

**Minutes of Governing Board  
Working Meeting**

**Friday, January 27, 2023 @ 11:30 am  
Prescott Unified School District  
Governing Board**

A Working meeting of the Governing Board of Prescott Unified School District was held Friday, January 27, 2023, beginning at 11:30 am in the District Office Boardroom.

All supporting documents/attachments can be found by visiting our website:

<https://www.prescottschools.com/>

This meeting was audio recorded. The audio recording can be accessed by visiting our website. Click on the Governing Board link and then the “Audio Recording Link” under Board Agendas & Public Notices. (see below)

**Governing Board**

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Meeting Schedule
<b>Board Meeting Agendas, Public Notices &amp; Public Request to Speak</b>

**Board Agendas & Public Notices**

<b>PUBLIC NOTICE – NOTICE OF POSSIBLE QUORUM</b>
<b>PUBLIC REQUEST TO SPEAK</b>
Friday, January 27, 2023
PUSD Governing Board Working Meeting   11:30 AM - District Office Governing Boardroom
<b>Agenda</b>   <b>Audio Recording Link</b>

**Board Members present:**

- Vice President Andy Fraher
- Kara Woods
- Stan Goligoski
- Linda Conn
- Jane Robertson

**Others present:**

- Joseph W. Howard, Superintendent
- Mardi Read, Asst. Superintendent
- Clark Tenney, Asst. Superintendent/Director of Human Resources
- Brian Moore, Chief Financial Officer
- Kelsey Secor, Director of Instructional Support
- Sarah Torres, Administrative Assistant to Superintendent and Governing Board

At 11:30 am, Governing Board President, Andy Fraher made an announcement that members of the Board would be finishing up lunch and the meeting will be called to order shortly.

1. **CALL TO ORDER** - Governing Board President Andy Fraher called the meeting to order at 12:00 pm.

2. **OPENING CEREMONY**

2.A. Welcome - Governing Board President Andy Fraher welcomed everyone in attendance and thanked everyone for attending to listen to the Board discuss.

2.B. Pledge of Allegiance – Governing Board President led the audience in the Pledge of Allegiance.

3. **APPROVAL OF AGENDA** - Governing Board President Andy Fraher

3.A. Consider approving the agenda, as presented.

RELEVANT INFORMATION: Board Policy requires the approval of the agenda.

**Linda Conn moved that the Governing Board approve the agenda as presented. Kara Woods seconded the motion.**

**Andy Fraher voted Aye, Stan Goligoski voted Aye, Kara Woods voted Aye, Linda Conn voted Aye and Jane Robertson voted Aye. The motion passed 5-0.**

4. **PRESENTATION - 12:00 - 1:00 pm**

4.A. Superintendent Search - scope of work

Tracey Benson, Associate Executive Director, Arizona School Boards Association (ASBA) shared the following slides regarding the scope of work for a Superintendent Search.

This presentation/discussion can be heard in its entirety on the audio recording of this meeting.



# Superintendent Transitions

Executive Search Program



# Superintendent Transitions

Search Process:

The Plan  
Scope and Sequence

- |                               |                            |
|-------------------------------|----------------------------|
| 1. Roles and Responsibilities | 7. Interview Preparation   |
| 2. Timeline                   | 8. Candidate Interviews    |
| 3. Position Profile           | 9. Community Participation |
| 4. Salary and Benefits        | 10. Decision Making        |
| 5. Advertising and Recruiting | 11. Contract Negotiations  |
| 6. Screening Applicants       | 12. Transition Plan        |

# Superintendent Transitions

## Roles and Responsibilities ASBA

- Consulting with the Board throughout the superintendent search process
- Creating a mutually agreed upon timeline
- Conduct an online community survey
- Completing a profile for screening and interviewing
- Advertising the vacancy
- Compiling online applications as outlined
- Answering inquiries and corresponding with applicants
- Arranging and conducting applicant screening
- Scheduling and arranging interviews
- Conducting community meeting
- Completing background checks on candidates selected to interview
- Facilitating candidate interviews with the Board
- Following acceptance of contract, provide all application documents to District
- Post-hire, providing up to three (3) hours of training with the new Superintendent and the Board (further training may be scheduled by agreement at an additional cost)
- Responding to all media inquiries
- Protecting confidentiality



# Superintendent Transitions

## Roles and Responsibilities District

- Providing ASBA consultant with required information and approvals as needed by the scheduled dates: (approval of agreement including exhibits; establishing purchase order; establishing District descriptors, position profile, and District financial profile; establishing timeline)
- Being present for all required meetings
- Protecting confidentiality
- Providing ASBA with up to three additional questions for the position application
- Referring all communications with applicants and press to the ASBA consultant
- Posting all search related board meetings as prescribed by Arizona law
- Adhering to all conditions of procurement related to the search as prescribed by Arizona law
- Determining extent of community involvement
- Work directly with the Board's Attorney related to contract development and negotiations with the final candidate
- Determining final candidate and entering into contract negotiations
- Securing all necessary and required documents for employment in the District including the verification for eligibility of employment, Form I-9
- Adhering to all conditions of the Agency Handbook as prepared by the Office of the Arizona Attorney General related to the Arizona Open Meeting Law



# Superintendent Transitions

## Timeline

Interim Supt.	2-4 weeks	Advertise and collect applications for board review
Advertise Only	4-6weeks	Advertise on ASBA website
Advertise/Apps	4-6 weeks	Advertise, collect/organize applications
Modified - Online	6-10 weeks	Online assistance for brochure/applications
Full Search	12-14 weeks	Develop position announcement, advertise, collect/ review/screen applications, conduct interviews



# Superintendent Transitions

## Position Profile



The Governing Board will work with an ASBA consultant to define the basic characteristics of the superintendent's position.

### EXAMPLE

#### Requirements of Applicants

1. Current Arizona Superintendent's Certificate preferred
2. Teaching experience in a public-school system
3. Experience as a public-school superintendent or in a district office leadership position
4. Master's Degree from an accredited university
5. Doctorate Degree from an accredited university preferred

#### Preferred Applicant Attributes

1. A history of strong community involvement related to support of public schools
2. Exceptional communication skills, both verbal and written
3. Experience and understanding of public-school budget and finance operations
4. A strong background in public school curriculum development and application
5. A working knowledge of instructional best practices



# Superintendent Transitions

## Salary and Benefits



ASBA will provide the Governing Board with salary information based on the results of its annual survey. The following statement is placed on the position advertising document.

The salary range for this position is \$\_\_\_\_\_ to \$\_\_\_\_\_. The actual salary for the successful candidate will be determined during contract negotiations and will be based on experience and professional preparation.

The District offers a competitive benefit package that will be finalized during contract negotiations.



# Superintendent Transitions

## Superintendent Salary Survey Results Fiscal Year 2021

WE CULTIVATE EXCELLENCE IN LOCALLY-GOVERNED SCHOOL DISTRICTS

**For more information:**  
Steve Highlen, Executive Search Manager  
and Senior Policy Consultant  
[shighlen@asba.org](mailto:shighlen@asba.org) | 602.254.1000



# Superintendent Transitions

## Advertising and Recruiting



ASBA will advertise and recruit candidates nationwide. Advertising and recruiting usually takes 4 to 6 weeks. ASBA will collect and organize the online applications, answer all questions from applicants, Governing Board members, the public and the media, and, conduct initial reference checking. ASBA will also review each file and summarize applicant information for the Board at the screening meeting.



# Superintendent Transitions

## Community Participation



Community participation in the search process adds transparency and provides the community with a voice in the process.

The search process may include the utilization of an e-survey, a community forum, and/or community/district leadership meetings.



# Superintendent Transitions

## Screening Applications



The Governing Board may enter into executive session to screen applications. An ASBA consultant will summarize the applicants' information compared to the Board's profile criteria; and the Board will review each applicant's file. After the screening process is completed, ASBA will notify all applicants of their status in the process. The screening process results in the Board identifying candidates to interview.

A screening meeting will range from 3 to 6 hours in length.



# Superintendent Transitions

## Interview Preparation



During a public meeting an ASBA consultant will discuss the interview process, provide examples of recommended interview options, and, interview scheduling options.

The Governing Board will also discuss and consider the content of questions that will be presented to each candidate. The ASBA consultant will construct interview questions based on the Board's direction.





# Superintendent Transitions

## Candidate Interviews



The Governing Board conducts one or more individual interviews with candidates in executive session. If the board has included staff and community forums to introduce the candidates, the forums will be held in public; and each forum participant will be able to provide feedback on the candidates for board review. Following the individual interviews and forums (if included), the Board will meet in executive session to determine their final selection. ASBA recommends a two interview process (initial interviews and final interviews).



# Superintendent Transitions

## Decision Making



It is important to remember that the Governing Board has decision making authority during the search process. ASBA's primary role is to provide structure to the process, provide recommendations, and keep the process on track.



# Superintendent Transitions

## Contract Negotiations



Once the Governing Board agrees to enter into contract negotiations with a specific candidate the Board will work with its attorney throughout the negotiation process.



# Superintendent Transitions

## Transition Plan



When the negotiation process is completed and a superintendent contract is in place, an ASBA trainer will facilitate a training session with the Governing Board and the new superintendent. It is recommended that this training be done within six months of the appointment of the new superintendent.



## **5. INFORMATION AND DISCUSSION ITEMS**

### **5.A. Superintendent Succession**

1. Search Consultant Bids
2. Search Timeline discussion
3. How to move forward

Brian Moore, Chief Financial Officer explained the procurement process required for the Superintendent Search.

Governing Board Members and the District Administrative Team had discussion about this process.

This discussion can be heard in its entirety on the audio recording of this meeting.

### **5.B. Budget Process**

1. Next Steps
2. Budget Recommendations (updated Budget Worksheet)

Brian Moore, Chief Financial Officer shared the following document with the Board. Governing Board Members and the District Administrative Team discussed this document, budget process next steps and budget recommendations. This is a working document and had been updated since the version presented at the January 10, 2023 Regular Study and Voting Session Meeting of the PUSD Governing Board.

This discussion can be heard in its entirety on the audio recording of this meeting.

**FY24 Proposed Budget Package**

27-Jan-23 Updated

**Fixed M&O Increased/Decreased Costs**

<b>Increase Costs to M&amp;O</b>		
Medical & Liability - 7% increase	8%	(274,247)
SSC - Minimum Wage		(75,000)
Classified - Minimum Wage		(139,965)
ASRS Increase	0.12%	(23,292)
<b>Total</b>		<b>(489,212)</b>

<b>Estimated Increase Revenue</b>		
Inflation	2.0%	478,457
FY23 ADM Increase	217.66	1,039,496
FY23 TEI	1.0057	38,365
Student Estimated Increase (projecting flat enrollment)		0
<b>Total</b>		<b>1,556,318</b>

<b>Estimated Decreased Revenue</b>		
Student Estimated Increase (projecting flat enrollment)		0
<b>Total</b>		<b>0</b>

FY23 Carryforward Used (Offset revenue reduction from Nov. 2020 override ballot loss)		(1,154,068)
June '22 Legislation		1,154,068
<b>Total</b>		<b>0</b>

**Recommended M&O Increased/Decreased Costs**

<b>M&amp;O Increase - Raises</b>		<b>4.0%</b>
Certified Teachers		(440,349)
Classified		(281,131)
Administration		(57,575)
Other-Psychologists, SLP, OT, PT, SEMS, Directors		(120,599)
<b>Total</b>		<b>(899,654)</b>

<b>M&amp;O Increase - Position Restructures</b>		
District Leadership Team Recommendations - TBD		(465,900)
<b>Total</b>		<b>(465,900)</b>

<b>Summary of Fixed/Variable Costs</b>	
Increase Costs to M&O	(489,212)
Estimated Increase Revenue	1,556,318
Estimated Decreased Revenue	0
M&O Increase - Raises	(899,654)
M&O Increase - Position Restructures	(465,900)
<b>Total</b>	<b>(298,448)</b>

<b>Net</b>	<b>(298,448)</b>
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**5.C. School/Liaison Recognition ideas**

Governing Board President Andy Fraher asked the Governing Board members for their ideas for School/Liaison Recognitions.

The Governing Board and the District Administrative team discussed options.

This discussion can be heard in its entirety on the audio recording of this meeting.

**5.D. Call to the Public (policy review)**

The following documents were shared with and reviewed by the Board and discussed. Governing Board members all agreed that the request for public participation document (BEDH-E) should be revised to change the time limit from two (2) minutes to three (3) minutes for each individual to address the Governing Board at meetings. Because this is an Exhibit, this change can be made without a first read, second read or adoption by the board. The change will be made in time to include the revised BEDH-E document in the next Governing Board packet for the Regular Study and Voting Session meeting scheduled for February 7, 2023.

This discussion can be heard in its entirety on the audio recording of this meeting.

## **BEDH PUBLIC PARTICIPATION AT BOARD MEETINGS**

All regular and special meetings of the Board shall be open to the public.

The Board invites the viewpoints of citizens throughout the District and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. The Board also recognizes its responsibility for the proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner. The Board therefore establishes the following procedures to receive input from citizens of the District:

- A. Any individual desiring to address the Board shall complete a form (Request to Address Board) and give this form to the Superintendent's Administrative Assistant prior to the start of the Study and Voting portion of the Agenda/Board meeting.
- B. The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to any time limit set. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.
- C. If considered necessary, the President shall set a time limit on the length of the comment period. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit for individual speakers.
- D. Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. Policies KE, KEB, KEC, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals. Upon conclusion of the open call to the public, individual members of the Board may respond to any criticism made by an individual who has addressed the Board.
- E. Presentations for unsolicited services will not be permitted. Companies or businesses offering services of possible interest to the District should send information to the District Office for distribution to appropriate School District officials.

The Superintendent shall ensure that a copy of this policy is posted at the entrance to the Board meeting room, and that an adequate supply of forms is available.

Adopted: January 11, 2022

**LEGAL REF.:**

A.R.S.

[38-431.01](#)

**CROSS REF.:**

[BDB](#) - Board Officers

[BHC](#) - Board Communications with Staff Members

[BHD](#) - Board Communications with the Public

[KEB](#) - Public Concerns/Complaints about Personnel

**PRESCOTT UNIFIED SCHOOL DISTRICT  
GOVERNING BOARD**

**REQUEST FOR PUBLIC PARTICIPATION IN GOVERNING BOARD MEETING**

DATE OF MEETING: \_\_\_\_\_

NAME: \_\_\_\_\_ PHONE: (    ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

\_\_\_\_\_ STUDY & VOTING AGENDA ITEM TO BE ADDRESSED \_\_\_\_\_

\_\_\_\_\_ PUBLIC HEARING ITEM TO BE ADDRESSED \_\_\_\_\_

**Please indicate the following:**

\_\_\_\_\_ Speaking as an individual

\_\_\_\_\_ Speaking as a representative of an organization: \_\_\_\_\_  
(Name of Organization)

There is a time limit of (2) two minutes for each individual to address the Governing Board unless the Governing Board President revises the time limit. Board members will listen to individuals, but may not answer questions from speakers or respond in any other way.

## **OPEN MEETING LAW 101**

### **Arizona's Open Meeting Law in a Nutshell**

Information compiled by:  
Liz Hill, Assistant Ombudsman – Public Access  
Last revised August 2010

#### **Two core concepts**

“All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.” A.R.S. § 38-431.01(A).

“It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonable necessary to inform the public of the matters to be discussed or decided.” A.R.S. § 38-431.09.

#### **Why do we have an Open Meeting Law?**

1. To protect the public.
  - a. To avoid decision-making in secret.
  - b. To promote accountability by encouraging public officials to act responsively and responsibly.
2. To protect public officials.
  - a. To avoid being excluded (notice).
  - b. To prepare and avoid being blind sided (agenda).
  - c. To accurately memorialize what happened (minutes).
3. Maintain Integrity of government.
4. Better informed citizenry.
5. Build trust between government and citizenry.

#### **What constitutes a meeting?**

A meeting is a gathering, in person or through technological devices of a quorum of a public body at which they discuss, propose or take legal action, including deliberations. A.R.S. § 38-431(4). This includes telephone and e-mail communications.

#### **Who must comply with Open Meeting Law?**

Public bodies. "Public body" means the legislature, all boards and commissions of this state or political subdivisions, all multimember governing bodies of departments, agencies, institutions and instrumentalities of the state or political subdivisions, including without limitation all corporations and other instrumentalities whose boards of directors are appointed or elected by the state or political subdivision. Public body includes all quasi-judicial bodies and all standing, special or advisory committees or subcommittees of, or appointed by, the public body. A.R.S. § 38-431(6).

"Advisory committee" or "subcommittee" means any entity, however designated, that is officially established, on motion and order of a public body or by the presiding officer of the public body, and whose members have been appointed for the specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the public body. A.R.S. § 38-431(1).

The Secretary of State, Clerk of the County Board of Supervisors, and City and Town Clerks must conspicuously post open meeting law materials prepared and approved by the Arizona Attorney General's Office on their website. A person elected or appointed to a public body shall review the open meeting law materials at least one day before the day that person takes office. A.R.S. § 38-431.01(G)

### **What is Required under the Open Meeting Law?**

#### ***1. Notice***

Public bodies must post a disclosure statement on their website or file a disclosure statement as provided for by statute. The disclosure statement states where the public body will post individual meeting notices. A.R.S. § 38-431.02(A)(1) through (4).

The open meeting law requires at least 24 hours notice of meetings to the members of the public body and the general public. A.R.S. § 38-431.02(C).

Notice must be posted on the public body's website, unless otherwise permitted by statute. Notice must also be posted at any other electronic or physical locations identified in the disclosure statement and by giving additional notice as is reasonable and practicable. A.R.S. § 38-431.02(A)(1) through (4).

#### ***2. Agenda***

Agendas must contain information reasonably necessary to inform the public of the matters to be discussed or decided. A.R.S. § 38-431.09.

Agendas must be available at least 24 hours before the meeting. A.R.S. § 38- 431.02(G).

#### ***3. Public's Rights***

The public has a right to:

- Attend
- Listen
- Tape record
- Videotape

Public has no right to:

- Speak
- Disrupt



#### ***4. Calls to the Public***

An open call to the public is an agenda item that allows the public to address the public body on topics of concern within the public body's jurisdiction, even though the topic is not specifically included on the agenda. Ariz. Att'y Gen. Op. I99-006.

Although the Open Meeting Law permits the public to attend public meetings, it does not require public participation in the public body's discussions and deliberations and does not require a public body to include an open call to the public on the agenda. *See* Ariz. Att'y Gen. Op. No. I78-001.

An individual public officer may respond to criticism, ask staff to review an item or ask that an item be placed on a future agenda, but he or she may *not* dialogue with the presenter or collectively discuss, consider, or decide an item that is not listed on the agenda. A.R.S. § 38-431.01(H); Ariz. Att'y Gen. Op. I99-006. Note that individual members of the public body may respond to criticism by individuals who addressed the public body during the call to the public, but the public body may not collectively discuss or take action on the complaint unless the matter is specifically listed on the agenda. A.R.S. § 38-431.01(H).

Public bodies may impose reasonable time, place, and manner restrictions on speakers. Restrictions must be narrowly tailored to affect a compelling state interest and may not be content based. Ariz. Att'y Gen. Op. I99-006.

A member of the public body may not knowingly direct a staff member to communicate in violation of the Open Meeting Law. A.R.S. 38-431.01(I).

*In sum:*

- *Calls to the public are permitted, but not required.*
- *Should be added as an agenda item.*
- *Public body may limit speaker's time.*
- *Public body may require speakers on the same side with no new comments to select spokesperson*
- *Public body may set ground rules:*
  - *civility*
  - *language*
  - *treat everyone the same*

#### ***5. Executive Sessions***

Public bodies may hold private executive sessions under a few limited circumstances. In executive sessions, the public is not allowed to attend or listen to the discussions, and the public body is not permitted to take final action. A.R.S. § 38-431.03(D).

Members of the public body may not vote or take a poll in executive sessions. A.R.S. § 38-431.03(D).

There are seven authorized topics for executive sessions:

1. Personnel (must provide 24 hours written notice to employee).
2. Discussion or consideration of records exempt by law from public inspection.
3. Legal advice – with public body’s own lawyer(s).
4. Discussion or consultation with public body’s lawyer(s) to consider pending or contemplated litigation, settlement discussions, negotiated contracts.
5. Discuss and instruct its representative regarding labor negotiations.
6. Discuss international, interstate, and tribal negotiations.
7. Discuss the purchase, sale, or lease of real property.

Notice and Agenda: Agendas for executive sessions may describe the matters to be discussed more generally than agendas for public meetings in order to preserve confidentiality or to prevent compromising the attorney-client privilege. A.R.S. § 38-431.02(I). Nonetheless, the agenda must provide more than a recital of the statute that authorizes the executive session.

**6. Minutes** (A.R.S. §§ 38-431.01(B), (C), (D) and -431.03(B))

Public bodies must take meeting minutes of all meetings, including executive sessions.

May be recorded or written, keeping in mind that permanent records must be on paper.

Public session meeting minutes must include:

- Date, time and place of meeting;
- Names of members of the public body present or absent;
- A general description of matters considered; and
- An accurate description of all legal actions proposed, discussed or taken, and the names of members who propose each motion. The minutes shall also include the names of the persons, as given, making statements or presenting material to the public body and a reference to the legal action about which they made statements or presented material.

Executive session minutes must include:

- Date, time and place of meeting;
- Names of members of the public body present or absent;
- A general description of matters considered;
- An accurate description of all instructions given; and
- Such other matters as may be deemed appropriate by the public body.

The minutes or a recording of the public session must be open for public inspection no later than three working days after the meeting, except as otherwise provided in the statute. A.R.S. § 38-431.01(D).

Cities and towns with a population of more than 2,500 persons must post approved city and town council minutes on its website within two working days following approval. A.R.S. § 38-431.01(E)(2).

Minutes of executive sessions must be kept confidential except from certain individuals. A.R.S. § 38-431.03(B).

How long meeting minutes are maintained is determined by the public body's record retention and destruction schedule authorized by Arizona State Library and Archives.

Persons in attendance may record any portion of a public meeting, as long as the recording does not actively interfere with the meeting. Acceptable recording equipment includes tape recorders, cameras, or other means of reproduction. A.R.S. § 38-431.01(F).

### ***7. Where to turn for help***

#### Self-help resources available:

The Arizona Ombudsman – Citizens' Aide handbook – The Arizona Open Meeting Law (available on line at [www.azoca.gov](http://www.azoca.gov) under open meetings/publication)

The Arizona Ombudsman's website, [www.azoca.gov](http://www.azoca.gov)

Arizona Agency Handbook, Chapter 7, [www.azag.gov](http://www.azag.gov) – Quick Links

Attorney General Opinions – [www.azag.gov](http://www.azag.gov) – Quick Links

#### Questions/File a complaint:

Arizona Ombudsman-Citizen's Aide (602) 277-7292

#### File a complaint/Enforcement authority

Attorney General's Open Meeting Law Enforcement Team (602) 542-5025

County Attorney's Office

**6. ADJOURNMENT – Hearing no objections, Governing Board President Andy Fraher adjourned this meeting at 2:13 pm.**

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Sarah A. Torres, Governing Board Secretary