

**Minutes of the Regular Governing Board Meeting  
Amphitheater Public Schools  
Tuesday, February 8, 2022**

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A Regular public meeting of the Governing Board of Amphitheater Public Schools was held Tuesday, February 8, 2022, 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. Vicki Cox Golder, President  
Ms. Deanna M. Day, M.Ed., Vice President  
Dr. Scott K. Baker, Member  
Mr. Matthew A. Kopec, Member  
Ms. Susan Zibrat, 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  
Dr. Shannon McKinney, Director of Curriculum and Assessment  
Mr. Richard C. La Nasa, Executive Manager of Operational Support  
Ms. Michelle Valenzuela, Director of Communications  
Ms. Julie Valenzuela, Director of 21<sup>st</sup> Century Education

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

President Cox Golder called the meeting to order at 6:00 p.m. and invited members of the audience to sign the visitors register.

**2. PLEDGE OF ALLEGIANCE**

Superintendent Jaeger announced that students from La Cima Middle School were leading the Pledge of Allegiance tonight. He invited Principal Dr. Anne Dudley, to introduce the students. Dr. Dudley introduced Bethany, Ben and Natalie. She talked about their participation in clubs and activities at school. The students then led the Pledge of Allegiance.

Dr. Baker presented the students with certificates of commendation. A group picture with the students, Dr. Dudley, the Governing Board, and Superintendent Jaeger was taken to mark the occasion.

**3. RECOGNITION OF STUDENT ART**

Superintendent Jaeger asked Dr. Dudley to introduce the art teacher from La Cima Middle School. She invited Thomas Holaday to talk about the art on display in the Boardroom. Mr. Holaday said he asked students to research their projects and create something a little more challenging. To illustrate how middle school students express their identity, they created artistic renderings of their handprints combined with descriptive words representing who they are. He explained other posted pieces that used block letters for a lesson on perspective. Mr. Holaday said he teaches that art, graphic design and the use of computer aided drafting (CAD) can be a pathway to a career. He stated he has been teaching for 22 years, and really enjoys the opportunity to develop the students' creativity and confidence.

Dr. Baker presented Mr. Holaday with a certificate of commendation. A group picture with Mr. Holaday, the students, Dr. Dudley, the Governing Board, and Superintendent Jaeger was taken to mark the occasion.

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

President Cox Golder announced that the next Special Governing Board Meeting would be held on Tuesday, February 22, 2022 at 5:30 p.m., at the Wetmore Center, 701 W. Wetmore Road, Tucson AZ 85705 in the Leadership & Professional Development Center.

#### **5. RECOGNITIONS**

##### **A. Recognition of Amphitheater School District 2022 Spelling Bee Finalists**

Superintendent Jaeger said it was exciting to recognize the five finalists from the District Spelling Bee. He introduced the coordinator of the Spelling Bee, Bethany Papajohn, principal at Painted Sky Elementary School to introduce the students.

Ms. Papajohn said it was an honor for Painted Sky Elementary School to be the coordinators. She thanked Vice President Day for judging and supporting the event. Ms. Papajohn explained the top two winners will represent the District at the Pima County Spelling Bee. Ms. Papajohn asked the principals of each of the students to use a few words to describe the students. She then introduced the students and shared what the principals wrote.

Muhammad Yusuf Maruf finished as an alternate. He is a fourth-grader at Walker Elementary School. He was described by his principal, Mr. Chris Trimble, as responsible, respectful, and a dedicated learner.

Kian Huff finished in fourth place. He is an eighth grader at Cross Middle School. His principal, Mr. Chris Gutierrez, said he is dedicated, determined and loves to spell.

Neal Qin finished in third place and is a fifth grader at Amphi Academy Online. Principal Mr. Andrew Szczepaniak described him as a respectful, responsible learner always.

Natalia Hightower finished in second place, and she is an eighth grader at Wilson K-8 School. Principal Ms. Christine Sullivan said she is a highly motivated student with a strong and passionate voice in the classroom and on the campus.

Kiera Franks, finished in first place is an eighth-grader at Cross Middle School. Mr. Gutierrez described her a voracious reader with a kind heart.

Ms. Papajohn reported the winning word was “resplendence”. She stated she was so proud of the students. They are respectful, responsible and represent the achievement of students in the District.

The students introduced their guests they brought with them.

On behalf of the Board, Vice President Day congratulated the Spelling Bee winners and presented them with a certificate of recognition. A group picture was taken of the students, Ms. Papajohn, the Governing Board, and Superintendent Jaeger to mark the occasion.

##### **B. Recognition of Amphitheater High School Superintendent's Student Advisory Council**

Superintendent Jaeger stated that he is grateful to be able to meet with students at each high school through his Student Advisory Councils. He commented that it is very rewarding to watch students grow over the years and form their views of the world and their schools. He

asked Amphitheater High School Principal, A. J. Malis to introduce the students from that school's Council.

Mr. Malis thanked the Board and introduced the students in attendance. They were Brandon Fimbres Velasquez, Jayla Rivers, and Kayah McMarion. Each student introduced their family members in the audience. Mr. Malis also announced the names of the students who were unable to attend; Ashley De La Rosa Castaneda, Carlos Ybarra, Blanca Torres, Keagan Haynes, Andres Espinoza-Zasada, Persia Pablo, Xavier Ruiz, Ali Mohamud Apko, Trevyn Lyle, and Camile Hawkins.

Superintendent Jaeger thanked the students for everything they contribute to the meetings and told them they were making a difference.

Mr. Kopec presented the students with certificates of recognition and a group picture was taken with the present students, Mr. Malis, the Governing Board, and Superintendent Jaeger to mark the occasion.

### **C. Presentation of Distinguished Service Awards**

President Cox Golder asked Superintendent Jaeger to present the awards.

Superintendent Jaeger explained that each month during the school year, a certificated and a classified staff member are recognized with a Distinguished Service Award.

He said Ms. Papajohn nominated Brianne Ronnie for the certificated award and asked her to introduce Ms. Ronnie. Ms. Papajohn said Ms. Ronnie has been with the District for seventeen years. She spoke about her commitment to her students, Painted Sky Elementary School and the community. Ms. Ronnie has earned her National Board Certification and is always supportive of other staff members. Ms. Papajohn said Painted Sky is honored to have such a dedicated, high caliber educator who is passionate about growing each person to their fullest potential.

Ms. Ronnie stated she was excited to be honored with this award. She introduced her husband, and was very appreciative of her students coming to the meeting to be a part of her recognition.

A video presentation was shown honoring Ms. Ronnie for the work she has done in the District.

President Cox Golder presented Ms. Ronnie with a certificate of recognition from the Governing Board, a Distinguished Service Award and a gift card donated by the Amphi Foundation. A group picture with Ms. Ronnie, her students, Ms. Papajohn, the Governing Board and Superintendent Jaeger was taken to mark the occasion.

Superintendent Jaeger said the classified award recipient, Lyndsay Cruce, was not able to attend the Board meeting. He introduced Jessica Jarrett, Assistant Principal at Amphitheater Middle School to speak about Ms. Cruce and accept the award on her behalf.

Ms. Jarrett said Ms. Cruce is the epitome of dedication as a special education teaching assistant. She takes initiative in the classroom, and because of her positive attitude, she works well with students, parents and staff. Ms. Jarrett stated it is difficult to find employees to work in special education, but she is loyal, committed and fun to be around.

A video presentation was shown honoring Ms. Cruce for the work she has done in the District.

President Cox Golder presented Ms. Jarrett with a certificate of recognition from the Governing Board, a Distinguished Service Award and a gift card donated by the Amphi Foundation on Ms. Cruses' behalf.

In their honor as Distinguished Service Award recipients, a plaque bearing their names is on display in the Leadership and Professional Development Center.

#### **D. Recognition of National Board Certified Teacher Recipients and Renewals**

President Cox Golder asked Superintendent Jaeger to introduce this item.

Superintendent Jaeger explained that becoming a National Board Certified (NBCT) teacher is a lengthy process and the District is very fortunate to have a number of teachers who have gone the extra mile and obtained their National Board Certification. Additionally, there is a strong group of NCBT mentors that support teachers going through the process. He invited Ms. Peggy Marner to introduce the newly certified teachers and speak about their accomplishments.

Ms. Marner was pleased and honored to introduce each recipient. She talked about each candidate and their special talents, then presented them with a bouquet of flowers. She announced the staff that have renewed their certificates: Karyn Vick-Frantzikonis, Curriculum and Instruction Support Specialist; Shelby Davis, Rio Vista Elementary School; and Kim Dickinson, Amphitheater High School.

Ms. Marner introduced the new NBCT staff members: Lynn Thacker, Mesa Verde Elementary School; Shawn Smith, Amphitheater High School; and Brian Donahue, Lulu Walker Elementary School. She invited their principals to say a few words about them.

Carol Tracy, principal at Mesa Verde Elementary School, stated it was very humbling to be standing with the NBCT-recognized staff, because it is a very rigorous process. She said she is proud to be Ms. Thackers' colleague and friend.

Dianna Kuhn, principal at Rio Vista Elementary School, said she was proud to have Shelby Davis as an Interventionist at Rio Vista. Ms. Davis has become a strong leader and has made an impact with all the students she works with.

A. J. Malis, principal at Amphitheater High School, said Ms. Dickinson could not attend, because she was celebrating winning the tournament with the AHS Unified Sports basketball team in Phoenix. He commended her on becoming recertified and for her dedication to every student. Mr. Malis said Mr. Smith has grown as a teacher and appreciated him becoming the AVID site coordinator at Amphi High. He said he was fortunate to work with Ms. Dickson and Mr. Smith every day.

Karyn Vick-Frantzikonis, Curriculum and Instruction Support Specialist, said she is pleased to work with Mr. Donahue. She remarked on the extreme dedication of all the candidates she has worked with over the years as a mentor.

Vice President Day commented on the dedication of the staff members and their mentors, and presented the recipients with certificates of accomplishment and recognition. A group picture was taken of the teachers, the Governing Board, and Superintendent Jaeger to mark the occasion.

*A short break was held so that the recognition recipients could leave.*

## **6. INFORMATION**

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

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

President Cox Golder asked Superintendent Jaeger to present his report.

Superintendent Jaeger began his report by showing some photos which highlighted events from around the District.

He explained studying other cultures is part of the curriculum and Cross Middle School students built a dragon and held a parade on February 1<sup>st</sup> to celebrate Chinese New Year.

Eighth-graders from around the District attended an event called “This is High School” They visited Ironwood Ridge, Canyon del Oro and Amphitheater High Schools to get a feel for what high school will be like and learn about some of the opportunities they will have next year. Students were able to attend CTE classes and explore the diversity of other classes. He thanked the staff, teachers and high school students who gave next year’s incoming freshman class a wonderful experience and made them feel welcome.

At Prince Elementary School, first-grade scholars learned about light. They conducted experiments, and determined whether the light and the given material represented translucent light, opaque light or reflecting light.

Copper Creek Elementary School held an awards assembly to honor the students and staff who demonstrate that it is “ ‘Cool to be Kind’ ”!

Last week, the Oro Valley Cup Golf Tournament brought students and staff from all three District high schools, together with community members, to raise money for Project Grad. He thanked the event chair, Jim Miller, and all the golfers, sponsors and volunteers for their participation and support!

Superintendent Jaeger expressed his appreciation to the Amphi Foundation for their continued support of Amphi students. He explained they are a separate 501-3C charitable organization, and they provided gift cards for teachers to purchase learning materials.

He thanked the Foundation and community volunteers who make the Shoes to Smiles program such an incredible experience for our students. The Foundation purchased more than 100 shoes for students from several of our schools. Students also received socks and goodie bags.

Superintendent Jaeger spoke about the upcoming deadline for the Aggregate Expenditure Limit (AEL) on February 28, 2022. He wanted to clarify some misconceptions and explained in 1980, Arizona voters passed a measure that limits how much the state K-12 schools can spend in a school year. The “aggregate expenditure limit”, applies to the total amount that all K-12 schools are spending as a whole each year. He said the issue is not entirely clear, but the prevailing thought is that this limit does not apply to charter schools, since they did not exist when this was passed.

Superintendent Jaeger stated the cap fluctuates each year depending on school enrollment in the state (based on the previous year) and inflation. He said most school funds are counted towards the limit. However, there are some exceptions, including federal COVID-19 relief funding (ESSER), some federal grants, and local budget overrides.

He reported the AEL has become a problem this year, because Proposition 301 (the sales tax for education) expired in 2020. The proposition expressly excluded its funding from the AEL, but the Legislature could not create a similar exemption in 2018, when it extended the 301 funding mechanism. Therefore, the extended “Prop 301” funds are now subject to the AEL. Superintendent Jaeger said over the past few years, the state has slowly been restoring school funding for capital items, which was cut by 90% during the Great Recession. Not all funds have been restored, but the restored funds are now also falling under the AEL’s constraints. He stated the AEL has been triggered by the decline in student

enrollment last year (2020-21) due to the COVID-19 pandemic. Decreases in school enrollment last year result in a lower spending limit this year, even though most of students showed back up in the classroom for the 2021-22 school year.

Superintendent Jaeger explained there are some ways to fix the problem. By creating a waiver, the legislature has the ability to permit schools to exceed the aggregate expenditure limit one year at a time. The legislature has done this in the past, again mostly from a technical perspective. This requires a two-thirds “super-majority” vote and signature by the Governor by February 28, 2022. With the upcoming deadline, action is needed this legislative session, but no bill to address it has been heard in any committee.

Superintendent Jaeger stated a waiver of the AEL would not give schools any new money, because it is not a budget increase. He emphasized that it only authorizes districts to spend the existing budget funds which the legislature and governor have already approved and allocated for the current fiscal year.

He explained the potential expenditure limit impact is far reaching. He said typically around 85-90% of a school district budget is spent on personnel costs. If the cuts have to be enacted, it would be impossible to avoid layoffs, and cuts to programs or services, etc. There would also be an impact to the states’ economy, because 16% of spending and wages for a huge part of our state population would suddenly be gone. This could result in a loss of \$1.2 billion to our state’s economy, and a loss of \$150 million to our local economy. The district budget would see a cut of approximately \$14,467,117.00, which is about a 16-17% reduction. Additionally, the cut would almost certainly propel the state backwards by decade’s worth of funding since the state has been trying to catch up with the rest of the country.

Superintendent Jaeger recapped that the state constitution requires the spending cap issue to be resolved by the Legislature no later than March 1, 2022. He explained in the long term there needs to be discussion about spending limits, who benefits, what should be included, and does it meet the goals we have for our children and their education, and our future as a state.

Superintendent Jaeger said this is an existential moment and the legislators need to understand that as parents, educators and concerned citizens of Arizona this issue is important and a resolution needs to be supported by them. He encouraged people to speak with their legislators. He stated that Arizona is in the best economic position it has been in in over ten years and all the progress that has been made in restoring pre-recession funding for schools would be lost. Potentially, every district would lose an average of \$1,400.00 per student. For schools to be precluded from using the money that has already been appropriated to them would be the largest cut to education in any single year, and will have a negative impact to the Arizona economy and the continuing education of our children.

Superintendent Jaeger then reviewed the Pima County health metrics. He said since his last report, COVID-19 cases are on a downward trajectory, but the case count and percent positivity are still considered to be a high transmission level. He stated at some point in the future, the county may need to revise the metrics as the case count declines. He reported that according to the Pima County metric charts, progress is being made and some of the criteria are now in the yellow category.

Superintendent Jaeger showed a graph that had overlapping COVID-19 case counts and deaths. The data began in February of 2020 and showed a peak beginning in November 2020 and continuing to March 2021 when cases and deaths declined thereafter. He said the graph now shows the drop in cases from the highest count of approximately 2,700 cases.

Superintendent Jaeger spoke about changes from the Pima County Health Department. They have updated some guidelines, including the Sanitary Measure that sets out requirements for schools and school districts.

- The new Sanitary Order specifies that K-12 students who are close contacts with COVID-19 cases must quarantine for at least 5 days unless they meet quarantine exemption requirements.
- Individuals who have tested positive for COVID-19 in the past 90 days are exempt from quarantine whenever they are close contacts of a current COVID-19 case.
- Adults who are asymptomatic are no longer required to quarantine if they are close contacts, unless they develop symptoms
- Quarantine period for preschool-age children who can mask consistently has reduced to five days from 10

He reported on additional changes made by PCHD. In the past, they have issued outbreak notification letters. They will no longer be sending these, but they have provided sample letters to schools as a resource. He said he was encouraged by the potential to be able to stay in school if an individual was considered a close contact. Testing would be required to determine positivity. Only if the test was positive, then quarantine would be required. He explained that unfortunately the challenge of the Test to Stay program is the availability of tests.

Superintendent Jaeger talked about other pandemic guideline changes. PCHD is no longer performing contact-tracing for cases reported to our schools. Each school site now has a designated contact-tracer who works directly with our Pandemic Mitigation and Compliance Officer.

He said that Omicron seems to be creating a shift in thinking and approach. When COVID-19 first struck and before vaccines were readily available, the approach to mitigation was to do everything possible to keep it out of schools and communities, but the spread of Omicron showed that technique was not successful. Superintendent Jaeger said on the national level, from the CDC and research scientists, there seem to be indications that we may be entering a new phase of the pandemic: the endemic. Therefore, the focus may shift to living with Covid, rather than trying mainly to prevent it.

Superintendent Jaeger stated that the mask mandate issued by the Pima County Board of Supervisors is set to expire February 28, 2022. The District staff will continue to monitor the pandemic, and advisory developments and adjust District practices and policies as the pandemic and public health advice changes. This includes revisiting the current masking requirements.

He reported there has been a dramatic drop in cases in the District with eight active cases in employees, and 28 active cases in students.

Superintendent Jaeger said due to the pandemic, District students, families and employees have lost their parents, spouses, partners, and other loved ones. He stated we cannot forget that behind the “data” is that terrible reality. The District has also lost staff members. He reported that recently Tammy Barrie passed away. She was a bus driver of 22 years with Amphi. He said our hearts go out to her children, other family members, and her Amphi Family, including everyone in the Transportation Department and all the children who knew and loved her.

He offered to answer any questions from the Governing Board.

There were none.

President Cox Golder thanked him for his report.

## **B. Status of Construction Projects**

*For the Status of Construction Projects report see Exhibit 2.*

President Cox Golder asked Superintendent Jaeger to introduce the item. He asked Mr. La Nasa to update the Governing Board on the ongoing bond, Arizona School Facilities Oversight Board (SFOB) and other construction projects in the District.

Mr. La Nasa stated there continue to be price increases and supply chain issues, and they are working hard to obtain materials needed for upcoming projects. He then gave the construction report.

Amphitheater High School (AHS) Bond projects include mechanical improvements in building H. Locker room improvements, carpet replacement in the 100 wing, 400 wing north side exterior painting and 700 wing Heating, Ventilation, Air Conditioning (HVAC) improvements have been completed. Replacement of three air conditioning (AC) units in the cafeteria will be done over Rodeo Break. Elementary and Secondary School Emergency Relief (ESSER) projects include HVAC improvements to the student center/bookstore and 100 and 200 wing classroom fan coil replacement. Arizona School Facilities Oversight Board (SFOB) projects include the assessment of the central plant #3 hot water line, and structural repairs of the 300 wing. Breezeway sewer line replacement to the 300 wing has been completed.

Canyon del Oro High School (CDO) Bond projects include the completion of the domestic waterline replacement. Upcoming projects include the library boiler replacement during Rodeo Break, fire alarm system inspection and evaluation during Spring Break, and repaving the east parking lot and the main central plant renovation in the Summer 2022. ESSER projects include replacement of building E air conditioner and north gym HVAC improvements. The locker room HVAC replacement is complete. SFOB projects include campus roofing phase II.

Ironwood Ridge High School (IRHS) Bond projects include the irrigation well design, cooling tower 1 replacement and locker room improvements. SFOB projects include the pre-construction phase of the fine arts and gym weatherization.

Amphitheater Middle School (AMS) Bond projects include parking lot repairs and building 800 HVAC improvements. ESSER projects include building 300 HVAC improvements and campus HVAC controls upgrades.

Copper Creek Elementary School. SFOB projects include the roof replacement for the Multipurpose Room (MPR). ESSER projects include campus HVAC controls upgrades.

Coronado K-8 School Bond projects include replacing the boiler during Rodeo Break, and during Winter Break room 403 carpet was replaced.

Cross Middle School Bond projects include the replacement of the cafeteria HVAC RTU. The campus wide public address (PA) improvements and wireless clocks are complete. ESSER projects include building 600 HVAC improvements. SFOB projects include the roof replacement.

Donaldson Elementary School ESSER projects include the completion of Pod F RTU replacements.

Harelson Elementary School Bond projects include the completion of phase 2 hot water line replacement. ESSER projects include building A HVAC improvements. SFOB projects include the Funhouse weatherization.



Holaway Elementary School Bond projects include the evaluation of a single point of entry at the front office. ESSER Projects include buildings G, F and E HVAC improvements. SFOB projects include the nurses office sewer line repairs.

Innovation Academy Bond projects include upgrades to the security fence.

Keeling Elementary School Bond projects include the replacement of the AC units for building A. ESSER projects include buildings D, E & F HVAC improvements.

La Cima Middle School Bond projects include campus PA and clock improvements. ESSER projects include the replacement of the central plant chiller.

Mesa Verde Elementary School Bond projects include upcoming parking lot improvements and the completion of access control improvements. Adjacent Ways project includes the bus loop asphalt replacement during Spring Break. ESSER projects include buildings C and F HVAC improvements. SFOB projects include the roof replacement.

Nash Elementary School Bond projects include building F & G HVAC replacements and building D HVAC improvements. ESSER projects include building H HVAC improvements.

Painted Sky Elementary School Bond projects include the completion of the carpet replacement in rooms 20 and 21.

Prince Elementary School Bond projects include ordering new playground equipment. ESSER projects include building C HVAC improvements.

Rillito Center SFOB projects include buildings A and D weatherization construction.

Rio Vista Elementary School Bond projects include the activity gym HVAC replacement. ESSER projects include building C Multizone AC replacement.

Walker Elementary School ESSER projects include buildings B, C, D and E HVAC improvements.

Wilson K-8 School ESSER projects include the north MPR HVAC RTU and central plant 2 cooling tower replacements. Upgrades to the campus HVAC controls are in the bid phase.

He offered to answer any questions from the Governing Board.

President Cox Golder thanked him for his report.

*President Cox Golder called for a seven minute break.*

### **C. Periodic Legislative Review**

*For the Periodic Legislative Review see Exhibit 3.*

President Cox Golder asked Superintendent Jaeger to introduce the item.

Superintendent Jaeger asked Ms. Tong to give a review of the highlights of the legislative session.

Ms. Tong stated that she will be presenting updates at each board meeting during the legislative session that pertain to education. She shared that the session convened on January 10, 2022. They have introduced 1556 bills, 116 resolutions and have passed 3 bills. February 18, 2022 is the last day to hear their own bills, April 15, 2022 is the last day for consideration of bills in committees and April 19, 2022 is the 100th day of session and they will adjourn as long as they have completed the session.

She said Amphi is in three different legislative districts and gave an overview of education bills that were introduced by the representatives for each district.

Ms. Tong talked about the bills that have been introduced. Included were bills on the

Aggregate Expenditure Limit (AEL); HCR2012 and HB2335. She said 27 representatives have co-sponsored the bills, but neither bill has been assigned to a committee.

Ms. Tong spoke about some fast moving bills that have been through the committee.

**HB2112**

**CLASSROOM INSTRUCTION; RACE; ETHNICITY; SEX**

This bill was originally signed into law as Laws 2021, chapter 404 (part of the FY 2021-2022 budget), but was deemed unconstitutional by the Arizona Supreme Court in Arizona School Boards Association et al v. State of Arizona. This bill is now standing on its own.

**HB2178**

**SCHOOL PSYCHOLOGISTS; EXEMPTION**

This bill excludes a school psychologist, from licensure requirements prescribed by the Board of Psychologist Examiners if they are certified by ADE; contracted to provide services in an PreK-12 educational institution setting; and services are a part of that person's contract with the educational institution setting.

**HB2284**

**SCHOOLS; STUDENT PROMOTIONS**

This bill requires teachers, instead of allowing, them to retain a student in a kindergarten program or grades 1 through 4 if the student does not meet the criteria prescribed by the State Board of Education, subject to review by the school board. Some exceptions are for English learners and special education students.

**HB2439**

**SCHOOL LIBRARY BOOKS; PARENTAL REVIEW**

This bill requires school district governing boards to adopt procedures by which parents have access to the school's library catalog of available books or materials and by which parents may receive a list of books or materials borrowed from the library by their children. Additionally, school boards are required to approve all books in the school libraries. Before approval, a list of all books must be available for public review for at least 60 days.

**HB2495**

**SCHOOLS; SEXUALLY EXPLICIT MATERIALS; PROHIBITION**

This bill prohibits a public school in Arizona from referring students to or using any "sexually explicit material" in any manner. Some exempted materials include: (a) classical literature, (b) early American literature, or (c) required textbook for a course to obtain college credit. Parental consent (per-material basis) would be required before exempted materials may be used, and an alternative assignment is required if parental consent is not obtained. The definition of "sexually explicit material" is very broad.

**SB1165**

**INTERSCHOLASTIC; INTRAMURAL ATHLETICS; BIOLOGICAL SEX**

The bill says an interscholastic or intramural athletic team or sport that is sponsored by a public or private school whose students or teams compete against a public school is to be expressly designated as one of the following based on biological sex: males, men or boys; females, women or girls; and coed or mixed sex. Athletic teams or sports designated for females, women or girls cannot be open to students of the male sex.

Ms. Tong reported on the Empowerment Scholarship Account (ESA) bills.

**SB 1657**

This bill includes children of veterans, first responders, health care workers, students with low income (defined in various ways, including eligibility for free and reduced-price lunch or using SNAP or TANF). Also, children who live within the attendance boundaries of a school with community eligibility for free and reduced price lunch, and children who live within the boundary of a district that requested SFB funds for new construction. Additionally, it increases the maximum aggregate total for STO scholarships, and eliminates the cap on maximum scholarship amount.

**SB 1707**

This bill states student who received a grant under the COVID-19 educational recovery benefit program prior to June 30, 2022 may be permanently eligible to receive an ESA.

Ms. Tong said the Arizona School Board Association (ASBA) is sponsoring a statewide 2022 Advocacy Day on February 22, 2022, at the Arizona State Capitol Building Historic Senate Chamber.

She offered to answer any questions from the Governing Board members. There were none.

President Cox Golder thanked her for her report.

**7. PUBLIC COMMENT**

Phil Belskis stated that he wanted to know if the mask mandate was being lifted. He shared that at the last meeting he had asked that the Board and Superintendent present studies proving that masking was effective in preventing the spread of illness. Mr. Belskis went on to discuss the risk of breathing carbon dioxide from prolonged mask wearing and that wearing a mask should be a choice. He commented that other states are lifting their mask mandates and discussed the age group most effected by the recent spike in cases were in the age group most likely to be vaccinated.

Charles Lathrem is an Amphi parent and expressed criticism of masks in schools. He implored the Board to drop the mandate and focus on the education of children. Mr. Lathrem questioned the urgency of the Aggregate Expenditure Limit issue. He questioned where various funds were being spent in the District and asked that expenditures be made available to the public. Mr. Lathrem stated that he thinks there should be an open forum meeting where the Board and the community can discuss issues freely.

Lisa Millerd is a teacher and President of the Amphi Education Association (AEA). She shared her concerns regarding the impact the Aggregate Expenditure Limit would have on the operations of the District if the state legislature does not take action to override the cap. Ms. Millerd shared what various funding would be impacted as well the layoffs that would occur as of April 1<sup>st</sup> should the District have to cut approximately \$14 million from this year's budget. She urged people to contact local legislators and ask for a clean resolution to exceed the current expenditure limit.

Stephanie Kirkland is an Amphi parent and spoke about several negative side effects of mask mandates such as mental illness. She called for parents to have the right to choose whether to mask their children. Ms. Kirkland alleged that the District agreed to require masks in order to obtain ESSER funds. She said shared that she was serving the Board with "Letters of Intent" to file against "the District's surety bonds". She called for an end to the mask mandate and vaccination clinics on District campuses. Additionally, she requested an audit of Federal ESSER funds, and the removal of certain books and programs in schools.

Mona Gibson shared her criticism of the District following what she considers incredible local and federal health directives in making decisions about masking in the District. Ms. Gibson stated that instead of protecting the most vulnerable with masking, students who are of the lowest risk have had to continue wearing masks and deal with the negative side effects such as mental health issues. She went on to speak about Critical Race Theory and questioned whether it was being used in the District under different names. Ms. Gibson highlighted several house bills in the legislature regarding parental rights in the school system.

Joni Kaminski is an Amphi parent and employee. She expressed her opposition to the mask mandate and questioned when it would end. Ms. Kaminski stated that masks and vaccines have not stopped the spread of illness and highlighted negative effects of masking such as mental illness, speech and language delays, and suppression of immune systems. She said that the mask only protects the wearer and people should be given the choice to wear a mask or not.

Jane Hubbard spoke about the three allocations of Federal ESSER funds that the District has received and the conditions under which the funds were accepted. She stated the District accepted these funds over the health and well-being of students. Ms. Hubbard claimed that teachers are encouraging students to obtain COVID vaccinations and outlined the potential ineffectiveness of the vaccine and potential side effects. She went on to say that the Board members had violated their Oath of Office and violated the Arizona Parents' Bill of Rights. She referred to the "Letters of Intent" the Board had received and demanded that actions be taken regarding the mask mandate and ESSER funds.

Lorella Ritzel is an Amphi parent and employee. She spoke about the number of COVID cases in other districts in Pima County without a mask mandate and that the numbers were not much higher than Amphi's case count. Ms. Ritzell shared that she feels disheartened as an employee and as a parent. She stated her daughter has missed days of school because of her anxiety over wearing a mask all day at school. She said that she is sad that there is no open discussion about this issue and questioned how it was possible that cases increased as vaccines became available to children.

James McFadzean shared that he has spoken before at Board meetings and has emailed the Board and Superintendent as well. He stated that he has searched through the last six months of Board meeting minutes to find out each Board member's position on the mask mandate or a public vote on the issue. Mr. McFadzean said that voters have the right to ask elected officials their stance on specific issues and asked that each Board member state their personal position on the District's mask mandate.

John Maynard spoke about a report from the Arizona Department of Health Services regarding child mortalities. He stated that according to the report, child suicides and homicides had increased but there were zero deaths under the age of 14 due to COVID. Mr. Maynard feels that other threats to children are doing greater harm than COVID and went on to say the response to COVID is worse than the virus itself. He stated that masks have not been proven effective and asked that parents be allowed to make decisions for their children.

Daniel Roper spoke about educator burnout and how Arizona's educators in particular are overworked and underpaid. He went on to speak about the Aggregate Expenditure Limit and how the community should be coming together in support of removing the expenditure cap. Mr. Roper stated that public education is important, and staff should feel appreciated and respected. He asked that people contact their legislators in support of public education.

## 8. CONSENT AGENDA

*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 Cox Golder asked if there were any Items that should be pulled for further discussion. There were none. Vice President Day moved for Consent Agenda Items A.- O. be approved as presented. Ms. Zibrat seconded the motion. Voice vote in favor – 5. President Cox Golder, Vice President Day, Dr. Baker, Mr. Kopec and Ms. Zibrat. Opposed – 0. Consent Agenda Items A.-O. passed.*

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

*Administrative personnel appointments were approved as listed in Exhibit 4.*

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

*Non-administrative personnel appointments were approved as listed in Exhibit 5.*

### **C. Approval of Personnel Changes**

*Certified and classified personnel changes were approved as listed in Exhibit 6.*

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

*Leave(s) of absence were approved as listed in Exhibit 7.*

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

*Separations and terminations were approved as listed in Exhibit 8.*

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

*Stipend for coaching volunteers were approved as listed in Exhibit 9.*

### **G. Approval of Minutes of Previous Meeting(s)**

*The minutes from the January 11, 2022 and January 25, 2022 Governing Board Meetings were approved as submitted in Exhibit 10 -11.*

### **H. Approval of Vouchers Totaling and Not Exceeding Approximately \$1,309,241.42**

*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 12.*

Voucher #	Amount	Voucher #	Amount	Voucher #	Amount
1181	\$47,132.58	1182	\$49,070.82	1185	\$68,738.51
1186	\$213,601.81	1187	\$218,390.16	1188	\$28,389.22
1189	\$298,695.53	1190	\$67,769.55	1191	\$162,167.92
1192	\$10,143.28	1193	\$52,694.78	1194	\$92,447.26

### **I. Acceptance of Gifts**

*Gifts were accepted by the Governing Board as presented in Exhibit 13.*

### **J. Receipt of December 2021 Report on School Auxiliary and Club Balances**

*December 2021 Report on School Auxiliary and Club Balances was approved as submitted in Exhibit 14.*

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

*The Governing Board approved Amphitheater Band Parent Association, IRHS Softball Booster, Ironwood Ridge Cross County and Track, and CDO Baseball Booster as submitted in Exhibit 15.*

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

*The Governing Board approved Disposal of Surplus Property via PublicSurplus.com*

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

*The Governing Board approved request for out of state travel as listed in Exhibit 16.*

**N. Statement of Assurance Teacher Evaluation System Status**

*The Governing Board approved Statement of Assurance Teacher Evaluation System Status*

**O. Approval of Arizona Department of Education Food Program Permanent Service Agreement**

*The Governing Board approved Arizona Department of Education Food Program Permanent Service Agreement as submitted in Exhibit 17.*

**9. STUDY**

**A. Study of Proposed Recommendations Developed through the Meet and Confer Process for:**

- 1. Revisions to Governing Board Policy HD (Meet and Confer Procedures), and**
- 2. New District Regulation HD-R (Meet and Confer Procedures)**

*For the Study of Proposed Recommendations Developed through the Meet and Confer Process see Exhibit 18.*

President Cox Golder asked Superintendent Jaeger to introduce the item. He explained that there are two phases to the meet and confer process, and the first phase has been completed. He asked Ms. Tong to explain the process in greater detail and review the revisions to Policy HD.

Ms. Tong stated the meet and confer process begins in October with a two groups of representatives. The District representatives are designated by Superintendent Jaeger and the employee representatives determined by the Amphitheater Education Association (AEA). She thanked all staff members for their time and dedication. On the AEA professional staff team: Michelle Bulisache, middle school math resource teacher at Coronado K-8; Patricia Hebert, mathematics teacher at Canyon del Oro High School; Lisa Millerd, English teacher at Amphitheater High School and AEA President and facilitator Robert Young, teacher at Amphitheater High School. On the District professional staff team: Matthew Munger, Associate Superintendent for Secondary Education; Michelle Tong, Associate to the Superintendent and General Counsel; Chris Trimble, Walker Elementary School Principal, and facilitator Tassi Call, Superintendent for Elementary Education. On the AEA support staff team: Jimmy Harper, campus monitor at Amphitheater High School; Victor Ortiz, Refrigeration Mechanic III, Facilities Department; Robert Wacker, Journeyman Electrician, Facilities Department and facilitator Vanessa Harding, bookstore manager at Amphitheater High School. The District support staff team is comprised of Richard La Nasa, Executive Manager of Operational Support; J.J. Letts, Donaldson Elementary School Principal; Angela Wichers, Amphitheater Middle School Principal and facilitator Chris Gutierrez, Cross Middle School Principal.

Ms. Tong gave a detailed timeline of the process. In October, the meet and confer committees met and received training on Interest Based Bargaining (IBB). The training was with a Federal Mediation and Conciliation Service Commissioner. At the same time, a pre-policy survey of employees was created to gather input on areas of concern. Then the joint meet and confer teams worked together as a group to identify issues to be discussed using employee feedback from the survey and developed a “book of business”. The joint meet and confer teams met as a group five times to discuss the book of business and they developed a joint recommendation. On January 20, 2022 the joint committees signed the

joint recommendation that recommends revisions to Policy HD (Meet and Confer Procedures), a new Regulation HD-R, and recommendations to address other areas of concern raised in the pre-policy survey.

She explained to reach the recommendation, the committees took the original wording from Policy HD, and transferred it into Regulation HD-R. The difference is that revised Policy HD delegates responsibility to establish meet and confer procedures to the Superintendent to confirm that this is not a Board committee. Additionally, it still confirms that the District will meet and confer annually on staff policies, salaries, and fringe benefits. Other changes designed to improve communication with employees during the meet and confer process include:

- AEA and/or the District may send employees other surveys as needed in addition to the joint survey
- The joint meet and confer committees may ask questions or get feedback through the Superintendent's certificated and classified advisory council
- The meet and confer committees will post a briefing following any joint survey

Ms. Tong said this item is for study only at this time and will be presented at a future meeting for approval. She asked if there were comments or questions from the Governing Board members, there were none.

Ms. Tong reported that the joint pre-policy survey responses covered a wide variety of concerns. These included topics such as teacher caseload, bell schedules, coverage of employee absences, and grading policies. The committees agreed that many of these concerns would be better addressed at the site level. She said the District administration will work with individual schools and department sites to address these concerns. Additionally, some topics from the pre-policy survey were determined to be more appropriate for the compensation portion of meet and confer.

Ms. Tong explained that Policy HD says that the final meet and confer recommendations (policy and compensation) of the committees will jointly be presented to employees for evaluation and comment before presentation to the Governing Board for consideration. She reported that the survey has been completed and shared the results. 394 employees responded to the survey and approximately 93% agreed with the recommendation. 54 employees commented about the recommendation. She said the Governing Board has been provided with the comments and she shared some common themes. There were concerns that employee input is not always valued, and concerns that the proposed revisions are not sufficient to make the meet and confer process transparent for employees to feel heard.

Ms. Tong concluded by saying that unless the Governing Board had any revisions to policy HD, the policy will be presented for approval at a future meeting.

There were no comments or revisions.

President Cox Golder thanked her for her report.

## **B. Study of Revised District Calendar for School Year 2022-2023 and Calendar Options for School Year 2023-2024**

*For the Study of Revised District Calendar for School Year 2022-2023 and Calendar Options for School Year 2023-2024 see Exhibit 19-21.*

Superintendent Jaeger reported he attended a meeting at a school site and some staff members raised some concerns over the 2022-2023 school calendar. He explained when the calendar was originally presented for Governing Board approval, the current version failed

to recognize that the return from Winter Break on January 2, 2023 falls on a Federal holiday. He said that return would be problematic for some, and is a violation of Governing Board policy. He asked Ms. Tong to present the proposed changes to the calendar.

Ms. Tong explained the calendars are planned two years in advance, and the current calendar has the students' last day of second quarter as December 15, 2022 and December 16, 2022 as the grading day. The proposed calendar reflects the students' last day as December 16, 2022 and grading day on December 19, 2022. She said with Governing Board approval, the teachers can work remotely to turn their grades in, and the break would start on December 20, 2022, then on January 2, 2023 everyone would return to school.

Ms. Tong stated this item was for study only, and if the Governing Board had no questions or comments, it will be presented for approval in the future. There were none.

Ms. Tong said the 2023-2024 calendars are being presented for the Governing Board to approve and there are two options. She explained the difference is the timing of Spring Break after the return from Rodeo Break, which is scheduled for February 22- 23, 2024. Option 1 has Spring Break beginning on March 18, 2024, which creates a longer third quarter, but a shorter fourth quarter of 39 days. She said Option 2 has Spring Break beginning on March 11, 2024 and keeps all quarters with approximately the same days in each (43-46), but fewer days in the classroom before break starts.

Ms. Tong said the recommendation from administration is Option 1, but they wanted to give the Governing Board the opportunity to provide their input.

Dr. Baker felt that from an instructional standpoint, having more time between the breaks was more important than having quarters of relatively the same length.

Vice President Day said she agreed with Dr. Baker's response, but wanted to know what the general feeling from the teachers was.

Mr. Kopec also agreed with Dr. Baker and Vice President Day comments, and also wanted to know how the teachers' felt.

Superintendent Jaeger said staff at the sites and also the Classified Advisory Council members have been consulted. He stated that fourth quarters can be challenging, since there are no breaks for staff and students. Therefore, a shorter fourth quarter (Option 1) was preferred. He talked about looking for options in the future that would include a break in the fourth quarter.

Vice President Day asked if was a rule that Spring Break marks the end of the third quarter.

Superintendent Jaeger responded that it was not a requirement, but more a matter of when the breaks are scheduled.

Vice President Day thanked him for clarifying.

**10. PUBLIC COMMENT**

There was none.

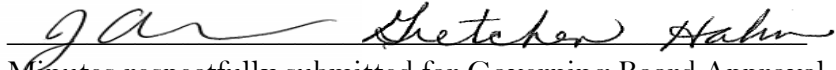
**11. BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**

President Cox Golder and Vice President Day requested information on Model Schools.



**12. ADJOURNMENT**

*Vice President Day made a motion to adjourn. President Cox Golder seconded the motion. There was no discussion. Voice vote in favor- 5: President Cox Golder, Vice President Day, Dr. Baker, Mr. Kopec, and Ms. Zibrat. Opposed - 0. The meeting adjourned at 9:02 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*

March 7, 2022

Date

\_\_\_\_\_  
Vicki Cox Golder, Governing Board President

March 8, 2022

Date