW

ECA

ECA-EA

ECAC

ECB (Building and Grounds Maintenance).

Several unfortunate incidents in recent years has heightened sensitivity for school systems to have in place processes to detect building design and construction deficiencies and equipment malfunctions that place persons and property at risk. The legislature enacted

HB2760 expanded A.R.S. 15-2002(K) was expanded to REQUIRE that district facilities routine preventative maintenance guidelines SHALL include plumbing systems, electrical systems, heating, ventilation and air conditions systems, special equipment and other systems, and for roofing systems a recommendation

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that visual inspections by district staff to be performed to check for signs of structural stress and weakness. A.R.S.-342.01 REQUIRES districts to have a roof inspection protocol to be followed prior to any repair or replacement of roof elements or roof mounted equipment to be performed in accordance with local building per requirements. The inspections MUST be conducted by a registered structural engineer or other professional with appropriate skills, training and certification.

EE

EEAE

Policy Advisory 382 EEAE – Bus Safety Programs.

Applies to: All Elementary Union Unified JTED Accommodation

A.R.S. was amended by HB2197 to specify that the REQUIRED school bus inspections SHALL be performed according to rules adopted pursuant to A.R.S. 28-900. 28-900 directs that the Department of Administration in consultation with the Department of Public Safety and the school bus advisory council shall adopt rules as necessary to improve the safety and welfare of school bus passengers by minimizing the probability of accidents involving school buses and school bus passengers and by minimizing the risk of serious bodily injury to school bus passengers in the event of an accident. The rules were adopted by the Department of Administration in 2008. Document model EEAE has been updated to align with current state and federal standards applicable to school buses and school bus drivers.

EEAE-RA

EEAE-RB

EEAE-RC

EEAE-E

EEAE-EA NEW

EEAE-EB NEW

EEAEAA

EEAEC-R

EEAF

EEB

EF-RA NEW

EF-RB

EFC

EFC-R

EFDA NEW

EGAE

EGAEA

EGAF

EGD NEW PA

EGE

EHB-R NEW PA

Policy Advisory 383 EHB-R – Data/Records Retention.

Applies to: All Elementary Union Unified JTED Accommodation

Regulation document model EHB-R alerts districts that there are completed and pending revisions to the records retention requirements of AZLAPR and explains that the ongoing modifications of the rules necessitates vigilance by district personnel to assure the district has the most current versions of the retention schedules. The uniform resource locator (URL) to the AZLAPR website is displayed in the regulation to assist districts in accessing the

schedules to assure that retention and disposal of public records complies with the most recent revisions to the requirements.

EI-R

Section F (Facilities Development)

ASBA's policy consultant recommends that the Board consider developing a Facilities Handbook which would address the issues currently found in the majority of the F-series policies. A brief review of several other school districts that utilize ASBA's policy services indicates that only three F-series policies are commonly contained in their manuals: FA (Facilities Development Goals/Priority Objectives); FEA (Educational Specifications for Construction); and FF (Naming Facilities).

As the language contained in the District's F-series policies is proprietary to the district, ASBA did not offer other recommendations for revisions other than the following:

Legal/Cross reference only: FEA

Minor language only: FFB