

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

**May 26, 2009
5:30 p.m.**

MINUTES

Present:

Judy Burns, President
Mark Stegeman, Clerk
Bruce Burke, Member
Miguel Cuevas, Member [arrived at 5:48 p.m.]
Adelita S. Grijalva, Member [via telephone until arrival at 8:28 p.m.]

Also Present :

Elizabeth Celania-Fagen, Ed.D., Superintendent
Bonnie Betz, Chief Financial Officer
Jay Johnston, Interim Chief Operations Officer
Nancy Woll, Interim Chief Human Resources Officer
Michael Areinoff, Legal Counsel
David Scott, Director, Accountability and Research
Dea Salter, Chief Academic Officer, Team 1
Maggie Shafer, Chief Academic Officer, Team 2
Albert Siqueiros, Chief Academic Officer, Team 3
Jim 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
Alyson Nielson, Director, Human Resources
Mona Gibson, Benefits Coordinator
Richard Gastellum, Desegregation Coordinator
Brian MacMaster, Chief, Technology Services
Jeremy Thompson, Curriculum/Innovation Specialist K-12, Educational Technology
Bob Kramer, Curriculum/Innovation Specialist K-12, Educational Technology
Mary Alice Wallace, Director of Staff Services to the Governing Board
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board
John Povinelli, Senior Vice President, The Segal Company
Richard Yetwin, Deconcini, McDonald, Yetwin & Lacy; Outside Legal Counsel
Luci Messing, President-Elect, Tucson Education Association
Linda Hatfield, President, Communication Workers of America
Rhonda Bodfield, *Arizona Daily Star*
TV Channel 13

SPECIAL MEETING CALLED TO ORDER – 5:30 p.m.

ITEM

ACTION

ACTION ITEMS

1. Schedule an executive meeting at this time to consider the following matters –
 - A. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase or lease of real property pursuant to A.R.S. §38-431.03 Subsection (A)(7)
 - 1) Pomegranate Farms Real Estate Proposal: Land Exchange for Southwest School Site
 - B. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4)
 - 1) Fisher-Mendoza – Post Unitary Status Plan
 - 2) Governing Board Audit Committee Complaint Procedure
 - C. Personnel issues pursuant to A.R.S. §38-431.03 Subsection (A)(1); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4)
 - 1) Administrative Appointments, Reassignments and Transfers
 - 2) Appointment of Members to the Technology Oversight Committee
 - 3) Superintendent Evaluation

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

ITEM

ACTION

ACTION ITEMS (continued)

1. Schedule an executive meeting at this time to consider the following matters – (cont.)
 - D. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4); negotiations pursuant to A.R.S. §38-431.03 Subsection (A)(5)
 - 1) Discussions or consultations with designated representatives of the Governing Board in order to consider its position and instruct its representatives regarding negotiations with employee organizations

SPECIAL MEETING RECESSED – 5:31 p.m.

SPECIAL MEETING RECONVENED– 7:53 p.m.

INFORMATION ITEMS

2. Presentation on Self-Funding for Medical Insurance Information only.
No action required.

Bonnie Betz and John Povinelli presented information on what self-insurance is, what group insurance is, and the advantages and risks of self-funding. They responded to comments and questions from Judy Burns, Mark Stegeman, and Bruce Burke. Jay Johnston also commented.

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

Bonnie Betz shared information via PowerPoint, and she and Liz Fagen responded to board members' comments and questions. Judy Burns, Mark Stegeman, Miguel Cuevas, Bruce Burke, and Adelita Grijalva commented.

ITEM

ACTION

CONSENT AGENDA

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|----|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 4. | a) | Contracts for members of the Tucson Education Association (TEA) Bargaining Unit (MB&) for the 2009-2010 school year | Bruce Burke moved approval of the Consent Agenda; Adelita Grijalva seconded. Approved unanimously. |
| | b) | Contracts for non-certificated members of the Tucson Education Association (TEA) Bargaining Unit (MBU) for the 2009-2010 school year | |
| | c) | Contracts for psychologists for the 2009-2010 school year | |
| | d) | Contracts for exempt administrators for the 2009-2010 school year | |
| | e) | Contracts for exempt coordinators for the 2009-2010 school year | |
| | f) | Contracts for research project managers for the 2009-2010 school year | |
| | g) | Letters of Assurance for administrators for the 2009-2010 school year | |
| | h) | Intergovernmental Agreement between Arizona Department of Education and Tucson Unified School District regarding Hohokam Middle School, July 1, 2009 through June 30 th of the second consecutive year in which the target school (Hohokam) has obtained a Performing or higher classification | |
| | i) | Memorandum of Understanding between Tucson Unified School District and Grand Canyon University for the Teacher Certification Program, effective on or after January 1, 2009 and ending on or before January 1, 2011 with option to renew for an additional two (2) fiscal years, with authorization for the Superintendent to execute the MOU | |
| | j) | Memorandum of Understanding between Tucson Unified School District and Rio Salado College for the on-line Teacher-in-Residence Program, effective until it is modified or discontinued by one of the partners, with authorization for the Superintendent to execute the MOU | |

ITEM

ACTION

CONSENT AGENDA (continued)

4. k) Amendment to the Agreement with the Assistance League of Tucson, Inc., and Tucson Unified School District for *Operation School Bell* approved in March 2008, effective June 1, 2009, with authorization for the Superintendent to sign the Amendment

ACTION ITEMS

5. Administrative appointments, reassignments and transfers – Assistant Principal, Richey Elementary School

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

Liz Fagen recommended Katrina Smits as Assistant Principal at Richey Elementary School.

6. Administrative appointments, reassignments and transfers – Principal, Myers-Ganoung Elementary School

Mark Stegeman moved approval; Adelita Grijalva seconded. Approved unanimously.

Liz Fagen recommended Julie McIntyre as Principal at Myers-Ganoung Elementary School.

7. Administrative appointments, reassignments and transfers – Principal, Hohokam Middle School

Miguel Cuevas moved approval; Adelita Grijalva seconded. Approved unanimously.

Liz Fagen recommended Shannon McKinney as Principal at Hohokam Middle School. Miguel Cuevas commented.

ITEM

ACTION

ACTION ITEMS (continued)

8. Appointment of Members to the Tucson Unified School District Technology Oversight Committee

In response to introductory comments from Judy Burns, Liz Fagen briefly provided additional information. During the process of appointing members to the committee, Mark Stegeman commented about the caliber of the appointees.

Prior to the vote to appoint Robert O'Toole, Bruce Burke provided rationale for not supporting the appointment and Mark Stegeman commented about why he is supporting it.

Following the appointment of the two students and four adults, there was discussion and consensus by the Board to reopen the application process for a specific period of time in order to have at least five adults on the committee. Judy Burns and Adelita Grijalva commented. Miguel Cuevas pointed out that this Committee will comply with the Arizona Open Meeting Law.

Miguel Cuevas moved that Students Tanner Kent and Emily Watson be appointed for one-year terms; Mark Stegeman seconded. Approved unanimously.

Miguel Cuevas moved to appoint John Hingle for a two-year term; Mark Stegeman seconded. Approved unanimously.

Miguel Cuevas moved to appoint Dereck Masseth for a two-year term; Mark Stegeman seconded. Approved unanimously.

Miguel Cuevas moved to appoint Lynne Alexander for a two-year term; Mark Stegeman seconded. Approved unanimously.

Miguel Cuevas moved to appoint Robert O'Toole for a two-year term; Mark Stegeman seconded. Approved 3-2. Bruce Burke and Adelita Grijalva voted no.

ITEM

ACTION

ACTION ITEMS (continued)

9. Adoption of Post Unitary Status Plan

Liz Fagen recommended adoption of the Plan as submitted. Bruce Burke read the following motion:

Bruce Burke moved approval; Miguel Cuevas seconded. Approved 4-1. Mark Stegeman voted no.

Because of the Court's Order dated July 24, 2008 in the Fisher-Mendoza case, which required the presentation of a Post Unitary Plan to the Court and the Governing Board by the Post Unitary Committee on or before May 1, 2009, and because the Committee had not produced a joint document prior to May 1, the Governing Board authorized counsel to file a draft Post Unitary Status Plan on May 1, 2009 to comply with the Court's Order. Since that filing, Plaintiffs have filed objections to the May 1 filing of the proposed Post Unitary Status Plan and the District has responded. Pursuant to the Court's Order dated July 24, 2008, which remains in effect, the District is required to take action to adopt the Post Unitary Status Plan prior to June 1, 2009. The Board has considered and reviewed the notes, minutes and oral presentations of the meetings held by the Post Unitary Committee.

Accordingly I move as follows:

To adopt the Post Unitary Status Plan attached hereto and made a part of the record as Exhibit A, with the understanding that the Court may require the Post Unitary Planning Committee to further negotiate and revise the Plan, may permit the Plaintiffs to file objections to the Plan and may rule on those objections, or may take other action the Court deems necessary to move the Fisher-Mendoza case to a final resolution. If the court enters any proposed order with respect to the modification, revision or adoption of the Post Unitary Status Plan, this Board will take such action as may be appropriate and necessary pursuant to any such Court order.*

***Plan available in the Governing Board Office.**

Mark Stegeman shared his rationale for not supporting this Plan. Judy Burns commented briefly.

ITEM

ACTION

ACTION ITEMS (continued)

10. 2009-2010 Plan Year Renewal of the Fully-Insured Medical Program - Aetna

Liz Fagen recommend approval. Miguel Cuevas and Adelita Grijalva shared their reasons for not supporting this item. Mark Stegeman and Judy Burns also commented.

Bruce Burke moved approval; Mark Stegeman seconded. Approved 3-2. Miguel Cuevas and Adelita Grijalva voted no.

STUDY/ACTION ITEMS

11. Pomegranate Farms Real Estate Proposal: Land Exchange for Southwest School Site

Liz Fagen recommended that this item be tabled.

Bruce Burke moved to table; Mark Stegeman seconded. Approved 4-1. Miguel Cuevas voted no.

12. Governing Board Subcommittee on Policies Report

Miguel Cuevas commented on the policies being submitted for the Board's consideration.

- a) Governing Board Policies for Revision
1) Policy Code No. JKAB – *Corporal Punishment*

Judy Burns, Adelita Grijalva, Bruce Burke and Miguel Cuevas commented.

Miguel Cuevas moved approval; Adelita Grijalva seconded. Approved unanimously.

- 2) Policy Code No. BCB – *Board Member Conflict of Interest*

Miguel Cuevas provided an overview of the policy. Adelita Grijalva, Judy Burns and Mark Stegeman commented. Michael Areinoff provided legal comments.

Miguel Cuevas moved approval; Mark Stegeman seconded. Approved unanimously.

ITEM

ACTION

STUDY ITEMS

13. Presentation Regarding a Proposed Capital and Maintenance and Operations Override for November of 2009

Studied only.
No action taken.

Liz Fagen made brief introductory comments. Bonnie Betz and Brian MacMaster presented information on technology issues that could be positively impacted by an override. There was also discussion about override funding for full-day kindergarten and reduction of class size.

Adelita Grijalva, Judy Burns, Miguel Cuevas, Bruce Burke and Mark Stegeman commented and/or asked questions.

14. 2009-2010 School Year Technology Plan Review


Studied only.
No action taken.

Liz Fagen, Brian MacMaster, Jeremy Thompson and Bob Kramer presented a review of the Technology Plan and responded to statements and questions from Judy Burns, Miguel Cuevas, Mark Stegeman commented.

SPECIAL MEETING ADJOURNED – 10:15 p.m.

Approved this 13th day of October, 2009.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By 
Mark Stegeman, Clerk
Governing Board

ba
Minutes\5-26-09Special