



## **Regular Board Meeting Agenda**

**Tuesday, January 10, 2023 | 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. PRE-MEETING ACTIVITIES**

**1.A. Administer Oath of Office to New Board Members**

### **2. OPENING ITEMS**

**2.A. Call to Order**

**2.B. Roll Call**

**2.C. Pledge of Allegiance**

**2.D. Invocation**

**2.E. Adoption of Agenda**

**2.F. Election of Board Officers**

Governing Board members will elect the board president and clerk for 2023

**2.G. Approve Regular Board Meeting Dates and Times for 2023**

**2.H. Approve Minutes of the December 13, 2022 Regular Board Meeting**



**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, December 13, 2022**

**Members present**

Eldon Larsen, President; Rhonda Roberson, Clerk; Andrew Bushman, Dayton Flake, Karsten Flake

**Administrators present**

Bryan Fields, Superintendent; Darrel Mosier, Principal; Steven Mills, Business Manager

**Others present**

Matt Weber, NAVIT; 1 community member

**1. PUBLIC HEARING - 2022-23 BUDGET REVISION**

**2. OPENING ITEMS**

**2.A. Call to Order**

Eldon Larsen called the meeting to order at 6:00 p.m.

**2.B. Roll Call**

**2.C. Pledge of Allegiance**

**2.D. Invocation**

**2.E. Adoption of Agenda**

Motion by Rhonda Roberson to adopt the Agenda as presented; Second by Karsten Flake

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**2.F. Approve Minutes of the November 8, 2022 Regular Board Meeting**

Motion by Rhonda Roberson to approve the Minutes of November 8, 2022; Second by Andrew Bushman.

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**2.G. Superintendent's Report**

**3. CALL TO THE PUBLIC**

**4. POSSIBLE EXECUTIVE SESSION (\*)**

See Agenda Item 6.B.

**5. CONSENT AGENDA**

Motion by Eldon Larsen to approve Consent Agenda Items as presented; Second by Karsten Flake

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**5.A. Approve Expense Vouchers**

Action to ratify district vouchers for the period 11/7/22 through 12/6/22.

**General and Special Funds:** #11 \$160,310.27; #12 \$161,376.58; #1022 \$64,726.83; #1023 \$1,320.58; #1024 \$52,067.49; #1025 \$1,236.03; #1026 \$ 66,041.78; #1027 \$939.48

**Auxiliary Operations Funds:** #1021 \$2,513.13; #1023 \$2,995.00

**Student Activities Fund:** #1022 \$483.20; #1024 \$1,149.45

**5.B. Student Activities Fund Report**

Revenues, expenditures and charges in the Student Activities Fund Report; period of 11/1/2022 through 11/30/2022.

**5.C. Approve Closure of Bank Accounts**

Bank of the West Employee Benefit Account; Wells Fargo Athletic Revolving Account; Wells Fargo Food Service Clearing Account

**5.D. Student Fundraisers**

Organization	Description	Action
Elementary School	Students send emails to family and friends requesting they make purchases through SchoolStore.com. A percentage of sales will be donated to the school for student activities and incentives.	Ratification
HS FFA	Turkey sale	Approve
HS Girls Basketball	Sponsorships for shooting free throws	Ratification
HS Wrestling	4th Annual eTeam sponsor distance fundraiser	Ratification
Student Council	Halloween Carnival	Ratification

**5.E. Gifts & Donations**

Donor	Item	School/Program	Purpose	Amount
Jack Pickett	Historic Joseph City school bell (circa 1920) <i>see attached photo</i>	Elementary School	Historic value	---

**6. ACTION ITEMS**

**6.A. Discussion and Possible Approval of Speech-Language Pathologist Assistant Position**

Motion by Eldon Larsen to Approve the Speech-Language Pathologist Assistant Position; Second by Dayton Flake

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**6.B. Personnel Requests (\*)**

Motion by Eldon Larsen to meet in Executive Session; second by Karsten Flake; called at 6:56 pm

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

Reconvened open session at 7:14 pm

Name	Assignment	Action
Dunton, Monopoppy	Teacher	Resignation
James, Kayle	Event Worker	Ratify
Miller, Nelson	JH Basketball Volunteer	Approve
Neill, Robert Aaron	HS Basketball Volunteer	Ratify
Paddock, Darlene	JH Girls' Basketball Head Coach	Approve
Price, Andrea	Instructional Aide II	Ratify
Snyder, Barbara	Substitute Teacher	Approve
Spurlock, Mary	Assistant HS JV Girls Softball Coach	Approve
Wilson, Rebekah	SLPA	Approve
Wilson, Rebekah	Substitute Teacher	Approve

Motion by Eldon Larsen to accept the Personnel Requests as presented, Second by Rhonda Roberson

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**6.C. Discussion and Possible Approval of 2023-24 School Calendar**

Motion by Eldon Larsen to approve the 2023-24 School Calendar as presented; Second by Karsten Flake

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake,

No: Karsten Flake

Abstain: Rhonda Roberson

**6.D. Discussion and Possible Approval of Employee Incentive Program**

Motion by Eldon Larsen to approve Employee Incentive Program; Second by Rhonda Roberson

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**6.E. Approve the 2022-23 Budget Revision #1 for Joseph City Schools**

Motion by Eldon Larsen to approve the 2022-23 Budget Revision #1 for Joseph City Schools; Second by

Rhonda Roberson

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**6.F. Superintendent's Annual Evaluation (\*)**

Motion by Eldon Larsen to record Satisfactory Rating for Superintendent Fields' Evaluation; Second by Rhonda Roberson

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

**7. INFORMATION ITEMS**

**7.A. Minimum Wage Increase**

**7.B. Requests for Future Agenda Items**

- Election of Officers
- Superintendent's Contract
- Intervening in the ACC Rate Case – Counsel by Attorney

**7.C. Upcoming Meetings and Events Calendar**

- Possible informal meeting of the board at Annual Conference - December 15, 2022
- Next Regular Board Meeting - January 10, 2023; 6:00 p.m.

**8. ADJOURNMENT**

Motion to adjourn by Andrew Bushman; second by Karsten Flake

Final Resolution: Motion passed

Yes: Eldon Larsen, Andrew Bushman, Dayton Flake, Karsten Flake, Rhonda Roberson

Meeting adjourned at 8:09 p.m.

APPROVED:

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Board Clerk or President

## **2.1. Superintendent's Report**

Current Events and Updates Report

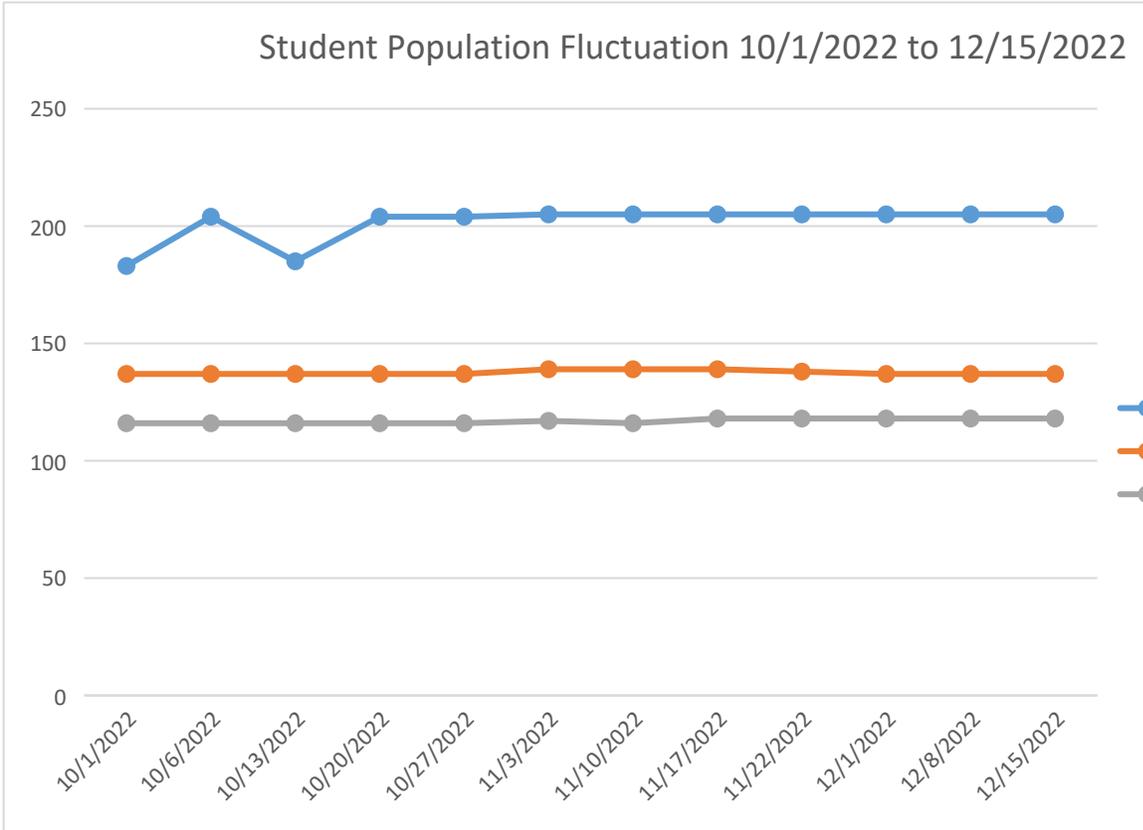
Joseph City Unified School District Governing Board

Meeting Date: January 10, 2023

Prepared by: B. Fields, Superintendent

- Attached as part of my report is a chart that shows the District's official enrollment data from October 1<sup>st</sup>, through the end of the semester.
- I would like to provide some time to our food service provider, SFE, to provide an update on how our food service program is going so far this year. His name is John Joyner.
- We have started the design portion of the roofing projects for the Auditorium and High School Vocational Buildings. I have met with the SFB and these projects are expected to be funded through them.
- Here is the plan for covering Mrs. Dunton's classes due to her resignation. Christina Rodrigues will cover the 1<sup>st</sup> and 4<sup>th</sup> period classes as a long-term substitute.  
Barb Snyder will cover 6<sup>th</sup> and 7<sup>th</sup> period classes which are the JH and HS Choir classes. She is a certified teacher and will be serving as a long-term substitute for these classes.  
The 3<sup>rd</sup> and 5<sup>th</sup> period English classes will be covered by Kylie Miller (long-term substitute) and an ASU prep teacher. The ASU prep teacher will teach and interact with the students through the internet. She will also meet with Mrs. Miller for planning and assessing students' work.
- We are also planning on working with ASU on a tutoring partnership this semester for pre-algebra students (8<sup>th</sup> and 9<sup>th</sup> grades) which is a math test prep program. This is part of our plan to help students on the state tests. At the elementary school we are working with them at the 5<sup>th</sup> grade level with math curriculum resources and training.
- Elementary afterschool tutoring will begin next week, Monday, Jan 9.  
Mary Alhstrom  
Darolynn DeWitt  
Ruth Hansen  
Susan Turley  
Sheryl-Ann Deiparine  
Kristen Beatty  
Drew Colligon
- Our new ticket taking program is in place, it is called 'In-Touch'. It aligns with our school accounting software and employee training has taken place. This system allows the school to take debit and credit cards. We are also using this at the concessions stand.

School	10/1/2022	10/6/2022	10/13/2022	10/20/2022	10/27/2022
Elementary School	183	204	185	204	204
Sr High School	137	137	137	137	137
Jr High School	116	116	116	116	116



11/3/2022	11/10/2022	11/17/2022	11/22/2022	12/1/2022	12/8/2022	12/15/2022
205	205	205	205	205	205	205
139	139	139	138	137	137	137
117	116	118	118	118	118	118

-  Elementary School
-  Sr High School
-  Jr High School



**Summary of Financial Operations (Unaudited)  
December 31, 2022**

Fund		Budget	YTD Expenses	Encumbrances	Budget Balance
001	Maintenance & Operation	\$5,991,226	\$2,646,939	\$2,314,396	\$1,029,891
010-013	Classroom Site Funds	\$ 970,920	\$ 66,608	\$ 88,525	\$ 815,786
100-130	Title I	\$ 260,000	\$ 81,148	\$ 71,046	\$ 107,806
140-150	Title II - Profesional Development	\$ 50,000	\$ (725)	\$ -	\$ 50,725
200-209	Title VII - Indian Education	\$ 15,000	\$ 481	\$ -	\$ 14,519
220-229	IDEA/Special Education Grants	\$ 175,000	\$ 52,485	\$ 41,496	\$ 133,031
230	Johnson-O'Malley (JOM)	\$ 4,500	\$ 473	\$ 346	\$ 3,681
260-270	Career & Technical Ed (CTE) - Federal	\$ 12,000	\$ 5,586	\$ 84	\$ 6,330
290-291	Medicare Reimbursement	\$ 30,000	\$ 5	\$ 495	\$ 29,500
326-346	ESSER / CARES / ESG	\$1,089,493	\$ 153,701	\$ 285,467	\$ 650,325
374	E-Rate	\$ 33,000	\$ 18,924	\$ 576	\$ 13,500
380	ARPA - Az On Track	\$ 2,200	\$ 1,197	\$ -	\$ 1,003
390-396	REAP (Federal Rural Assistance)	\$ 45,000	\$ 3,700	\$ 3,700	\$ 37,600
400	Career & Technical Ed (CTE) - State	\$ 10,000	\$ 1,569	\$ 1,446	\$ 6,985
466	Healthy Drug-Free Community	\$ 8,201	\$ 2,201	\$ 6,000	\$ -
468	Dyslexia Training	\$ 5,000	\$ -	\$ -	\$ 5,000
506	School Plant (Sale)	\$ 5,000	\$ -	\$ -	\$ 5,000
510	Food Service	\$ 340,000	\$ 83,687	\$ 209,651	\$ 46,662
515	Civic Center	\$ 10,000	\$ -	\$ -	\$ 10,000
520	Preschool Tuition	\$ 12,000	\$ 3,595	\$ 3,231	\$ 5,174
525	Auxiliary Operations	\$ 140,000	\$ 73,548	\$ 25,277	\$ 41,174
526	Extracurricular Activities Tax Credit	\$ 20,000	\$ 4,025	\$ 1,019	\$ 14,956
530	Gifts & Donations	\$ 50,000	\$ 3,064	\$ 257	\$ 46,679
535-539	CTE & Vocational Education Projects	\$ 8,500	\$ 5,696	\$ 544	\$ 2,261
550	Insurance Proceeds	\$ 60,000	\$ -	\$ -	\$ 60,000
565	Litigation Recovery	\$ 35,000	\$ -	\$ -	\$ 35,000
570	Indirect Costs	\$ 35,000	\$ 4,496	\$ 17,477	\$ 13,027
585	Insurance Refunds	\$ 5,000	\$ -	\$ -	\$ 5,000
596	NAVIT	\$ 45,000	\$ 6,289	\$ 6,329	\$ 32,382
610	Capital Outlay	\$ 408,436	\$ 265,699	\$ 31,759	\$ 110,979
620	Adjacent Ways	\$ 75,000	\$ 2,074	\$ 1,484	\$ 71,442
665	Energy and Water Savings	\$ 49,000	\$ -	\$ -	\$ 49,000
686	SFB Emergency Deficiency Correction	\$ 109,964	\$ 24,000	\$ 84,620	\$ 1,344
691	SFB Building Renewal Grant	\$ 750,000	\$ 324,180	\$ 258,502	\$ 167,317
850	Student Activities	\$ 30,000	\$ 11,449	\$ 3,132	\$ 15,419
TOTAL		\$ 10,889,440	\$ 3,846,094	\$ 3,456,859	\$ 3,638,499

**2.1.(i) Review the Status of the District Breakfast in the Classroom (BIC) Program**

Joseph City Elementary					
Total BIC Meals	Serving Days	ADP	Reimbursement Per Meal	Revenue Generated by BIC	
9946		74	134 \$	1.5285 \$	15,202.46

Joseph City High School					
Total BIC Meals	Serving Days	ADP	Reimbursement Per Meal	Revenue Generated by BIC	
9417		74	127 \$	1.1941 \$	11,244.84

Additional Labor Costs Associated with BIC					
Daily Hours	Serving Days	Hourly Labor w/ Taxes	Labor Cost for BIC		
4		74 \$	16.00	\$	4,736.00

Additional Food Costs Associated with BIC					
Total BIC Meals	Additional Food Cost	Additional Food Cost for BIC			
19363	\$ 1.50	\$		\$	29,044.50

Total YTD Revenue	\$	26,447.30
Total YTD Labor	\$	4,736.00
Total YTD Food	\$	29,044.50
Net Benefit	\$	(7,333.20)

### 3. CALL TO THE PUBLIC

Procedure for addressing the Board in a public meeting may be viewed here: <https://josephcityaz.sites.thrillshare.com/page/public-comments>

### 4. CONSENT AGENDA

Vote on 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.

#### 4.A. Approve Expense Vouchers

Action to ratify district vouchers for period 12/7/22 through 12/31/22.

**General and Special Funds:** #13 \$22,324.91; #14 \$175,392.47; #15 \$154,659.49; #1028 \$78,851.68; #1029 \$124,034.27; #1030 \$1,324.14; #1031 \$71,712.39

**Auxiliary Operations Funds:** #1025 \$8,756.73; #1027 \$3,769.12

**Student Activities Fund:** #1026 \$2,404.60

#### 4.B. Student Activities Fund Report

Revenues, expenditures and charges in the Student Activities Fund Report; period of 12/1/22 through 12/31/22.

## Joseph City USD External Funds

### Student Activities Summary Report

Fiscal Year: 2022-2023

From: 12/1/2022 To: 12/31/2022

Print Detail

Page Break by Activity

Exclude Encumbrances

Reverse Signs

Subtotal By Journal

	Range Beg. Balance	Range Revenue	Range Expenditures	Balance	Encumbrances	Available Balance
000.000 Undesignated DO NOT USE	.00	.00	.00	.00	.00	.00
102.610 Joseph City Jr High School Student Council	614.88	.00	.00	614.88	(304.13)	310.75
102.612 Joseph City Jr High School Softball	(11.39)	.00	.00	(11.39)	.00	(11.39)
102.619 Joseph City Jr High School Volleyball	507.27	.00	.00	507.27	.00	507.27
102.629 Joseph City Jr High School Track	260.11	.00	.00	260.11	.00	260.11
102.637 Joseph City Jr High School Class of 2024	.00	.00	.00	.00	.00	.00
102.638 Joseph City Jr High School Class of 2025	.00	.00	.00	.00	.00	.00
102.639 Joseph City Jr High School Class of 2026	188.93	.00	.00	188.93	.00	188.93
102.640 Joseph City Jr High School Class of 2027	1,160.99	.00	.00	1,160.99	.00	1,160.99
102.641 Joseph City Jr High School Class of 2028	132.00	.00	.00	132.00	.00	132.00
102.642 Joseph City Jr High School Class of 2029	.00	.00	.00	.00	.00	.00
102.643 Joseph City Jr High School Class of 2030	.00	.00	.00	.00	.00	.00
203.601 Joseph City High School Band	218.26	.00	.00	218.26	.00	218.26
203.602 Joseph City High School Baseball	155.40	.00	.00	155.40	.00	155.40
203.605 Joseph City High School Chess Club	.00	.00	.00	.00	.00	.00
203.606 Joseph City High School Card and Game Club	146.14	.00	.00	146.14	.00	146.14
203.607 Joseph City High School Drama	725.11	.00	.00	725.11	.00	725.11
203.608 Joseph City High School Future Business Leaders of America	12.59	.00	.00	12.59	.00	12.59
203.609 Joseph City High School Girls Basketball	3,839.01	1,480.00	(1,213.02)	4,105.99	2,444.04	6,550.03
203.610 Joseph City High School Student Council	5,925.75	.00	.00	5,925.75	(81.33)	5,844.42
203.611 Joseph City High School National Honor Society	549.96	.00	.00	549.96	3.02	552.98
203.612 Joseph City High School Softball	4,142.78	.00	.00	4,142.78	.00	4,142.78

## Joseph City USD External Funds

### Student Activities Summary Report

Fiscal Year: 2022-2023

From: 12/1/2022 To: 12/31/2022

Print Detail

Page Break by Activity

Exclude Encumbrances

Reverse Signs

Subtotal By Journal

	Range Beg. Balance	Range Revenue	Range Expenditures	Balance	Encumbrances	Available Balance
203.613 Joseph City High School Momentum Club/Audition Choir	409.15	.00	.00	409.15	.00	409.15
203.614 Joseph City High School Wrestling	2,675.13	1,742.73	.00	4,417.86	.00	4,417.86
203.615 Joseph City High School Cheerleaders	2,017.29	.00	.00	2,017.29	.00	2,017.29
203.616 Joseph City High School Welding	106.33	.00	.00	106.33	.00	106.33
203.617 Joseph City High School Woods	104.72	.00	.00	104.72	.00	104.72
203.618 Joseph City High School Boys Basketball	1,445.13	700.00	(699.58)	1,445.55	1,221.60	2,667.15
203.619 Joseph City High School Volleyball	7,068.38	.00	.00	7,068.38	.00	7,068.38
203.620 Joseph City High School FACS	35.74	.00	.00	35.74	.00	35.74
203.624 Joseph City High School Basketball Cheerleaders	.00	.00	.00	.00	.00	.00
203.625 Joseph City High School FFA	(486.84)	105.00	(492.00)	(873.84)	189.67	(684.17)
203.626 Joseph City High School Happy Club	880.07	.00	.00	880.07	.00	880.07
203.627 Joseph City High School Robotics	359.85	.00	.00	359.85	.00	359.85
203.628 Joseph City High School Cross Country	220.60	.00	.00	220.60	.00	220.60
203.629 Joseph City High School Track	191.04	.00	.00	191.04	.00	191.04
203.630 Joseph City High School Football	2,176.92	.00	.00	2,176.92	(931.39)	1,245.53
203.631 Joseph City High School Technology Club	109.95	.00	.00	109.95	.00	109.95
203.632 Joseph City High School Class of 2019	.00	.00	.00	.00	.00	.00
203.633 Joseph City High School Class of 2020	.00	.00	.00	.00	.00	.00
203.634 Joseph City High School Class of 2021	.00	.00	.00	.00	.00	.00
203.635 Joseph City High School Class of 2022	137.03	.00	.00	137.03	.00	137.03
203.636 Joseph City High School Class of 2023	7,566.20	.00	.00	7,566.20	.00	7,566.20
203.637 Joseph City High School Class of 2024	388.76	.00	.00	388.76	.00	388.76

## Joseph City USD External Funds

### Student Activities Summary Report

Fiscal Year: 2022-2023

From: 12/1/2022      To: 12/31/2022

Print Detail

Page Break by Activity

Exclude Encumbrances

Reverse Signs

Subtotal By Journal

	Range Beg. Balance	Range Revenue	Range Expenditures	Balance	Encumbrances	Available Balance
203.638 Joseph City High School Class of 2025	326.32	.00	.00	326.32	.00	326.32
500.300 Districtwide UNDESIGNATED	.00	.00	.00	.00	.00	.00
500.600 Districtwide UNDESIGNATED	1.44	.00	.00	1.44	.00	1.44
<b>GRAND TOTALS</b>	44,301.00	4,027.73	(2,404.60)	45,924.13	2,541.48	48,465.61

End of Report

**4.C. Approve Revised Fee Schedule for 2022-23**

## Jr/Sr High School Fees

Revised 1/10/2023

### HIGH SCHOOL CLASSES

- ART SUPPLIES \$20.00 per semester *(Students pay extra for materials used beyond what is required for class)*
- WOODS and WELDING *(Students will pay for metal and other materials used for projects)*

### ATHLETICS

- HIGH SCHOOL ATHLETIC REGISTRATION \$45.00 per sport for first two sports. Additional sports are free. Family maximum charge for Athletics and Activities is \$200.00.
- JUNIOR HIGH ATHLETIC REGISTRATION \$25.00 per sport for the first two sports. Any additional sport is free. Family maximum charge for Athletics and Activities is \$200.00.
- ATHLETIC EVENT ENTRY FEES
 

JCHS Students-	Free
\$5.00 General Admission	
\$3.00 Students from other schools	
FREE Senior Citizens (60+ verified)	
- INVITATIONAL TOURNAMENTS
 

\$10.00 One-day Adult pass	
\$15.00 Two-day Adult pass	
\$7.00 One-day Student pass	
\$10.00 Two-day Student pass	

### ACTIVITIES

- IN-SCHOOL DANCES Free
- FORMAL DANCES – Prom/Homecoming \$10 - \$30 *(Amount based on event costs - finalized by event Principal)*
- DRAMA PRODUCTION \$5.00 - \$15.00 *(Amount based on event costs - finalized by event Principal)*
- DRAMA/HIGH SCHOOL PLAY REGISTRATION \$20.00 per student. Family maximum charge for Athletics and Activities is \$200.00.

### ACTIVITY CARDS

Activity cards cover entry to all home athletic events run by Joseph City Jr/Sr High School. AIA events are not included.

- |                                  |  |
|----------------------------------|--|
| • SENIOR CITIZENS (60+ verified) | Free                                     |
| • STUDENTS                       | Free                                     |
| • ADULTS                         | \$50.00                                  |
| • FAMILY                         | \$150.00 (Immediate Family Members Only) |

### NOTICE

Economically disadvantaged families may apply for a waiver or reduction for athletic/activity registration fees. Inquire at the office for an application if you would like to apply. Approval is based on need and free/reduced lunch status.

**4.D. Student Fundraisers**

Organization	Description	Action
JH Student Council	Selling Suckers	Ratification
Softball Fundraiser	Selling Advertisement Banners	Ratification

**5. POSSIBLE 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.

**6. ACTION ITEMS**

**6.A. \*Discussion and possible action regarding intervention in APS Rate Case Docket No. E-01345A-22-0144. (\*Possible executive session per A.R.S. §§ 38-431.03(A)(3) (advice from legal counsel) and 38-431.03(A)(4) (pending or contemplated litigation)).**

This item is to provide legal information about the District potentially intervening in the upcoming APS rate case.

**6.B. Employment Contract Renewal for Superintendent Bryan Fields (\*)**

**6.C. Personnel Requests (\*)**

Name	Assignment	Action
Alhstrom, Mary	After School Tutoring	Appointment
Beatty, Kristen	After School Tutoring	Appointment
Brawley, Lindzi	Substitute Teacher	Appointment
Chapman, Sonya	Instructional Aide I	Appointment
Colligon, Drew	After School Tutoring (Non-Certified)	Assignment
Fischer, Brad	Wrestling Tournament Coordinator	Ratify
Howerton, Jeffrey	Event Worker	Appointment
Ingram, Sharon	Elementary Volunteer	Approval
Powers, Megan	Event Worker	Appointment
Powers, Megan	Substitute Teacher	Appointment
Larsen, Robert	Pool Manager	Resignation
Turley, Susan	Elementary Volunteer	Approval
Young, Claire	After School Tutor	Assignment

**6.D. Discussion and Possible Approval of Pay Increase for AIA Game Officials**

Increase from \$40.00 to \$50.00 per non-varsity game

**6.E. Discussion and Possible Approval of Increase in School Lunch Prices**

Increase Full-Price Elementary Student Lunch from \$2.95 to \$3.25

Increase Full-Price Jr/Sr High Student Lunch from \$3.00 to \$3.25

Increase Adult Lunch from \$3.50 to \$4.20

**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.

**7.A. Review Board Member Ethics and Conflict of Interest Policies**

## **BCA © BOARD MEMBER ETHICS**

Board members will strive to improve public education, and to that end will:

- Attend all Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that decisions should be made only after discussion at publicly held Board meetings;
- Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special-interest groups;
- Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;
- Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national school boards associations;
- Support the employment of persons best qualified to serve as school staff members, and insist on a regular and impartial evaluation of all personnel;
- Avoid being placed in a position of conflict of interest, and refrain from using their Board position for personal or partisan gain;
- Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and
- Remember always that a Board member's first and greatest concern must be the educational welfare of the students attending the public schools.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.  
[15-321](#)

## **BCB © BOARD MEMBER CONFLICT OF INTEREST**

### **Voting Restrictions**

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. [43-1001](#). [LEGAL REF.: A.R.S. [15-323](#)]

### **Employment Limitation**

No dependent, as defined in Section [43-1001](#), of a Governing Board member may be employed in the District, except by consent of the Board. [LEGAL REF.: A.R.S. [15-502](#)]

No employee of the District or the spouse of such employee may hold membership on the Governing Board of the District. [LEGAL REF.: A.R.S. [15-421](#)]

### **Conflict of Interest**

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase. [LEGAL REF.: A.R.S. [38-503](#)]

Any Board member or employee who has, or whose relative has, a substantial interest in any decision of the District shall make known such interest in the official records of the District and shall refrain from participating in any manner as a Board member or employee in such a decision. [LEGAL REF.: A.R.S. [38-503](#)]

*"Refrain from participating in any manner"* means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

### **Purchases from Governing Board Members for Districts with Fewer than 3,000 Students**

School district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Purchases for services may only be made after public competitive bidding. Purchases of supplies, materials, and equipment from Board members are subject to the following:

- A. Purchases less than one hundred thousand dollars (\$100,000) comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations;
- B. Purchases of one hundred thousand dollars (\$100,000) and above comply with the school district procurement rules for public competitive bidding;
- C. Each purchase is approved by the Governing Board;

D. The amount of the purchase is included in the Board's meeting minutes.

[LEGAL REF.: A.R.S. [15-323](#); A.G.O. 106-002]

### **Filing of Disclosures**

The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to the statutory conflict-of-interest provisions. [LEGAL REF.: A.R.S. [38-509](#)]

Adopted: September 11, 2018

#### LEGAL REF.:

A.R.S.

[15-213](#)

[15-323](#)

[15-421](#)

[15-502](#)

[38-481](#)

[38-503](#)

[38-509](#)

[43-1001](#)

A.G.O.

184-012

187-035

188-013

106-002

#### CROSS REF.:

[BBBA](#) - Board Member Qualifications

[DJE](#) - Bidding/Purchasing Procedures

**BCB-E ©**

EXHIBIT

**BOARD MEMBER CONFLICT OF INTEREST**

I, \_\_\_\_\_, do hereby indicate:

- 1. That I am presently an officer/employee of the Joseph City Unified School District;
- 2. That I (or my relative[s]: \_\_\_\_\_) have a substantial interest in the contract, sale, purchase, decision, investigation, or other matter by the Joseph City Unified School District No. 2 Governing Board as described below.

Identify the contract, sale, purchase, service, decision, investigation, or other matter in which you or your relative may have a "substantial interest" under A.R.S. §§ [38-501](#) to [511](#). (Use as much space as necessary)

Describe the "substantial interest" referred to above. (Use as much space as necessary.)

**STATEMENT OF DISQUALIFICATION**  
*To be completed if you have a conflict as identified above.*

To avoid any possible conflict of interest under A.R.S. §§ [38-501](#) to [511](#), I will refrain from participating in any manner in the matter identified above.

\_\_\_\_\_

Date
Signature

**STATEMENT OF NO CONFLICT**  
*To be completed only if you do not or your relative does not have a conflict of interest.*

I, \_\_\_\_\_, do hereby indicate that I do not have, and none of my relatives has, a substantial interest in any contract, sale, purchase, service, decision, investigation, or other matter of the Joseph City Unified School District.

\_\_\_\_\_

Date
Signature

The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

**7.B. Annual Review of District Mission Statement and Staff Code of Conduct**

A ©  
**DISTRICT MISSION AND  
BELIEF STATEMENT**

**Vision/Motto**

***"A Continuing Tradition of Excellence."***

**Mission**

**United in Preparing Life-Long Learners through Leadership, Teamwork,  
Accountability, Integrity and Excellence.**

***Core values:***

*Leadership* - Consistently and respectfully giving guidance and direction within our stewardship, thus creating future leaders.

*Teamwork* - Students, parents, community, staff and administration working together.

*Accountability* - Reliable and answerable for our actions and inactions at all times.

*Integrity* - Ethical, honest and trustworthy in all actions.

*Excellence* - Continually striving for improvement.

Adopted: date of Manual adoption

**AA ©**  
**SCHOOL DISTRICT LEGAL STATUS**

The legally designated name of the District is School District No. 2 of Navajo County. The official name shall be Joseph City Unified School District No. 2.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[15-101](#)

[15-441](#)

[15-442](#)

Arizona Constitution, Art. XI, Sections 1 - 4

Arizona Constitution, Art. XX, Paragraph 7

**AA-E ©****EXHIBIT****SCHOOL DISTRICT LEGAL STATUS****(Legal Description)****JOSEPH CITY UNIFIED SCHOOL DISTRICT NO. 2  
JOSEPH CITY, NAVAJO COUNTY, ARIZONA**

Beginning at the Northwest corner of Township 22 North, Range 19 East, Gila and Salt River Base and Meridian; thence running Easterly along the Township line to the Northeast corner of Section 3, Township 22 North, Range 20 East; thence South along the Section line to the middle of the Little Colorado River; thence Westerly along the middle of the Little Colorado River to the Northwest corner of Township 17 North, Range 20 East; thence South to the Southeast corner of Section 12, Township 16 North, Range 19 East; thence West along the section line to the Southwest corner of Section 7, Township 16 North, Range 19 East; thence North to the Southwest corner of Township 17 North, Range 19 East; thence West to the Southwest corner of Township 17 North, Range 18 East; thence North along the Range lines to the middle of the Little Colorado River; thence easterly along the Little Colorado River to a point on the West line of Section 16, Township 18 North, Range 18 East; thence North along said section line to the Northwest corner of Section 4, Township 20 North, Range 18 East; thence East along the Township line to the Northeast corner of Section 1, Township 20 North, Range 18 East; thence North along the Township line to the Northwest corner of Township 22 North, Range 19 East, the point of beginning.

**ABA ©**  
**COMMUNITY INVOLVEMENT**  
**IN EDUCATION**

The Board recognizes that the public has substantial resources of training and experience that could be useful to schools. The strength of the local District is in large measure determined by the manner and degree to which these resources are utilized in an advisory capacity and to the degree that these resources are involved in supporting the improvement of the local educational program.

The advice of the public will be given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects the students. The final decision may depart from this advice when in the judgment of the staff and the Board such advice is not consistent with goals adopted by the Board, consistent with current educational practice, or within the reach of the financial resources available.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[15-321](#)

[15-327](#)

CROSS REF.:

[IJ](#) - Instructional Resources and Materials

[KB](#) - Parental Involvement in Education

## **ABAA © PARENTAL INVOLVEMENT**

Based on the philosophy of the District, it is the intent of the Board that parental involvement in the District, at both the District and site levels, be defined in the broadest possible terms.

Further, it is the intent of the Board, under such a definition, that the Superintendent will, within the capabilities of the District staff and the financial limitations of the District, at both the District and school levels, incorporate to the maximum extent possible, a variety of activities, strategies, and mechanisms into the District and school structures that provide for the:

active involvement of,  
active support to,  
effective interaction with, and  
development of

parents as active partners in a student support team effort that will enhance the capacity of all students to reach their optimum potential.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-342](#)

CROSS REF.:

[IHBD](#) - Compensatory Education

[KB](#) - Parental Involvement in Education

**AC ©**  
**NONDISCRIMINATION / EQUAL OPPORTUNITY**

The Board is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, and disability. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

Adopted: date of Manual adoption

**LEGAL REF.:**

A.R.S.

[23-341](#)

[41-1463](#)

Arizona Constitution, Ordinance Art. XX, Par. Seventh

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act

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

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

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 *et seq.*, Americans with Disabilities Act

**CROSS REF.:**

[ACA](#) - Sexual Harassment

[ACAA](#) - Title IX Sexual Harassment

[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

## AC-R ©

### REGULATION

#### NONDISCRIMINATION / EQUAL OPPORTUNITY

##### Compliance Officer

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have 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<sup>31</sup> 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.

**AC-E ©**

EXHIBIT

**NONDISCRIMINATION / EQUAL OPPORTUNITY**

**COMPLAINT FORM**

*(To be filed with the compliance officer as provided in AC-R)*

**Please print:**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

\_\_\_\_\_

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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 unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
- B. Submission to or rejection of such conduct is used as a basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work 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.
- D. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee.
- E. Offering or granting favors or employment benefits, such as 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.

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

Adopted: September 8, 2020

## 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[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 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<sup>37</sup> 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.

**ACA-E ©**

EXHIBIT

**SEXUAL HARASSMENT**

**COMPLAINT FORM**

*(To be filed with the compliance officer as provided in ACA-R)*

**Please print:**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

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## 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 (1) 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: September 8, 2020

#### 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:***

Name/Title: Bryan Fields, Superintendent  
Address: PO Box 8 - 8176 Westover Ave.  
Joseph City, AZ. 86032  
E-mail: [bryanf@jcusd.org](mailto:bryanf@jcusd.org)  
Telephone: 928-288-3307

**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.

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 ~~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-maker(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.

**AD ©**  
**EDUCATIONAL PHILOSOPHY /**  
**SCHOOL DISTRICT MISSION**

The District was established by the state legislature, under the authority contained in the Arizona State Constitution, for the sole purpose of providing an education to the students of the District. While the establishment of the District also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the District's prime function of providing an education to students. The Governing Board of the District is selected by the citizens of the community to ensure that this responsibility is accomplished. However, the Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities. The Board considers the responsibilities of these elements of the school community to be as follows:

### **Staff**

The Board fulfills its responsibility for the education of students by employing first a competent Superintendent, on whose recommendation it also employs a competent staff. As a condition of this employment, the Board expects each staff member's best efforts to be exerted toward the accomplishment of the educational objectives of the District. Because education is imparted primarily by teachers, the Board specifically places responsibility for maintaining and expanding educational ability on each teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth.

### **Parents**

The Board recognizes that the ultimate responsibility for the well-being of all children rests with their parents. All parents are expected to cooperate in the District's educational effort by ensuring maximum attendance of their children, by requiring that their children cooperate in the educational endeavor of the District, and by fostering an attitude in their children that recognizes the importance of education.

### **Community**

The resources necessary to provide education for students are provided by members of the community through their taxes and other supporting services. The Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the District.

### **Students**

Education is an opportunity provided to the children of the District by their community. The Board expects that all students will learn to recognize the value of this opportunity, and will therefore work diligently to help ensure that their maximum potentials are realized. The Board further expects that all students will recognize that their fellow students have the right to be educated, and will avoid any action that may interfere with their ability to exercise that right.

The Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in our society. Students should be taught to understand the duties and privileges of responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community. The vast changes brought about by increasing technology, population, and urbanization must also be taught. The input and support of the citizens of the community, and especially the professional staff, are solicited

as the school community endeavors to develop the attitudes and abilities demanded in this age of rapid change.

In consideration of the accomplishment of these responsibilities by each sector of the school community listed above, the Governing Board, with the concurrence of each individual Board member, pledges its best efforts to ensure that the District is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the District.

Adopted: date of Manual adoption

LEGAL REF.:

Arizona State Constitution, Article XI, Section 1

## **ADAA SCHOOL DISTRICT PRIORITY GOALS AND OBJECTIVES**

The Board recognizes that education is a vital function of the state and community. The community should be encouraged to participate in the establishment and regular review of the educational goals for the District.

The Board shall establish educational goals for the District. Suggestions by the following will be considered:

- Representatives of the community
- Students
- District personnel
- Members of the Board

As a base for its educational program, the Board adopts the following educational goals for each pupil of the District:

- To learn and enjoy the process of learning and to acquire the skills necessary for a lifetime of learning and adaptation to change.
- To acquire basic skills in obtaining information, solving problems, thinking critically, and communicating effectively.
- To become an effective and responsible contributor to the decision-making processes of the social and political institutions of the community, state, and nation.
- To acquire the necessary skills to be employable and, also, to acquire knowledge necessary for further education.
- To acquire current technological skills that will allow them to become functional in a technocratic society.
- To acquire the capacities for a satisfying and responsible role as a family member.
- To acquire the knowledge, habits, and attitudes that promote personal and public health, both physical and mental.
- To acquire an understanding of ethical principles and values and the ability to apply them to the student's own life.
- To develop an understanding of the student's own worth, abilities, potentialities, and limitations.

Adopted: date of manual adoption

LEGAL REF.:

A.R.S.

[15-203](#)

[15-321](#)

[15-341](#)

## **AEAA COMMITMENT TO ACCOMPLISHMENT**

The Board is dedicated to providing clear policy statements and expectations as to goals, operation(s), and program(s). Further, the Board supports comprehensive long- and short-range planning and the appraisal of results. Within budgetary constraints the District will provide the staff, resources, and support necessary to achieve this commitment.

Adopted: date of Manual adoption

**GBEA ©**  
**STAFF ETHICS**

**(Statement of Ethics for School Employees)**

All employees of the District are expected to maintain high standards in their school relationships. These standards must be idealistic and at the same time practical, so that they can apply reasonably to all staff members. The employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards.

*The school employee:*

- A. Makes the well-being of students the fundamental value of all decision making and actions.
- B. Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
- C. Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
- D. Fulfills job responsibilities with honesty and integrity.
- E. Directs any criticism of other staff members or of any department of the school system toward improving the District. Such constructive criticism is to be made directly to the school administrator who has the responsibility for improving the situation.
- F. Supports the principle of due process and protects the civil and human rights of all individuals.
- G. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
- H. Implements the Governing Board's policies and administrative rules and regulations.
- I. Refrains from using school contacts and privileges to promote political or sectarian religious views or personal agenda of any kind.
- J. Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.
- K. Avoids using position for personal gain through political, social, religious, economic, or other influence.
- L. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- M. Stresses the proper use and protection of all school properties, equipment, and materials.

N. Honors all contracts until fulfillment or release.

In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

Adopted: September 10, 2019

LEGAL REF.:

A.A.C.

[R7-2-205](#)

## **8. INFORMATION ITEMS**

### **8.A. Review of Possible Policy Changes to be Considered for Adoption at a Future Meeting**

No policy changes will be adopted at this meeting. Policies affected:

IHAMB-EA and IHAMB-EB - Family Life Education

IJL-E - Library Materials Selection and Adoption

JFABDA and JFABDA-R - Admission of Students in Foster Care

JHD-EB - Exclusions and Exemptions from School Attendance

KB-EC - Parental Involvement in Education

# POLICY SERVICES

## ADVISORY

Volume 35, Number 1

January 2023

- Policy Advisory No. 739 ... (**NEW**) Exhibit — IHAMB-EA — Family Life Education  
(**NEW**) Exhibit — IHAMB-EB — Family Life Education
- Policy Advisory No. 740 ..... (**NEW**) Exhibit — IJL-E — Library Materials  
Selection and Adoption
- Policy Advisory No. 741 ..... Policy — JFABDA— Admission of  
Students in Foster Care  
Regulation — JFABDA — Admission of Students in Foster Care
- Policy Advisory No. 742 ..... Exhibit — JHD-EB — Exclusions and Exemptions  
from School Attendance
- Policy Advisory No. 743 ..... (**NEW**) Exhibit — KB-EC — Parental Involvement  
in Education

### Summary

Policy Advisory No. 741 updates JFABDA – Admission of Students in Foster Care – to align with Federal Non-Regulatory Guidance issued in 2016. The Policy is amended to conform with school district required actions in educating children in foster care as interpreted by the U.S. Dept. of Education and ADE. The policy advisories attached were created by ASBA policy services to assist districts in complying with Arizona legislation, to wit: HB2439, HB2495, and HB2161. Policy Advisory No. 742 updates JHD-EB to address requests for HIPAA protected information.

***Governing Boards may review and adopt policy advisory No. 741 consistent with the Policy Adoption process in Policy BGB—First Meeting – the proposal shall be presented for review; Second Meeting – the proposal shall be presented for discussion and action.*** Regulations and exhibits are optional; the Governing Board should be aware of these regulations and exhibits, but board action is not necessary to utilize them.

*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 Discussion

### **Policy Advisory No. 739      Exhibit IHAMB-EA — Family Life Education Exhibit IHAMB-EB — Family Life Education**

ASBA created exhibits subscribers may utilize to obtain mandatory parental consent if offering a sex education curriculum and/or referring students to sexually explicit materials. *The Policy was updated in August. The exhibits conform with the policy.*

### **Policy Advisory No. 740      Exhibit IJL-E — Library Materials Selection and Adoption**

ASBA created an exhibit subscribers may utilize to inform parents that new materials will be purchased for use in the library. The exhibit includes statutory required timelines. Finally, ASBA created a checklist to guide administrators in determining whether they are required to go through the public review period. *The Policy was updated in August. The exhibit conforms with the policy.*

### **Policy Advisory No. 741      Policy JFABDA — Admission of Students in Foster Care Regulation JFABDA— Admission of Students in Foster Care**

This policy and regulation were updated to conform with the law: that educating students in foster care is a collaboration between schools, child welfare agencies and ADE. Mandated collaboration includes assigning a district point of contact for children in foster care *and notifying ADE of the district's point of contact assignee.* Definitions of “children in foster care” “school of origin” and “best interest determination” were amended, or added, to reflect U.S. Department of Education Non-Regulatory Guidance regarding students in foster care.

### **Policy Advisory No. 742      Exhibit JHD-EB — Exclusions and Exemptions from School Attendance**

This exhibit is being updated to avoid the potential that a HIPAA violation may occur. A health care practitioner notified ASBA that the previous exhibit required health care practitioners to disclose protected information. The exhibit now indicates that the disclosure to a parent/guardian is a permitted disclosure under HIPAA because it is being requested by the protected party.

### **Policy Advisory No. 743      Exhibit KB-EC — Parental Involvement in Education**

State law requires schools to provide parents a way to request information that pertains to the parental involvement procedures required by A.R.S. §15-102, implemented in Policy KB. This exhibit enables parents to request the relevant KB related information and provides the school administration a mechanism to process and track requests for this information. *The Policy was updated in August. The exhibit conforms with the policy.*

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

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Nick Buzan, Director of Legal and Policy Services; Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Services Technician/Editor/Publisher. Our e-mail addresses are, respectively, [nbuzan@azsba.org], [cpatterson@azsba.org], [lbondi@azsba.org], and [rwatson@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.**

**IHAMB-EA ©**

EXHIBIT

**FAMILY LIFE EDUCATION**

**PARENTAL CONSENT FORM FOR  
SEX EDUCATION CURRICULA**

Student Name \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

My signature below indicates that I give permission for my child to participate in the Sex Education curricula program approved by our District in conformity with the requirements of Arizona law. I acknowledge that the materials can be found online as required by Arizona law.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

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

**IHAMB-EB ©**

EXHIBIT

**FAMILY LIFE EDUCATION  
PARENTAL CONSENT FORM FOR  
INSTRUCTIONAL MATERIALS**

Student Name \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

The following materials have been determined by the District to possess serious educational value for minors or possess serious literary, artistic, political or scientific value but may contain some material deemed sexually explicit material under A.R.S. §15-120.03(C):

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My signature below indicates that I am aware of and consent to the instructional use of the materials listed above.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

If you have concerns regarding any of the materials listed above, please indicate which item(s) you would prefer an alternative assignment be provided for your student.

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

IJL-E ©

EXHIBIT

LIBRARY MATERIALS  
SELECTION AND ADOPTION

NOTIFICATION LETTER TO PARENTS FOR PUBLIC  
REVIEW PERIOD OF PURCHASED LIBRARY BOOKS/MATERIALS

Dear Parents:

This letter is to inform you that we will be purchasing new books/materials for our library on \_\_\_\_\_. State law requires schools to post a list of all library books and materials purchased after January 1, 2023, on the district’s website and the school’s website for at least sixty (60) days after the purchase of the items (this does not include replacement books/materials). In addition, state law mandates that schools notify parents of the opening and closing public review period within seven (7) school days prior to the opening date. Therefore, this notice dated \_\_\_\_\_ provides the opening date of the public review period for newly purchased library books/materials as \_\_\_\_\_ and the closing date as \_\_\_\_\_. (A.R.S.§§ [15-721/15-722](#)).

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**For school administration only below this line**

**Checklist for Schools:**

1. Does our school have a full-time library media specialist or an equivalent position? \_\_\_\_\_

If **no**, this **requirement does not apply**. If **yes**, move to question 3.

2. Does our school have an agreement with a county free library district, municipal library, nonprofit or public library, tribal library, private or tribal schools in the county where the school district is located?

If **yes**, this **requirement does not apply**; if no, the requirement applies (if the school is not exempted by question 1) and move to question 3. \_\_\_\_\_

3. Did we send out a notification to all parents regarding the opening and closing dates of the public review period within seven (7) school days prior to posting the newly purchased library materials on our website (this list must also be posted on the district’s website)? Reminder, these newly purchased library materials must remain on the website for at least sixty (60) days post-purchase. \_\_\_\_\_

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

How did we send the notification? Notification sent to parents via \_\_\_\_\_ on \_\_\_\_\_ (seven [7] school days prior to opening public review period date).

4. Does this purchase replace old or damaged item(s)? \_\_\_\_\_

If **yes**, this requirement does not apply.

If no, include item(s) on website for at least 60 days using the process above.

**JFABDA ©**

**ADMISSION OF STUDENTS  
IN FOSTER CARE**

This policy is intended to direct compliance with Arizona State Laws, Arizona Administrative Code, and the Every Student Succeeds Act (ESSA) Foster Care provisions.

**Purpose Statement**

The implementation of this policy shall assure that:

~~A. Children in foster care are not stigmatized or segregated on the basis of their status as foster children;~~

A. B. Children in foster care remain are immediately enrolled in their school of origin for the duration of their time in care, unless a determination is made that it is not in such child's best interest to ~~attend~~ remain in their school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement, among other factors listed in law (see list in JFABD-R);

~~B.C. When~~ If a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment; however, the student may be required to provide their Notice to Providers document;

~~C.D.~~ The enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records;

~~D. E.~~ In collaboration with the State or local Child Welfare Agency, transportation is provided to and from the school of origin or school of placement for the foster child as applicable and found in the law and Policy JFAA; and

~~E. F.~~ The District will work with the Department of Child Safety (or tribal agency) to ensure that the provisions of ESSA relating to foster children are implemented, including assigning a District employee to serve as a Point of Contact (POC) to work in collaboration with the applicable child welfare agency and notify the Arizona Department of Education of the assigned POC.

## Definitions

The term "children in foster care" means children who are under twenty-four (24) hour substitute care while placed away from their parents or guardians and for whom the Child Welfare Agency (Department of Child Safety [DCS] or tribal) has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed, and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made. (45 C.F.R. § 1355.20(a)) In Arizona, if DCS has received placement care and responsibility, then the child is in "foster care" even if the parent or guardian is permitted to live in the home of placement, such as a kinship home.

The term "school of origin" means the school in which a child is enrolled at the time of placement in foster care, including preschool. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change. the school that the student attended when permanently housed or the school in which the student was last enrolled, including preschool.

## ~~Liaison or~~ Point of Contact (POC) for Children in Foster Care - Responsibilities

The Superintendent will designate an appropriate staff person of authority as ~~Liaison or~~ Point of Contact (POC) for children in foster care who will carry out duties as assigned and notify ADE's Statewide Foster Care Education Coordinator of the designated POC. Among those duties will be the responsibility to coordinate activities and programs to work in collaboration with the respective child welfare agency (either DCS or tribal), in the best interest of foster children that will include, but not be limited to, establishment of procedures to:

- A. Continue the student's education in the school of origin or placement;
- B. Collaborate with the Child Welfare Agency to implement the educational stability plan to maintain school stability;
- C. Ensure the best interest is determined regarding school enrollment selection;
- D. Ensure necessary transportation is provided, funded, and arranged in collaboration with the Child Welfare Agency;
- E. Ensure immediate enrollment and transfer of records occurs when the student moves schools; and

F. Ensure school staff are trained on the provisions and educational needs of children in foster care.

### **Other Relevant Policies and Procedures**

Implementation of the Every Student Succeeds Act (ESSA) Foster Care provisions requires the coordination with a number of policies and procedures. These policies and procedures are listed below as cross references and are incorporated in this policy and these procedures by such reference.

Enrollment preference may be given to children who are in foster care.

Adopted: \_\_\_\_\_

#### **LEGAL REF.:**

A.R.S.

15-816 through 15-816.07

15-821

15-823 through 15-825

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015  
(Foster Care Provisions)

#### **CROSS REF.:**

EEAA - Walkers and Riders

IKEB - Acceleration

JF - Student Admissions

JFAA - Admission of Resident Students

JFAB - Admission of Nonresident Students

JFABD - Admission of Homeless Students

JFB - Open Enrollment

JG - Assignment of Students to Classes and Grade Levels

JLCB - Immunizations of Students

JLH - Missing Students

JR - Student Records

JRCA - Request for Transfer of Records

**JFABDA-R ©**

REGULATION

**ADMISSION OF STUDENTS  
IN FOSTER CARE**

**Admission**

The school selected by the child in foster care shall immediately admit the child, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation; but the school may require the student to provide their Notice to Provider's document.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the Child Welfare Agency Point of Contact to the District ~~Liaison~~/Point of Contact (POC) for children in foster care, who shall assist in obtaining necessary immunizations, or immunization or medical records.

**Admission Disputes**

If a dispute arises over school selection or enrollment in a school:

A. The student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

B. the Child Welfare Agency Point of Contact shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of appeal;

C. the Child Welfare Agency Point of Contact and student shall be referred to the school's Point of Contact ~~liaison for children in foster care~~, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.

**Enrollment Decision**

The decision regarding enrollment shall be made regardless of whether the student lives with the foster parents or has been temporarily placed elsewhere.

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

**Best Interest Determination –  
Children in Custody of DCS**

School District POCs should seek a Best Interest Determination (“BID”) form from DCS. The BID process includes the following:

To determine whether the student should remain in their school of origin and in collaboration with the appropriate child welfare agency, the School District must take into consideration all factors relating to a child’s best interest.

These factors include the appropriateness of the current educational setting and proximity of placement.

The SEA, District and child welfare agencies have flexibility in determining which factors should be considered as part of evaluating the appropriateness of the current educational setting, as well as any additional factors that pertain to a child’s best interest.

Though the specific factors may vary depending on context, in order to make a holistic and well-informed determination, a variety of student-centered factors should be considered.

These factors may include:

- A. Preferences of the child;
- B. Preferences of the child’s parent(s) or education decision maker(s);
- C. The child’s attachment to the school, including meaningful relationships with staff and peers;
- D. Placement of the child’s sibling(s);
- E. Influence of the school climate on the child, including safety;
- F. The availability and quality of the services in the school to meet the child’s educational and socioemotional needs;
- G. History of school transfers and how they have impacted the child;
- H. How the length of the commute would impact the child, based on the child’s developmental stage;
- I. Whether the child is a student with a disability under the Individuals with Disabilities Education Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

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J. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act (EEOA).

Transportation costs should not be considered when determining a child's best interest, which is consistent with the program instruction released by the U.S. Department of Health & Human Services (HHS) subsequent to the passage of the Fostering Connections Act.

**Best Interest Determination – Children  
in Custody of Tribal Social Services**

The Arizona Department of Education, Office of Indian Education, has issued guidance on best interest determinations for children in the custody of Tribal Social Services. The BID form provided by DCS may differ with tribal agencies. School District Points of Contact are urged to determine best interests for students in collaboration with tribal agencies. See link for guidance; <https://docs.google.com/document/d/1l62BqAF5LhAm8RJ61uoTvqkzCD7bSVaBOxIaBXyjI4/edit?usp=sharing>.

**JHD-EB ©**

**EXHIBIT**

**EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE**

**CERTIFICATION OF STUDENTS WITH  
CHRONIC HEALTH CONDITIONS**

**(Obtained from a certified health professional or nurse practitioner)**

**Acknowledgment of Disclosure of HIPAA protected information:**  
The student, through their parent/guardian, is hereby requesting the below information for the benefit of the student’s education. Disclosure is permitted by 45 C.F.R. §164.502(a).

\_\_\_\_\_  
Type or print Parent/Guardian Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Student's name

\_\_\_\_\_  
Parent's name

\_\_\_\_\_  
Address

\_\_\_\_\_  
District

\_\_\_\_\_  
School

\_\_\_\_\_  
Grade level

\_\_\_\_\_  
Date of birth

\_\_\_\_\_  
Phone number

\_\_\_\_\_  
Date of initial consultation

Certified health professional or nurse practitioner diagnosis:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Certified health professional or nurse practitioner prognosis:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Physical limitations affecting physical education activities:

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Anticipated absences due solely to illness, disease, pregnancy complications, an accident or severe health problems of an infant child of a student (include anticipated surgeries, treatments, or hospitalizations that may interfere with school attendance during the \_\_\_\_\_ year):

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Example 1: \_\_\_\_\_'s physical condition may result in frequent absences in the school year that may exceed ten (10) consecutive school days per semester, but I do not anticipate that \_\_\_\_\_ will be absent enough days to require homebound services.

Example 2: \_\_\_\_\_ will require three (3) hospitalizations of approximately four (4) days duration each and three to five (3 - 5) treatments of one (1) day each during the school year.

Other relevant information:

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\_\_\_\_\_  
Type or print Certified health professional or nurse practitioner name and licensed title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certified health professional or nurse practitioner signature and title

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

**KB-EC ©**

**EXHIBIT**

**PARENTAL INVOLVEMENT  
IN EDUCATION**

**REQUEST FOR INFORMATION PURSUANT TO A.R.S. §15-102(D)**

Parent Name \_\_\_\_\_

Student Name \_\_\_\_\_

**Parent Contact Information**

Address \_\_\_\_\_  
\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip)

Phone: \_\_\_\_\_ Home Work or Cell \_\_\_\_\_

E-mail address \_\_\_\_\_

Date of Request \_\_\_\_\_

Request given to: (circle one) Principal/Superintendent

**Note:** requests must be submitted in written form to the school principal or Superintendent during business hours. Schools will respond according to the timeline listed below.

*Information Requested* (please be as specific as possible):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Printed Name) (Signature) (Date)

Pursuant to A.R.S. § 15-102, a parent shall submit a written request for information during regular business hours to either the school principal at the school site or the Superintendent of the School District at the office of the School District. Within ten (10) days after receiving the request for information, the school principal or the Superintendent of the School District shall either deliver the requested information to the parent or submit to the parent a written explanation of the reasons for denying the requested information. If the request for information is denied or the parent does not receive the requested information within fifteen (15) days after submitting the request for information, the parent may request the information in writing from the School District Governing Board, which shall formally consider the request at the next scheduled public meeting of the Governing Board if the request can be properly noticed on the agenda. If the request cannot be properly noticed on the agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

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

**8.B. 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.

**8.C. Upcoming Meetings and Events Calendar**

- Next Regular Board Meeting - February 14, 2023; 6:00 p.m. (pending outcome of Agenda Item 2.G.)

**9. ADJOURNMENT**