
**Minutes of Regular Public Meeting
June 8, 2017**

Mrs. Susan Benjamin presided over the PESD No. 1 Governing Board Meeting in the Governing Board room at Emerson Court, 1817 N. Seventh Street, Phoenix, Arizona 85006

Other Board Members present were:

Dr. Ruth Ann Marston Dr. Louisa Stark Ms. Lynné Almy Mr. Daniil Gunitskiy

Also present were:

Mr. Larry Weeks Superintendent	Mr. Tom Lind Assistant Superintendent	Dr. Rosanna Hidalgo Assistant Superintendent	Jovanny Cervantes Board Secretary
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A. Regular Session - 6:00 p.m.

1. Call to Order - Mrs. Susan Benjamin

The meeting was called to order at 6:02 p.m.

2. Pledge of Allegiance - Mr. Tom Lind

Mr. Lind led us in the pledge of allegiance.

3. Awards and Recognitions

Mr. Weeks thanked Ms. Lynné Almy for serving as the first Vice President and recognized Mr. Daniil Gunitskiy as incoming Vice President.

Dr. Marston shared her experience at the Magnet Traditional Promotion Ceremony on Tuesday, May 30th at the Prep Academy.

Mr. Lind announced that the Kickoff Summer School program is going great.

Mrs. Benjamin shared some news from KTAR News about a teacher at Mesa Unified who stated that she and other teachers are encouraging there Governing Board to consider adopting a similar policy like the Phoenix Elementary School District that would allow the banning of I.C.E. out of there schools.

4. Adjourn to Public Hearing

Mrs. Benjamin asked for a motion to move into a Public Hearing.

Motion by Daniil Gunitskiy, second by Louisa Stark.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

B. Public Hearing

1. Call for Public Hearing - Mrs. Susan Benjamin

Public meeting began at 6:05 p.m.

Mr. Lind spoke to the issue.

2. Request Approval to Receive and Discuss Public Input on Title VI Grant Application for American Indian/Alaska Native Students

3. Resume to Regular Session

Regular session resumed at 6:09 p.m.

C. Approval of Consent Agenda

1. Request Approval to Renew the Memorandum of Agreement with Valley of the Sun United Way for the 2017-2018 School Year

2. Request Approval of the Renewal Memorandum of Understanding with Playworks to Provide Services to Bethune, Capitol, Dunbar, Edison, Emerson, Garfield, Heard, Herrera and Lowell Schools for the 2017-2018 School Year

3. Request Approval to Renew Memorandum of Understanding with the Arizona Department of Economic Security to Provide On-Site Support to Families

4. Request Approval or Ratification of Payroll \$3,115,667.79 and Expense Vouchers \$975,617.42 in the total amount of \$4,091,285.21

5. Request Approval or Ratification of Employment of Administrative, Certified and Support Staff

6. Request Approval or Ratification of Employee Contract/Work Agreement Adjustments for Changes in Position

7. Request Approval of Separation of Employment, Resignations and Retirements

8. Request Approval of Consent Agenda

Motion by Ruth Ann Marston, second by Louisa Stark.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

D. Superintendent's Report - Larry Weeks

1. Announcements

Mr. Weeks announced that the Leadership Summit on May 31 - June 2.

Mr. Weeks announced that the School Districts Summer Hours have begun June 5 - July 14.

Mr. Weeks announced that the Chinese Cultural Camp would be on June 26 - June 29.

E. Community Communications

1. Community Communications

Ms. Gail LaGrander gave a quick statement on behalf of ESPA in support to items F1 and F2.

Ms. Rosalinda Ramirez gave a quick statement on behalf of PECTA in regards to item G3.

F. Business Services - Dr. Rosanna Hidalgo, Assistant Superintendent

1. Request Approval to Receive, Discuss and Possibly Adopt 2nd Read of Governing Board Policy AC- NONDISCRIMINATION EQUAL OPPORTUNITY

Dr. Hidalgo spoke to the issue.

Administration recommends that the Governing Board receive, discuss and possibly adopt Policy AC- NONDISCRIMINATION / EQUAL OPPORTUNITY as a 2nd Reading.

Motion by Lynné Almy, second by Louisa Stark.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

2. Request Approval to Receive, Discuss and Possibly Adopt 2nd Read of Governing Board Policy GBA: EQUAL EMPLOYMENT OPPORTUNITY

Dr. Hidalgo spoke to the issue.

Administration recommends that the Governing Board receive, discuss and possibly adopt Policy GBA EQUAL EMPLOYMENT OPPORTUNITY as a 2nd Reading.

Motion by Daniil Gunitskiy, second by Louisa Stark.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

3. Request Approval to Receive and Discuss 1st Read of Governing Board Policy GCCA – Professional/Support Staff Designated Leaves

Mr. Hammond presented the Governing Board a power point to provide updated blacklined copies of proposed changes to Governing Board Policy GCCA and GCCA-R so as to comply with Proposition 206.

Mr. Hammond stated the Proposed Recommended Changes:

- *Employees will accrue sick leave (earned paid sick time) at 1 hour per 30 hours worked.*
- *Employees may earn up to 40 hours per year and may roll over sick leave into the next fiscal year with a cap at 80 hours.*
- *The District will separately accrue and account for use of sick leave on each paycheck.*
- *Employees may use sick leave in small increments.*
- *Employees must obtain a physician's note if they are out for three days.*
- *The District will transfer any existing banked sick leave to a new account called paid time off leave (PTO leave) beginning on July 1, 2017.*
 - *Employees will accrue PTO leave days in addition to sick leave if they are eligible (12 month employees will get 9 days per year and 9/10 month employees will get 7 days per year).*
 - *The District will continue to pay out PTO leave upon retirement if an employee is eligible under the formula listed in Policy GCQF and GDQC.*
 - *The District will not pay out sick leave upon separation of employment or retirement.*
 - *There are no proposed changes to vacation leave.*

Mr. Hammond stated that additional Policy Implications are due to Prop 206. Mr. Hammond explained that Proposition 206 does not require that any employer pay out sick leave, but if an employer chooses to do so, it must pay the sick leave out at an employee's daily rate. It is this provision in Proposition 206 that have a ripple effect on other District's policies.

Mr. Hammond also stated that these revisions to these policies are necessary in order to align with Policy GCCA:

*GCCAA- Instructional Staff Leave (attendance incentive)
GCQE- Retirement of Professional/Support Staff Members
GDQC - Retirement of Support Staff Members
GDBDA – Support Staff Leave (attendance incentive)*

Ms. Jennifer MacLennan was present for any additional questions.

Ms. Gail LaGrander made the following questions:

Governing Board Meeting

June 8, 2017

GCCA and GCCA-R. First Read

Comments by Gail LaGrander, Phoenix Elementary ESPA Executive Board Member

EPST

Q1. How many days (in hours, if less than multiples of 8-hour increments) per year are accrued by...

- 12 month employees?*
- 9/10 month employees?*

Q2. "Employees of the District shall accrue a minimum of one (1) hour of earned paid sick time for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned paid sick time per year, unless the District selects a higher limit."

Has the District effectively set the limit at 40 hours, or is a higher limit under discussion?

Q3. "Employees who are exempt from overtime requirements under ... (FLSA) ... will be assumed to work forty (40) hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty (40) hours, in which case earned paid sick time accrues based upon that normal work week."

For leave purposes, as an exempt support employee, my leave is calculated at 7.5 hours per day. Will my EPST accrual be accrued assuming a 40-hour work or a 37.5 hour week? Should exempt support employees keep track of hours worked in order to be credited accurately?

Q4. What happens when an employee reaches the 80-hour cap of accrued EPST leave? Do they no longer accrue EPST?

PTO Leave

Q1. Which employees are ineligible for PTO Leave?

*Q2. "PTO leave shall accrue on a pro-rata basis."
Please explain how it accrues for each employee group.*

Q3. Is PTO leave paid out upon retirement (eligible employees)? If not, does this constitute the elimination of a current benefit?

Q4. "PTO leave may not be used on the day before or the day after a holiday for the purpose of extending the holiday or during the first two (2) or last two (2) weeks of school. Exceptions to this policy must be addressed in writing to the Superintendent prior to the leave. Emergency cases require a phone call to the Superintendent or the administrator in charge. If the PTO leave is used on the day before or the day after a holiday, the Superintendent or the administrator in charge may require a physician's excuse when appropriate."

It is recommended that leave be granted per operational needs per work site, rather than having a blanket black-out period.

Q5. Observation:

- Business Leave has been eliminated (3 days)*
- Business Leave for professional associations (PECTA, ESPA) has been eliminated (3 days)*
- Bereavements Leave has been eliminated*
- Parental Leave has been eliminated*

Is it the intention of the district to restrict the limited use of leave for purposes such as conducting professional association business or participating in professional development opportunities?

On balance, with the loss of the above options and the addition of EPST and PTO Leave, what is the net loss or gain of leave for support and certified staff?

Q6. What leave option is appropriate for “medical, dental or optical examination or treatment impossible to schedule on nonduty days?”

Q7. What is the anticipated impact of the proposed changes on GDBDA-R (PAID / Perfect Attendance Incentive Day)?

Ms. MacLennan spoke to the Board and Ms. LaGrander and responded to the questions raised to the extent possible. Ms. MacLennan provided a response to the calculation of hours worked using the Fair Labor Standards Act, provided information on what the current interpretations are under Proposition 206 regarding options pertaining to the rolling over or pay out of accumulated leave, addressed the interplay between the proposed personal leave and earned paid sick time under Proposition 206. Ms. MacLennan was not able to answer the question regarding the net/gain or loss for employees.

4. Request Approval of Issuance of Purchase Order to Dell Contract ADSP016-098163 for Computer Hardware and Support

Dr. Hidalgo spoke to the issue and provided a few example devices to the Governing Board.

Administration recommends that the Governing Board approve issuance of a purchase order to Dell for computer hardware and support in the amount of \$842,598.52

Motion by Ruth Ann Marston, second by Lynné Almy.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

5. Adjourn to Executive Session

Mrs. Benjamin asked for a motion to move into Executive Session at 7:09 p.m.

Motion by Louisa Stark, second by Daniil Gunitskiy.

Final Resolution: Motion Carries

Yea: Daniil Gunitskiy, Ruth Ann Marston, Susan Benjamin, Louisa Stark, Lynné Almy

G. Executive Session

1. The Governing Board may move to convene an executive session pursuant to A.R.S. Section 38-431.03(A)(3) for the purpose of receiving legal advice from the attorney for the public body regarding H1B visas for certificated staff.

2. Resume to Regular Session

Regular session resumed at 7:48 p.m.

H. Board Reports and Requests

1. Board Reports and Requests

Dr. Marston asked that Mrs. Benjamin appoint a Committee Chair for planning, coordinating and reporting to the preparations for the 2021 150th birthday celebration of the Phoenix Elementary School District and to celebrate 150 years of Public Education in the state of Arizona.

Mrs. Benjamin appointed Dr. Marston as Committee Chair to oversee the preparation's to these two celebrations.


2. Future Agenda Items

I. Adjournment

1. Adjournment

Meeting adjourned at 7:50 p.m.

Respectfully Submitted by

X 

Mrs. Susan Benjamin

Board President, Phoenix Elementary School District #1