

FINAL

**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, Monday, December 7, 2015 at 4:00 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
Todd Jaeger, Associate to the Superintendent/General Counsel
Monica Nelson, Associate Superintendent

OPENING OF MEETING

Call to Order and Signing of Visitors' Register

Ms. Day called the meeting to order at 4:01 PM and asked members of the audience to sign the visitors' register.

Pledge of Allegiance

Mr. Nelson led the Pledge of Allegiance.

Announcement of Date and Place of Next Regular Governing Board Meeting

December 8, 2015 at 6:00 PM, Wetmore Center, 701 W. Wetmore Road.

PUBLIC COMMENT¹

Ms. Day asked if there was any public comment. There was none.

1. STUDY SESSION

A. Governing Board Retreat - Discussion and Study of General Issues Affecting the District through Fiscal Year 2017-2018 to include:

1. Board and Superintendent Goals and Expectations
2. Core Values and Beliefs
3. Student Achievement and Engagement Strategies
4. Construction and Facilities including:
 - a. Status of Bond-Funded Properties Improvements
 - b. Proposed Property Improvements

- c. Property Development
- 5. Human Resources including:
 - a. Evaluation System Development
 - b. Anticipated Staffing Needs, Recruitment and Retention
 - c. Technology Implementation and Issues
 - d. Facilities
 - e. Compensation History, Structures and Issues
 - f. Employment Contracts
- 6. Policy, Procedure and Practice including:
 - a. Communication Protocols
 - b. Grading and Assessment
 - c. Curriculum, Pedagogy and Programs
 - d. Community Engagement and Communication Efforts
 - e. Graduation Credits for High School - Determination Issues
 - f. School Schedules and Calendars
 - g. Student Rights
 - h. Community Engagement and Partnerships
- 7. Budget Development Issues including:
 - a. Affordable Care Act
 - b. Meet and Confer Process
 - c. The State Budget
 - d. Budget History and Elements; Revenues and Costs
 - e. Federal Funding
 - f. Bonds and Override in General
 - g. Enrollment - Attraction and Retention of Students
 - h. Facility Use by Third Parties

Board Book Information: *This Governing Board Retreat will be held to provide a forum for discussion of issues affecting the District and other topics of importance to the District. This discussion will be general in nature and no action will be taken during this meeting.*

The Board discussed key items of interest from the Study Session agenda.

Mr. Jaeger gave a presentation on Item 6.G. Student Rights. The presentation was regarding the rights of transgender persons in the legal arena of public schools and workplaces. Most of the legal issues are dealing with transgender persons' expression of the gender they identify with versus their biological gender in regards to use of bathrooms and locker rooms. The Office the Civil Rights (OCR) guidance says that schools should not stop a transgender child from using the restroom of the gender they identify with and instead be required to use private restrooms. The Department of Education (DOE) began an enforcement action in Arcadia, CA. In the case no violation of Title 9 was found if they used the restroom of their birth gender or a private restroom. This was based on cases that were based on a student's genitalia. OCR was criticized for trying to create a new regulation, essentially without it being law. Amphitheater's current practice is for transgender students to utilize private facilities. This respects the right to privacy for other students as well.

The Board discussed Item 7.G. Enrollment - Attraction and Retention of Students. Dr. Barrabee asked if the movement away from Public School Education in general was occurring outside our own district, or if

it was a general change around the state. Mr. Nelson said in the past 20 years Charter Schools have been established and Arizona has a high number of Charter Schools. The School Choice movement has impacted public schools greatly. Statistics on home schooling can also be obtained from the Pima County Superintendent's Office. Dr. Barrabee commented that it is not so much that we are doing anything wrong. We have effective principals interacting with the parents who are coming in. The last 6 months there has been a shift in the news to positive stories about the District and we have improved our public relations. Ms. Grant commented that our programs are now more emphasized. Ms. Cozad expressed concern about people who don't go to school and don't read the newspaper and may not know about the District. She would like to see us recruit more by going to the Charter School open houses and by sending flyers to all taxpayers in the District. Ms. Grant agreed saying that we should visit all Charter Schools that do not offer a middle school or high school. Mr. Leska commented that he feels the District does a good job at the high school level and where we are lacking is the elementary and middle school level. People are sending their children to Charter Schools until high school. He believes it is teacher pay and allegedly Basis asks parents to donate \$2,500 for teacher retention. Ms. Day pointed out that Amphitheater celebrates our teachers. Dr. Barrabee noted that years ago we sent out notices to the community but stopped due to finances. Ms. Day said Mr. Nelson looked at the cost of sending out information flyers but it is cost prohibitive. Dr. Barrabee commented that AZ Merit scores are a slap to Public Education. It is destructive legislation and he is concerned that it is misrepresenting our students. Ms. Grant emphasized that we must do marketing for elementary and middle school families who are not going to neighborhood schools. Mr. Leska suggested that instead of mailing information that the District put the information out in public locations such as day care centers, libraries, Fry's, etc. Dr. Barrabee said that it is not only the principals but also the office staff that provide a warm welcome. When parents come into the schools they should have information to provide them about the schools and perhaps even a video display about the school and what is offered. Ms. Cozad agreed with Dr. Barrabee that customer service is everything. One of the things that can be off-putting is the locked doors; however, they are needed for security. She suggested that information flyers also be provided to realtors for families looking at homes in the District. Mr. Leska suggested that perhaps a position could be created for a go-to person who can direct new parents and prospects, hand hold parents and take them on tours and to the classrooms, etc.

Public Comment cards were submitted during the meeting. Ms. Day read the Item Specific Call to the Audience.

Ms. Julie Cota addressed the Board regarding counseling and enrollment. Ms. Cota said that we have 16 counselors in the District and it should be marketed that we have master-level counselors available for post high school advisement.

Ms. Bernadette Gruber addressed the Board regarding enrollment and transgender policy. Ms. Gruber shared that she has four students attending Amphi schools. She believes that the best advocates to market Amphitheater that we have are parents and volunteers. They have influence with families beyond the staff and information flyers. She commented that how the District handles transgender policy will impact enrollment.

Ms. Kat Pivonka addressed the Board regarding counselors.

The Board then engaged in discussion of Item 6.F. School Schedules and Calendars. The Board was interested specifically in high school schedules, shifting school start times and instructional hours. Mr. Nelson provided information about the committee that has been studying high school schedules based on requests from parents and due to sleep studies. Mr. Bejarano and the committee have finished phase I and will begin phase II of their study after the holidays. Ms. Day stated that there is a rumor that some

schools are teaching past the schedule. Mr. Nelson clarified that there is a certain amount of instructional time required and elementary, middle and high school require different amounts of instructional time. Ms. Day asked if high school teachers are teaching past the instructional minutes. Ms. Grant asked if there were only two phases of the study and if they will make a recommendation soon. Mr. Nelson explained that the committee is researching in-depth the advantages and disadvantages of changing the schedule before he would make a recommendation to the Board. There are many things that would be affected by a schedule change such as transportation, activities, food service and such. Ms. Day asked how the Arizona Interscholastic Association (AIA) feels about it. Mr. Nelson said AIA allows schools some variances in game times. Some schools have lighted fields and some don't. Mr. Leska asked if Mr. Bejarano could provide a summary of Phase I to the Board.

Mr. Bejarano gave a summary of phase I. A 2-day meeting was held with specific instructions to look at the information. They reviewed the bell schedules of all three high schools, the pros and cons. They then did research on sleep by ages and school start times. They were given homework. They identified what research was saying and "aha" thoughts, what we like or don't like about the schedule and sleep research. Some comments were that if their student goes to school later, they will stay up later. In other districts practices are now in the morning instead of later in the day. Some parents expressed marketing issues. Some said that a later start time would attract students from other districts. We have to factor in holiday, assemblies, etc. and it is hard to get to 180 hours a year. The hours required in school connects with funding.

Ms. Day said again that there are comments from parents that the high schools are teaching more hours that required. Mr. Leska commented that a later start time is great, but not so great for parents. They may not enroll their children if it doesn't fit their schedule. Ms. Cozad noted that childcare can be an issue, but the later start time helps lessen tardies. Mr. Bejarano said that several parents noted they base their work schedule on school. Mr. Leska pointed out that not everyone can choose their work schedule. The Board asked about the committee. Mr. Bejarano said there were 4 parents and some students included. Ms. Day asked what activities were represented. Mr. Bejarano said volleyball, swimming, etc.

Ms. Day called for a short break at 5:12 pm. The meeting resumed at approximately 5:20 pm.

Next the Board discussed Item 6.E. Graduation Credits for High School - Determination Issues. Mr. Nelson introduced the topic saying that administration is proposing some revisions to the Board in January. IKF had some slight changes 2 months ago. Mr. Nelson then recapped the history of the changes. Ms. Day asked if the topic had been discussed with teachers. Mr. Nelson replied that there had not yet been discussions with teachers. If the Board requests changes we will discuss with teachers. Mr. Leska inquired about the consistency of acceptance of grades for high school courses taken in middle across the three high schools. He raised the question if a student takes an advanced high school class in middle school and fails, if the grade should count on their high school GPA. Mr. Nelson noted that they included what other Districts are doing with Math and that students whose course was not taught by a high school certificated teacher must receive an 80% on the test to receive credit. Ms. Nelson said that the comparison shows how Amphi schools are doing based on the 80% score. Dr. Barrabee stated that his interest is always what is in the best interest of the student. There is concern about putting them in courses they are not ready for and that it is a generic problem to have regular promotions. Perhaps such students could be provided a refresher prior to taking the test. Mr. Leska commented that it all comes back to enrollment. The charter school didn't have a high school certified teacher for the high school credit course taken in middle school. If parents think their child is ready, and then later they fail, it is the parents' responsibility. Mr. Nelson said that the District is not forcing accelerated courses. It is a pathway for students to accelerate if they choose to do so. Mr. Nelson asked Ms. Nelson if our middle school and high school students were doing well. Ms. Nelson said that District students are doing well

and we provide a placement letter. Dr. Barrabee suggested that offering a refresher to the student having to take a proficiency test for credit provides support. It would be a friendly way to handle it. Ms. Day questioned if everyone should be required to take a test. At a recent conference she met someone from another state where parents are allowed to choose if the grade goes on the transcript or not. Dr. Barrabee commented that a teacher sits down and talks about content of the course with a student, they can quickly tell if the student knows the material or not. Mr. Leska expressed support for letting parents and students decide whether or not to use the grade. Dr. Barrabee continued saying that rather than telling the parents that their child failed the test, have an interview. The teacher can tell them they do not feel the student is ready for the next course. If they are ready, then they can accelerate. Ms. Cozad related a story about an exchange student from Poland in the district she works in. They handed him the Math texts and went over them to try to determine his placement. When he got to something he didn't know, then they placed him appropriately. Ms. Day commented that some students are cognitively advanced, to which Mr. Leska countered that some are smart but not emotionally ready. Ms. Day said that when students come from other Districts, parents have had to fight to get students into advanced class when they only missed the score by 3points. We need to be ready to move them along if appropriate.

The Board discussed Item 5.E. Compensation History, Structures and Issues. The main topic of discussion was in regard to the possibility of 301 pay for Counselors. Mr. Leska mentioned that to his knowledge Marana has certificated listed on their contracts for Counselors. Mr. Jaeger said there are a number of possibilities. We need to leave as little to personal interpretation as possible so we follow the language of the law. Then we might want to include the statue meaning of "certificated". Counselors are not certificated teachers; they do not give classroom instruction. Mr. Leska suggested that there be recognition of certificated counselors with a master's degree, just for recognition. Dr. Barrabee said we need to support our counselors. He presented the idea of honoring counselors at the MEA Crystal Apple Awards Luncheon. They are overburdened and do not receive enough. He asked if we would open ourselves to a law suit if they were included in 301 pay. Mr. Leska stated that Sunnyside counselors get 301 pay because according to his information they teach 50% of the time. Maybe our counselors could teach an elective on something like how to get into college. Mr. Nelson pointed out that the memorandum from Mr. Jaeger addresses all of that information. The law is very clear about who can and cannot receive 301 pay. We have many other groups who would deserve it as well. Mr. Leska asked what the pay difference was and asked that the information be provided in a Friday memo. Mr. Jaeger clarified that it is not an inability to pay other categories. All groups used to receive 301 pay. There is no way we can restore one and not the others. When the court case came down, it was decided that those groups could no longer participate. To participate in 301 pay one must hold a teaching certificate and teach to state standards. The Board could instate it for one group, but then others would be disenfranchised. Mr. Leska asked if counselors are compensated [well]. Mr. Jaeger said that we are competitive compared to others who have High School Counselor certifications. Others may have a Masters in social work. Our pay is generally higher in range comparatively. Dr. Barrabee noted that the District would enhance everyone's pay if we could, but we cannot. We can acknowledge them, but not with cash. Mr. Leska said the District needed to adopt the American School Counselor Association (ASCA) model. Mr. Nelson stated that we have not adopted the ASCA model and he doesn't know any district that can make the ratio required. Ms. Day asked if any counselors in the audience would like to speak to the ASCA model. Mr. Leska asked the Amphi Education Association (AEA) if they work with counselors.

Julie Cota addressed the Board. Ms. Cota explained that the position of counselor had evolved over the years. Creating a counselor identity is new everywhere. ASCA created the model in 2003. Ms. Cota said that what she wants is to promote, attract and hire school counselors who are trained today with what is required today. The ASCA model is competency based. It is a guideline, a framework and is idealistic.

No one can do items 1 to 225 of the model. The idea of adopting it tells the community that a district is interested in best practices.

Kat Pivonka addressed the Board and confirmed that the AEA has a counselor working with them.

PUBLIC COMMENT

Ms. Day called on the final speaker who had submitted a comment card.

Ms. Indrani Solomon addressed the Board. Ms. Solomon's son is a Special Needs student at Copper Creek Elementary who is included in a mainstream classroom environment. Ms. Solomon expressed concern about co-teaching in the schools and suggested emphasizing and providing classroom teachers with Special Needs assistive technology training for their professional development. This would help the teachers who are too stretched as well as the students who are mainstreamed.

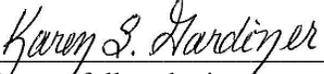
BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

Ms. Day asked if the Board had any requests for Future Agenda Items. There were none.

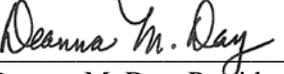
ADJOURNMENT

Ms. Grant moved to adjourn the meeting, Ms. Cozad seconded and the motion passed 5-0. The meeting adjourned at approximately 6:15 PM.

No decisions were made as per the purpose of a Retreat.



Respectfully submitted,
Karen S. Gardiner



Deanna M. Day, President

4/19/16
Date

Approved: April 19, 2016