



**LIBERTY SCHOOL DISTRICT No. 25**  
**Governing Board Minutes**

**TIME:** February 11, 2019 – 6:30 PM  
**PLACE:** Jerry Rovey District Facility, 19871 West Fremont Road, Buckeye, AZ 85326

**I. OPENING MEETING**

1. Mr. Paul Jensen, Governing Board President, called the meeting to order at 6:30 p.m. Governing Board members constituting a quorum were present: Mr. Mark Aguire, Mrs. Yolanda Lopez-Bearden, Mrs. Kathy McNamara, and Mr. Jeffrey Turbitt.
2. Pledge of Allegiance was led by Mrs. McNamara.
3. A motion by Mrs. McNamara, a second by Mrs. Lopez-Bearden was entered to approve the Regular Agenda form and temporarily suspend Governing Board Policy with which this agenda may be inconsistent. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
4. School Presentation / Recognitions
  - School Presentation - Las Brisas Academy  
Mr. Dickey shared information about Las Brisas Academy’s Studio Centre which offers Fine Arts Classes for kindergarten through grade 8. Some of the offerings included dance, visual arts, music, young authors, coding, and the addition of sewing. He introduced Mrs. Jessica Lewis who teaches the sewing class along with two students, Addison K. and Brianna C. Mrs. Lewis gave details about what students were learning in her class. Addison and Brianna spoke of how sewing had helped them and how they felt it could help them in the future. Both students showed their pillowcases they had sewn in the class. Mr. Dickey further shared the needs and rationale regarding ELA and Math goals, strategies and monitoring, and non-academic goals. Mr. Dickey concluded his presentation with celebrations and recognitions which included celebrating 37 students registering for kindergarten for the 2019-20 school year during their Kindergarten Round-up on Tuesday, February, 5<sup>th</sup>. He also shared about the Fast Tickets Program and was excited to report that students as a whole recently earned up-to-date 2,000 fast tickets. To celebrate student good choices, Las Brisas held celebratory assemblies where students competed against the teachers.

**II. CALL TO THE PUBLIC - None**

**III. ADMINISTRATIVE REPORTS**

1. Quarterly Financial Report for Quarter Ended December 31, 2018 - Mrs. Baysinger  
Mrs. Baysinger presented the Quarterly Financial Report for quarter ending on December 31, 2018. Stating the report information is verified with the County Treasurer balances and includes fiscal activity for all funds for each period. The information for the report was compiled from information detailed on payroll vouchers and accounts payable vouchers, along with revenues received through the County Treasurer’s office during the period of October 1, 2018 through December 31, 2018.
2. Attendance/Enrollment Report - Dr. Shough  
Dr. Shough shared Student Attendance and Enrollment reports.

**IV. CONSENT AGENDA**

A motion by Mr. Turbitt, a second by Mr. Aguire was entered to approve the February 11, 2019 Consent Agenda as presented. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted ‘aye’, and the motion carried.

1. Approval of Minutes of the January 14, 2019 Regular Board Meeting, the January 28, 2019 Work Study Session, and the January 28, 2019 Special Board Meeting
2. Approval/Ratification of Payroll Vouchers 118, 119, 120, 1018, 1019 and 1020 in the amount of \$1,474,868.64
3. Approval/Ratification of Expense Vouchers 1925, 1926, 1927, 1928 and 1929 in the amount of \$ 590,212.74
4. Approval of Student Activity Fund for the month of December, 2018

5. Approval of Gifts & Donations for January, 2019
6. Approval of Personnel Action Items

V.

**GENERAL BUSINESS**

Mr. Jensen moved to Agenda V.2 as they waited for the Attorney to arrive to address Agenda V.1.

2. Discussion/Consideration to Approve Language for Continuing Teacher Contracts

Mr. Nuttall presented information about revision to the teacher contracts that would span through several agenda items. Changes included formatting and condition of employment were more clearly outlined, one in particular was the addition of liquidated damages in the event a teacher resigns and fails to fulfill the contract and addition to circumstances that the Governing Board or Superintendent declare it necessary to delay the opening or require the closing of schools. Mr. Turbitt questioned what the delay of the opening or closing of schools meant. Mr. Nuttall gave an example such as in "Red for Ed" school had to be closed, this statement would make a teacher aware that the contract is for so many days and the contract shall be extended so as to maintain schools open for the number of days required the employment contract. Mrs. McNamara asked about recommended amounts regarding the liquidated damages. Mr. Nuttall explained the phased amounts based on the teacher's resignation. Dr. Shough also provided examples from other districts. Mr. Turbitt asked if there were guidelines in place for waiving liquidated damages. Mr. Nuttall stated there could be many reasons and because he situation would be unique, it would be difficult to pinpoint stating this. Mr. Turbitt stated he felt work needed to be done on guidelines. Dr. Shough stated that guideline work could be placed in a future agenda. Mr. Aguire asked about the addition of the language regarding the closing of schools and fulfillment of days. Mr. Aguire asked if this language was not previously in the contract, how was it handled last year. Dr. Shough explained that last year's school closure and requirement for teachers to work make-up days matched the contract language proposed. It was handled in exactly the same way. Mr. Aguire felt this language was punishing teachers for participating in the "Red for Ed". Mrs. McNamara shared she did not see this as a punishment rather making it more clear that it was the district's obligation to meet the number of school days required and number of days a teacher required to work. Dr. Shough stated the contract is clear on the number of days a teacher will work. Mrs. Lopez-Bearden asked if the discussion was instructional minutes and number of days. Dr. Shough clarified that the contract is for number of days a teacher is required to work. Mr. Jensen stated the intent is not to change anything rather place the language in the contract so it is more clear. Mr. Turbitt asked how long it would take to get some guidelines in place. Dr. Shough responded that an agenda item could be placed in a future meeting allowing the Board to have more discussion as to what the Board would like to see. Mr. Aguire asked if this was putting the cart before the horse being that there is no language in place for guidelines. Mr. Nuttall stated the language incorporates the concept of liquidated damages. Further stating the language in the contract is providing the employee notice that there may be liquidated damages if they do not fulfill their contract. There are still safeguards in place for the Governing Board for utilizing discretion and putting the guidelines in place. Mr. Jensen stated that contracts do not become effective until July 1 but wanted to get them offered right now. Mrs. McNamara reiterated that the language was there, and the Board still has discretion regarding the handling of liquidated damages. She further stated that the contract is the language, but there is still time to put in place the tool that will guide them in making those decisions. A motion by Mrs. Lopez-Bearden, a second by Mrs. McNamara was entered to approve the Contract Language for Continuing Teachers. Upon call to vote, Mrs. McNamara and Mr. Jensen voted "aye"; Mr. Aguire, Mrs. Lopez-Bearden, Mr. Turbitt voted "nay". Dr. Shough asked if there was an opportunity to amend the motion to revise some of the pieces of the contract such as the liquidated damages which can be removed, revised or leave in asking what can be done to move the contracts forward. Mr. Jensen asked the Board what they would like in order for them to feel comfortable moving this item forward. Mr. Aguire requested additional time to review and see what other districts are doing. Mr. Jensen asked Mr. Turbitt if there was any language he would be comfortable changing. Mr. Turbitt stated he wished they had had the opportunity to talk about it earlier and had guidelines in place. Dr. Shough recommended the removal of the liquidated damages section of the contract. She also suggested that staff could gather more information for a later meeting to allow the Board to consider liquidated damage contract language next year. Mr. Jensen stated he felt the district may lose money and teachers if the contracts did not go out. Mr. Turbitt responded he was okay with removing that language. Mrs. McNamara shared she struggled with removing the language because she felt the damages clause was necessary and would get Liberty in line with the other school districts as well as contract law. She felt that it was irresponsible on the Board's part that they did not have that in place because of the business side of running the district. Mr. Aguire stated that no one is disagreeing with the liquidated damages language, but the apprehension is related to the lack of guidelines. Mrs. McNamara responded that the guidelines are how the language is applied. The language allows latitude for the Governing Board to make the

decision. Mrs. McNamara further commented that the guidelines are something that the Board will have to work on, not what Mr. Nuttall will present. She further stated she agreed with Mr. Jensen and felt with respect to the teachers the contracts needed to get out.

Mr. Jensen requested the Governing Board take a break from this agenda item, move to Agenda V.1 Call to Executive Session then return to this agenda to further discuss.

1. A motion by Mr. Aguire, a second by Mrs. Lopez-Bearden was entered to recess to executive session pursuant to ARS 38-431.03 (A)(3) & (4) — Advice from Attorney — discussion or consultation for legal advice with Governing Board’s attorney regarding its position in pending litigation with J.W. Doe. The Attorney may appear in person or telephonically. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted ‘aye’, and the motion carried.

#### RECESSING OF THE REGULAR MEETING FOR EXECUTIVE SESSION

EXECUTIVE SESSION 7:28 PM – 7:56 PM

RECONVENING OF REGULAR MEETING 7:59 PM

GENERAL BUSINESS CONTINUED

2. Discussion/Consideration to Approve Language for Continuing Teacher Contracts continued  
Mrs. Lopez-Bearden stated she felt that the language was not all there in order for her to approve. Mrs. McNamara asked if Mrs. Lopez-Bearden was proposing that the guidelines be in the contract and bind the district to only the situations stated. Mrs. Lopez-Bearden was not comfortable approving the contract and adding guidelines later and would like more time to review. Mr. Jensen indicated that it wasn’t about adding more language and that we would probably want the contract to be more broad. Mrs. McNamara concurred that the language gave the Board the discretion for waiving the liquidated damages stating that the discretion applied via the guideline does not appear in the contract. Mr. Jensen indicated that Item #9 was where the liquidated damages is addressed and asked if the Board was comfortable taking the language out. A motion by Mrs. McNamara, a second by Mr. Turbitt was entered to approve the Language for Continuing Teacher Contracts minus section #9 of the contract. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mr. Turbitt, and Mr. Jensen voted “aye”; Mrs. McNamara voted “nay”, and the motion carried.
3. Discussion/Consideration to Approve Contract Language for Returning Non-Continuing Teachers  
A motion by Mrs. McNamara, a second by Mr. Turbitt was entered to approve the Contract Language for Returning Non-Continuing Teachers minus section #11 of the contract. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mr. Turbitt, and Mr. Jensen voted “aye”; Mrs. McNamara voted “nay”, and the motion carried.
4. Discussion/Consideration to Approve Language for Initial Non-Continuing Teacher Contracts  
A motion by Mr. Turbitt, a second by Mr. Aguire was entered to approve the Language for Initial Non-Continuing Teacher Contracts minus section #13 of the contract. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mr. Turbitt, and Mr. Jensen voted “aye”; Mrs. McNamara voted “nay”, and the motion carried.
5. Discussion/Consideration to Approve FY20 Certified Teacher Contract Issuance  
A motion by Mr. Aguire, a second by Mrs. Lopez-Bearden was entered to approve the FY20 Certified Teacher Contract Issuance. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
6. Discussion/Consideration to Approve the Early Signing Incentive for Teachers  
A motion by Mrs. Lopez-Bearden, a second by Mrs. McNamara was entered to approve the Early Signing Incentive of \$200.00 for Teachers. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
7. Discussion/Consideration to Approve Special Education Salary Guide  
A motion by Mrs. McNamara, a second by Mr. Turbitt was entered to approve the Special Education Salary Guide. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
8. Discussion/Consideration to Approve Special Education Stipends for Continuing and Returning Non-Continuing Teachers  
A motion by Mr. Turbitt, a second by Mr. Aguire was entered to approve the Special Education Stipends for Continuing and Returning Non-Continuing Teachers. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
9. Discussion/Consideration to Approve Special Education Stipends for Initial Non-Continuing Teachers

A motion by Mr. Aguire, a second by Mrs. Lopez-Bearden was entered to approve the Special Education Stipends for Initial Non-Continuing Teachers. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.

10. Discussion/Consideration to Approve Principal Job Description  
A motion by Mrs. Lopez-Bearden, a second by Mr. Turbitt was entered to approve the Principal Job Description with the addition of qualification requesting knowledge and experience of school’s signature program. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
11. Discussion/Consideration to Approve Band Teacher Job Description  
A motion by Mrs. McNamara, a second by Mr. Turbitt was entered to approve the Band Teacher Job Description. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
12. Discussion/Consideration to Approve Curriculum and Instruction Coordinator Position and Job Description  
A motion by Mr. Turbitt, a second by Mr. Aguire was entered to approve the Curriculum and Instruction Coordinator Job Description. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
13. Discussion/Consideration to Approve Director of School Effectiveness Position and Job Description  
A motion by Mr. Aguire, a second by Mrs. Lopez-Bearden was entered to approve the Director of School Effectiveness Position and Job Description. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
14. Discussion/Consideration to Approve Pilot Instructional Coach Evaluation  
A motion by Mrs. Lopez-Bearden, a second by Mrs. McNamara was entered to approve the Pilot Instruction Coach Evaluation. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
15. Discussion/Consideration to Approve Revision of Instructional Coach Job Description  
A motion by Mrs. McNamara, a second by Mr. Turbitt was entered to approve the Revision of Instructional Coach Job Description. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
16. Discussion/Consideration to Approve Revision of Professional Development Coordinator Position to Educational Services Coordinator  
A motion by Mr. Turbitt, a second by Mr. Aguire was entered to approve the Revision of Professional Development Coordinator Position to Educational Services Coordinator. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.
17. Discussion/Consideration to Approve Assistant Principal Job Description  
A motion by Mr. Aguire, a second by Mrs. Lopez-Bearden was entered to approve the Assistant Principal Job Description. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted “aye”, and the motion carried.

## **VI. GOVERNING BOARD COMMENTS**

1. Governing Board Update
  - o Mr. Jensen – attended the Legislative Session on Friday, February 1, 2019.
  - o Mr. Aguire – attended Rainbow Valley’s McDonald’s Night stating it was a packed house and great event.
  - o Mrs. Lopez-Bearden - N/A
  - o Mrs. McNamara – attended the Legislative Session on Friday, February 1, 2019. She introduced her friend Aiden, kindergartener, who went to the Capital to advocate for Gifted Services. Mrs. McNamara requested a future agenda item to discuss open enrollment and transportation savings.
  - o Mr. Turbitt - N/A

## **VII. UPCOMING GOVERNING BOARD MEETINGS:** **March 04, 2019 - Regular Monthly Board Meeting**

## **VIII. ADJOURNMENT OF BOARD MEETING**

A motion by Mrs. Lopez-Bearden, a second by Mrs. McNamara was entered to adjourn the Governing Board Meeting at 8:43 p.m. Upon call to vote, Mr. Aguire, Mrs. Lopez-Bearden, Mrs. McNamara, Mr. Turbitt, and Mr. Jensen voted ‘aye’, and the motion carried.

Signed:

Date:

---

March 4, 2019

UNCONFIRMED