



**Grand Canyon Unified School District #4
Wednesday, October 20, 2021
6:00 p.m.**

Regular Meeting

Meeting Notes

Minutes are recorded as annotations of the agenda, as indicated in gray background and left paragraph bars (bars have been added because the gray background may not copy).

The 400 Building, including the Governing Board Room (#405), will be closed due to construction, and all Board meetings will be held on Zoom until further notice.

Pursuant to A.R.S. 38431.02, notice is hereby given to the public that the Governing Board of the Grand Canyon Unified School District #4 will convene for a Regular Meeting at 6:00 p.m. on Wednesday, October 20, 2021. For members of the public wishing to join the meeting, Zoom connection information follows.

Please click the link below to join the meeting:

<https://us06web.zoom.us/j/87933685520>

Or One tap mobile :

US: +13462487799,,87933685520# or +17207072699,,87933685520#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 720 707 2699 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592

Webinar ID: 879 3368 5520

International numbers available: <https://us06web.zoom.us/j/87933685520>

The Governing Board reserves the right to move into Executive Session for discussion and consideration of employment, assignment, promotion, demotion, salaries, etc., and/or legal advice with its attorneys for any item listed on the agenda, in person or telephonically, pursuant to A. R.S. 38431.03(A) (1) or (A) (3).

AGENDA

1. OPENING ITEMS

A. CALL TO ORDER

Motion by: Ms. Kathryn Morris
 At: 6:05 PM
 Motion: Call to Order
 Second: Mr. Donny Cone
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

B. ROLL CALL

Board Members

- Ms. Kathryn Morris (Board President)
- Mr. Kevin Hartigan
- Ms. SuZan Pearce was not available, noted in roll call votes as “NA”
- Mr. Donny Cone
- Mr. Daniel Hendrix

District staff members present:

- Tosca Henry, JD, Legal Counsel
- Shonny Bria, Ph. D., Superintendent
- Mr. Matt Yost, Principal
- Mr. Thomas O’Connor, Program Director
- Ms. Brenda Thomas-Martinez, Business Manager
- Ms. Barb Shields, Food Services Director
- Derrick Tutt, IT Director
- Ms. Lori Rommel, Dean of Students

Public Members Presenting:

- Ms. Charlie Gail Hendrix, Tusayan Town Manager

C. APPROVAL OF THE AGENDA

Motion by:	Ms. Kathryn Morris
At:	6:06 PM
Motion:	Approval of the agenda as presented.
Second:	Mr. Daniel Hendrix
Vote Tally	
<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

2. EXECUTIVE SESSION

- A. Executive session pursuant to ARS 38-431.03(A)(3) for consultation with the attorney(s) for the District for legal advice and/or discussion or consultation in order to consider its position and instruct its attorney(s) regarding pending employment litigation.

Motion by:	Ms. Kathryn Morris
At:	6:07 PM
Motion:	Enter into Executive Session pursuant to ARS 38-431.03(A)(3) for consultation with the attorney(s) for the District regarding pending employment litigation.
Second:	Mr. Donny Cone
Vote Tally	
<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

- B. Reconvene to Regular Session

Motion by:	Ms. Kathryn Morris
At:	6:45 PM
Motion:	Reconvene to Regular Session

Second: Mr. Donny Cone
Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

3. COMMUNICATIONS

A. CALL TO THE COMMUNITY

We value input from our community. Members of the public may speak to the Board regarding items that are not on this Agenda. To do so, a Public Participation at Board Meetings form must be completed and emailed to Board Secretary, Susan Kerley at skerley@grandcanyonschool.org before 4:00 p.m..Wednesday, October 20, 2021. The form may be found on the School's website at www.grandcanyonschool.org,>Governing Board>Public Participation Form.

When you join the meeting by phone or computer, notify the host that you have submitted a form and wish to speak during the Call to the Community. When the President of the Board calls upon you, please limit your comments to three minutes.

Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A. R.S. 38-431.01 (H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Please remember, this is not an appropriate place to evaluate, discuss, or criticize District personnel.

One community member, Ms. Monica Nanacasia had registered to speak, however she was not online after the Board resumed regular session.

4. PRESENTATIONS/CORRESPONDENCE/DISCUSSION

A. Tusayan Sports Complex Update – Mayor Clarinda Vail and Town Manager Charlie Hendrix

The following is a description of the dialogue in this section. It is not, and should not be inferred to be a direct transcription of what was said by participants. It is included to describe the general content and nature of the dialogue on this topic.

Ms. Charlie Gail Hendrix:

- Ms. Hendrix presented an image of the Tusayan property outdoor classroom project from the presentation from August 19, 2020 when the School Board approved the project.
- Ms. Hendrix noted items which would be phased in later, specifically pointing out the rock roof support facades, the AV storage areas, and the border sitting walls.
- Ms. Hendrix then showed an image from the Exerplay catalog, indicating what the first phase would be similar to, noting that the color and size would be different, but otherwise look like.
- She emphasized that the structure will meet the American Disabilities Act (ADA) requirements.

Dr. Shonny Bria:

- Dr. Bria asked if the shelter would meet SCHOOL ADA compliance requirements, noting that school ADA requirements are not the same as ADA requirements for general public construction.

Ms. Hendrix:

- Ms. Hendrix referenced a planner for the project, Denise (no last name given), noting that she has worked on several schools and is well versed with ADA requirements.
- She also noted that it is the Town’s intention to build a ramada, with capability to be used as a school structure, not an outdoor classroom.

Dr. Bria:

- Dr. Bria re-emphasized the need for “School ADA” compliance not public park ADA compliance.

Board President Kathryn Morris noted that this topic would be discussed further in sections 10 and 12 of the agenda.

B. Proposition 301 – Mr. Matt Yost, Principal, and Ms. Lori Rommel, Dean of Students

Mr. Yost briefly described changes to the Classroom Site Fund this year (Proposition 301). Key changes include:

Districts will be required to budget for and report all Classroom Site Fund transactions in a single fund, Fund 010.

Changes now allow payouts to additional staff, for example Librarians and Counselors.

The changes also now allow funds to include all previous allowable uses and adds student support services:

- Class size reduction.
- Teacher compensation including a base pay and performance pay component.
- Assessment intervention programs.
- Teacher development.
- Dropout-prevention programs.
- Teacher liability insurance premiums.

5. ADMINISTRATOR REPORTS

A. Principal's Report – Ms. Lori Rommel, Dean of Students

In addition to the written report, Ms. Rommel praised Ms. Alejandra Flores for arranging Kindergarten and First Grade hearing tests, dental screening for Pre-K and Kindergarten.

B. IT Report - Mr. Derrick Tutt

C. Food Services Report - Ms. Barb Shields

D. COVID-19 Report – Mr. Thomas O'Connor

There were no Board questions on the above reports.

6. CONSENT AGENDA

A. Approval of Governing Board Meeting Minutes:(BEDG, BEDG-R) September 15, 2021 – Regular Meeting October 5, 2021 – Special Meeting October 13, 2021 – Special Meeting

B. Approval of Payroll Vouchers:

..... FY 21-22	#6	\$135,019.74
..... FY 21-22	#7	\$147,774.53

C. Approval of Expense Vouchers:

..... FY 21-22	#5011	\$ 62,730.02
..... FY 21-22	#5012	\$ 39,772.67
..... FY 21-22	#5013	\$ 30,042.45
..... FY 21-22	#5014	\$ 14,860.74

D. Approval of Fiduciary Disbursements:

Student Activity — September 2021

Revolving —September 2021

Auxiliary - September 2021

Food Services —September 2021

E. Human Resources:

1. Approval of hiring SPED Aide: Ms. Julaine Cornforth
2. Acceptance of resignation: Ms. Crystal Kelso, SPED Aide and Maintenance Worker, Effective November 4, 2021
(Initially, Ms. Kelso's effective date was October 7, 2021. Since our Maintenance Department needs help in cleaning and sanitizing all buildings, Ms. Kelso has agreed to continue working part-time until November 4, 2021.)

Motion by: Ms. Kathryn Morris
 At: 7:07 PM
 Motion: Approval of the Consent Agenda as presented
 Second: Mr. Donny Cone
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

7. OLD BUSINESS - NONE

8. NEW BUSINESS

A. Approval to invoke Policy BGF for one reading of Policy JJE

Dr. Bria explained that the normal process for approving policies is to present them in two readings. The policy change is presented to the Board for first reading, then on the next regular meeting of the Board, the policy is presented for a second reading and approval. Policy BGF allows a Board to move to direct approval of a policy change in one reading.

In this case, policy JJE is modified by state statute, so there really is no option to not approve, and so Dr. Bria is recommending the Board invoke Policy BGF to approve Policy JJE in one reading.

Motion by: Ms. Kathryn Morris
 At: 7:09 PM
 Motion: Approval to invoke Policy BGF for one reading of Policy JJE
 Second: Mr. Donny Cone
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

B. Adoption of Policy JJE in one reading – Student Fund-Raising Activities

Dr. Bria explained Policy JJE is mandated by the Legislature and that it requires Board approval of all student fund raising events.

This results in some logistics problems for us, as often when another group had been scheduled to fund raise at the local General Market, but cancels, our students will be invited to use the slot. This can result in the need for an approval within the 24 hour posting time for Board meetings.

Dr. Bria’s recommendation is that the Board give blanket approval for specific types of fundraising, and the fundraising activity will appear on the regular Board consent agenda.

Motion by: Ms. Kathryn Morris
 At: 7:14 PM
 Motion: Adoption of Policy JJE as presented.
 Second: Mr. Kevin Hartigan
 Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

C. Ratification of approval of fundraiser (bake sale) held by the Class of 2023 on October 3, 2021, at Grand Canyon Village Market & Deli

Motion by: Ms. Kathryn Morris
 At: 7:19 PM
 Motion: Approval October 3, 2021 fund raising by the Class of 2023.
 Second: Mr. Donny Cone

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

9. CONSIDERATION OF ITEMS FOR FUTURE REGULAR BOARD MEETINGS

- October 30, 2021- Board Retreat
 - TIME: Noon until 4:00 p.m.
 - LOCATION: Room #405 – Board Room
 - AGENDA:
 - Strategic Plan
 - Reorganization of Business Office
 - Superintendent Search

The Board agreed to move Board Retreat meeting time to be 10:00 AM to 2:00 PM to accommodate schedules.

- November 17, 2021
 - Presentation and Approval of 301 Plan

10. EXECUTIVE SESSION

- A. Executive session pursuant to ARS 38-431.03(A)(3) and/or (A)(4) for consultation with the attorney for the District for legal advice and/or discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation regarding the IGA with the Town of Tusayan for improvements to District land.

Motion by:	Ms. Kathryn Morris
At:	7:28 PM
Motion:	Enter into Executive Session pursuant to ARS 38-431.03(A)(3) and/or (A)(4) for consultation with the attorney regarding the IGA with the Town of Tusayan for improvements to District land
Second:	Mr. Kevin Hartigan

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

11. RECONVENE TO REGULAR SESSION

Motion by: Ms. Kathryn Morris
 At: 8:54 PM
 Motion: Reconvene to Regular Session
 Second: Mr. Daniel Hendrix

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	
Kathryn Morris	
SuZan Pearce	
Donny Cone	
Daniel Hendrix	

Motion passes

12. Board may take action on items discussed in Executive Session (10.A.)

The Board discussed the changes the Town of Tusayan has proposed for the School owned Tusayan Property.

The following is a description of the dialog in this section. It is not, and should not be inferred to be a direct transcription of what was said by participants. It is included to describe the general content and nature of the dialog on this topic.

Board President, Ms. Kathryn Morris:

- The Town believes that they do not need School Board approval to proceed based on the 30% change in cost criteria of the Intergovernmental Agreement (IGA).
- The School Board believes that the proposed plan, as presented to the School Board, represents greater than a 30% change as compared to the proposal approved by the School Board in August of last year (2020).

- The original proposal as authorized by the School Board had an approved budget of \$565K. The presentation to the Board on May 21, 2021 showed a cost increase of the original design of \$1.2 million dollars, which is above the 30% criteria for School Board approval in the IGA.
- I would like to open the floor to the School Board members for discussion on this topic.

Mr. Kevin Hartigan:

- Mr. Hartigan said he was not comfortable continuing as presented.
- It is not appropriate for the Town to present one build-out, then introduce substantial changes with only verbal assurances, but nothing in writing that the project would be completed as originally proposed.
- We need, in writing, assurance from the National Forest Service that construction of the modified project as proposed by the Town would not trigger the revisionary clause.¹

Mr. Daniel Hendrix:

- Having this structure would be good for children and families
- The Town deserves the benefit of the doubt
- The project was approved by the School Board at a certain cost, and the Town has worked within the contract and budgeting to move the project forward.
- The things which are being taken out don't trigger the reversion clause, and we get a structure meeting our needs, meeting the goal of providing for the community and children.
- If we need to approve the change, we should be working with the Town.
- If there are things we want, get assurances and move forward.

Mr. Hartigan:

- The Town doesn't want our approval.
- These changes without our approval violate the IGA.
- The only way to iron this out is to trigger the arbitration clause of the IGA.
- What gets built will outlast all of us.

Mr. Donny Cone:

- Mr. Cone shared Mr. Hartigan's concerns about the Town moving forward without School Board approval.
- We need further discussion on what assurances are needed.

Ms. Morris:

- Ms. Morris said her thinking was in line with Mr. Hartigan's.
- The IGA gave a great deal of authority to the Town, but as School Board members, we need to keep the interests of the school and the school's goals a priority.
- It would be great to have the structure, but we still need to keep the interests of the school primary.
- The struggle is that we wish the Town had come to us with cost and worked with us.

¹ Section 2(e) of the Education Land Grant Act of 2000 states: Revisionary Interest: "If, at any time after lands are conveyed pursuant to this section, the entity to whom the lands were conveyed attempts to transfer title to or control over the land to another or if the lands are devoted to a use other than that the use for which the lands are conveyed, title to the lands shall revert to the United States." A similar clause is included in the quitclaim deed conferring the property to the GSUSD on April 8, 2008.

- The Town is using the IGA to take control of the property away from the District.
- We need to move forward.

Mr. Hartigan:

- We need to ask the Town to give us assurances of when the project will be fully built out, or trigger the arbitration clause.

Motion by: Ms. Kathryn Morris
 At: 09:12 PM
 Motion: Move into arbitration.

Second: Mr. Kevin Hartigan

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	No

Motion passes on a three/one vote

13. ADJOURNMENT

Motion by: Ms. Kathryn Morris
 At: 09:15 PM
 Motion: Adjourn
 Second: Mr. Kevin Hartigan

Vote Tally

<u>Board Member</u>	<u>Vote</u>
Kevin Hartigan	Yes
Kathryn Morris	Yes
SuZan Pearce	NA
Donny Cone	Yes
Daniel Hendrix	Yes

Motion passes

Respectfully Submitted By, _____
Board Secretary

Date _____

Kathryn Morris
Board President

Daniel Hendrix
Board Member

Suzan Pearce
Vice President/Board Clerk

Kevin Hartigan
Board Member

Donny Cone
Board Member