

**PRESCOTT UNIFIED SCHOOL DISTRICT**  
**District Office - Board Room, 300 East Gurley Street, Prescott, Arizona**

**GOVERNING BOARD**  
**REGULAR MEETING**

**5:00 PM**  
**JUNE 2, 2020**

Members of the Governing Board will attend either in person or by telephone conference call.

The Governing Board may consider any item on this agenda in any order and at any time during the meeting.

Copies of agendas and supplementary documentation relative to public meetings are available from the Superintendent's Office during normal work hours 24 hours prior to meeting and on the evening of the meeting.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Superintendent's Office at (928) 445-5400. Requests should be made as early as possible to arrange the accommodation.



**Mission Statement**

- P**roviding extraordinary opportunities through a variety of programs and challenging curriculum.
- U**niting the PUSD family of students, staff, and community members through positive relationships.
- S**upporting exceptional staff through on-going individualized professional development.
- D**eveloping a highly educated, civic-minded, and productive community, one student at a time.

**Vision Statement**

Prescott Unified School District educates students to be confident, lifelong-learners prepared to achieve their full potential in a complex, interconnected world.

## AGENDA

This Meeting can be viewed via live stream using the following link:

<https://www.youtube.com/c/BadgerMedia/Live>

### 1. STRATEGIC PLAN COLOR KEY:

**STUDENT ACHIEVEMENT**

**CULTURE**

**COMMUNITY AND STAKEHOLDER RELATIONSHIPS**

**ENROLLMENT**

**RESOURCE ACCOUNTABILITY**

### 2. CALL TO ORDER - President Scott Hicks

### 3. OPENING CEREMONY

A. Welcome - President Scott Hicks

B. Pledge of Allegiance

### 4. APPROVAL OF AGENDA - President Scott Hicks

### 5. APPROVAL OF MINUTES

A. Consider approving the minutes from the Governing Board Regular Study and Voting Session of May 5, 2020, as presented.

RELEVANT INFORMATION:

Board policy requires approval of minutes.

Presenter: Mr. Joseph W. Howard, Superintendent

### 6. INFORMATION ONLY ITEMS

A. Summary of Current Events

1. Superintendent

a. June, 2020 PUSD Calendar of Events

1. [www.prescottschools.com/calendars](http://www.prescottschools.com/calendars)

2. Governing Board Members

### 7. ACTION ITEMS

- A. **CONSENT AGENDA** - *All those items listed below may be enacted by one motion and approved as Consent Agenda items with or without discussion. However, any item may be removed from the Consent Agenda and considered separately if a Governing Board member so requests.*

*The resolutions included in the Consent Agenda have been posted in order to waive the reading of the body of the resolutions.*

Consider approving the Consent Agenda as presented.

1. Consider approving the certified and classified personnel actions as presented.

**RELEVANT INFORMATION:**

A copy of the personnel report is attached for review.

Presenter: Mrs. Christa Simmons, Director of Human Resources

2. Consider approving the donations as presented.

**RELEVANT INFORMATION:**

Board policy requires acceptance by the Governing Board of all donations.

Presenter: Mr. Brian Moore, Chief Financial Officer

3. Consider ratifying the vouchers as presented.

**RELEVANT INFORMATION:**

Arizona Revised Statutes requires approval/ratification of all vouchers.

Presenter: Mr. Brian Moore, Chief Financial Officer

4. Consider approving the Student Activities Fund Statement of Receipts and Disbursements for May, 2020, as presented

**RELEVANT INFORMATION:**

Please see the attached reports.

Presenter: Mr. Brian Moore, Chief Financial Officer

5. Consider approving Mr. Joseph W. Howard, Superintendent; Ms. Mardi Read, Assistant Superintendent; Mr. Brian Moore, Chief Financial Officer; and Mrs. Connie Goode, Director of Purchasing, as designated persons authorized by the Governing Board, when competitive sealed bidding is either not practicable or not advantageous to the district, to issue written determinations to solicit competitive sealed proposals, multi-term contracts, factors for alternative project delivery methods for construction services, or non-construction contracts requiring bid or contract security for the 2020-2021 school year.

**RELEVANT INFORMATION:**

In order to follow the procurement rules established in the Arizona Administrative Code, the Governing Board can name those authorized to issue written determinations

to initiate procurement methods other than competitive sealed bidding. Contract awards will continue to be brought to the Governing Board for approval.

Presenter: Mr. Brian Moore, Chief Financial Officer

6. Consider approving the appointment of Mr. Brian Moore as the Treasurer and Mrs. Kathy Wallner as the Assistant Treasurer of Student Activities for Prescott Unified School District for the 2020-2021 school year.

**RELEVANT INFORMATION:**

In accordance with the Uniform System of Financial Records for Arizona School Districts (USFR) a Governing Board of a school district having student activities monies shall appoint a student activities treasurer. The student activities treasurer shall oversee the deposit of the student activities monies in a bank account designated as the student activities account. Any disbursement shall be authorized by or on behalf of the student members of the particular club or organization as provided in the USFR.

Presenter: Mr. Brian Moore, Chief Financial Officer

7. Consider approving the following: Arizona State Procurement, Mohave Educational Services, Government Procurement Alliance (1GPA), TCPN, U.S. Communities, and Strategic Alliance of Volume Expenditures (SAVE) contracts and their awarded vendors for the 2020-2021 school year.

**RELEVANT INFORMATION:**

According to R7-2-1191 of the Arizona Department of Education School District Procurement Rules, school districts are allowed to enter into agreements to participate in cooperative purchasing of any materials, services or construction. Cooperative purchasing is described in the procurement rules as "procurement conducted by, or on behalf of, more than one public procurement unit." Every year Prescott Unified School District utilizes one or more of these contracts and/or pricing for the procurement of goods and/or services. Annual Governing Board approval is required.

Prescott Unified School District is currently using the above cooperative agreements to purchase supplies, equipment, services and construction that are advantageous to the district. The Procurement Office will review all consortium contracts for compliance with the School District Procurement Rules before that contract is utilized.

The State Procurement Office establishes awards and maintains statewide contracts for state agencies and political subdivisions throughout the State of Arizona. This cooperative purchasing partnership of 400 plus includes state agencies, colleges and universities, counties, cities, school districts, and qualified not-for-profit organizations.

Mohave Educational Services is a non-profit corporation public procurement unit pursuant to provisions of A.R.S. 11-952 and 41-2632. As a public procurement unit, Mohave must follow the Arizona procurement code. A statewide board of trustees (made up of seven school administrators) provides oversight of the cooperative.

The Strategic Alliance of Volume Expenditures (SAVE) cooperative purchasing group is composed of public agencies within the State of Arizona that have joined together to competitively bid and award certain contracts in an effort to promote further

competition in the public procurement process. An agreement with SAVE will enhance the schools ability to purchase supplies, equipment and services that are advantageous to the school.

The State Procurement Office charges it's awarded vendors a 1% fee to administer the State Cooperative Purchasing Program. Mohave also has a one-percent administrative fee built into the vendor pricing. There is no fee to eligible school districts for membership in SAVE.

The Government Procurement Alliance (1GPA) is an Arizona-based non-profit national governmental purchasing cooperative that allows public agencies to take advantage of existing public contracts to purchase the goods they need, at the most competitive prices.

(TCPN) is able to leverage the purchasing potential of governmental entities in all 50 states. This means equal pricing for the smallest entity and the largest buyer. All TCPN contracts are competitively bid and evaluated by a government entity serving as the lead agency. The lead agency awards these contracts to national vendors in accordance with purchasing procedures mandated by state procurement laws and regulations. TCPN contracts are available for use, and benefit public and private schools, colleges and universities, cities, counties, non-profits, and all governmental agencies.

U.S. Communities was founded in 1996 as a partnership between the Association of School Business Officials, the National Association of Counties, the National Institute of Governmental Purchasing, the National League of Cities, and the United States Conference of Mayors. U.S. Communities is the leading national government purchasing cooperative, providing world class government procurement resources and solutions to local and state government agencies, school districts (K-12), higher education institutes, and non-profits looking for the best overall supplier government pricing.

The Governing Board is required to authorize contracts over \$100,000. It is the intent of the District to utilize these contracts in the 2020-2021 fiscal year.

Presenter: Mr. Brian Moore, Chief Financial Officer

8. Consider approving the use of the list of vendors as Sole Source procurement for the 2020-2021 school year as presented.

**RELEVANT INFORMATION:**

Procurement guidelines require the Governing Board to approve the listing of vendors that are utilized as "Sole Source." Sole Source is when no reasonable alternative exists. Below please find a listing of vendors used for everything from health benefits to software/licensing. Note: Not all vendors listed will be used each year. Vendors from the Sole Source listing are used as required.

**SOLE SOURCE LIST - SY 2020-2021**

Health Equity - Health Benefits

Harris School Solutions/Computer Systems - Software/License

Assessment Technology, Inc. - Software-Galileo

Father Flanagan's Boys Home - Professional Development  
Moby Max - Web based, Adaptive K-8 Curriculum  
RadioLink - Repeater Airtime 2-way radio  
PowerSchool - Software, and accompanying support  
The Flippen Group - Capturing Kids Hearts Training  
AZ Control Specialists - Service contract for Delta System that controls or HVAC system

Presenter: Mr. Brian Moore, Chief Financial Officer

9. Consider approving the District's current bank accounts and authorized signers for the 2020-2021 school year as presented.

**RELEVANT INFORMATION:**

Pursuant to A.R.S. 15-321, 15-1122 and 15-1126, the Governing Board should approve the bank accounts and authorized signers on a yearly basis.

Please see the updated attached list.

Presenter: Mr. Brian Moore, Chief Financial Officer

10. Consider the Approval of a Resolution authorizing the execution of warrants between board meetings, as presented.

**RELEVANT INFORMATION:** This resolution would make it possible where an order for salary or other expenses may be signed between board meetings if a resolution to that effect has been passed prior to the signing and that order is ratified by the Board at the next regular or special meeting of the Governing Board.

Presenter: Mr. Brian Moore, Chief Financial Officer

11. Consider approving Mr. Joseph W.Howard, Superintendent; Ms. Mardi Read, Assistant Superintendent; Mr. Brian Moore, Chief Financial Officer, as designated persons authorized by the Governing Board to use "emergency procurement" for goods and services when an emergency condition exists for the 2020-2021 school year.

**RELEVANT INFORMATION:**

In order to follow correct "emergency procurement" procedures, the Governing Board must name those authorized to utilize emergency procurement on behalf of Prescott Unified School District. Every year, emergency procurement is used to remedy everything from lightening damaged fire alarm and telephone systems, to a bus breaking down out of town. Health and safety issues also call for immediate correction, such as mold or asbestos concerns. These are examples where emergency procurement has been used to solve problems. Sometimes insurance covers the cost of the problem and sometimes the problem has to be taken care of within the district budget. If the problem requiring emergency procurement is above a normal maintenance budget, the Superintendent advises the Governing Board of the corrective action. Coordination among the Business Office, Facilities Department, Transportation Department, Purchasing Department, and the Administration assists in the resolution of any problems.

Presenter: Mr. Brian Moore, Chief Financial Officer

12. Consider approving the authorization of line item Maintenance and Operation (M&O) expenditures in excess of the budget but within the total M&O budget for fiscal year 2020-2021 as presented.

RELEVANT INFORMATION: Per A.R.S. 15-605(G), this resolution allows the District to exceed budget line items within the Maintenance and Operations, with the understanding that the District does not exceed the total Maintenance and Operations budget in total. Please see the attached formal resolution.

Presenter: Mr. Brian Moore, Chief Financial Officer

13. Consider approving a Waiver of Conflict regarding agreements with The Yavapai County Attorney through the Yavapai County School Superintendent entered into during Fiscal Year 2020-2021, as presented.

RELEVANT INFORMATION:

They Yavapai County Attorney, along with her deputies (hereinafter collectively the "YCAO"), has been asked by Tim Carter, the Yavapai County Superintendent, to provide legal services in connection with agreements and templates for agreements with Yavapai County through the Yavapai County School Superintendent entered into during FY 2020-2021 concerning the following services:

- E-Rate;
- Substitute Teacher Consolidation;
- Data Housing; and
- Nursing, therapy (including, but not limited to, physical, occupational, and speech), psychology, counseling, behavioral health, autism screening, and special education.

Yavapai County Attorney's Office (YCAO) maintains an attorney-client relationship with the Yavapai County School Superintendent and PUSD, and may periodically provide legal advice to them. The YCAO recognizes that Prescott Unified School District No. 1 may have independent legal counsel. Nonetheless, the YCAO maintains an attorney-client relationship with Prescott Unified School District No. 1 as the YCAO may periodically provide legal advice to it pursuant to A.R.S. 11-532. PUSD No. 1's "client" status does not change even if it uses independent legal representation. It is also possible that Prescott Unified School District No. 1 may eventually ask the YCAO for legal services concerning this matter.

Presenter: Mr. Joseph W. Howard, Superintendent

14. Consider approving the Yavapai County Education Service Agency (YCESA) Consortium Memorandum of Understanding FY 2020-2021, as presented.

RELEVANT INFORMATION:

This Memorandum of Understanding represents the agreed-upon program, services and materials to be provided to English learner (EL) students in the **Beaver Creek Elementary District**, the **Camp Verde Unified District**, the **Franklin Phonetic**

**Primary School, Inc., Prescott Unified District** and the **Snowflake Unified District** (Members), during the 2020-2021 project year. **The Yavapai County Education Service Agency** will act as the Lead LEA (local educational agency) / Fiscal Agent of the consortium. A consortium of districts receiving a Title III subgrant must meet the same requirements as districts or charters receiving subgrants individually.

Presenter: Mr. Joe Howard, Superintendent

B. **PUBLIC HEARING** - If a member of the public wishes to speak regarding the resolution ordering and calling for a special budget override election, they must complete the attached form (BEDH-E) and return via email to sarah.torres@prescottschools.com at least 90 minutes prior to the scheduled meeting.

1. Consider recessing the regular meeting to hold a Public Hearing to discuss the resolution ordering and calling for a special budget override election.
2. Consider adjourning the Public Hearing and reconvening to Regular Session.

C. **STUDY AND VOTING SESSION**

1. **To consider, discuss, amend if desired, and, if deemed advisable, to adopt a resolution ordering and calling a Special Budget Override Election to be held in and for the district and declaring the deadline for submitting arguments "for" and "against" the election to the Yavapai County School Superintendent as August 7, 2020 at 5:00 p.m. and approving the Governing Board's Argument in Support of the Special Maintenance and Operation Budget Override Election.**

RELEVANT INFORMATION:

Attached is the resolution that the above motion alludes to regarding a Special Budget Override Election and would be adopted if passed by the Governing Board.

Presenter: Mr. Joseph W. Howard, Superintendent

2. **Consider approving a renewal agreement to provide a Child Nutrition Program for Sacred Heart through Prescott Unified School District's Food Service Program from July 1, 2020 through June 30, 2021, as presented.**

RELEVANT INFORMATION:

Prescott Unified School District has provided this program to Sacred Heart for many years in the past. The agreement provides that the district shall not operate the school meal program at a financial loss and that Sacred Heart will be financially responsible for any deficit in the program.

Presenter: Mr. Brian Moore, Chief Financial Officer

3. **Consider approving a Cooperative Purchasing Agreement between Deer Valley Unified District #97 and Prescott Unified School District No. 1, as presented.**

**Purpose:**

The purpose of this Agreement is to set forth the terms and conditions under which Deer Valley

Unified School District #97 (“Deer Valley”) will serve as fiscal agent to procure and provide the necessary printing and services for the Parties.

**Term:**

This Agreement shall commence on July 1, 2018, and shall terminate on June 30, 2025, unless extended in writing by the Parties. Either Party may, at any time and without cause, cancel this Agreement by providing thirty (30) day notice to the other Party of its intent to cancel. In the event of such cancellation, Participant’s only obligation to Deer Valley shall be payment for any services rendered prior to cancellation. Each party shall retain ownership of its respective property in the event of cancellation.

Presenter: Mrs. Kelli Bradstreet, Director of Instructional Coaches

4. **Consider approving a Student Placement Agreement between the Arizona Board of Regents for and on behalf of Arizona State University and Prescott Unified School District No. 1, as presented.**

**RELEVANT INFORMATION:**

The purpose of this Agreement is to establish a relationship between the University and the Facility to enable an educational experience for students at Facility’s site that may qualify for University academic credit as determined by University. The University and the Facility will agree on a schedule for student participation at the Facility. The student’s participation should complement the service and educational activities of the Facility. The student will be under the supervision of a Facility employee.

Each student is expected to perform with high standards at all times and comply with all written policies and regulations of the appropriate department of the Facility. Either the Facility or the University may require withdrawal or dismissal from participation at the Facility of any student whose performance record or conduct does not justify continuance. Neither the University nor the Facility is obligated to provide for the student’s transportation to and from the Facility or for health insurance for the student. A meeting or telephone conference between representatives of the University and the Facility will occur at least once each semester to evaluate the educational program and review this Agreement. Statements of performance objectives for this educational experience will be the joint responsibility of University and Facility personnel. Each student must adhere to the Facility’s established dress and performance standards.

Presenter: Mrs. Christa Simmons, Human Resources Director

5. **EXECUTIVE SESSION:**

**The Prescott Unified School District Governing Board may vote to enter into Executive Session according to A.R.S. 38-431.03 for the following purposes:**

**A. According to A.R.S. 38-431.03 (A)(3) and (4), the Board may vote to go into Executive Session for the purpose of discussion or consultation for legal advice**

**with its attorney, and/or for the purpose of discussion or consultation with its attorney in order to consider its position and instruct its attorney regarding the Board's position in pending or contemplated litigation and/or in settlement discussion conducted in order to avoid or resolve litigation, specifically to discuss and consult with and instruct its attorney concerning the status of U.S. District Court Case No. 3:20cv08033SMB.**

**B. According to A.R.S. 38-431.03 (A) (1) for the purpose of conducting the Superintendent's annual evaluation.**

All persons present are hereby reminded that it is unlawful to disclose or otherwise divulge to any person who is not now present, other than a current member of the Board, or pursuant to a specific statutory exception, anything that has transpired or has been discussed during the executive session. Failure to comply is a violation of A.R.S. 38-431.03.

Consider adjourning the Executive Session and reconvening the regular Governing Board Study and Voting Session.

Presenter: Mr. Joseph W. Howard, Superintendent

- 6. Discussion and possible action concerning the Board's position in pending litigation, specifically to approve the retention of legal counsel, to authorize its attorney to take appropriate actions to represent the Board and its employees, assert the Boards and its employees' positions, and protect the Board's and its employees' interests in and to discuss, consult with, and instruct its attorney concerning the status of U.S. District Court Case No. 3:20cv08033SMB, and to ratify and approve such actions already taken in the matter.**

RELEVANT INFORMATION:

The Governing Board must approve the retention of legal counsel for pending litigations.

Presenter: Mr. Joseph W. Howard, Superintendent

#### **D. INFORMATION AND DISCUSSION ITEMS**

- 1. Mr. Brian Moore has prepared the School Board Summary Budget Report for your review.**

Presenter: Mr. Brian Moore, Chief Financial Officer

2. Future Agenda Items

*The public is invited to request future agenda items. The request must be in writing on the form provided and turned into the Board Secretary at the beginning of the meeting or prior to the agenda item. The form must provide a very specific agenda item to be considered by the board. The public member may state the agenda item to be considered, however, no description or conversation may take place at this time. The Board may not respond to questions or comments from the public, but may ask the superintendent to respond when appropriate. The Governing Board President or district office designee will contact the person making the request as of the status of the requested future agenda item.*

**3. Meeting Dates:**

Special Study and Voting Session: Tuesday, June 30, 2020 @ 5:00 pm in the PUSD District Office Boardroom.

Regular Study and Voting Session: Tuesday, July 14, 2020 @ 5:00 pm in the PUSD District Office Boardroom.

**8. ADJOURNMENT**