

**Tucson Unified School District No. 1
Governing Board Regular Meeting
Board Room, Morrow Education Center
1010 East Tenth Street
Tucson, Arizona 85719**

**May 12, 2009
6:30 p.m.**

MINUTES

Present:

Judy Burns, President
Mark Stegeman, Clerk
Bruce Burke, Member
Miguel Cuevas, Member
Adelita S. Grijalva, Member
Farnaz Nasr, Superintendent's Student Advisory Council (SSAC)

Also Present:

Elizabeth Celandia-Fagen, Ed.D., Superintendent
Bonnie Betz, Chief Financial Officer
Jay Johnston, Interim Chief Operations Officer, Engineering, Facilities and Planning
Rob Ross, Legal Counsel
Nancy Woll, Interim Chief Human Resources Officer
Dea Salter, Chief Academic Officer – Team 1
Maggie Shafer, Chief Academic Officer – Team 2
Albert Siqueiros, Chief Academic Officer – Team 3
James Fish, Chief Academic Officer – Team 4
Steve Holmes, Chief Academic Officer – Team 5
Ross Sheard, Chief Academic Officer – Team 6
Chandra Givens, Chief Negotiator and Labor Relations Director, Employee Relations
Lorraine St. Germain, Executive Director, Exceptional Education
Chyrl Lander, Director, Communications and Media Relations
David Scott, Director, Accountability and Research
Alyson Nielson, Director, Human Resources
Brian MacMaster, Director, Technology Services
Augustine Romero, Director, Mexican American/Raza Studies
Marcus Jones, Director, Bonds
Shannon Roberts, EEO Compliance Officer
Gillian Wettstein, Assistant Director, Financial Services
Annabel Crites, Curriculum and Instruction
Melissa Hall, Teacher, Cholla High Magnet School
Jennifer Sprung, Sponsor, Superintendent's Student Advisory Council
Mary Alice Wallace, Director of Staff Services to the Governing Board
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board
Eleanor Fowler, School Community Partnership Council
Steve Courter, President, Tucson Education Association
Rhonda Bodfield, Arizona Daily Star
Mary Bustamante, Tucson Citizen

ITEM

ACTION

REGULAR MEETING CALLED TO ORDER – 6:41 p.m.

No action required.

PLEDGE OF ALLEGIANCE

No action required.

Farnaz Nasr led the Pledge of Allegiance.

INFORMATION ITEMS

1. Superintendent’s Student Advisory Council (SSAC) Report

Information only.
No action required.

Farnaz Nasr reported on the most recent SSAC meeting. Topics included in the report were Tucson Recycling and the Going Green Campaign, opportunities for student internships, precautions to take to avoid swine flu, reduction in force of district employees, and the new SSAC officers for the 2009-2010 school year.

Judy Burns commented.

SUPERINTENDENT’S REPORT

No action required.

In her report, Liz Fagen provided an overview of the changes to, and plans for, the Catalina Magnet High School aviation program.

BOARD MEMBER ACTIVITY REPORTS

No action required.

Miguel Cuevas reported that he visited between 30 and 35 schools since becoming a board member. He also presented a short film produced by a student from Catalina Magnet High School.

Bruce Burke recently attended an ASBA legislative committee meeting in Phoenix and commented that it is possible that ASBA will have to bring litigation against the State for drastic cuts to education, some of which have to do with constitutionally mandated programs.

Adelita Grijalva attended Raza, Pan Asian and African American student recognition events. She was also a judge at the Teen Top Iron Chef competition. She mentioned being with the Wakefield staff as they were going through their school’s budget development process.

Judy Burns attended the TUSD recognition ceremony with over 200 recipients of awards, an OMA (Opening Minds through the Arts) gala, and the Pan Asian student recognition event.

Mark Stegeman commented briefly about the awards ceremony.

ITEM

ACTION

CALL TO THE AUDIENCE

No action required.

The following are names of individuals who spoke and the subject of their comments:

Catherine Tennant – Teen pregnancy rate in Arizona and importance of sex education in schools;

Angel Gomez – Teen parent birth rates are lower in states that require sex education in schools;

Gabriel Suarez – Sexually active students and the high pregnancy rate; requested sex education in all TUSD schools;

Luci Messing – Cuts to public education at the State level and Tucson Education Association (TEA) involvement in lobbying the legislature and governor;

George Puckett – Salaries of TUSD support staff and other budget matters;

Rob Hamadeh – Technology Services employees and related budget cuts;

Eddie Contreras – Technology support for children in TUSD and related budget cuts;

Bruce Slabaugh – Agenda item regarding salary reduction;

Paul Espinoza – Technology Service Level Agreement and related budget cuts;

Steve Courter – His last opportunity to speak as President of the TEA;

Susan Brown – Concerns about lack of support for minority students in the Unitary Status proposal;

Dan McDonald – Tucson High Magnet School construction projects;

Theresa Soto – Technology Service Level Agreement and related budget cuts;

Howard Glasser – Yoga Program and Tucson High Magnet School (THMS);

Chesley Riesgo – Yoga Program at THMS;

Chloe Alley-Sarnack – Yoga Program at THMS;

Bill Sarnack-Alley – Yoga Program at THMS;

Pam Lacey – Certification for Yoga instruction.

Individuals whose names were called but were not present:

Barbara Bracker Sam, Lourdes DeLeon

Mark Stegeman, Miguel Cuevas, Bruce Burke and Judy Burns commented briefly.

ITEM

ACTION

INFORMATION ITEMS (continued)

2. School Community Partnership Council (SCPC) Report
Information only.
No action required.
Eleanor Fowler provided an update on recent SCPC activities and announced new SCPC officers. Judy Burns commented.

3. Presentation of FY 2009 Budget Status and Update on FY 2010 Budget Development
Information only.
No action required.

Following introductory comments from Liz Fagen, Bonnie Betz presented information on the status of the current budget and an update on development of the 2010 budget. Both Dr. Fagen and Ms. Betz responded to board member comments and questions.

Bruce Burke, Adelita Grijalva, Mark Stegeman and Miguel Cuevas commented.

4. Summary of Districtwide Gifts and Donations and Student Activity Funds for the Ten Months Ending April 30, 2009
Information only.
No action required.

Bonnie Betz responded to a question from Miguel Cuevas. There was no further discussion.

CONSENT AGENDA

5.	a) Salaried new hires c) New hires for Food Services Department d) Salaried changes e) Hourly changes f) Salary changes for Food Services Department g) Teachers hired through teacher pool process h) Salaried separations i) Hourly separations j) Requests for leave of absence for certificated personnel k) Requests for leave of absence for classified personnel l) Revision – Davis Bilingual Elementary Magnet School 2009 Summer Program – Mariachi and Basketball m) Funding Proposal – Nuts, Bolts and Thingamajigs, The Foundation of the Fabricators and Manufacturer Association for the Creative Metal Manufacturing Camp for girls entering the eighth and ninth grades	Bruce Burke moved approval of Consent Agenda Items No. 5 (a), (c-o), (q-aa), (ad), (ah-ai), (ak-am); Adelita Grijalva seconded. Approved unanimously.
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ITEM

ACTION

CONSENT AGENDA (continued)

5. n) Funding Proposal and Memorandum of Understanding between Every Voice in Action Foundation and Tucson Unified School District for the *Finding Voice: Tucson's Teen Immigrants and Refugees Create Community through Art and Dialogue Program* at Catalina Magnet High School, July 1, 2009 through June 30, 2010, with authorization for Superintendent to execute necessary agreements or contracts
- o) Modification of approved 403(b) vendor list (previously approved April 14, 2009) – Correction of Effective Date to August 1, 2009 – regarding Financial Directions removal from the approved vendor list
- q) Intergovernmental Agreement (IGA) and Addendum between the Pima County Joint Technological Education District (JTED) and Tucson Unified School District, July 1, 2009 through June 30, 2010, with authorization for the Superintendent to execute the agreements
- r) Intergovernmental Agreement between the University of Arizona Department of Nutritional Sciences and Tucson Unified School District for the Arizona Nutrition Network Program, October 2009 through September 2010, with authorization for the Director of Food Services to execute agreement (Borton and Drachman Primary Magnet Schools; Mission View, Ochoa, Wheeler and Safford Elementary Schools; Booth-Fickett, Hohokam, Mansfeld, Maxwell, Naylor, Pistor, Safford, and Utterback Middle Schools)
- s) Memorandum of Understanding between WestEd and Tucson Unified School District to evaluate *Understanding Science* professional development for eighth grade teachers, December 8, 2008 through December 31, 2010, with authorization for the Superintendent to execute necessary agreements or contracts
- t) After-the-fact procurement for Kaplan – Agave Distance Learning

ITEM

ACTION

CONSENT AGENDA (continued)

- 5. u) Award of Food Service Bid No. 09-SS – Single Service and Disposable Food Services Supplies, awarded to All American Plastic & Packaging; Malone Meat & Poultry; Shamrock Foods; Western Paper Distributors; American Paper Distribution; Palmer & Associates; Wallace Packaging, LLC; Unisource Worldwide, Inc.; Albar Pkg. Supply Co.; Sun West Container; Nosaj Disposables, Inc.; Merit Foods of Arizona for the period May 13, 2009 through February 28, 2010 in an estimated amount of \$418,320.00
- v) Award of Bid No. 10-16-10 – Paper Supplies for TUSD Warehouse Stock, SY 2009-2010, awarded to Paper 101; RIS Paper Co., Inc.; Pyramid School Products; Quill Corp.; School Specialty; Art & Ed Materials; and Commercial Art Supply in the estimated amount of \$250,000.00
- w) Award of Bid No. 09-150-09 – Safford Elementary and Magnet Middle Schools Upgrades and Renovations (bond), awarded to Norquay Construction, Inc., in the amount of \$603,680.00, which includes the Base Bid, Alternate Bid Nos. 1, 2, 3 and 4 and a 10% Contingency
- x) Award of Bid No. 09-149-09 – Cholla Magnet High School Fine Arts Renovations (bond), awarded to BFL Construction Co., Inc., in the amount of \$1,805,000.00 which includes the Base Bid, Add Alternate Bid Nos. 1, 2, 3 and 4 and a 10% Contingency
- y) Award of Construction Contract – Eastside Transportation Paving Upgrades (bond), awarded to Sunland Asphalt in the amount of \$495,860.02, which includes the Base Cost and a 10% Contingency
- z) Award of Construction Contract – Cholla Magnet High School Exterior Building Renovations (bond), awarded to Progressive Services, Inc., in the amount of \$313,000.00, which includes the Base Cost and a 10% Contingency
- aa) Award of Construction Contract – Pueblo High Magnet School Running Track Renovation (bond), awarded to Sunland Asphalt in the amount of \$420,000.00, which includes the Base Cost and a 10% Contingency

ITEM

ACTION

CONSENT AGENDA (continued)

- 5. ad) Award of Construction Contract – Santa Rita High School Roofing Projects (building renewal), awarded to Tremco Incorporated, in the amount of \$362,100.00, which includes the Base Cost and a 10% Contingency
- ah) Award of Invitation for Bid (IFB) No. 10-20-12 – Bottled Drinking Water Service to DS Waters/ Sparkletts for a three-year, multi-term contract in the total amount of \$250,000.00 over three years
- ai) Award of Request for Proposal (RFP) No. 09-134-13 – Supplemental Exceptional Education Testing Materials for a multi-term, five-year contract with renewal options through June 30, 2013, awarded to Brooks Publishing Company; Pearson-Clinical Assessment; Riverside Publishing; Stoelting Co.; SRA/McGraw-Hill & Wright Group/McGraw Hill; The Conover Company; Renaissance Learning; and Psychological Assessment Resources, Inc. in an annual amount of \$110,000.00
- ak) Minutes of Tucson Unified School District Governing Board Meetings
 - 1) Special Board Meeting, December 5, 6 & 7, 2008
 - 2) Special Board Meeting, December 9, 2008
- al) Ratification of salary and non-salary vouchers for the period beginning April 1, 2009, and ending April 30, 2009
- am) Litigation Settlement – Parrin v. TUSD

Requests to consider specific Consent Agenda items separately:
Judy Burns 5 (p), (ab), (ac), (an); Mark Stegeman 5 (ae), (af), (ag), (aj); Miguel Cuevas 5 (b), (ao)

- 5. b) Hourly new hires

Miguel Cuevas commented that to avoid any appearance of a conflict of interest, he is abstaining from the vote.

Bruce Burke moved approval;
Mark Stegeman seconded.
Approved 4-0.
Miguel Cuevas abstained.

ITEM

ACTION

CONSENT AGENDA (continued)

5. p) Intergovernmental Agreement between Arizona Department of Education (ADE) and Tucson Unified School District regarding Hohokam Middle School, July 1, 2009 through June 30th of the second consecutive year in which the target school (Hohokam) has obtained a Performing or higher classification
- Removed from agenda.
No action taken.

Liz Fagen reported that TUSD is working with ADE to complete the IGA; thus, the item is being removed from this agenda.

- ab) Award of Construction Contract – Tucson High Magnet School Parking Garage (bond), awarded to the previously selected Construction Manager at Risk firm, Sundt Construction, Inc., for the GMP (Guaranteed Maximum Price) of \$2,394,161.00 plus a 2% Contingency
- Bruce Burke moved approval of 5 (ab) and (ac); Adelita Grijalva seconded. Approved unanimously.

In response to comments and questions from Judy Burns and Mark Stegeman, Jay Johnston provided additional information.

- ac) Award of Construction Contract – Tucson High Magnet School Practice Gymnasium and Main Gymnasium Renovation (bond), awarded to the previously selected Construction Manager at Risk firm, Sundt Construction, Inc., for the GMP (Guaranteed Maximum Price) of \$12, 920.677.00 plus a 2% Contingency
- Approved with 5 (ab) above.

Jay Johnston responded to comments and questions from Judy Burns, Mark Stegeman and Bruce Burke.

- ae) Contingency Increase – Cholla Magnet High School Practice Gymnasium and Lobby Addition (bond) in the additional amount of \$225,000.00 (original authorization amount was \$4,751,000.00)
- Mark Stegeman moved approval; Miguel Cuevas seconded. Approved unanimously.

Jay Johnston provided rationale for the increase. Mark Stegeman commented.

ITEM

ACTION

CONSENT AGENDA (continued)

5. af) Award of Invitation for Bid (IFB) No. 07-52-11 – Supplemental Student Transportation, for remaining years of a multi-year contract with renewal options through June 30, 2011 at an estimated annual amount of \$395,000.00 (previously awarded by the Purchasing Department to A & K Transportation, American Pony Express, Safe Ride Services and Total Transit, Inc. originally estimated at less than \$250,000.00)
- Adelita Grijalva moved approval; Bruce Burke seconded. Approved 4-0. Judy Burns was not present for the vote.

In response to comments and questions from Mark Stegeman and Miguel Cuevas, Jay Johnston provided additional information.

- ag) Award of Invitation for Bid (IFB) No. 09-135-10 – School Buses (20) for a five-year contract beginning upon delivery; ten Thomas 81-passenger diesel powered, rear-engine school buses; three 46-passenger Transit Activity Buses from Auto Safety House; and seven 30-passenger Wheel Chair Conventional Special Needs Buses from Canyon State Bus Sales; to be leased purchased through the respective dealers or from Baystone Financial in the principal amount of \$2,536,339.00
- Mark Stegeman moved approval; Miguel Cuevas seconded. Approved unanimously.

Jay Johnston responded to comments from Mark Stegeman and Miguel Cuevas.

- aj) Award of Request for Proposal (RFP) No. 10-22-14 – Electronic Exceptional Education Management System in a multi-year contract beginning FY 2009-2010 with renewal options through June 30, 2014, awarded to MAXIMUS Consulting Services, Inc. in the amount of \$384,275.00 over five years
- Adelita Grijalva moved approval; Mark Stegeman seconded. Approved unanimously.

Lorraine St. Germain and Bonnie Betz responded to comments and questions from Mark Stegeman.

- an) ~~Statement of Charges and Resolution to Send Notice of Intent to Dismiss Certified Teacher and determine whether to appoint hearing officer to conduct dismissal hearing pursuant to A.R.S. §15-541~~
- Not discussed. No action taken.

Judy Burns announced that this item had been removed from the agenda.

ITEM

ACTION

CONSENT AGENDA (continued)

5. ao) Statement of Charges and Resolution to Send Notice of Intent to Dismiss Certified Teacher (Barry Speece) and determine whether to appoint hearing officer to conduct dismissal hearing pursuant to A.R.S. §15-541
- Miguel Cuevas commented briefly about abstaining from the vote.

RECESS REGULAR MEETING – 8:47 p.m.

PUBLIC HEARING – Final Revision of the FY 2008-2009 Tucson Unified School District Annual Expenditure Budget in Accordance with A.R.S. §15-905

There were no public comments.

RECONVENE REGULAR MEETING – 8:48 p.m.

ACTION ITEMS

6. Final Revision of the FY 2008-2009 Tucson Unified School District Annual Expenditure Budget in accordance with A.R.S. §15-905
- Liz Fagen recommended approval. There were no other comments.

Miguel Cuevas requested that the Board address Agenda Item No. 17 at this time. Following legal advice from Rob Ross, there was unanimous consent of the Governing Board.

STUDY/ACTION ITEM

17. Governing Board Staff and Budget for 2009-2010
- As this item was brought to the Board by Bruce Burke, he introduced the item and explained his rationale for recommending that the Board reduce its staff to two full-time staff members. In a lengthy discussion, Bruce Burke, Adelita Grijalva, Judy Burns, Miguel Cuevas and Mark Stegeman considered variations of Mr. Burke’s recommendation and of a proposal from the Director of Staff Services that reflects a 12.8 percent budget reduction with no reduction in personnel.

ITEM

ACTION

ACTION ITEMS (continued)

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| <p>7. Administrative appointments, reassignments and transfers
– Principal, Banks Elementary School</p> <p>Liz Fagen recommended Joseph Herrmann</p> | <p>Miguel Cuevas moved approval; Adelita Grijalva seconded.
Approved unanimously.</p> |
| <p>8. Administrative appointments, reassignments and transfers
– Principal, Hohokam Middle School</p> <p>Liz Fagen explained that this appointment was being temporarily delayed until work with the Arizona Department of Education could be completed. Judy Burns commented.</p> | <p>Removed from agenda.
No action taken.</p> |
| <p>9. Administrative appointments, reassignments and transfers
– Principal, Mansfeld Middle School</p> <p>Liz Fagen recommended Paul DeWeerd.</p> | <p>Adelita Grijalva moved approval; Miguel Cuevas seconded.
Approved unanimously.</p> |
| <p>10. Administrative appointments, reassignments and transfers
– Principal, Cholla High Magnet School</p> <p>Liz Fagen recommended Frank Armenta. Miguel Cuevas and Adelita Grijalva commented.</p> | <p>Miguel Cuevas moved approval; Mark Stegeman seconded.
Approved unanimously.</p> |
| <p>11. Administrative appointments, reassignments and transfers
– Assistant Superintendent, Elementary School Leadership</p> <p>Liz Fagen recommended Maggie Shafer for a two-year contract.</p> | <p>Miguel Cuevas moved approval; Bruce Burke seconded.
Approved unanimously.</p> |
| <p>12. Administrative appointments, reassignments and transfers
– Assistant Superintendent, Middle School Leadership</p> <p>Liz Fagen recommended Jim Fish for a two-year contract. Judy Burns commented.</p> | <p>Miguel Cuevas moved approval; Adelita Grijalva seconded.
Approved unanimously.</p> |

ITEM

ACTION

ACTION ITEMS (continued)

13. Administrative appointments, reassignments and transfers
– Assistant Superintendent, Government Programs and
Community Outreach

Removed from
agenda.
No action taken.

Liz Fagen recommended that this item be removed from the
agenda.

14. Notice Pursuant to A.R.S. §15-544 Reduction of Salaries

Bruce Burke
moved approval;
Mark Stegeman
seconded.
Approved 4-0.
Adelita Grijalva
was not present for
the vote.

Liz Fagen recommended that the Board approve this item in light
of the fact that (1) the State of Arizona still does not have a
budget, and (2) until it does, there remains the possibility that an
additional sharp decrease in State funding might force a
significantly larger reduction than TUSD is planning for. Dr. Fagen
responded to comments and questions from Judy Burns and Mark
Stegeman.

15. Middle School Mathematics Adoption

Miguel Cuevas
moved approval;
Bruce Burke
seconded.
Approved
unanimously.

Following introductory comments from Liz Fagen, Annabel Crites
and Melissa Hall presented information and responded to board
members' inquiries. Miguel Cuevas and Mark Stegeman
commented and/or asked questions.

STUDY/ACTION ITEMS

16. Resolution to Ensure Highly Qualified Teachers in all
Classrooms

Adelita Grijalva
read the resolution
and moved
approval, including
the revisions; Mark
Stegeman
seconded.
Approved
unanimously.

Nancy Woll presented information to the Board; she and Liz Fagen
responded to comments and questions from Adelita Grijalva, Judy
Burns, Mark Stegeman and Miguel Cuevas. Rob Ross provided
legal advice.

Subsequent to Ms. Grijalva reading the Resolution, the word
"District" was added in three places to read, "Tucson Unified
School District." The sentence, "Teachers in all classrooms will be
highly qualified by August 2009," was also added.

17. Governing Board Staff and Budget for 2009-2010

Addressed
previously
following Agenda
Item No. 6
(above).

ITEM

ACTION

STUDY ITEMS

- 18. 2009-2010 Plan Year Renewal of the Fully-Insured Medical Program – Aetna Studied only.
No action taken.

Bonnie Betz presented an overview of the program and she and Liz Fagen responded to comments from Adelita Grijalva and Mark Stegeman.

- 19. Update on the Staff Survey Regarding the Possible Overrides for November of 2009 Studied only.
No action taken.

Liz Fagen, Brian MacMaster, Bonnie Betz and David Scott provided the Board with an update. During the discussion, Judy Burns, Adelita Grijalva, Miguel Cuevas, Mark Stegeman and Bruce Burke commented.


FUTURE AGENDA ITEMS

Board members had no comments about future agenda items.

REGULAR MEETING ADJOURNED – 10:17 p.m.

Approved this 13th day of October, 2009.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By 
 Mark Stegeman, Clerk
 Governing Board

ba
Minutes\5-12-09Regular