

**Minutes of the Special Governing Board Meeting  
Amphitheater Public Schools  
Tuesday, September 28, 2021**

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A Special public meeting of the Governing Board of Amphitheater Public Schools was held Tuesday, September 28, 2021, beginning at 5:30 p.m. at the Wetmore Center, 701 W. Wetmore Road, Tucson, AZ 85705 in the Leadership and Professional Development Center. This meeting was held under COVID-19 pandemic related conditions.

**Governing Board Members Present**

Ms. Susan Zibrat, President  
Ms. Deanna M. Day, M.Ed., Vice President  
Dr. Scott K. Baker, Member  
Ms. Vicki Cox Golder, Member  
Mr. Matthew A. Kopec, 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. Julie Valenzuela, Director of 21<sup>st</sup> Century Education  
Ms. Michelle Valenzuela, Director of Communications

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

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

**2. PLEDGE OF ALLEGIANCE**

President Zibrat asked Mr. Kopec to lead the Pledge of Allegiance.

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

President Zibrat announced that the next Regular Governing Board meeting would be held on Tuesday, October 5, 2021 at 6:00 p.m., at the Wetmore Center, 701 W. Wetmore Road, Tucson AZ 85705 in the Leadership and Professional Development Center.

**4. EXECUTIVE SESSION\***

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

**A. Consideration and Decision Upon Expulsion Hearing Officer's Recommendations, Pursuant to A.R.S. §15-843(F)(2), Regarding:**

- a. Student # 30037243; and
- b. Student # 30047011

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

**C. Discussion and Consultation with Representatives of the Governing Board In**

**Order to Consider its Position and Instruct Its Representatives in the Meet and Confer Process Pertaining to Policy, Compensation and Benefits for Certificated, Professional Non-Teaching, Support and Administrative Staff Pursuant to A.R.S. § 38-431.03(A)(5), and**

**D. Discussion or Consultation with the Attorneys of the Public Body, Pursuant to A.R.S. § 38-431.03(A)(3), Concerning Pandemic Conditions and Mitigation Measures**

*President Zibrat asked for a motion to hold Executive Session. Vice President Day moved that the Board go into an Executive Session to address the matters identified in item 4 of the Board's agenda and pursuant to the legal authorities listed on the agenda under item 4. Ms. Cox Golder seconded the motion. Voice vote in favor – 5: President Zibrat, Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Opposed – 0. President Zibrat proclaimed they were in Executive Session.*

## **5. RECONVENE PUBLIC MEETING**

President Zibrat reconvened the public meeting at 6:36 p.m.

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

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

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

Superintendent Jaeger began his report by showing some photo highlights from around the District.

He reported Fall Sports are underway. A photo taken by Andy Morales showed the Amphi High School Football team on their football field. Additional photos presented were of the Canyon del Oro cross-country team, and the Ironwood Ridge High School varsity cheer team.

Superintendent Jaeger said Keeling Elementary School had their first Spirit Assembly of the year. Awards, recognitions, and competitions filled the room as the Keeling Cougars brought their school spirit in full force.

A photo showed the District's Legendary Teacher Day honoree with her English Language Arts class at Wilson K-8. He said she will be recognized for her achievement at an upcoming board meeting.

He explained many schools are having Homecoming and Spirit Weeks – some last week and some next week. Photos showed Hat Day at Prince Elementary School and Stuffed Animal Day at Amphi Middle School. He hoped to be able to share more pictures next week of the other activities.

The District held its second Feel-Good Friday last week. The last Friday of every month, Amphitheater staff are encouraged to wear clothing with a positive message. Thanks to all who participated for the smiles and good vibes.

Superintendent Jaeger reviewed the Pima County COVID-19 metrics. He commented that the key color coded metrics in the report have remained the same for the last few weeks. Disease Data indicators, showing number of cases and percent positivity have improved slightly, but continue to be in the red category. COVID-19 like illnesses are in the yellow category. He said some good news is the Public Health Tracking and Investigation is all in the "green" range.

He talked about Arizona Department of Health Services (AZDHS) data for Pima County, saying the case numbers have reduced from 175 to 163 cases per 100,000 individuals. He reported the test positivity rate is currently at 7.0%, so Pima County is still at the high transmission level.

Superintendent Jaeger explained the District COVID-19 Dashboard is updated daily. He said currently there are 22 active cases. A site is only listed if they have any active cases. He clarified that if someone tested positive and was not at school during the infectious period, they are not counted on the dashboard.

Superintendent Jaeger reviewed that Pima County reports on cumulative cases in all school districts. Since the school year began, Amphitheater School District has had 265 total cases. He stressed that it is important to keep the size of the school districts in mind, as that will impact the numbers.

Superintendent Jaeger showed a table that charted the new cases each day in the District, since the beginning of the school year. He referenced where masking was reinstated and the data trend after that.

Superintendent Jaeger spoke about the “Mask Case” which concerned state legislation that would have made mask mandates illegal in Arizona. The law was to take effect September 29, 2021, but retroactive to July 1, 2021. On September 27, 2021 the Maricopa County Superior court ruled the law was unconstitutional. The law, which was a budget bill, included non-budgetary matters, which violated the state constitution’s single subject bill requirement. The ruling affected not only the mask prohibition, but also other items included in that bill. He felt there may be an appeal forthcoming, but for now, it stands. He stated the District’s universal indoor masking requirement will remain in place.

Superintendent Jaeger referenced information from the CDC concerning universal masking. He said three studies found that school districts without a universal masking policy in place were more likely to have COVID-19 outbreaks. A nationwide study showed counties without masking requirements saw the number of pediatric COVID-19 cases increase nearly twice as quickly as those with requirements. In an Arizona study, schools in Maricopa and Pima counties were 3.5 times more likely to have COVID-19 outbreaks if they did not have a mask requirement at the start of school, when compared with schools that required universal masking on day one. Another report found that during the two weeks following the start of school, the average change in pediatric COVID-19 case rates was lower among counties with school mask requirements (16.32 per 100,000/day) compared with counties without school mask requirements (34.85 cases per 100,000/day).

Superintendent Jaeger stated there are many views relating to COVID-19 and masking. He said that we need to understand both sides and asked that we have patience with each other. He acknowledged that as the science and opinions have evolved, the recommendations and data have also changed. Initially, the CDC recommended masks only for people that were infected and for medical providers. Since April 2020, however the CDC has recommended everyone wear face coverings in public, citing new data that a significant portion of people infected with COVID-19 can lack symptoms but still spread the virus. Since then, there has been more evidence supporting the use of masks to slow the spread of the virus. Superintendent Jaeger stated we must seek truths from reliable sources.

Superintendent Jaeger concluded by saying school districts are not equipped to make public health decisions. We must rely on public health care leaders for guidance. To protect the health and safety of everyone, the majority of those public health leaders are recommending wearing masks. At this time, consequently, the mask requirement is still in place in the Amphitheater District.

President Zibrat thanked Superintendent Jaeger for his report and asked if any Governing Board members had any questions.

There were none.

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

*President Zibrat read the Call to the Audience Procedures.*

Rebecca Green, a parent and teacher at Coronado K-8, said this has been a very challenging year. She shared examples of times that District employees have gone above and beyond to support other teachers, the students and her own children. Ms. Green felt the dedication, care and love of District employees occurs every day. She concluded saying, “Let’s Amphi this!”

Daniel Roper said when he was a student at Harelson Elementary School, he and other students pledged to be PeaceBuilders. He then recited the pledge. *I am a peace builder. I pledge to praise people, to give up put downs, to seek wise people, to notice and speak up about hurts I have caused, to right wrongs and to help others.* Mr. Roper reported on a study from the Maricopa and Pima County health departments on the effectiveness of masks in schools and the spread of COVID-19. The study showed that schools without a mask requirement were more likely to have outbreaks. He felt that helping others is a fundamental part of our society, and that wearing a mask can help keep others from getting sick.

Arron Bemis compared area school districts of similar size that do not have mask mandates, and said they have not had as many active cases of COVID-19 as Amphi. After the judge ruled on the validity of the state mask mandate, she was disgusted and saddened when the District continued to require masks. She said it is harmful to wear a mask and the majority of parents do not want their children to wear masks. Ms. Bemis felt the students are being hurt mentally.

Larry Shoemaker shared a study showing that some schools nationally and internationally have not required masks and have not shown a significant increase in COVID-19 cases.

John Maynard, a grandparent of children at Ironwood Ridge High School, thanked Mr. Kopec and Superintendent Jaeger for responding to the emails he sent them. He said there is no scientific evidence that wearing masks prevents the spread of respiratory viruses. He felt the guidance from the Centers of Disease Control and Prevention (CDC) is laughable, and that the pandemic is over. Mr. Maynard thought requiring students to wear masks is punishing them, and that there should be more focus on academics. He urged the District to drop the mask mandate at K-12 schools.

Lorella Ritzel, an Amphi parent and teacher, said many people struggle with health issues and felt that each household should be able to choose to wear masks or not. She said the District talks about the “Amphi Way” and the importance of collaboration. Ms. Ritzel urged they come visit the schools and ask the staff their opinion. Additionally, she said to ask the parents what they would like. She thought the decision to continue to require masks is disrespectful and took away the right to make decisions for her child.

Mona Gibson, a former Amphi parent said that masks are not effective and not many children are contracting COVID-19. She talked about relying on the guidance from the CDC, because it has been inconsistent. Ms. Gibson felt the Governing Board has a general disregard for the public and constituents.

Joni Kaminski, an Amphi parent and teacher, believed that families should have the right to choose to wear a mask. She said she hoped that the Governing Board was hearing and just not listening to what was being said. Ms. Kaminski urged that the freedom to choose be given back to the families.

Chad Carter, an Amphi graduate, said the mask mandate is anti-freedom, and families should have the right to choose to wear a mask or not. He talked about the nationwide mental health crisis, and felt masks make it harder for everyone, especially children to communicate. Mr. Carter stated he agreed with judges' ruling that the mask mandate should not have been included in the budget reconciliation bill. He commented on the District website there is reference to Common Sense Media, and he urged parents to take a look at their website.

Cami Reinhardt, an Amphi teacher, said that people should be allowed to choose to wear a mask or not. She felt that masks are ineffective and that COVID-19 is not a huge threat to children. Ms. Reinhardt stated differing science guidelines are a result of not being able to discern the information, and therefore involved a lot of guesswork. She resented being told to wear a mask and asked to be given her freedom back.

Brian Walker, a parent with a student at Ironwood Ridge High School, spoke about the recent COVID-19 vaccination clinic held at the school. He asked that the topic of the COVID-19 vaccination clinics be added to an upcoming agenda to inform families of future clinics. He said he spoke for his family and others who felt holding a vaccination clinic at the school was not appropriate, and that it was trying to influence students to receive the controversial vaccination. Mr. Walker said that schools should be used for academics.

Katie Vicino, an Amphi parent, spoke about a religious exemption she requested that was denied for her son. She felt the Governing Board has a specific agenda that it is pushing on the students. She thought they need to be removed, and said don't underestimate the power of parents.

Stephanie Kirkland, a parent with children at Canyon del Oro High School said the education system is broken and that students are constantly being policed. She felt wearing masks is ineffective, children are suffering and it is causing a mental health crisis. Ms. Kirkland urged the Governing Board to consider the long term side effects and reconsider requiring masks.

Charles Lathrem, an Amphi parent said he has attended prior meetings and noticed more parents coming to the meetings to speak up about the mask mandate. He requested referencing the sources on the COVID-19 updates and that the meeting notes be available the next day. He cited information stating that face masks are ineffective, and asked to stop the masks.

## 8. CONSENT AGENDA<sup>3</sup>

*Details of agenda items, supporting documents, and presentations are available in the electronic Board Book by clicking on the hyperlink below.*

*[Amphitheater Public Schools Public View - BoardBook Premier](#)*

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

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

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

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

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

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

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

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

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

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

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

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

*Previous minutes for Governing Board Meeting held on August 24, 2021 was approved as listed in Exhibit 7.*

**G. Approval of Vouchers Totaling and Not Exceeding Approximately \$3,388,993.52**

*A copy of vouchers for goods and services received by the Amphitheater Public Schools and recommended for payment has been provided to the Governing Board. The following vouchers were approved as presented and payment authorized as submitted in Exhibit 8.*

Voucher #	Amount	Voucher #	Amount	Voucher #	Amount
1059	\$148,517.79	1060	\$2,458,800.26	1061	\$41,292.28
1062	\$138,872.58	1066	\$202,472.98	1068	\$163,228.38
1070	\$15,832.78	1071	\$50,918.39	1072	\$36,149.01
1073	\$9,982.40	1074	\$61,190.30	1075	\$61,548.02
1076	\$188.35				

**H. Acceptance of Gifts**

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

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

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

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

*The Governing Board approved Painted Sky Elementary PTO, Prince PTO, CDO Swimming Booster Club, Project Graduation Canyon del Oro, Ironwood Ridge Baseball Booster and JOM Indian Education Committee as submitted in Exhibit 11.*

**K. Annual Approval of All Authorized Signatories on District Checking Accounts for the 2021-2022 Fiscal Year – Revised 9-15-2021**

*The Governing Board approved All Authorized Signatories on District Checking Accounts for the 2021-2022 Fiscal Year – Revised 9-15-2021 as submitted in Exhibit 12.*

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

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

**M. Approval of Fee Waivers for Facility Rentals 2021-2022 School Year**

*The Governing Board approved Fee Waivers for Facility Rentals 2021-2022 School Year.*

**N. Approval of Out of State Travel**

*The Governing Board approved request for out of state travel as listed in Exhibit 13.*

**O. Designation of Student Suspension and Expulsion Hearing Officers to Hear Evidence, Prepare a Record and Bring Recommendations to the Board, Pursuant to A.R.S. §15-843(F)(2)**

*The Governing Board approved the Designation of Student Suspension and Expulsion Hearing Officers to Hear Evidence, Prepare a Record and Bring Recommendations to the Board, Pursuant to A.R.S. §15-843(F)(2).*

**P. Approval of Revisions to the Following Policy Documents: Policy BDF (Advisory Committees), Policy BEDD (Rules of Order), Policy BEDF (Voting Method), Policy BEDH (Public Participation at Board Meetings), Policy DIE (Audits/Financial Monitoring), Policy DJ (Purchasing [Purchasing Ethics Policy]), Policy EEAEA (Bus Driver Requirements, Training, and Responsibilities), Policy GCB (Professional Staff Contracts and Compensation), Policy GCF (Professional Staff Hiring), Policy GDB (Support Staff Contracts and Compensation), Policy GDF (Support Staff Hiring), Policy IC (School Year), Policy IHA (Basic Instructional Program), Policy IHAMB (Family Life Education), Policy IHAMD (Instruction and Training in Suicide Prevention), Policy IJ (Instructional Resources and Materials), Policy IJJ (Textbook/Supplementary Materials Selection and Adoption), Policy JFAA (Admission of Resident Students), Policy JFAB (Tuition/Admission of Nonresident Students), Policy JICA (Student Dress)**

*The Governing Board approved the Revisions to the Following Policy Documents: A. : Policy BDF (Advisory Committees), Policy BEDD (Rules of Order), Policy BEDF (Voting Method), Policy BEDH (Public Participation at Board Meetings), Policy DIE (Audits/Financial Monitoring), Policy DJ (Purchasing [Purchasing Ethics Policy]), Policy EEAEA (Bus Driver Requirements, Training, and Responsibilities), Policy GCB (Professional Staff Contracts and Compensation), Policy GCF (Professional Staff Hiring), Policy GDB (Support Staff Contracts and Compensation), Policy GDF (Support Staff Hiring), Policy IC (School Year), Policy IHA (Basic Instructional Program), Policy IHAMB (Family Life Education), Policy IHAMD (Instruction and Training in Suicide Prevention), Policy IJ (Instructional Resources and Materials), Policy IJJ (Textbook/Supplementary Materials Selection and Adoption), Policy JFAA (Admission of Resident Students), Policy JFAB (Tuition/Admission of Nonresident Students), Policy JICA (Student Dress) as submitted in Exhibits 14-33.*

**9. PUBLIC COMMENT<sup>1</sup>**

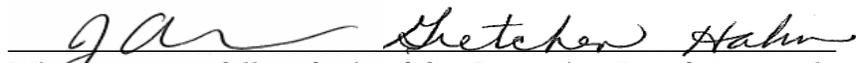
There were none.

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

Dr. Baker asked for information about Canyon del Oro High School, the homeowners group, and the church.

**11. ADJOURNMENT**

President Zibrat asked for a motion to adjourn the meeting. Vice President Day made a motion to adjourn. Ms. Cox Golder seconded the motion. There was no discussion. Voice vote in favor - 5: President Zibrat, Vice President Day, Dr. Baker, Ms. Cox Golder, and Mr. Kopec. Opposed - 0. The meeting adjourned at 7:37 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*

October 21, 2021  
 Date

  
 Deanna M. Day, M. Ed., Governing Board Vice President

October 26, 2021  
 Date