



Regular Board Meeting Agenda

Tuesday, September 8, 2020 | 6:00 PM | District Office Board Room, 8176 N. Westover, Joseph City, AZ 86032

Items on the regular meeting agenda may be discussed in executive session related to employment matters, for the purpose of obtaining legal advice thereon or other matters pursuant to A.R.S. 38-431.03(A). The Governing Board may change the order of agenda items, pursuant to Governing Board Policy BEDB.

1. OPENING ITEMS

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PUBLIC NOTICE OF MEETING of the JOSEPH CITY UNIFIED SCHOOL DISTRICT NO. 2 GOVERNING BOARD

Pursuant to A.R.S. 38.431.02, notice is hereby given to the members of the Joseph City School District No. 2 Governing Board and to the general public that the Joseph City Schools, District No. 2 Governing Board will conduct a **Regular Board Meeting**.

Date: Tuesday, September 8, 2020

Time: 6:00 PM

Place: District Office Board Room, 8176 N. Westover, Joseph City, AZ 86032

Pursuant to A.R.S. 38.431.02(E) this meeting may be recessed and resumed with less than twenty-four hour notice provided that an announcement is made prior to recessing as to the time and place of the meeting resumption.

Executive Session: During Regular and Special Board Meetings, the Governing Board may vote to meet in Executive Session, which will not be open to the public, to discuss matters which are marked by an asterisk (*) pursuant to A.R.S. 38-431.03, subsection A, Paragraph: 1) Employment Matters; 2) Confidential Records; 3) Legal Advice; 4) Contract Negotiations / Litigation / Settlement; 5) Instruction to Representatives Regarding Negotiations with Employee Organizations; 6) International/Interstate Negotiations; 7) Purchase, Sale or Lease of Land; and/or Student Hearing conducted in executive session pursuant to A.R.S. 15-843.

All meetings, with the exception of executive sessions, are open to the public and conducted in accordance with the State Open Meeting Law and Education Laws.

Board meeting agendas are available on the District's website at jcusd.org/board. The agenda for the meeting will also be available 24 hours prior to the meeting and will be posted at the front entrance of the District Administration Office, 8176 N. Westover, Joseph City, AZ.

Live-streamed meetings may be viewed online by clicking the link on the school website at jcusd.org/board.

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Invocation
- E. Adoption of Agenda
- F. Minutes of Regular Meeting - August 14, 2020
Minutes of the regular board meeting held on August 11, 2020

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**Minutes of Regular Board Meeting of the Governing Board
Joseph City Unified School District
District Office Board Room | 8176 N. Westover | Joseph City, AZ 86032
Tuesday, August 11, 2020**

Members present

Mr. Dayton Flake, Member
Mr. Eldon Larsen, Member
Mrs. Rhonda Roberson, Member

Absent: Mr. K Flake, President

Administrators present

Mr. Bryan Fields, Superintendent
Mr. Eric Miller, JH/HS School Principal
Mr. Daniel Hutchens, Elementary Principal
Mr. Steve Mills, Business Manager (Electronically)
Mr. Jason Gardner, Technology Coordinator
Mr. Brad Neal, Maintenance Supervisor

Others present

5 Community Members

126 viewers who connected to the livestream broadcast.

The meeting was open to community members with seats available for three patrons and broadcast live via a clickable link on the District website to the District's YouTube channel.

1. OPENING ITEMS

A. Call to Order

Mr. Larsen called the meeting to order, the time being 6:03 pm

B. Roll Call

Mr. D Flake, Mr. Larsen, Mrs. Roberson

C. Pledge of Allegiance

The Pledge of Allegiance was led by Kathy Mitchell

D. Invocation

Mr. Larsen volunteered to offer the invocation.

E. Adoption of Agenda

Mr. Larsen moved to adopt the August 11, 2020 agenda as presented, seconded by Mr. D Flake

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

F. Minutes of Regular Meeting - July 14, 2020

Minutes of the regular board meeting held on July 14, 2020

Mr. Larsen moved to approve the minutes of the July 14, 2020 meeting as presented, seconded by Mrs. Roberson.

Mr. Larsen moved to adopt the August 11, 2020 agenda as presented, seconded by Mr. D Flake

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

G. Reports

(i) Superintendent

- Elementary gym roof
- Back to School letter to parents about what to expect for the new school year
- Waivers forms for those students that will be attending school in person

(ii) Jr/Sr High School

- Distance Learning
- Enrollment Numbers
- Logo Update

(iii) Elementary School

- Chrome Book Distribution
- Google Classroom Training
- Teaching Methods

(iv) Business and Fiscal Services

- Budget Information

(v) Technology

- Summer Projects

(vi) Maintenance

- Summary of monthly projects

2. CALL TO THE PUBLIC

Mrs. Jody Balda of Joseph City made some suggestions for the maintenance of the swimming pool. The heater goes out all the time, so maybe invest in someone to check out the boilers every one to two months to stop this from happening so often.

Mr. Bob Winner of Joseph City said he appreciated all who worked on the Election Board and who helped with the maintenance of the election location.

3. EXECUTIVE SESSION

None

4. CONSENT AGENDA

Mr. Larsen moved to approve the Consent Agenda items as presented, seconded by Mr. D Flake.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

The Governing Board thanked Board Member Mr. Jeremy Miller for all of his time spent helping with decisions to better our district.

A. Vouchers

Action to ratify district vouchers for period July 10, 2020 through August 6, 2020.

General and Special Funds:

#1051 \$9,957.69 (encumbered)

#1052 \$32,030.15 (encumbered)

#1001 \$33,904.64

#1002 \$137,185.88

#1003 \$38,001.39

#2 \$39,201.20

#3 \$50,320.28

Auxiliary Operations Funds: none

Student Activities Fund: none

B. Student Activities Fund Report

Revenues, expenditures and charges in the Student Activities Fund Report; period of July 1, 2020 through July 31, 2020.

C. Qualified Evaluators for Certified Staff

Approve qualified evaluators for certified staff:

- Bryan Fields
- Daniel Hutchens
- Eric Miller

D. Board Member Resignation

Accept the resignation of Jeremy Miller as a member of the Joseph City School District Governing Board effective July 21, 2020.

E. Prices for school lunches

Approve FY20-21 prices for paid school lunches.

F. Arizona School Facilities Board Building Renewal Grant for Jr/Sr High Classroom Building Roof Assessment

Acceptance of Arizona SFB grant to fund a professional evaluation assessment of Jr/Sr High School classroom buildings.

5. PERSONNEL REQUESTS

A. New position

Approve new position: Assistant Coach - HS Cross Country

Mr. Larsen moved to approve the new position of Assistant Cross Country coach with the understanding that it depends on the number of students participating or the sport is cancelled, seconded by Mr. D Flake.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

B. Employee Assignments, Employee Renewals, Volunteers, Employee Resignations

Mr. Larsen moved to approve the following FY'21 Extra Duty positions as presented, seconded by Mr. D Flake.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

EXTRA DUTY ASSIGNMENTS (Extra duties and pay may be reduced or eliminated should the need be reduced or cancelled due to health precautions)

- Laurie Bowler - National Honor Society Club Sponsor
- Laurie Bowler - Concurrent Enrollment Teacher
- Laurie Bowler - Tutor
- Laurie Bowler - Teacher Mentor
- Dan Bushman - JV Coach-HS Football
- Dan Bushman - CTE Director
- Julie Clifford - Red Ribbon Coordinator
- Julie Clifford - Yearbook Club Advisor
- Julie Clifford - Yearbook Class Instructional Specialist
- Julie Clifford - NAVIT Coordinator
- Brad Fischer - JH/HS Activities Director

- Brad Fischer - Wrestling Tournament Coordinator
- Dustin Fish - Ag Club Advisor
- Andrew Foree - Drama Coach
- Andrew Foree - Band/Choral Director
- Ruth Hansen - Summer Reading Coordinator
- Shawn Layden - Head Coach-HS Football
- Lillian Neal - District Lead SpEd Teacher
- Lillian Neal - HS Student Council Advisor
- Adam Neat - Tutor
- Selena Nells - Indian Education Coordinator
- Selena Nells - Wellness Coordinator
- Robert Pugh - Bus Driver Part-time
- Kay Rush - JH Student Council Advisor
- Gayla Smith - Head Coach II-HS Cross Country

CLASS SPONSORS

- Laurie Bowler
- Jess Bushman
- Jeri Edwards
- Brad Fischer
- Dustin Fish
- Andrew Foree
- Michael Gayer
- Roland Hancock
- Aaron Johnstun
- Shawn Layden
- Adam Neat
- Robert Pugh
- Kay Rush
- Mike Sterkowitz
- Jim Stradling
- Jean Varney
- Anthony Whetten
- Shealyn Buckley

EVENT WORKERS

- Lance Baldwin
- Alyssa Buckley
- Shealyn Buckley
- Mitchell Farnes
- Jennifer Fischer
- Brooke Frost
- Clarissa Hansen
- Lillian Howerton
- Lisa Gayer
- Dana Johnstun
- Sam Johnstun
- Samuel Jordan Johnstun
- Kinsley Lamps
- Mary Larsen
- Amy Miller
- Kylie Miller

- Katelyn Pugh
- Gayla Smith
- Jim Smith

VOLUNTEERS

- Jessi Bushman - Coach-HS Volleyball
- Reva Haydukovich - Coach-HS Volleyball
- Kinsley Lamps - Coach-HS Volleyball
- Eldon Larsen - Coach-HS Football
- Sara Napa'a - Coach-All Sports Injury Prevention/Recovery
- Chay Randles - Coach-JH Softball
- Amanda Sander - Coach-JH Softball

C. Personnel Appointments

Mr. Larsen moved to approve the following personnel appointments as presented, seconded by Mrs. Roberson.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

- Bannon Johnstun - Lifeguard (student)
- Nehemia Balda - Lifeguard (student)
- Owen Beatty - Lifeguard (student)
- Bridger Fields - Lifeguard (student)
- Kate Edwards - Lifeguard (student)
- Klydie Miller - Lifeguard (student)
- April Petersen - Lifeguard (student)
- Hayden Fischer - Lifeguard (student)
- Brenlee Hutchens - Summer Reading Specialist/Tutor (student)
- Taura Dobbs - Instructional Aide
- Michael Gayer - Custodial / Asset Control Coordinator (part-time)

COACHES (Coach duties and pay may be reduced or eliminated should the season be reduced or cancelled due to health precautions)

- Kristen Beatty - Asst. Coach-JH Volleyball
- Taura Dobbs - JV Coach-HS Volleyball
- Roland Hancock - JV Coach I-Cross Country
- Daniel Hutchens - Head Coach-Jr High Softball
- Eric Miller - Head Coach-JH Football
- Zach Miller - Asst. Coach-JH Football
- Mary Spurlock - Asst. Coach-JH Softball

6. ACTION ITEMS

A. Textbook Adoption

Adopt the textbook and curriculum materials that were available during the 60-day public review for Jr/Sr High School:

- English
- Math
- Science
- French
- 6th Grade World History (update current textbook edition)

Mr. Larsen moved to approve the second reading of the following textbook adoptions as presented, seconded by Mr. D Flake

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

B. Governing Board Resolution Regarding Opening of School

Mr. Larsen moved to approve the Governing Board Resolution regarding the opening of schools, seconded by Mr. D Flake.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

C. Policy and Regulation Adoption - First Reading

Approve the following policies and regulations for a first reading:

Mr. Larsen moved to approve the first reading of the attached ASBA policies, seconded by Mrs. Roberson

Final Resolution: Approved with a 2-1 vote

Yes: Mr. D Flake, Mr. Larsen

No: Mrs. Roberson

Policy BEC - Executive Sessions / Open Meetings

Policy IHA - Basic Instruction Program

Policy KB - Parent Involvement in Education

Regulation GBGB-R - Staff Personnel Security and Safety

Regulation JICA-RB - Student Dress

Regulation KI-RB - Visitors to Schools

7. DISCUSSION ITEMS

None

8. INFORMATION ITEMS

A. Requests for Future Agenda Items

None

B. Upcoming Meetings and Events Calendar

- Next Regular Board Meeting - Tuesday, September 8, 2020; 6:00 p.m.
- ASBA 44th Annual Law Conference (Virtual Event) - September 9-11, 2020

9. ADJOURNMENT

Call to adjourn the meeting

Mr. Larsen moved to adjourn the meeting, the time being 8:36 pm, seconded by Mrs. Roberson.

Final Resolution: Approved

Yes: Mr. D Flake, Mr. Larsen, Mrs. Roberson

Minutes are not final until signed below.

APPROVED:

Board Clerk or President



**Minutes of Special Board Meeting of the Governing Board
Joseph City Unified School District
District Office Board Room | 8176 N. Westover | Joseph City, AZ 86032
Tuesday, September 1, 2020**

Members present

Mr. Andrew Bushman, Member
Mr. Dayton Flake, Member
Mr. Karsten Flake, President
Mr. Eldon Larsen, Member
Mrs. Rhonda Roberson, Member

Administrators present

Mr. Bryan Fields, Superintendent
Mr. Eric Miller, JH/HS Principal
Mr. Daniel Hutchens, Elementary Principal

Others present

Mr. Jason Gardner, Technology Supervisor
7 Community Members

1. PRE-MEETING ACTIVITIES

A. Swearing in of new board member

Mr. K Flake, Governing Board President, swore in new Board member Andrew Bushman.

2. OPENING ITEMS

A. Call to Order

Mr. K Flake called the meeting to order, the time being 6:05 pm

B. Roll Call

Mr. Bushman, Mr. D Flake, Mr. K Flake, Mr. Larsen, Mrs. Roberson

C. Pledge of Allegiance

The Pledge of Allegiance was led by Kathy Mitchell

D. Invocation

Mr. Larsen volunteered to offer the invocation.

3. ACTION ITEMS

A. Authorize Opening of In-Person School

Discussion and possible action to authorize the opening of in-person school

Mr. K Flake moved to discuss and possibly approve the opening of in-person school on September 8, 2020, seconded by Mr. D Flake. The Board answered questions from the audience.

Final Resolution: Approved

Yes: Mr. Bushman, Mr. D Flake, Mr. K Flake, Mr. Larsen, Mrs. Roberson

ADJOURNMENT

Call to adjourn the meeting

Mr. Flake moved to adjourn the meeting, the time being 7:16 pm, seconded by Mr. Larsen.

Minutes are not final until signed below.

APPROVED:

Board Clerk or President

H. Reports

(i) Superintendent
Current Events and Updates

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September Current Events Report

From: B. Fields

To: JCUSD Governing Board

- School is starting back on September 8th. We have approximately 45 students who are continuing with the Distance Learning Program.
- We are still waiting for the structural repairs of the District Office building to be completed and the final punch list to be taken care of before we make final payment on the roof project.
- Thank you to Andrew Bushman for his willingness to step in and fill the vacancy that we had on the Board. We appreciate Jeremy Miller's service and have a plaque to recognize his service. I will send an invitation to him to attend the meeting.
- Our JH/HS has implemented an online athletic registration program that is working out very nicely for us. I wanted to point this out to the Governing Board and offer my compliments to the JH/HS Administrative team for the implementation of this program.
- Both campuses did a good job of operating the on-site learning labs for the last month. I appreciate the work that the Principals put into this, and in working with the teachers in lining out the distance learning program.
- The buses will be running about 5 minutes earlier on their daily runs to allow time for the health screenings prior to students boarding the bus. Mr. Diaz is temporarily adding one bus run to help reduce the number of students that we have on any one bus. This may not be necessary depending on how many students are staying with the Distance Learning Program.
- A couple of additional measures that we have taken is the purchasing of Sani-bracelets for staff to have hand sanitizer on them at all times if they would like, and sanitizing foggers. This fogging machines will be used by custodians and staff to help sanitize equipment and areas that are at a higher risk of being contaminated with the virus.

(ii) Jr/Sr High School
(iii) Elementary School
Current Events and Updates

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September 4, 2020

To: Mr. Fields

From: Daniel Hutchens

Re: September School Board Report

- We are so excited to be able to start our in-person learning. The challenges ahead of us are understood and we are ready.
- At current count we have about 20 students that have chosen distance learning. I believe that many will return after the first quarter ends.
- We will be holding a back to school celebration and cheer on the Football Field before we start the school day on Tuesday. We will be practicing social distancing.
- Staff have reviewed safety protocols several times and we look forward to putting our protocols in place.
- I want to say thank you to administration, teachers, custodians, and all staff members. Distance Learning and now moving back to in-person instruction takes a great team effort. New challenges arise daily, but we have all worked together to make the school year be a success.

Governing Board

Business Manager Report

September 8, 2020

1. The USDA has extended free breakfast and lunch for all students until December 31, 2020 regardless of income qualification. A copy of the USDA announcement is attached.
2. We have purchased equipment for the Custodial department that will allow custodians to “spray mist” large areas with a safe sanitizing solution. This will improve our ability to provide clean and healthier environmental surfaces with a fraction of the manpower needed to sanitize by hand.
3. We have begun the process of updating and refreshing our website to make it easier to post new content and for users to find useful information. We will be deploying an accompanying app for smart phones and other devices that can be downloaded from the Apple and Google stores. Staff, students and the public can download and quickly access Joseph City Schools information, calendars, school news, dining menus, Governing Board information, athletics news, emergency announcements, links to streaming video, etc.
4. We have applied for a state grant that is expected to make up any funding shortfalls that may occur as a result of student withdrawals during the pandemic crisis.

USDA Extends Free Meals for Kids Through December 31, 2020

Summer meal programs can continue operating as funding allows

Release & Contact Info

Press Release

Release No. 0355.20

Contact: USDA Press

Email: press@oc.usda.gov

(Washington, DC, August 31, 2020) – Today, U.S. Secretary of Agriculture Sonny Perdue announced the U.S. Department of Agriculture (USDA) will extend several flexibilities through as late as December 31, 2020. The flexibilities allow summer meal program operators to continue serving free meals to all children into the fall months. This unprecedented move will help ensure – no matter what the situation is on-the-ground – children have access to nutritious food as the country recovers from the COVID-19 pandemic. USDA has been and continues to be committed to using the Congressionally appropriated funding that has been made available.

“As our nation reopens and people return to work, it remains critical our children continue to receive safe, healthy, and nutritious food. During the COVID-19 pandemic, USDA has provided an unprecedented amount of flexibilities to help schools feed kids through the school meal programs, and today, we are also extending summer meal program flexibilities for as long as we can, legally and financially,” **said Secretary Perdue**. “We appreciate the incredible efforts by our school foodservice professionals year in and year out, but this year we have an unprecedented situation. This extension of summer program authority will employ summer program sponsors to ensure meals are reaching all children – whether they are learning in the classroom or virtually – so they are fed and ready to learn, even in new and ever-changing learning environments.”

“School Nutrition Association greatly appreciates USDA addressing the critical challenges shared by our members serving students on the frontlines these first weeks of school. These waivers will allow school

nutrition professionals to focus on nourishing hungry children for success, rather than scrambling to process paperwork and verify eligibility in the midst of a pandemic." **said School Nutrition Association (SNA) President Reggie Ross, SNS.** "We look forward to continuing our dialogue with USDA to ensure school meal programs are equipped to meet the future needs of America's students."

"Today's announcement brings a huge relief to our school meal program and the community we serve," **said Lindsay Aguilar, RD, SNS, Director of Food Services for Tucson Unified School District, AZ.** "Many of our families who might not qualify for free meals are still going through a tough time and are worried about how to keep food on the table. Now their children will have one less thing to worry about as they adjust to evolving in-school and remote learning scenarios. These waivers also eliminate a massive administrative burden for our school nutrition staff, allowing them to focus on feeding children."

"These waivers will ensure every hungry child in the city of Cleveland has access to healthy school meals, while eliminating the burdensome, time consuming process of verifying and documenting enrollment," **said Chris Burkhardt, SNS, Executive Director of School Nutrition for Cleveland Metropolitan School District, OH.** "Our school nutrition team had to develop and implement a bar code verification system this fall that has greatly complicated and slowed service. With these waivers, we'll be able to speed up meal distribution for the safety of staff and families and ensure no student is denied access to healthy meals."

Background:

USDA's Food and Nutrition Service (FNS) is extending a suite of nationwide waivers for the Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) through the end of 2020, or until available funding runs out. This includes:

- Allowing SFSP and SSO meals to be served in all areas and at no cost;
- Permitting meals to be served outside of the typically-required group settings and meal times;
- Waiving meal pattern requirements as necessary; and

- Allowing parents and guardians to pick-up meals for their children.

Collectively, these flexibilities ensure meal options for children continue to be available so children can access meals under all circumstances. USDA is taking this unprecedented action to respond to the needs of its stakeholders, who have shared concerns about continuing to reach those in need without enlisting the help of traditional summer sites located throughout communities across the US. While there have been some well-meaning people asking USDA to fund this through the entire 2020-2021 school year, we are obligated to not spend more than is appropriated by Congress.

Importantly, the summer meal program waiver extensions announced today are based on current data estimations. Over the past six months, partners across the country have stood up nearly 80,000 sites, handing out meals at a higher reimbursement rate than the traditional school year program. USDA has continuously recalculated remaining appropriated funds to determine how far we may be able to provide waivers into the future, as Congress did not authorize enough funding for the entire 2020-2021 school year. Reporting activities are delayed due to States responding to the pandemic; however based upon the April data we currently have available, FNS projects that it could offer this extension, contingent on funding, for the remaining months of 2020. USDA will continue to actively monitor this rapidly evolving situation and continue to keep Congress informed of our current abilities and limitations.

Since the start of the public health emergency, FNS has been maximizing existing program services and flexibilities to ensure those in need have access to food through our 15 federal nutrition assistance programs. To date, USDA has provided more than 3,000 flexibilities across these programs. USDA has also leveraged new and innovative approaches to feeding kids, including a [public-private partnership](#) that provided nearly 40 million meals directly to the doorsteps of low-income rural children. For more information on FNS' response to COVID-19, visit fns.usda.gov/coronavirus.

###

USDA is an equal opportunity provider, employer, and lender.



Summary of Financial Operations (Unaudited)
August 31, 2020

Fund		Budget	YTD Expenses	Balance	Encumbrances	Budget Balance
001	Maintenance & Operation	\$4,958,876	\$ 664,154	\$4,294,722	\$2,658,274	\$1,636,448
010-013	Classroom Site Funds	\$ 467,768	\$ 7,158	\$ 460,610	\$ 73,814	\$ 386,796
100-130	Title I	\$ 235,000	\$ 11,219	\$ 223,781	\$ 84,795	\$ 138,986
140-150	Title II - Professional Development	\$ 40,000	\$ 319	\$ 39,681	\$ 3,255	\$ 36,426
200-209	Title VII - Indian Education	\$ 15,000	\$ -	\$ 15,000	\$ 9,193	\$ 5,807
220-229	IDEA/Special Education Grants	\$ 140,000	\$ 4,893	\$ 139,779	\$ 58,972	\$ 80,807
230	Johnson-O'Malley (JOM)	\$ 4,500	\$ 221	\$ 4,279	\$ 461	\$ 3,818
260-270	Career & Technical Ed (CTE) - Federal	\$ 12,000	\$ 1,319	\$ 10,681	\$ -	\$ 10,681
290-291	Medicare Reimbursement	\$ 30,000	\$ 5	\$ 29,995	\$ 12,296	\$ 17,699
326-327	CARES	\$ 140,000	\$ 18,356	\$ 121,644	\$ 31,560	\$ 90,084
374	E-Rate	\$ 1,500	\$ -	\$ 1,500	\$ -	\$ 1,500
390-396	REAP (Federal Rural Assistance)	\$ 65,000	\$ 3,003	\$ 61,997	\$ 12,532	\$ 49,466
400	Career & Technical Ed (CTE) - State	\$ 10,000	\$ 277	\$ 9,723	\$ 2,792	\$ 6,931
466	Healthy Drug-Free Community	\$ 185,000	\$ 1,110	\$ 183,890	\$ 15,338	\$ 168,552
506	School Plant (Sale)	\$ 8,500	\$ -	\$ 8,500	\$ -	\$ 8,500
510	Food Service	\$ 300,000	\$ 178	\$ 299,822	\$ -	\$ 299,822
515	Civic Center	\$ 10,000	\$ 586	\$ 9,414	\$ -	\$ 9,414
520	Preschool Tuition	\$ 12,000	\$ 508	\$ 11,492	\$ 5,151	\$ 6,341
525	Auxiliary Operations	\$ 140,000	\$ 385	\$ 139,615	\$ 4,934	\$ 134,681
526	Extracurricular Activities Tax Credit	\$ 20,000	\$ -	\$ 20,000	\$ 356	\$ 19,644
530	Gifts & Donations	\$ 50,000	\$ 3,000	\$ 47,000	\$ -	\$ 47,000
535-539	CTE & Vocational Education Projects	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
565	Litigation Recovery	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ 10,000
570	Indirect Costs	\$ 30,000	\$ 3,883	\$ 26,117	\$ 10,936	\$ 15,181
596	NAVIT	\$ 45,000	\$ 2,360	\$ 42,640	\$ 24,490	\$ 18,150
610	Capital Outlay	\$ 284,027	\$ 61,276	\$ 222,751	\$ 19,819	\$ 202,932
620	Adjacent Ways	\$ 75,000	\$ 37,068	\$ 37,932	\$ 9,001	\$ 28,930
665	Energy and Water Savings	\$ 65,000	\$ -	\$ 65,000	\$ -	\$ 65,000
691	SFB Building Renewal Grant	\$ 900,000	\$ -	\$ 900,000	\$ 71,652	\$ 828,348
850	Student Activities	\$ 50,000	\$ 5,538	\$ 44,462	\$ 1,210	\$ 43,252

(v) Technology

(vi) Maintenance

2. CALL TO THE PUBLIC

Individuals who wish to address the Board are requested to complete the appropriate form prior to the meeting and give the form to the Board Secretary. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter or scheduling the matter for a future agenda. The Board requests that all comments be limited to five minutes or less, that speakers refrain from the use of speech or language that is offensive or inappropriate, pursuant to Board policy KFA and that speakers refrain from voicing complaints against school personnel or any person connected with the District, as it may impact due process rights. Policies KE, KEB, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals. Forms required for use of these policies can be obtained from the Joseph City Schools website. The President will limit discussion whenever he deems such action appropriate to the proper conduct of the meeting.

3. EXECUTIVE SESSION (*)

For any agenda item indicated with an asterisk (*), the Board may vote to convene in Executive Session pursuant to A.R.S. 38-431.03 (A) (1) for personnel matters when notified; (2) discussion or consideration of records exempt by law from public inspection; (3) for consultation with attorney; (4) for consultation with attorney when in pending or contemplated litigation. Discussion or consideration of personnel matters may include employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee.

4. CONSENT AGENDA

All items listed will be considered as a group and will be approved with one motion unless a Board Member requests an item be removed from the consent agenda and considered as a separate item.

A. Vouchers

Action to ratify district vouchers for period August 7, 2020 through September 3, 2020.

General and Special Funds:

#1053 \$2,260.18 (FY20 encumbered)

#1004 \$102,461.39

#1005 \$697.76

#1006 \$68,763.43

#4 \$109,234.59 Payroll

#5 \$120,878.98 Payroll

Auxiliary Operations Funds:

#1003 \$6,299.60

Student Activities Fund:

#1002 \$5,489.60

B. Student Activities Fund Report

Revenues, expenditures and charges in the Student Activities Fund Report; period of August 1, 2020 through August 31, 2020.

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Joseph City Unified Auxiliary Fund

Expenditure Budget Balance Report

 Summary Only

From Date: 8/1/2020

To Date: 8/31/2020

Fiscal Year: 2020-2021

Budget Balance

Account Number / Description	Budget	Range To Date	YTD	Balance	Encumbrance	% Remaining Bud
Fund: 850 STUDENT ACTIVITIES						
850.000.0000.6810.500.300 DIST UNDESIGNATED Dues and Fees	\$0.00	\$0.00	\$48.45	(\$48.45)	\$0.00	(\$48.45) 0.00%
850.100.2100.6810.203.610 Undesignated	\$0.00	\$13.69	\$13.69	(\$13.69)	\$0.00	(\$13.69) 0.00%
850.100.2100.6810.203.633 CLASS OF 2020 Dues and Fees	\$0.00	\$586.31	\$586.31	(\$586.31)	\$0.00	(\$586.31) 0.00%
850.620.1000.6610.203.602 HS BASEBALL Instructional Supply	\$0.00	\$479.60	\$479.60	(\$479.60)	\$0.00	(\$479.60) 0.00%
850.620.1000.6610.203.629 HS TRACK Instructional Supply	\$0.00	\$0.00	\$0.00	\$0.00	\$1,209.54	(\$1,209.54) 0.00%
850.620.1000.6810.203.619 HS VOLLEYBALL Instructional Dues and Fees	\$0.00	\$4,410.00	\$4,410.00	(\$4,410.00)	\$0.00	(\$4,410.00) 0.00%
Fund 850 Total:	\$0.00	\$5,489.60	\$5,538.05	(\$5,538.05)	\$1,209.54	(\$6,747.59) 0.00%
Grand Total:	\$0.00	\$5,489.60	\$5,538.05	(\$5,538.05)	\$1,209.54	(\$6,747.59) 0.00%

End of Report

Joseph City Unified Auxiliary Fund

Revenue Report

 Summary Only

From Date: 8/1/2020

To Date: 8/31/2020

Fiscal Year: 2020-2021

Account Number / Description

Budget

Range To Date

YTD

Uncollected Balance

% Remaining

Fund: 850	STUDENT ACTIVITIES				
850.000.0000.1760.102.610		\$0.00	\$20.00	\$20.00	(\$20.00) 0.00%
JH STUDENT COUNCIL Student Club Revenue					
850.000.0000.1760.203.619		\$0.00	\$0.00	\$219.00	(\$219.00) 0.00%
HS VOLLEYBALL Student Club Revenue					
Fund 850 Total:		\$0.00	\$20.00	\$239.00	(\$239.00) 0.00%
Grand Total:		\$0.00	\$20.00	\$239.00	(\$239.00) 0.00%

End of Report

C. Arizona School Facilities Board Building Renewal Grant for Elementary Classroom
Building Roof Design

27

Approve the Arizona School Facilities Board Building Renewal Grant of \$31,450.98 for Elementary Classroom
Building Roof Design



Dear Superintendent:

Your application for Building Renewal Grant funding has been approved*.

Allocation and Use of Funds:

This award is subject to the policies for the Building Renewal Grant Fund established by the School Facilities Board and found on the SFB's website under Board Information/Policies and Opinions/SFB Policy Book/Section IX Building Renewal Grant Funding.

Attached please find Terms and Conditions - Please read carefully. The Terms & Conditions must be signed by the district's governing board president, superintendent, and business manager. Once executed, please upload the signed copy into the eCivis web Portal.

* The Executive Director has been delegated authority by the Board to award project funding according to BRG Policy IX. F.

Sincerely,

Nick Loper, on behalf of

Andy Tobin
Interim Executive Director
School Facilities Board

D. Arizona School Facilities Board Building Renewal Grant for Jr/Sr High Athletic Building
HVAC Equipment Repair/Replacement

29

Approve the Arizona School Facilities Board Building Renewal Grant for \$6,323.50 Jr/Sr High Athletic Building
HVAC Equipment Repair/Replacement.

Award Notification Letter

Dear Bryan Fields,

An award package has been created by Arizona for the following program solicitation:

Project: EA-HVAC Compressors - David Kennon

Program: BRG Equipment Repair/Replacement

Approved Amount: \$6,323.50

Federal Awards: No federal funds were included in this award.

Other Awards:

- BRG General Appropriation-FY21:
\$6,323.50

Total Other: \$6,323.50

Total Match: \$0.00

Period of Performance: 08/27/2020 - 08/27/2021

**Award/Contract
Number:** SFB-ERR-00038

SCHOOL FACILITIES BOARD

Adopted: December 4, 2008

Modified: November 4, 2009, June 23, 2010, July 11, 2012, October 9, 2013, April 6, 2016, December 8, 2016, October 4, 2017, July 11, 2018, January 8, 2020, May 6, 2020

TERMS AND CONDITIONS FOR ACCEPTANCE OF MONIES FROM BUILDING RENEWAL GRANT FUND

1. PURPOSE OF TERMS AND CONDITIONS

These Terms and Conditions apply to the distribution of monies by the Arizona School Facilities Board ("Board") from the Building Renewal Grant Fund ("Fund") pursuant to Arizona Revised Statutes, ("A.R.S.") §15-2032, §15-2001, and §15-2002.

These monies are being awarded to the District for the purpose of maintaining the adequacy of existing school facilities owned by school districts that are required to meet the minimum adequacy standards for student capacity and that fall below the minimum school facility guidelines. Districts are prohibited from using monies from the Fund awarded pursuant to these Terms and Conditions on any project that is in a building, or part of a building, that is being leased to another entity. All monies used must be in compliance with the statutory requirements found in A.R.S. §15-2032 and the Building Renewal Grant Policy adopted on October 2, 2008 and as subsequently amended, as well as any applicable session law.

2. TERM OF TERMS AND CONDITIONS

The term of these Terms and Conditions shall begin on the date of the District's signature and shall continue until the Completion Report, pursuant to Paragraph 4.2, is received by the Board and the Project is closed.

2.1 ABANDONMENT OF THE PROJECT

A Project is considered to be abandoned if construction has not begun within four months of Board approval of construction funding. In such an instance, any unspent monies advanced by the Board to the District must be returned to the Board within thirty (30) days.

3. FINANCIAL CONDITIONS

The District will accept a grant from the Fund in accordance with all applicable state statutes and rules, and will expend the funds in compliance with all provisions of such statutes and rules, including but not limited to, the following:

- a. Use of fiscal control and fund accounting procedures as prescribed in the Uniform System of Financial Records, which will ensure proper disbursement of, and accounting for, monies paid to the District from the Fund;
- b. Compliance with the School District Procurement Rules adopted by the Arizona State Board of Education, the USFR purchasing guidelines, and the School Facilities Board's policies for procurement, as applicable;
- c. Compliance with all applicable state, federal, and local codes and laws related to buildings and building access, including permitting requirements of the Department of Environmental Quality for any construction project;
- d. Compliance with any applicable federal, state and local health or safety requirements;
- e. Any award based on an estimate is subject to School Facilities Board staff approval of the procurement process and award of the bid or quote as applicable prior to distribution of funds to the district;
- f. The School Facilities Board will require a pre-award meeting with the selected contractor before any funding is made available. School district non-compliance with these Terms and Conditions and/or non-performance through Closeout of the project may result in the delay of payments until the issue is corrected.

3.1 UNIFORM SYSTEM OF FINANCIAL RECORDS

The District will maintain records as required by the Uniform System of Financial Records and provide access to those records to the Board as necessary to perform its duties. The District will cooperate with the Board or the Auditor General or any of their authorized representatives when audits are conducted as authorized by law. This cooperation includes access without unreasonable restrictions to the District's records and personnel for the purpose of obtaining relevant information.

3.2 SURPLUS FUNDS

If the final cost of the Project is less than the amount awarded by the Board, the District shall return the unspent monies to the Board.

3.3 UNFORESEEN CONDITIONS

The District shall notify SFB staff if any unforeseen conditions arise during project implementation. SFB staff will direct the District on how to proceed. The District must submit an executable Change Order which includes the signature of the District Representative, Architect, and contractor prior to receiving written approval from SFB staff to proceed. The Change Order is not considered executed until signed by SFB staff. The Change Order will also indicate any changes to the

contract value, contract schedule, and contract scope. No work shall proceed without a fully executed Change Order. Any work the school district approves prior to the executed change order is the financial responsibility of the school district.

Pursuant to A.R.S. 15-2001.J.2., if a school district approves (If the District issues a purchase order or authorizes start the work) work referenced in a change order before the Board ('The Board' for the purposes of this Change Order is interchangeable with 'SFB Staff') approves the Change Order, the school district is responsible for the cost and construction of the project ('The Project' is defined for the purposes of the Change Order as the work defined in the Change Order).

3.4 LOCAL FUNDS

If the District intends to supplement the Project with additional funds, the District shall provide to the Board an itemized purchase order signed by a District representative authorized to make the expenditure. The District's purchase order shall clearly indicate the amount being committed in each project.

3.5 SCOPE OF WORK

Any change in the scope of work shall be implemented by a Change Order. The District must submit an executable Change Order which includes the signature of the District Representative, Architect, and contractor prior to receiving written approval from SFB staff to proceed. The Change Order is not considered executed until signed by SFB staff. No work shall proceed without a fully executed Change Order. If changes in the scope of work are made without SFB staff approval, the SFB will not release any funding for the changes in the scope of work, and further may consider the Project abandoned. Any work the school district approves prior to the executed change order is the financial responsibility of the school district. The District shall return any unspent monies to the Board, and reimburse the Fund for monies spent without proper authorization from the Board within thirty (30) days of being notified by the Board.

3.6 FUTURE REPAIRS – THIS SECTION SURVIVES THE TERMINATION OF THIS AGREEMENT

To the extent allowed by law, if the District has contributed local funds to pay for an upgrade of the Project beyond that required by the minimum school facilities guidelines; any increase in the cost of a future repair or replacement shall be paid for proportional to the original cost sharing.

4. REPORTING REQUIREMENTS

The District will make reports to the Board as requested, and will cooperate with any evaluation of the grant and/or project as required by the Board. All expenditures and projects are subject to audit. All construction and related contracts entered into by the District shall contain a clause that will permit the Board and/or the District to audit the contract.

4.1 PUBLIC RECORD

Any application, report or plan, including school designs or architectural drawings relating to the funded Project in the possession of the District or its agents or designees is deemed a public record as defined by Arizona law.

4.2 COMPLETION REPORT

The District shall provide a completion report in a format prescribed by the Board, and shall maintain records for five years following the completion of the project, which show:

- a. The amounts received from the Fund;
- b. How the District spent the monies received from the Fund;
- c. The total cost of the project;
- d. The share of the total cost provided from other sources;
- e. A list of all change orders that were approved and denied for a construction project.

5. INSURANCE REQUIREMENTS

For all construction projects, the District agrees to secure insurance coverage for purposes of general liability, property damage and workers' compensation and secure performance and payment bonds.

6. AUDIT OF RECORDS

Pursuant to A.R.S. §§ 35-214 and 35-215, the District shall retain and shall contractually require each subcontractor to retain all data, books and other records ("records") relating to these Terms and Conditions for a period of five years after completion of these Terms and Conditions. All records shall be subject to inspection and audit by the State for five years after the termination of these Terms and Conditions.

7. AVAILABILITY OF FUNDS

Every payment obligation of the State under these Terms and Conditions is conditioned upon the availability of funds allocated for the payment of such obligations. If funds are not allocated and available for the continuance of the Project, these Terms and Conditions may be terminated by the State at the end of the period for which funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

8. RESOLUTION OF DISPUTES

The Parties to these Terms and Conditions agree to resolve all disputes arising out of or relating to these Terms and Conditions through arbitration, after exhausting applicable administrative review (pursuant to Title 41, Chapter 6, Article 10), to the extent required by A.R.S. § 12-1518, except as may be required by other applicable statutes.

9. NON-DISCRIMINATION

The Parties shall comply with Executive Order 2009-09, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities and all other applicable State and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The Parties shall take affirmative action to ensure that Districts for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability. However, Indian tribes are exempt from the definition of employer for both Federal and State Civil Rights Act.

10. TERMINATION

Each party shall have the right to terminate this Agreement by notifying the other party in writing of the termination at least thirty (30) days prior to the effective date of said termination. If the Agreement is terminated by the Board, the District shall be paid for all the allowable costs incurred prior to the date of termination, and only cost determined appropriate by SFB staff to de-mobilize the contractor from the work site, if applicable.

The payment of costs may be subject to audit verification by the Board or its duly authorized representative.

11. ASSIGNMENT AND DELEGATION

Neither party may assign any rights hereunder without the express, prior written consent of both parties.

12. CANCELLATION FOR CONFLICT OF INTEREST

The parties acknowledge that these Terms and Conditions are subject to the cancellation provisions set forth in A.R.S. §38-511.

13. ENTIRE AGREEMENT

These Terms and Conditions contain the entire understanding of the parties hereto. There are no representations or provisions other than those contained herein. Any amendment or modification of these Terms and Conditions shall be consistent with Section 1 of these Terms and Conditions.

14. APPLICABLE LAW

These Terms and Conditions shall be governed and interpreted by the laws of the State of Arizona.

15. THIRD PARTY ANTITRUST VIOLATIONS

The District assigns to the State any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to the District toward fulfillment of these Terms and Conditions.

16. PROGRAM REVIEW AND SITE VISITS

The Board has the right to make site visits at reasonable intervals for purposes of review of Project accomplishments and management control systems and to provide technical assistance, if required. The District will provide reasonable access to facilities, office space, resources, and assistance for the safety and convenience to the Board's representatives in the performance of their duties. All site visits and evaluations must be performed in a manner that does not unduly interfere with or delay the work.

17. RIGHT TO USE, DUPLICATE AND DISCLOSE

The Board may duplicate, use, and disclose in any manner and for any purpose whatsoever, within the limits established by Federal and State laws and regulations, all information relating to these Terms and Conditions.

The District agrees that any negotiations, agreements, and/or contracts between the District and Architect(s) for the design of the Project shall provide that the Board retains the right to use design documents limited to Site Plan, Exterior Elevations, Floor Plans, models, photographs, and renderings for the following, restricted purposes:

- a) To acknowledge Architects and their school designs successfully funded by the Board;
- b) To create a resource collection of promotional architectural designs for elementary, middle and high schools that will be available to other school districts to use as a school design resource.

It is understood that other school districts cannot use the District's design plans as their own as mandated by Code and Rules under the Arizona State Board of Technical Registration. Artistic representations shall not contain confidential nor proprietary information, but shall include professional credit for the architect and engineers of the successful project.

18. FEDERAL IMMIGRATION AND NATIONALITY ACT

By entering into the Contract, the District warrants compliance with the Federal Immigration and Nationality Act (FINA) and all other Federal immigration laws and regulations related to the immigration status of its employees. The District shall obtain statements from its contractors and its subcontractors certifying compliance and shall furnish the statements to the Board upon request. These warranties shall remain in effect through the term of the Terms and Conditions. The District and its contractor and its subcontractors shall also maintain Employment Eligibility Verification forms (I-9) as required by the U.S. Department of Labor's Immigration and Control Act, for all employees performing work under the Contract. I-9 forms are available for download at USCIS.GOV.

The State may request verification of compliance for any of the District's contractors or subcontractors performing work under these Terms and Conditions. Should the State suspect or find that the District or its contractor or any of its subcontractors are not in compliance, the State may pursue any and all remedies allowed by law, including, but not limited to: suspension of work, termination of the Terms and Conditions for default, and suspension and/or debarment of the contractor. All costs necessary to verify compliance are the responsibility of the contractor.

19. E-VERIFY REQUIREMENTS PURSUANT TO A.R.S. § 41-4401

19.1 WARRANT COMPLIANCE

The District's contractors must warrant compliance with all Federal immigration laws and regulations relating to employees and warrant its compliance with A.R.S. § 23-214(A). (That subsection reads: After December 31, 2007, each employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-verify program.)

19.2 BREACH OF WARRANTY

A breach of warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of contract and the contractor may be subject to penalties up to and including termination of the contract.

19.3 FAILURE TO COMPLY

Failure to comply with a Board audit process to randomly verify the employment of contractors and subcontractors shall be deemed a material breach of contract and the contractor may be subject to penalties up to and including termination of the contract.

19.4 INSPECTION

The Board retains the legal right to inspect the papers of any employee who works on the Project to ensure that the contractor or subcontractor is complying with the warranty under Paragraph 19.1.

20. REIMBURSEMENTS FOR INVESTIGATIONS, ASSESSMENTS, REPAIRS AND REPLACEMENTS.

The Board may enter into additional agreements with the District that authorize the District to utilize Board funded investigations, assessments, repairs or replacements for construction defect litigation. This agreement may require the District to reimburse the Board an agreed upon amount for the expenses incurred in obtaining those investigations, repairs or replacements if, upon the completion of the legal action, the District receives damages.

21. PROHIBITED BEHAVIOR-BOYCOTT OF ISRAEL

The District warrants that its contractors are not engaged in a boycott of Israel as defined by

A.R.S. §35-393.01.

22. FLOW-DOWN REQUIREMENTS

The District shall comply with requirements of applicable Federal, State and local laws, regulations, policy and guidance, and shall flow down the requirements of applicable Federal, State, and local laws, regulations, policy and guidance to contractors and subcontractors at any tier to the extent necessary to ensure compliance with the requirements.

The District shall comply with all laws, statutes, ordinances, rules, codes, and regulations applicable to any school district.

23. CERTIFICATION / AUTHORIZATION

These Terms and Conditions must be signed by the President of the Governing Board, Superintendent, CFO/Business Manager, and Facilities Director of the District and certifies that he or she has read these Terms and Conditions and represents and warrants that he or she is duly authorized to agree and accept and therefore sign these Terms and Conditions on behalf of the District.

Governing Board President (signature)

Karsten Flake
Name (printed/typed)

Superintendent (signature)

Bryan Fields
Name (printed/typed)

CFO/Business Manager (signature)

Steve Mills
Name (printed/typed)

Date

Joseph City Unified School District
School District

Date

Date

E. GenYouth Student Meals Grant

Accept GenYouth student meals grant for \$1,000

F. Fundraiser for Cross Country Team

Action to approve fundraising activity for the High School Cross Country team

39

Request for Fundraiser

POLICY MANUAL EXHIBIT JJE-EA: STUDENT FUNDRAISING ACTIVITIES



To request a fundraiser student clubs, organizations and groups must first

1. Fill out this form
2. Sign the form
3. Attach minutes from the meeting in which the fundraising activity was approved. Minutes must include the signature of the class/organization sponsor and class/organization student leader.
4. Submit request for fundraiser to your school principal.

Class/Organization: **Joseph City Cross Country Meets**

Begin Date of Fundraiser: 9/10/20	End Date of Fundraiser: 9/2/2020
Type of Fundraiser: <input type="checkbox"/> In School <input type="checkbox"/> Off Campus door to door <input checked="" type="checkbox"/> Local Businesses <input type="checkbox"/> Family Members Only	
Reason/justification of need: <i>Cross country has at least one over night meet. We are starting over and have little to no funds in our account. The fundraiser with hopefully cover the cost of hotel. Also, we would like to purchase team apparial with the funds earned, as well as Kt tape and other Items that are not covered by the athletic department.</i>	
How will the funds be raised? (Include a description of what will be sold and the approximate price.) <small>We plan to host three or four races through out the year. We plan to sale ads/ sponsorship for these events. Team shirts and race shirts will have the sponsors and ads on the back acknowledging local and family businesses. Local business / family that support our school a lot will have a discounted Price of \$75 for ad (team shirts only) or \$100 Sponsorship (ads on all race shirts as well as team shirts) Non local prices will be \$100 / ad and \$175 / Sponsorship. Also with the races we like to host throughout the year we will ask the participants a event fee to cover the cost of race shirt, medal or any other fees needed \$20-\$25. We are hoping to host a Turkey Trot, Founders Day (this charge will be shirt cost only \$7-\$10), Memorial day and a 4th of July Color Run (Red, White, and Blue).</small> <i>See attach munt</i>	

Cost and Profit													
It is recommended that classes / organizations look for fundraisers that provide at least a fifty percent (50%) profit back to the class/organization.	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;"><u>Total anticipated sales/funds collected:</u></td> <td style="text-align: right;">\$ 2,500.00</td> </tr> <tr> <td colspan="2" style="padding: 5px 0 0 20px;"><u>Minus cost of fundraiser</u></td> </tr> <tr> <td style="text-align: right;">Advertising:</td> <td style="text-align: right;">\$ 200.00</td> </tr> <tr> <td style="text-align: right;">Supplies :</td> <td style="text-align: right;">\$ 100.00</td> </tr> <tr> <td style="text-align: right;">Cost of items to be sold:</td> <td style="text-align: right;">\$ 500.00</td> </tr> <tr> <td style="text-align: right;"><u>Total anticipated profit</u></td> <td style="text-align: right;">\$ 1,700.00</td> </tr> </table>	<u>Total anticipated sales/funds collected:</u>	\$ 2,500.00	<u>Minus cost of fundraiser</u>		Advertising:	\$ 200.00	Supplies :	\$ 100.00	Cost of items to be sold:	\$ 500.00	<u>Total anticipated profit</u>	\$ 1,700.00
<u>Total anticipated sales/funds collected:</u>	\$ 2,500.00												
<u>Minus cost of fundraiser</u>													
Advertising:	\$ 200.00												
Supplies :	\$ 100.00												
Cost of items to be sold:	\$ 500.00												
<u>Total anticipated profit</u>	\$ 1,700.00												

Describe in detail how the funds will be used. Board Policy JJE states that "The aim of the activity shall benefit the youth in educational, civic, social and ethical development." <small>Funds will be used to provide Hotel stays for students at overnight events, as well as for team apparel, which will provide a unity in the team and school Spirit. Some of the funds will be used to cover the cost of events. Some of the events will be hosted at Tanner Park a portion of what we make per event as well as the rental of the Park for the event will go to our local Commerce to help with the maintenances and up keep of the park. (Funds have been low due to Covid) We would also use funds for water and Gatorade at event and races.</small> <i>See Attachment</i>
--

Fundraising in Action	
When will the fundraising activity occur? Board Policy JJE states, "The activity shall not be detrimental to the regularly planned instruction."	<input type="checkbox"/> Before school <input type="checkbox"/> During lunch <input checked="" type="checkbox"/> After school <input checked="" type="checkbox"/> Weekends <input checked="" type="checkbox"/> Other
Will the product be shipped/delivered to the District? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, what are the arrangements and costs related to picking up the product?	

Cross Country

How will the funds be raised?

We plan to host three or four races throughout the year. We will sell ads/ sponsorship for these events. Team shirts and race shirts will have the sponsors and ads on the back acknowledging local and family businesses. Local businesses/families that support our school regularly will have a discounted price of \$75 for an ad (team shirts only) or \$100 a sponsorship (ads on all race shirts, as well as team shirts). Non-local prices will be \$100 /ad and \$175 /sponsorship. The races will also include a participant fee of \$20-\$25 to cover the cost of race shirts, medals, and/or any other fees. We are hoping to host a Turkey Trot, Founders Day (this charge will be shirt cost only \$7-\$10), Memorial Day, and 4th of July Color Run (Red, White, and Blue).

Described in detail how the funds will be used:

Funds raised will be used to provide hotel costs for students during overnight events. It will also be used for team apparel, which will provide unity in the team and school spirit. Some of the funds raised will be used to cover the cost of events that we will be hosting. Some of these events will be held at Tanner Park. A portion of what we make per event, as well as the rental of the park, will go to our local Chamber of Commerce to help with the maintenance and upkeep of the park (Funds have been low due to COVID). We will also use funds for water, Gatorade, and healthy snacks at events and races.

Cross Country Meeting Aug 30, 2020

1. Discuss goals and rules contract
2. Discuss after school practice.
3. Fundraiser for team shirt

A. Sale of Ad for the back of team t-shirt and race shirts

B. Give Local Businesses a discount.

C. Host Races in November, March (Founders Day, Memorial Day and 4th of July

Coach *Hayla J. Smith* Date *09/03/2020*

Team Captain *Scott* Date *09/03/20*

5. PERSONNEL REQUESTS (*)

Discussion and possible action to approve employee assignments, approve volunteers and accept employee resignations.

A. New position

Approve new position: Distance Learning Coordinator

44

Distance Learning Coordinator

Job Description

Reports To: Principals
Classification: Certified Teacher
Status: Full or Part Time | 10 Month
FLSA: Exempt

Revised 9/4/20

General Description:

Provide distance learning support to instructors, students and parents by monitoring student progress, assisting teachers with interventions and communicating regularly with students and parents to assess behavioral and academic performance. Assess needs for additional support to students, parents and teachers to ensure student success. Work collaboratively with the instructional team. Implement curriculum program consistent with district educational goals and objectives. Demonstrate commitment to continuous learning. Work may be performed on campus or in a remote location.

Essential Job Elements:

THE LIST OF ESSENTIAL JOB ELEMENTS IS NOT EXHAUSTIVE AND MAY BE SUPPLEMENTED

1. Assist classroom teachers with developing, preparing and delivering instruction to distance learning students as directed by the principal.
2. Facilitate the delivery of materials to and from students and maintain logs.
3. Communicate with students and/or parents at least weekly to discuss and assess progress, deadlines, assignments and other areas of need.
4. Work with teachers to develop and implement interventions for students struggling to meet instructional standards.
5. Alert teacher to the progress, problems and special needs of individual students.
6. Facilitate the purchase of instructional supplies.
7. Report technical problems and facilitate solutions.
8. Assist with administering distance learning attendance policies.
9. Schedule meetings with students, parents, teachers and administrators as needed.
10. Schedule and facilitate tests, make-up work, etc. as needed.
11. Assist with the implementation of IEP and 504 plans as directed.
12. Ensure parents and students are informed of methods of evaluation and instructional methods that may assist the student.
13. Prepare and submit regular progress reports as directed by the principal.
14. Participate as a member of an instructional team to promote learning activities for students, consistent with district and school education objectives.

15. Attend Child Study Team meetings online or in person and participate in other meetings and committees when assigned.
16. Notify principal of special needs of students who display characteristics that vary from the norm.
17. Collaborate with specialists as needed to assist students and teachers.
18. May direct the activities of a teacher assistant and other volunteers.
19. Establish, maintain and promote an atmosphere which ensures the emotional and physical safety and well being of students and emphasizes mutual respect, self-worth, self-discipline, cooperation, consideration and responsibility.
20. Maintain confidentiality regarding student, staff and management related information.
21. Follow local, state and federal law and adhere to Department of Education requirements and Governing Board policies.
22. Supports with integrity the mission, vision, goals and positive culture of Joseph City Schools.
23. Performs other duties as assigned.

Qualifications:

1. Appropriate Arizona Teaching Certificate.
2. Arizona IVP Fingerprint Clearance Card
3. Additional endorsements, training, experience and/or certifications may be required for certain assignments.

Mental Tasks:

Read and communicate verbally and in writing. Analyze and evaluate student progress and course curriculum. Develop, implement and evaluate plans. Manage virtual learning environments. Promote learning and ensure safety. Perform functions from written and oral instructions and from observing and listening to others. Evaluate written materials to include written assignments and tests.

Physical Tasks:

Work involves the performance of duties where physical exertion is not normally required to perform all aspects of the job. Assistance is available as required to perform physically demanding tasks. Work involves sitting for extended periods of time, May require moving from one location to another. Visual weakness must not prohibit the performance of assigned duties. Verbal communicative ability required. Uses audio-visual equipment, computers, software and related technology involved in the online delivery of instruction and meetings involving video and audio communication.

Working Conditions:

Online – on campus or remote setting off campus utilizing computers, phones and other equipment. Attendance at meetings may be online or in person. Indoor – classroom environment

Contacts: All staff, students, parents or guardians, community or governmental agencies.

B. Employee Assignments, Employee Renewals, Volunteers, Employee Resignations

Discussion and possible action to approve employee assignments and renewals, approve volunteers and accept employee resignations.

ASSIGNMENTS:

Brenda Bryant - Red Ribbon Coordinator Elementary(Substance Prevention Education Specialist)
Jonathan Nells - Distance Learning Coordinator (if position is approved)

RENEWALS:

Dan Bushman - Head Coach HS Girls Basketball
Nicole Carrol - Program Specialist (Substance Abuse Prevention)
Deo Diaz - Assistant Coach JH Boys Basketball
Jeri Edwards - Head Coach - JH Volleyball
Mitchell Farnes - Assistant Coach JH Track
Brad Fischer - Head Coach HS Wrestling
Brad Fischer - Head Coach JH Wrestling
Shawn Layden - JV Coach HS Boys Basketball
Shawn Layden - Head Coach HS Baseball
Charlsye Miller - Head Coach HS Volleyball
Eric Miller - Head Coach HS Boys Basketball
Kay Rush - Head Coach HS Track
Mike Sterkowitz - Head Coach JH Track

VOLUNTEERS:

Jacob Fields - HS Boys Basketball
T.C. Fish - JH Softball
Aaron Johnstun - HS Football
Aaron Johnstun - HS Boys Basketball
Celestine Kinlicheenie - JH/HS Wrestling
Latrell Kinlicheenie - HS Football
Latrell Kinlicheenie - HS Boys Basketball
Layne Miller - HS Boys Basketball
Zach Miller - HS Boys Basketball
Ben Spurlock - JH/HS Wrestling

RESIGNATIONS:

Theresa Vanhemert - Instructional Aide

C. Personnel Appointments

Discussion and possible action to approve the appointment of new personnel and changes to positions of current personnel.

SUPPORT STAFF:

Annalise Castellano - Instructional Aide (Special Education)
Taura Dobbs - Maintenance Tech (40 hours per week when combined with previously approved Instructional Aide position)
Dana Johnstun - Receiving Clerk
Caleb Layden - PE Teacher (Elem/JH)
Kylie Miller - Substitute Teacher
Claire Young - Instructional Aide

EXTRA DUTY:

Daniel Hutchens - Head Coach HS Softball
Charlsye Miller - JV Coach HS Softball

6. ACTION ITEMS

A. Performance Pay Plans

- (i) Teacher Performance Pay Plan and Classroom Site Fund Allocation
Approve Teacher Performance Pay Plan and Classroom Site Fund Allocation

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Joseph City Unified School District Performance Pay Plan

Joseph City Unified School District, in accordance with S.B. 1074, A.R.S. 15-920.01 and A.R.S. 15-977 participates in a Performance Based Compensation Plan. This plan is sometimes referred to as the 301 Plan, or 301 Teacher Performance Pay Funds. This annual plan provides JCUSD teachers with the opportunity to earn additional compensation each school year through their participation in site based and classroom academic achievement, as well as professional development opportunities.

2020-2021 Teacher Outline for 301 Performance Funds:

The amount that each teacher will receive for participating in the 2020-2021 Performance Pay Plan, before withholdings are made, is estimated to be approximately \$2,600. This compensation will be divided into separate payments made to qualifying teachers in December 2020 and June 2021.

Professional Development

- Each individual teacher will log a minimum of 15 clock hours of professional development which will include the following: Basic Google Education Training (2 hours approved by the Principal), Checking for Student Understanding During Virtual Instruction (1 hour approved by the Principal), CPR Training, and other Principal approved Professional Development which aligns with site goals.

Student Performance

- Teachers need to submit student learning objectives (S.L.O.) forms to their Principal by September 18, 2020.
- At least 75% of a teacher's student learning objectives are met and verified by the building principal by May 21, 2021.

Meaningful Student Enrichment

- Teachers shall document two 'flex days' during the school year which will enrich students' educational experience. These days/hours are to be preapproved by the Principal and will occur outside of the regularly scheduled classroom instructional time.

Evaluation of Overall Performance

- A teacher's summative evaluation will be a rating of 'Effective' or 'Highly Effective' to qualify for performance pay funds. The 4 ratings are 'Ineffective', 'Developing', 'Effective', and 'Highly Effective'. A teacher in their first year of teaching may receive a rating of 'Developing' or higher and still qualify for the entire performance plan compensation.

Professional Development Log (Template)

Teacher: _____ School Year: _____ - _____

Professional development activities should represent a cross-section of the Professional Teaching Standards. Following, are a number of limited examples; other activities may qualify so you should discuss options with your Principal if doubts arise: Learning Environment or Professionalism—Staff meetings, mandatory in-service, district committee work, tutoring (non-paid); Knowledge, Delivery, Planning-workshops, trainings, conferences, seminars, College courses for graduate credit. This sheet may be duplicated if more room is needed.

Professional Standard & Development Activity	Date	Location and Hours	Evidence of Satisfactory Completion Received
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other
			<input type="checkbox"/> Grade <input type="checkbox"/> Certificate <input type="checkbox"/> Other

Student Learning Objective Progress Form

Directions: This form is a tool to assist teachers in setting an objective that results in measurable learner progress. NOTE: When applicable, learner progress should be the focus of the objective. Enter information electronically into the cells (the boxes will expand to fit the text).

Teacher's Name: _____

Subject/Grade: _____ **School Year:** ____ - ____

Initial Objective Submission (due by _____ to the evaluator)

I. Setting (Describe the population and special learning circumstances)		
II. Content/Subject/Field Area (The area/topic addressed based on learner achievement, data analysis, or observational data)		
III. Baseline Data (What is shown by the current data?) <input type="checkbox"/> Data attached		
IV. Objective Statement (Describe what you want learners/program to accomplish)		
V. Means for Attaining Objective (Strategies used to accomplish the objective)		
Strategy	Evidence	Target Date

Teacher's Signature _____

Date _____

Evaluator's Signature _____

Date _____

VI. Mid-Year Review (Describe objective progress and other relevant data)	Mid-year review conducted on _____ Initials: _____ (teacher) _____ (evaluator)
	<input type="checkbox"/> Data attached

Teacher's Signature _____ Date _____

Evaluator's Signature _____ Date _____

End-of-Year Review

Appropriate Data Received

Strategies used and data provided demonstrate appropriate Student Growth **Yes** **No**

Evaluator's Signature _____ Date _____

Allocation of Classroom Site Funds FY21

Teacher Salary & Benefits	Total Estimated Funds	Average Amount per Teacher
Pay included in salary schedule	\$ 33,101.00	\$ 1,067.77
Performance pay	104,380	3,367.09
Additional salary	47,501	1,532.30
Classroom size reduction	44,000	-
Health insurance payment	31,968	1,031.23
Total Teacher Salary & Benefits	\$ 260,950.00	\$ 6,998.39

(ii) Counselor Performance Pay Plan
Approve High School Counselor performance pay plan

54

2020 - 2021 JCUSD Guidance Counselor Performance Pay Plan

- The amount of the stipend associated with this plan will be the same amount that certified teachers receive during the 2020-2021 school year
- This plan is designed for JCUSD Guidance Counselor and Testing Coordinator, Dan Bushman

To qualify for the compensation associated with this plan the following must be performed to an adequate extent under the supervision of the building Principal. This performance plan may be funded partially through the Youth, Faith and Family Substance Prevention State Grant.

- 1) Complete the Professional Development requirements outlined in the certified teacher performance pay plan.
- 2) Complete on a monthly basis, the form that documents hours worked on items in this plan (Time and Effort Log Sheet)
- 3) Develop and implement a Social Emotional Learning Program (S.E.L.) for Joseph City Students. Evaluate this program at the end of each semester in an effort to better serve our students' needs.
- 4) Assist the Principal and/or the Joseph City Substance Prevention Coordinator in evaluating the effectiveness of the "Too Good for Drugs" curriculum at all grade levels.

(iii) Principal Performance Pay Plans
Approve Principal Performance Pay Plans

56

Performance Pay Plan for Building Principals: 2020 – 2021 School Year

Summary

I am recommending that the Governing Board approve \$2,000 to each building Principal in addition to their contract salary, to be paid out in June 2021 upon completion, evaluation, and approval by the Superintendent, of the items set forth below. If approved, the funds will be for this school year only and come from the Arizona Parents Commission on Drug Education and Prevention Grant, which Joseph City Unified School District was awarded for this fiscal year.

- Work with the Joseph City Youth, Faith, and Family program to implement, oversee, and evaluate the “Too Good for Drugs” curriculum at the respective grade levels.
- Observe teachers instructing this curriculum and document the observations.
- Assist in collecting feedback from students. This will include pre and post surveys.

B. Superintendent Performance Payment

58

Consideration of the approval of the releasing of 2.5% of the contract of the Superintendent as outlined as his performance payment plan. Taken to the Board twice a year to equal 5%.

Superintendent Evaluation Rating Scale

Meets

Does
Not Meet

Standard One: LEADERSHIP AND DISTRICT CULTURE:

Superintendent shows Leadership through empowering others, visioning, helping shape school culture and climate, and understanding multi-cultural and ethnic differences

Performance Indicators: These are listed only to help the Board in evaluating the above standard.

- 1.1 Facilitates a community process to implement a shared vision that focuses on improving student achievement.
- 1.2 Promotes academic rigor that focuses on learning and excellence for schools.
- 1.3 Models learning for staff and students.
- 1.4 Promotes and expects a school based climate of tolerance, acceptance and civility.
- 1.5 Develops, implements, promotes and monitors continuous improvement processes.

Meets

Does
Not Meet

Standard Two: POLICY AND GOVERNANCE:

Superintendent works with the Board to formulate internal and external District policies, and demonstrates good school governance.

Performance Indicators: These are listed only to help the Board in evaluating the above standard:

- 2.1 Establishes procedures for Superintendent's/Board interpersonal and working relationships and understands and articulates the difference between the Board policy making function and the Superintendent's administrative role.

2.2 Understands and interprets the role of federal, state and sometimes Navajo government's, policies and politics and their governmental relationship to the local school district.

2.3 The Superintendent uses legal counsel to advice the Superintendent in governance and procedures in order to avoid civil and criminal liabilities.

Meets

Does
Not Meet

Standard Three: COMMUNICATION AND COMMUNTY RELATIONS

Superintendent establishes affective two-way communications not only with students, staff and parents, but the community as a whole. The Superintendent seeks community feedback and works towards building a community support for the school district.

Performance Indicators: These are listed only to help the Board in evaluating the above statement.

3.1 Demonstrates affective communication skills [written, verbal, and non-verbal context] at formal and informal settings, large and small groups and one-on-one environments.

3.2 Promotes involvement of all stakeholders to fully participate in the process of education.

3.3 Establishes effective school-community relations, school-business partnerships and school-governmental partnerships.

Meets

Does
Not Meet

Standard Four: FINANCIAL AND ORGANIZATIONAL MANAGEMENT

Superintendent shows the ability to gather and analyze data for professional decision-making which includes fiscal management and school facilities oversight and demonstrates the ability to make appropriate and informed recommendations to the Board.

Performance Indicators: These are listed only to help the Board in evaluating the above standard.

4.1 Demonstrates budget management and financial policy compliance including financial forecasting, planning, cash flow management, account auditing and monitoring.

4.2 Develops and monitors long range plans for school and District technology and information systems, making informed decisions about computer hardware and software, and staff development and training needs.

4.3 Demonstrates knowledge of school facilities and develops a process that builds internal and public support for the facilities needed.

4.4 Establishes procedures and practices for dealing with emergency such as weather, threats to the school, student violence and other crisis situations.

Meets

Does

Not Meet

Standard Five: CURRICULUM PLANNING DEVELOPMENT

Superintendent stays up-to-date in curriculum, teaching, learning and testing theories and makes sound recommendations for curriculum development, teaching techniques, and learning technologies.

Performance Indicators: These are listed only to help the Board in evaluating the above standard.

5.1 Develops a core curriculum design and delivery system based on content and assessment standards and best practices.

5.2 Uses child development and learning theories to create research based and appropriate curriculum and instruction.

5.3 Includes use of the computer, the internet, networking, distance learning and other technologies in the educational programming.

5.4 Involves faculty and stakeholders in enhancement and renewal of curriculum to ensure alignment of curriculum common instructions and assessment to the states standard.

Meets

Does
Not Meet.

Standard Six: INSTRUCTIONAL LEADERSHIP

The Superintendent exhibits the skills required to institute a curriculum system based on State standards and includes a curriculum which emphasizes the most effective teaching techniques and ensures that all instructional resources are used to maximize student achievement.

Performance Indicators: These are listed only to help the Board in evaluating the above standard.

- 6.1 Formulate plans to assess appropriate teaching methods, classroom management and strategies for all District learners.
- 6.2 Establishes instructional strategies that include cultural diversity and differences in learning style.
- 6.3 Provides effective methods of providing, monitoring, evaluating and reporting student achievement and uses research and assessments to improve the learning process.
- 6.4 Encourages various staffing patterns, student grouping plans, class schedule plans, school organizational structures, and facilities design processes to support various teaching strategies and desired student outcome.
- 6.5 Implements appropriate safety and security practices in the school.

Meets

Does
Not Meet

Standard Seven: HUMAN RESOURCES MANAGEMENT

Superintendent demonstrates the required expertise in developing and implementing a staff performance evaluations system and exhibits the required skills in applying appropriate policies and contractual and legal requirements for personnel selection, including the development, retention, promotion and discipline of employees.

Performance Indicators: These are listed only to help the Board evaluating the above statement.

7.1 Oversees a staff performance/evaluation system consistent with State Law and school district policies and utilizes the staff evaluation data for decision making, promotion and career growth and the professional development of District staff.

7.2 Ensures that appropriate polices and State Law are used for the recruitment, selection, promotions, compensation, and discipline of employees.

Meets

Does

Not Meet

Standard Eight: VALUES AND ETHICS OF LEADERSHIP

Superintendent exhibits the understanding of and modeling of high ethical and moral leadership standards which includes acting with staff, students, the Board, and the community with integrity, fairness, and an ethical manner.

Performance Indicators: These are listed only to help the Board in evaluating the above standard.

8.1 Exhibits multi-cultural and ethnic understanding and sensitivity.

8.2 Models acceptable moral and ethical standards in interactions with staff, students, the Governing Board, and the community.

8.3 Explores and develops ways common grounds in dealing with difficult and divisive issues.

8.4 Promotes and demonstrates the values of democracy, equity, fairness and diversity.

8.5 Promotes social justice and ensures that individual student's needs are paramount in all aspects of schooling.

8.6 Models principals of self awareness, reflective practice, transparency, and ethical behavior.

C. Policy and Regulation Adoption - Second Reading

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Approve the following policies and regulations for a first reading:

- Policy BEC - Executive Sessions / Open Meetings
- Policy IHA - Basic Instruction Program
- Policy KB - Parent Involvement in Education
- Regulation GBGB-R - Staff Personal Security and Safety
- Regulation JICA-RB - Student Dress
- Regulation KI-RB - Visitors to Schools

GBGB-R ©

REGULATION

STAFF PERSONAL SECURITY AND SAFETY

Threats

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the school principal or supervisor. The principal or supervisor shall then immediately notify the Superintendent's office of the threat and together they shall take immediate steps in cooperation with the employee to provide every reasonable precaution for the employee's safety. Precautionary steps, including any advisable legal action, shall be reported to the Superintendent's office at the earliest possible time.

Eye Protective Devices

Every student, teacher, and visitor in public schools shall wear appropriate eye protective ware while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to:

- A. Molten metals or other molten materials.
- B. Cutting, shaping, and grinding of materials.
- C. Heat treatment, tempering, or kiln firing of any metal or other materials.
- D. Welding fabrication processes.
- E. Explosive materials.
- F. Caustic solutions.
- G. Radiation materials.

The Board shall equip the schools with eye protective ware.

Schools may receive and expend federal, state, and local monies to provide eye protective devices.

For purposes of this procedure, *eye protective ware* means devices meeting the standards of the U.S.A. Standard Safety Code for head, eye, and respiratory protection, Z21-1959, and subsequent revisions thereof, approved by the United States of America Standards Institute, Inc.

Face Coverings

All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District busses or vehicles rented or leased by the District.

Face coverings should not be worn by:

- A. Children under the age of two (2);
- B. Anyone who has trouble breathing;
- C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

Students under the age of five are not required to wear face coverings.

Students shall not be required to wear face coverings when students can socially distance or are outside in playground settings with distancing.

Students shall be allowed breaks to remove their face covering in a safe environment.

The Superintendent may make other exceptions to the requirement to wear a face covering while keeping in mind the health and safety of everyone involved.

Face shields may be an acceptable alternative to face coverings.

Face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.

A face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their face covering and to wash their hands frequently. To ensure the proper use of face coverings, staff and students are to be educated on how to wear and care for their face coverings.

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JICA-RB ©

REGULATION

STUDENT DRESS

All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District busses or vehicles rented or leased by the District.

Face coverings should not be worn by:

- A. Children under the age of two (2);
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A face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their face covering and to wash their hands frequently. To ensure the proper use of face coverings, staff and students are to be educated on how to wear and care for their face coverings.

KI-RB ©

REGULATION

VISITORS TO SCHOOLS

All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District busses or vehicles rented or leased by the District.

Face coverings should not be worn by:

- A. Children under the age of two (2);
- B. Anyone who has trouble breathing;
- C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

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A face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their face covering and to wash their hands frequently. To ensure the proper use of face coverings, staff and students are to be educated on how to wear and care for their face coverings.

JCUSD Facial Covering Opt-Out

My signature below indicates that I have personal and/or health concerns with my child wearing a facial covering during the instructional day while they are on school campus. I understand that this may put my child at an elevated risk to get a virus at school. I do not want my child to wear facial covering at school. I also acknowledge that my child will still need to comply with other requests associated with public health while at school, such as social distancing, good hygiene practices, and not coming to school when they have a fever or virus-associated symptom.

*Please know that facial coverings will still be required on buses by the school District regardless of this form.

Parent Name:

Signature:

Date:

Students Name(s):

POLICY SERVICES ADVISORY

Volume 32, Number 2

July 2020

- Policy Advisory No. 672 Regulation GBGB-R — Staff Personal Security and Safety
- Policy Advisory No. 673 Policy IHA — Basic Instructional Program
- Policy Advisory No. 674 *NEW* Regulation JICA-RB — Student Dress
- Policy Advisory No. 675 Policy KB — Parent Involvement in Education
- Policy Advisory No. 676 *NEW* Regulation KI-RB — Visitors to Schools

POLICY ALERTS

Policy GCQE — Retirement of Professional / Support Staff Members

Policy GCQE has been adopted by very few school districts and is, therefore, currently in minimal use. Nevertheless, the policy has a correction due to a misprint as follows:

The second and fourth columns under “Sick Leave Payment upon Retirement” have the heading “Percent of Annual Salary.”

The heading for each column, two and four, should be “Percent of Daily Salary” as “daily rate” is the wording included in the explanatory paragraph immediately preceding the table as follows:

Sick Leave Payment upon Retirement

Upon proper and timely application for the retirement incentive program, the District will pay for accumulated sick leave on a graduated scale up to the maximum accumulated amount indicated by the District. **Certificated employees will be paid based upon a daily rate established for payment of a day-to-day substitute teacher in the District, and support staff members will be paid based upon a daily rate calculated by multiplying the minimum wage times eight (8) hours.** The payment will be made on the following scale:

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Number of years of service to the School District	Percent of <u>daily</u> salary	Number of years of service to the School District	Percent of <u>daily</u> salary
10	0%	16	30%
11	5%	17	35%
12	10%	18	40%
13	15%	19	45%
14	20%	20 and above	50%
15	25%		

The following policies are discussed in an ALERT format due to actions taken by the 54th Legislature, First Regular Session which convened January 13, 2020 and adjourned sine die on May 26, 2020. The changes/additions to statute do not require policy language changes but are emphasized here for district awareness.

The General Effective Date of these bills, unless passed as emergency legislation, is August 25, 2020.

Policy BEC — Executive Sessions / Open Meetings

Senate Bill 1012 has added language to A.R.S 38-431.03, Executive Sessions, allowing an executive session to include discussion or consideration of matters relating to school safety operations or school safety plans or programs.

Due to the on-going COVID-19 situation, Governing Boards should be aware of the above addition to A.R.S. 38-431.03(A)(8) to enhance flexibility in dealing with issues in a timely manner.

Policy IHAMD— Instruction and Training in Suicide Prevention

Senate Bill 1446 has added A.R.S. 15-160 to read: Student identification cards; suicide prevention; contact information required

a. Beginning July 1, 2021, if a school district governing board or charter school governing body issues identification cards to students in grades nine through twelve, the school district governing board or charter school governing body shall include at least one of the following on each new identification card issued to a student in grade nine through twelve:

1. The telephone number for a national suicide prevention lifeline.
2. The telephone number for a national network of local crisis centers.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

3. A statement describing how to access a text-based emotional support service.

4. The telephone number for a local suicide prevention hotline.

b. A school district governing board or charter school governing body may include the information described in subsection a of this section on student identification cards by printing the information on, or by affixing a sticker that contains the information to, the identification cards.

Districts or charter schools that issue identification cards to students in grades nine through twelve should take steps to meet this requirement by July 21, 2021.

POLICY ADVISORY DISCUSSION

The following policy advisories are the result of the Governor's Executive Order on July 23, 2020 and the result of actions taken by the 54th Legislature, Second Regular Session which convened in January 13, 2020 and adjourned sine die on May 26, 2020.

The General Effective Date of these bills, unless passed as emergency legislation, is August 25, 2020.

Policy Advisory No. 672

**Regulation GBGB-R — Staff Personal Security
and Safety**

NEW Policy Advisory No. 674

Regulation JICA-RB — Student Dress

NEW Policy Advisory No. 676

Regulation KI-RB — Visitors to Schools

These regulations are updated or created in response to the State of Arizona Executive Order 2020-51, *Arizona: Open for Learning*, see <https://azgovernor.gov/executive-orders>. The Executive Order requires the use of face coverings until the Arizona Department of Health Services (ADHS) determines that face coverings are no longer necessary or recommended to contain the spread of the coronavirus.

Guidance in the regulation also comes from the Centers for Disease Control and Prevention (CDC), see <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>, and ADHS, see <https://www.azdhs.gov/preparedness/emergency-preparedness/index.php#school-resources>.

The new language is identical in each of the three regulations to address that face coverings are to be worn by staff, students, and visitors. Districts should review the recommended guidelines to ensure that the needs of their schools and community are adequately met.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Policy Advisory No. 673

Policy IHA — Basic Instructional Program

House Bill 2625 has added A.R.S. 1-319; amended A.R.S. 15-203; and added A.R.S. 15-710.01 relating to civics.

A.R.S. 1-319 specifies that September 25, in each year, shall be observed as Sandra Day O'Connor Civics Celebration Day, which is not a legal holiday. If Sandra Day O'Connor Civics Celebration Day falls on a Saturday, Sunday or other day when a public school is not in session, the preceding or following school day shall be observed in the public school as the holiday

A.R.S. 15-203 states that the State Board of Education shall, for the purposes of Sandra Day O'Connor Civics Celebration Day instruction under section A.R.S. 15-710.01, develop a list of recommended resources relating to civics education that align with the academic standards prescribed by the State Board Of Education in social studies pursuant to sections 15-701 and 15-701.01. The state board shall establish a process that allows public schools to recommend resources for addition to the list.

A.R.S. 15-710.01 adds that on Sandra Day O'Connor Civics Celebration Day, each public school in this state shall dedicate the majority of the school day to civics education.

Policy Advisory No. 675

Policy KB — Parent Involvement in Education

Senate Bill 1061 has added section 15-249 to the statutes, relating to the department of education, which states that the DOE shall establish and post on its website a statutory handbook of parental rights that consists of the text of the following statutes:

1. Title 1, chapter 6.
2. Section 15-102.
3. Section 15-110.
4. Section 15-113.
5. Section 15-117.
6. Section 15-351.
7. Section 15-721.
8. Section 15-722.
9. Section 15-730.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Each school district and charter school in this state shall prominently post on a publicly accessible portion of its website a link to the statutory handbook of parental rights.

The appropriate language has been added to Policy KB, Parent Involvement in Education.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, General Counsel/Associate Executive Director; Dr. Terry Rowles, Assistant Director; Steve Highlen, Senior Policy Consultant; or David DeCabooter, Policy Consultant/Staff Attorney. Our e-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [ddecabooter@azsba.org]. You may also fax information to (602) 254-1177.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.

GBGB-R ©

REGULATION

**STAFF PERSONAL SECURITY
AND SAFETY**

Threats

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the school principal or supervisor. The principal or supervisor shall then immediately notify the Superintendent's office of the threat and together they shall take immediate steps in cooperation with the employee to provide every reasonable precaution for the employee's safety. Precautionary steps, including any advisable legal action, shall be reported to the Superintendent's office at the earliest possible time.

Eye Protective Devices

Every student, teacher, and visitor in public schools shall wear appropriate eye protective ware while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to:

- A. Molten metals or other molten materials.
- B. Cutting, shaping, and grinding of materials.
- C. Heat treatment, tempering, or kiln firing of any metal or other materials.
- D. Welding fabrication processes.
- E. Explosive materials.
- F. Caustic solutions.
- G. Radiation materials.

The Board shall equip the schools with eye protective ware.

Schools may receive and expend federal, state, and local monies to provide eye protective devices.

For purposes of this procedure, *eye protective ware* means devices meeting the standards of the U.S.A. Standard Safety Code for head, eye, and respiratory protection, Z21-1959, and subsequent revisions thereof, approved by the United States of America Standards Institute, Inc.

Cloth Face Coverings

All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a cloth face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District busses or vehicles rented or leased by the District.

Cloth face coverings should not be worn by:

- A. Children under the age of 2;
- B. Anyone who has trouble breathing;
- C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

The Superintendent may make exceptions to the requirement to wear a cloth face covering while keeping in mind the health and safety of everyone involved.

Cloth face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.

A cloth face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their cloth face covering and to wash their hands frequently. To ensure the proper use of cloth face coverings, staff and students are to be educated on how to wear and care for their cloth face coverings.

**IHA ©
BASIC INSTRUCTIONAL PROGRAM**

The various instructional programs will be developed to maintain a balanced, integrated, and sequential curriculum that will serve the educational needs of all school-aged children in the District. The curriculum will be broad in scope and provide for a wide range in rate, readiness, and potential for learning.

The instructional program shall reflect the importance of language acquisition/reading-skill development as the basic element in each student's education. The first priority of the instructional program will be language acquisition through a planned sequence of reading skills and language experiences beginning in the kindergarten program. The improvement of specific reading skills of students should be continuous throughout their education. Each school educating students in kindergarten and grades one (1) through three (3) shall have a reading program as required by A.R.S. 15-704 and applicable State Board of Education rules.

The second priority of the instructional program will be mastery of the fundamentals of mathematics, beginning in the kindergarten program.

The instructional program will ensure that on or before July 1, 2021, at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01 which includes enabling teachers to understand and recognize dyslexia and to implement structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the educational needs of students with dyslexia.

Attention to the above-listed priorities shall not result in neglect of other areas of the curriculum.

The instructional program will include planned sequences in:

- A. Language arts - reading, spelling, handwriting, English grammar, composition, literature, and study skills.
- B. Mathematics experiences.
- C. Social studies - history including Native American history, geography, civics, economics, world cultures, political science, and other social science disciplines.
- D. Science experiences.
- E. Fine and practical arts experience - art education, vocal and instrumental music, and vocational/business education.

- F. Technology skills.
- G. Health and safety education.
- H. Physical education.
- I. Foreign or Native American language.

The planned program for all students shall also include library instruction, individual study, guidance, other appropriate instructional activities, and all instruction required under state law and State Board of Education regulations.

September 25, in each year, shall be observed as Sandra Day O'Connor Civics Celebration Day, which is not a legal holiday. On Sandra Day O'Connor Civics Celebration Day, each public school in this state shall dedicate the majority of the school day to civics education.

If Sandra Day O'Connor Civics Celebration Day falls on a Saturday, Sunday or other day when a public school is not in session, the preceding or following school day shall be observed in the public school as the holiday

The Superintendent is directed to emphasize the use of the resources developed by the State Board of Education relating to civics education which align with the academic standards in social studies pursuant to A.R.S.15-701 and 15-701.01.

Adopted:

LEGAL REF.:

A.R.S.

1-139

15-203

15-211

15-219

15-341

15-501.01

15-701

15-701.01

15-704

15-710

15-741.01

15-802

A.A.C.

R7-2-301 *et seq.*

CROSS REF.:

IJNDB - Use of Technology Resources in Instruction

JICA-RB ©

REGULATION

STUDENT DRESS

(Cloth Face Coverings)

All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a cloth face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District busses or vehicles rented or leased by the District.

Cloth face coverings should not be worn by:

- A. Children under the age of 2;
- B. Anyone who has trouble breathing;
- C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.

The Superintendent may make exceptions to the requirement to wear a cloth face covering while keeping in mind the health and safety of everyone involved.

Cloth face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.

A cloth face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their cloth face covering and to wash their hands frequently. To ensure the proper use of cloth face coverings, staff and students are to be educated on how to wear and care for their cloth face coverings.

**KB ©
PARENTAL INVOLVEMENT
IN EDUCATION**

The Superintendent, in consultation with parents, teachers, and administrators, shall develop procedures for parental involvement in the school(s). These shall include:

- A. A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline. The plan shall provide for the administration of a parent-teacher satisfaction survey.
- B. A method by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.
- C. A procedure by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used and request an alternative assignment. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion or, because of sexual content, violent content, or profane or vulgar language.
- D. A procedure by which parents or guardians of students enrolled in the District shall have access in advance to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District.
- E. A procedure by which the District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.
- F. Procedures to prohibit the School District from providing sex education instruction to a student unless the student's parent provides written permission for the student to participate in the sex education curricula if the School District offers any sex education curricula pursuant to A.R.S. 15-711 on the requirement to include instruction to students in grades seven (7) through twelve (12) on laws relating to sexual conduct with a minor or 15-716 concerning instruction on immune deficiency syndrome, or pursuant to any rules adopted by the State Board of Education.
- G. Procedures by which parents will be notified in advance of and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula.

H. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs, and activities that have been approved by the school.

I. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:

1. The right to opt into a sex education curriculum if one is provided by the District.
2. Open enrollment rights pursuant to A.R.S. 15-816.01, relating to the District policies on open enrollment.
3. The right to opt out of assignments pursuant to A.R.S. 1-601, Parents Bill of Rights. [See Exhibit KB-EB]
4. The right to opt a child out of immunizations as authorized by A.R.S. 15-873, relating to an outbreak of a communicable disease.
5. The promotion requirements prescribed in A.R.S. 15-701 for students in grades one (1) through eight (8).
6. The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. 15-701.01.
7. The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. 15-716.
8. The right to review their child's standardized norm-referenced test results pursuant to A.R.S. 15-743.
9. The right to participate in gifted programs pursuant as prescribed by A.R.S. 15-779.01.
10. The right to access instructional materials as directed by A.R.S. 15-730.
11. The right to receive the school's annual report card pursuant to A.R.S. 15-746.
12. The school attendance and age requirements for children prescribed in A.R.S. 15-802, 15-803 and 15-821.
13. The right to public review of courses of study and textbooks in the common schools (preschool programs through grade eight [8]), as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
14. The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.

15. Policies related to parental involvement pursuant to A.R.S. 15-102 and set out herein.

16. The right to seek membership on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council. [Subject to the exemption of certain school districts exempted as described in A.R.S. 15-352.]

17. Information about the student accountability information system (SAIS) as prescribed in section 15-1042.

18. The right to access the failing schools tutoring fund pursuant to A.R.S. 15-241.

19. Access to the Arizona Department of Education (DOE) statutory handbook of parental rights, which is posted on the DOE website and is prominently posted on a publicly accessible portion of the District website with a link to the statutory handbook of parental rights with the title and sections as listed below:

a. Title 1, chapter 6.

b. Section 15-102.

c. Section 15-110.

d. Section 15-113.

e. Section 15-117.

f. Section 15-351.

g. Section 15-721.

h. Section 15-722.

i. Section 15-730.

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Optional language: The following outlined items (to next double line) setting out the manner in which parents may be made aware of the District's Parental Involvement Policy are optional in whole or in part as determined by the local Governing Board.

The District plan under this policy may also include:

A. Making parents aware of this District parental involvement policy, including:

1. Rights under the Family Educational Rights and Privacy Act (FERPA) of 1974, as revised (20 U.S.C. 1232g) relating to access to children's official records.

2. The parent's right to inspect the District policies and curriculum.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

- B. Efforts to encourage the development of parenting skills.
- C. The communication to parents of techniques designed to assist the student's learning experience in the home.
- D. Efforts to encourage access to community and support services for children and families.
- E. The promotion of communication between the school and parents concerning school programs and the academic progress of the parents' children.
- F. Identifying opportunities for parents to participate in and support classroom instruction at the school.
- G. Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.
- H. The recognition of the diversity of parents and the development of guidelines that promote widespread parental participation and involvement in the school at various levels.
- I. The development of preparation programs and specialized courses for certificated employees and administrators that promote parental involvement.
- J. The development of strategies and programmatic structures at schools to encourage and enable parents to participate actively in their children's education.
- K. Provide to parents the information in this policy in an electronic form.

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Resumés of all current and former instructional personnel shall be maintained and available for inspection by parents and guardians of pupils enrolled. The resumé shall include individual educational and teaching background and experience in a particular academic content subject area.

For the purposes of this policy *parent* means the natural or adoptive parent or legal guardian of a minor child.

When a parent submits a written request for information to the Superintendent or a school principal during regular business hours:

- A. The Superintendent or principal shall:
 - 1. Deliver the requested information to the parent within ten (10) calendar days, or
 - 2. Provide to the parent a written explanation for denial of the requested information.

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B. If the requested information is denied or is not received by the parent within fifteen (15) calendar days:

1. The parent may submit to the Governing Board a request for the requested information, and
2. The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be properly noticed. If the request cannot be properly noticed on the next scheduled meeting agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

Adopted:

LEGAL REF.:

A.R.S.

1-601

1-602

15-101

15-102

15-110

15-113

15-117

15-249

15-341

15-351

15-721

15-722

15-730

CROSS REF.:

ABA - Community Involvement in Education

IHBD - Compensatory Education

IJ - Instructional Resources and Materials

IJND - Technology Resources

JHD - Exclusions and Exemptions from School Attendance

KDB - Public's Right to Know/Freedom of Information

KI-RB ©

REGULATION

VISITORS TO SCHOOLS

(Cloth Face Coverings)

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D. Policy and Regulation Adoption - First Reading

Advisory 677 abd 678: ACA(ACA-R) Sexual Harassment, and ACAA(ACAA-R)Title IX Sexual Harassment

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POLICY SERVICES

ADVISORY

Volume 32, Number 3

August 2020

Policy Advisory No. 677Policy ACA — Sexual Harassment Regulation ACA-R

Policy Advisory No. 678 NEW..... Policy ACAA — Title IX Sexual Harassment Regulation ACAA-R

CLARIFICATIONS

Policy Alert – Policy BEC – Executive Sessions / Open Meetings

SB 1012, which was cited in the Policy Alert for Policy BEC in July 2020 with Policy Advisories 672-676, had an emergency clause to go into effect immediately. SB 1042 goes into effect August 25, 2020 and replaces the language added to A.R.S. 38-431.03 by SB 1012. The language in SB 1042 is as follows:

Discussions or consultations with designated representatives of the public body in order to discuss security plans, procedures, assessments, measures or systems relating to, or having an impact on, the security or safety of buildings, facilities, operations, critical infrastructure information and information technology maintained by the public body. Records, documentation, notes, or other materials made by, or provided to, the representatives pursuant to this paragraph are confidential and exempt from public disclosure under this chapter and 6 title 39, chapter 1.

There is no change to policy language. Governing Boards should be aware of the addition to A.R.S. 38-431.03, identifying the purposes for which a public body may hold an executive session.

Policy Advisory No. 672 Regulation GBGB-R — Staff Personal Security and Safety

Policy Advisory No. 674 NEW..... Regulation JICA-RB — Student Dress

Policy Advisory No. 676 NEW..... Regulation KI-RB — Visitors to Schools

There have been inquiries regarding the discrepancy between Executive Order 2020-51 and the recommended directives added in the regulations regarding face coverings. The Executive Order requires “face coverings, such as face masks or face shields, for all staff and students over the age of five.” Policy Services includes language calling for cloth face coverings to be worn by all persons age 2 and older. This language was decided upon after careful consideration of the guidelines provided by the Centers for Disease Control and Prevention and in direct consultation with the Arizona Department of Health Services.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Breaks from wearing cloth face coverings may be granted when physical distancing of six (6) feet or more can be maintained.

Policy Advisory No. 673 Policy IHA — Basic Instructional Program

The new legal reference under Policy IHA regarding the Sandra Day O'Connor Civics Celebration Day was erroneously listed as 1-139 rather than 1-319. This typo was corrected in the version of the document released via PolicyBridge.

POLICY MANUAL UPDATES

Add cross reference “ACAA — Title IX Sexual Harassment” to Policy AC – Nondiscrimination/Equal Opportunity and Policy JB – Equal Educational Opportunities.

POLICY ADVISORY DISCUSSION

The following policy advisories are the result of the final rule amending Title IX regulations 34 C.F.R. Part 106, released by the United States Department of Education, Office of Civil Rights, on May 6, 2020.

The effective date of the final rule is August 14, 2020. ASBA recommends that boards consider adopting the Policy Advisories at a single meeting as provided in Policy BGB and that superintendents approve the changes in regulations to accompany the policies. Additionally, it is important that districts implement the following as soon as possible:

1. Designate and train a Title IX Coordinator;
2. Train all employees as to the reporting requirement of Title IX Sexual Harassment;
3. Train all personnel involved in ordinary disciplinary processes as to the prohibition of any disciplinary sanction relative to Title IX Sexual Harassment without a “determination of responsibility” following the Title IX Grievance Process.

Policy Advisory No. 677

Policy ACA — Sexual Harassment Regulation — ACA-R

Changes are made in the existing policy and regulation on Sexual Harassment to clarify that sexual harassment in the workplace is being addressed for the purpose of an employee complaint to the Equal Employment Opportunity Commission. Districts should note that the definition and standard of sexual harassment is different under this circumstance than under Title IX.

NEW Policy Advisory No. 678

Policy ACAA — Title IX Sexual Harassment Regulation — ACAA-R

Title IX is a federal civil rights law that was passed as part of the Education Amendments of 1972. It mandates that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Prior to the May 6, 2020 rule, Title IX did not refer to sexual harassment. However, the final rule regulations now define sexual harassment and establish detailed procedures for how school districts, subject to Title IX, must respond to allegations of sexual harassment. The conditions of the final rule are narrow in focus, and ASBA Policy Services recommends that member districts retain current policy documents that are related to nondiscrimination and harassment and add the new policy and regulation, ACAA and ACAA-R (Title IX Sexual Harassment), that are specific to the conditions of the final rule regulations.

The new policy documents are intended to guide districts in the appropriate actions to take per the Title IX regulations in response to any notice of sexual harassment or allegations of sexual harassment and in response to a formal complaint being filed. They also inform districts of documentation requirements included in the Title IX regulations, the need for confidentiality, and the prohibition on retaliation. Districts should review the procedures and specify “reasonably prompt timeframes” where necessary.

As directed in the final rule, each district must publish a notice of nondiscrimination on the district website and in any handbooks provided to students, parents, legal guardians, staff, classroom teacher associations, or other organizations associated with the district. Each district must prominently display the contact information for the Title IX Coordinator in a similar manner, as well as its grievance procedures, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the district will respond.

Title IX training is necessary and should be mandatory for all staff members, especially those who are involved in the response and documentation processes. Specific training components were not provided in the final rule but rather left to districts to implement training in response to the conditions prescribed therein.

Finally, the new rule amending Title IX was challenged in court almost immediately upon its release in May, and legal arguments are still taking place. The Department of Education is in receipt of requests to further clarify the rule and to delay the implementation date. Policy Services will update member districts about any clarifications.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, General Counsel/Associate Executive Director; Dr. Terry Rowles, Assistant Director; Steve Highlen, Senior Policy Consultant; or David DeCabooter, Policy Consultant/Staff Attorney. Our e-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [ddecabooter@azsba.org]. You may also fax information to (602) 254-1177.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.

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ACA ©

SEXUAL HARASSMENT

All individuals associated with this District, including, but not necessarily limited to, the Governing Board, the administration, the staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

The Equal Employment Opportunity Commission defines “sexual harassment” as ~~Sexual harassment includes~~ unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when ~~made by a member of the school staff to a student or to another staff member, or when made by a student to another student~~ where:

- A. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment ~~or education~~; or
- B. Submission to or rejection of such conduct is used as a basis for employment ~~or education~~ decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's ~~educational or~~ work performance, or creating an intimidating, hostile, or offensive work ~~employment or education~~ environment.

Sexual harassment may include, but is not limited to:

- A. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, or display of sexually suggestive objects, pictures, or cartoons.
- B. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)

C. Implying or withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance report will be prepared; suggesting that probation will be failed; ~~implying or actually withholding grades earned or deserved; or suggesting that a scholarship recommendation or college application will be denied.~~

D. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee; ~~or engaging in coercive sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.~~

E. Offering or granting favors or ~~educational or~~ employment benefits, such as ~~grades or~~ promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, et cetera, in exchange for sexual favors.

Anyone who is subject to sexual harassment, or who knows of the occurrence of such conduct, should inform the compliance officer, as provided in ACA-R.

A substantiated charge against a staff member in the District shall subject such staff member to disciplinary action.

~~A substantiated charge against a student in the District shall subject that student to disciplinary action, which may include suspension or expulsion.~~

All matters involving sexual harassment complaints will remain confidential to the extent possible.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

41-1461 *et seq.*

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Employment Opportunity Act of 1972

42 U.S.C. 2000, Civil Rights Act of 1964 as amended, Title VII

CROSS REF.:

AC - Nondiscrimination/Equal Opportunity

GBA - Equal Employment Opportunity

GCQF - Discipline, Suspension, and Dismissal of Professional Staff
Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

~~IHBA - Special Instructional Programs and Accommodations for
----- Disabled Students~~

~~JB - Equal Educational Opportunities~~

~~JII - Student Concerns, Complaints and Grievances~~

~~JK - Student Discipline~~

~~JKD - Student Suspension~~

KED - Public Concerns/Complaints about Facilities or Services

KFA - Public Conduct on School Property

ACA-R ©

REGULATION

SEXUAL HARASSMENT

Compliance Officer

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or who has been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate, and document complaints filed pursuant to this regulation as soon as reasonable, within the established timelines. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15-539 *et seq.*, may be initiated.

If the person alleged to have violated policy is a support staff employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

~~If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with Policies JK, JKD and JKE.~~

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

ACAA ©

TITLE IX SEXUAL HARASSMENT

Title IX of the Federal Education Amendments Act protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. The District does not discriminate on the basis of sex and is required by Title IX not to discriminate in such a manner. The District adheres to all conditions established by Title IX by recognizing the right of every student who attends school in the District and every employee who works in the District to do so without the fear of sexual harassment.

The District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- A. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

The District also accepts and shall employ the definition of a complainant as an individual who is alleged to be the victim of conduct that could constitute sexual harassment, and a respondent as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

The District shall designate and authorize an employee as the "Title IX Coordinator" to comply with its responsibilities pertaining to sexual harassment under Title IX. Inquiries about the application of Title IX may be referred to the District's Title IX Coordinator.

Any person may report sex discrimination, including sexual harassment, regardless of whether the person reporting is the person alleged to be the victim of the reported conduct or not. A report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. The District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

The District will respond promptly when any school employee has notice of sexual harassment. Upon receipt of notice of sexual harassment, the District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the District’s grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District shall respond. The District is committed to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of policy. The District shall follow grievance procedures that provide for the prompt and equitable resolution of complaints from students and employees alleging sexual harassment.

The District shall, to the extent reasonably feasible, keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as is necessary to carry out the grievance process and as may otherwise be permitted by law.

Title IX sexual harassment complaints may include violations covered by Arizona’s mandatory reporting statute, A.R.S. §13-3620. Any abuses classified by statute as “reportable offenses” must be reported as such to the authorities because not reporting a reportable offense is classified as a Class 6 Felony.

Retaliation Prohibited

Neither the District nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has in good faith made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

Adopted:

LEGAL REF.:

A.R.S.

§13-3620

20 U.S.C. 1092

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 U.S.C. 12291

CROSS REF.:

AC – Nondiscrimination / Equal Opportunity

JB – Equal Educational Opportunities

ACAA-R ©

REGULATION

TITLE IX SEXUAL HARASSMENT

Title IX Coordinator

The Superintendent shall appoint an employee as the “Title IX Coordinator.” If the Title IX Coordinator is the respondent, the complaint shall be filed with the Superintendent.

Title IX Coordinator:

<u>Name/Title:</u>
<u>Address:</u>
<u>E-mail:</u>
<u>Telephone:</u>

Response to Sexual Harassment

When the District has actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States, it shall respond promptly in a manner that is not deliberately indifferent.

- A. “Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to a District’s Title IX Coordinator or to any employee.
- B. An “education program or activity” includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the District.
- C. A District is “deliberately indifferent” only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The District’s initial response to any report of sexual harassment must treat complainants and respondents equally by offering supportive measures to both and must follow the established grievance process before disciplining a respondent.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Even if no formal complaint has been filed, the Title IX Coordinator shall promptly:

- A. Contact the complainant to discuss the availability of supportive measures;
- B. Consider the complainant's wishes with respect to supportive measures;
- C. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- D. Explain to the complainant the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The District may remove a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Response to a Formal Complaint

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above, and by any additional method designated by the District that results in the Title IX Coordinator receiving the complaint.

The District may place a non-student employee respondent on administrative leave during the pendency of a grievance process in response to a formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

For the purpose of addressing formal complaints of sexual harassment, this grievance process shall comply with the following basic elements:

- A. Provide written notice to all parties upon receipt of complaint, which must include:
 1. Notice of the District’s formal grievance process, including any informal resolution process;
 2. Notice of the allegations, including sufficient details to allow respondent to prepare a response (such as the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident);
 3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

4. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
 5. Notice of any provision in the District's code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.
- B. Treat complainants and respondents equitably;
 - C. Require an objective evaluation of all relevant evidence;
 - D. Require that the Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, be properly trained and not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent;
 - E. Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process;
 - F. Include reasonably prompt timeframes for the conclusion of the grievance process;
 - G. Describe or list the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility;
 - H. State that the District uses a preponderance of evidence standard to determine responsibility;
 - I. Include the procedures and permissible reasons for appeal by a respondent or a complainant;
 - J. Describe the range of supportive measures available to complainants and respondents; and
 - K. Not require, allow, or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

If the conduct alleged in a formal complaint does not meet the Title IX definition of sexual harassment as established in Governing Board policy, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District shall dismiss the allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under other District policies.

The District may dismiss a formal complaint or any allegations therein, if at any time:

- A. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- B. The respondent is no longer enrolled or employed by the District; or
- C. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint or any allegations therein, the District shall promptly send written notice of the dismissal, including the reasons for the dismissal, simultaneously to the parties.

When investigating a formal complaint and throughout the grievance process, the District shall:

- A. Ensure that the burden of proof and the burden of gathering evidence rests on the District and not on the parties, except that certain treatment records cannot be obtained without voluntary, written consent of a party;
- B. Provide an equal opportunity for the parties to present witnesses and evidence;
- C. Not restrict the ability of either party to discuss the allegations or to gather and present evidence;
- D. Provide the parties with the same opportunities to have others present during any meeting or grievance proceeding;

- E. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of any meeting or grievance proceeding, with sufficient time for the party to prepare to participate;
- F. Provide both parties an equal opportunity to inspect and review any evidence so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation (prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, a copy of all evidence gathered during the investigation and will allow the parties at least ten (10) days to submit a written response to any of the evidence); and
- G. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a determination of responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-makers(s) shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence are offered to prove consent.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), shall apply the District's established standard of evidence and shall issue a written determination regarding responsibility that includes:

- A. Identification of the allegations potentially constituting sexual harassment;

- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the District's code of conduct to the facts;
- E. A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity shall be provided by the District to the complainant; and
- F. The District's procedures and permissible bases for the complainant and respondent to appeal.

The District shall provide the written determination to the parties simultaneously. The Title IX Coordinator is responsible for effective implementation of any remedies.

The District shall offer both parties the right to appeal from a determination regarding responsibility and from a dismissal of a formal complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-makers(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affect the outcome of the matter.

As to all appeals, the District shall:

- A. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- B. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- C. Ensure that the decision-maker(s) for the appeal does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- D. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- E. Issue a written decision describing the result of the appeal and the rational for the result; and
- F. Provide the written decision simultaneously to both parties.

The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Similarly, the District may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility during a formal complaint process, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

- A. Provides to the parties a written notice disclosing:
 - 1. The allegations;
 - 2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

3. Any consequences resulting from participating in the informal resolution process, including the records that shall be maintained or could be shared;
- B. Obtains the parties' voluntary, written consent to the informal resolution process; and
- C. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The District shall maintain for a period of seven (7) years records of:

- A. Each sexual harassment investigation including:
 1. Any determination regarding responsibility;
 2. Any disciplinary sanctions imposed on the respondent; and
 3. Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website, or if the District does not maintain a website the District shall make these materials available upon request for inspection by members of the public.

The District shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If a District does not provide a complainant with supportive measures, then the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

7. DISCUSSION ITEMS

The Governing Board will not vote on Discussion Items and any action taken as a result of this discussion will be limited to directing staff to study the matter or scheduling the matter for a future agenda.

8. INFORMATION ITEMS

A. Requests for Future Agenda Items

This agenda item is for the Governing Board to have a running record of potential items to be placed on future agendas. There will be no discussion on the substance, merits, or issues relating to the proposed agenda item.

B. Upcoming Meetings and Events Calendar

- Next Regular Board Meeting - October 13, 2020
- ASBA Navajo County Association Meeting - October 20, 2020 (online meeting)

9. ADJOURNMENT

Call to adjourn the meeting