

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

**July 28, 2009  
5:30 p.m.**

**MINUTES**

**Present:**

Judy Burns, President  
Mark Stegeman, Clerk  
Bruce Burke, Member  
Miguel Cuevas, Member  
Adelita S. Grijalva, Member [arrived 5:38 p.m.]

**Also Present :**

Elizabeth Celania-Fagen, Ed.D., Superintendent  
Bonnie Betz, Chief Financial Officer  
Jay Johnston, Chief Operations Officer, Engineering, Facilities and Planning  
Nancy Woll, Interim Chief Human Resources Officer  
Rob Ross, Legal Counsel  
David Scott, Director, Accountability and Research  
Maggie Shafer, Assistant Superintendent, Elementary Schools  
Jim Fish, Assistant Superintendent, Middle Schools  
Edith Macklin-Isquierdo, Assistant Superintendent, High Schools  
Lupita Garcia, Assistant Superintendent, Government Programs & Community Outreach  
Chandra Givens, Chief Negotiator and Labor Relations Director, Employee Relations  
Brian MacMaster, Director, Technology and Telecommunications Services  
Bryant Nodine, Program Manager, MIS and Planning  
Marcus Jones, Program Manager, Bonds and Architecture  
David Taylor, Pima Association of Governments (PAG)  
Rex Averett, Interim Director of High Schools  
Mary Alice Wallace, Director of Staff Services to the Governing Board  
Michele Gutierrez, Senior Staff Assistant I to the Governing Board  
Luci Messing, President, Tucson Education Association  
Pernela Jones, Executive Vice President, Tucson Education Association  
Marivel Roybal, Vice President, Tucson Education Association (TEA)  
Rhonda Bodfield, *Arizona Daily Star*

**SPECIAL MEETING CALLED TO ORDER** – 5:33 p.m.

## ITEM

## ACTION

### ACTION ITEMS

1. Schedule an executive meeting at this time to consider the following matters –
    - A. Personnel issues pursuant to A.R.S. §38-431.03 (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
    - B. 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
- Miguel Cuevas moved approval; Bruce Burke seconded. Approved 4-0. Adelita Grijalva was not present for the vote.

SPECIAL MEETING RECESSED – 5:34 p.m.

SPECIAL MEETING RECONVENED– 7:02 p.m.

### STUDY ITEMS

2. Facilities Master Plan – Strategy and Approach  
Liz Fagen, Jay Johnston, David Taylor, Bryant Nodine, David Scott, and Marcus Jones presented information via PowerPoint that included financials, demographics/enrollment, boundaries, school choice, bond program and functional obsolescence. In a lengthy discussion, Judy Burns, Bruce Burke, Miguel Cuevas, Mark Stegeman and Adelita Grijalva interacted with staff in response to the information presented.
- Studied only.  
No action required.

**ITEM**

**ACTION**

**ACTION ITEMS**

3. Administrative Appointments, Reassignments and Transfers

a) Principal, Davis Elementary School

Liz Fagen recommended Carmen Campuzano. Miguel Cuevas, Mark Stegeman, Adelita Grijalva and Judy Burns commented.

Adelita Grijalva moved approval; Bruce Burke seconded. Approved 4-1. Mark Stegeman voted no.

b) Principal, Reynolds Elementary School

Liz Fagen recommended Holly Leman.

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

c) Principal, Van Horne Elementary School

Liz Fagen recommended Norma Flores.

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

d) Principal, White Elementary School

Liz Fagen recommended Aaliyah Arrocha-Samuel.

Bruce Burke moved approval; Adelita Grijalva seconded. Approved unanimously.

e) Assistant Principal, Santa Rita High School

Liz Fagen recommended Richard Reyes and responded to board members' comments. Miguel Cuevas, Judy Burns and Mark Stegeman commented.

Bruce Burke moved approval; Adelita Grijalva seconded. Approved 4-1. Miguel Cuevas voted no.

4. ARRA (American Reinvestment and Recovery Act of 2009) Assurances

Liz Fagen made introductory comments.

Adelita Grijalva moved approval; Bruce Burke seconded. Approved unanimously.

5. Extension of All Bargaining and Non-Bargaining 2008-2009 Agreements from August 1, 2009 to August 31, 2009

Liz Fagen recommended approval. Adelita Grijalva, Judy Burns, Mark Stegeman, Bruce Burke and Miguel Cuevas commented.

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

## ITEM

## ACTION

### ACTION ITEMS (continued)

6. 2009 Override Pro Statements for the M&O and Technology Capital Election on November 3, 2009

Bruce Burke presented an overview of the process used to create the drafts being submitted and, following additional discussion, moved to approve the Board subcommittee's proposed pro statements for both the M&O and Technology questions. Mark Stegeman, Judy Burns, Adelita Grijalva, and Miguel Cuevas commented. Jay Johnston and Rob Ross provided additional information in response to board members' comments.

Bruce Burke moved approval; Judy Burns seconded. Approved 4-1. Mark Stegeman voted no.

### STUDY/ACTION ITEMS

7. Governing Board Subcommittee on Policies Report

Miguel Cuevas, Judy Burns, and Rob Ross made initial comments regarding the policies being recommended for action by the Governing Board.

- a) Policy Code EBCB – *Safety Drills* (revision)

Miguel Cuevas provided an overview of the proposed revisions. Judy Burns commented.

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

- b) Policy Code EEB – *Business and Personnel Transportation* (new) with Review of Policy Regulation EEB-R

Rob Ross outlined the basic elements of the policy and responded to questions from board members. Miguel Cuevas, Judy Burns, Adelita Grijalva, Mark Stegeman and Bruce Burke commented.

Adelita Grijalva moved approval of the policy; Bruce Burke seconded. Approved 4-1. Mark Stegeman voted no.

**ITEM**

**ACTION**

**STUDY/ACTION ITEMS** (continued)

7. Governing Board Subcommittee on Policies Report (cont.)

- c) Policy Code EGAD – *Copyrights & Patents* (revision)
- d) Policy Code JB – *Equal Education Opportunities & Anti-Harassment* (revision) with Review of Policy Regulation JB-R
- e) Policy Code JFCL – *Anti-Harassment Policy-Student* (elimination)
- f) Policy Code JLCA – *Physical Examinations of Students* (elimination)
- g) Policy JLCD – *Administering Medicines and Treatment to Students* (revision) with Review of Exhibit JLCD-E and Regulation JLCD-R2 – *Diabetes Management*

Adelita Grijalva moved approval of Items No. 7 (c-g); Bruce Burke seconded. Approved unanimously.

Miguel Cuevas and Judy Burns made initial remarks about items 7 (c-g). Rob Ross and Mark Stegeman also commented briefly.

8. Governing Board Subcommittee on Ends Results Report

Studied only.  
No action taken.

Mark Stegeman provided an overview of the discussion from the last committee meeting related to district land transactions and the associated guidelines to be developed.

**RECESS SPECIAL BOARD MEETING** – 9:30 p.m.

**PUBLIC HEARING** - Public Hearing/Meeting Pursuant to A.R.S. §38-431.02 Regarding the TUSD Post Unitary Status Plan

No action taken.

Judy Burns made introductory comments about the process for conducting the public hearing.

**ITEM**

**ACTION**

**PUBLIC HEARING** - Public Hearing/Meeting Pursuant to A.R.S. §38-431.02 Regarding the TUSD Post Unitary Status Plan (continued)

Speakers during the Public Hearing will abide by the rules governing Call to the Audience at Board Meetings as follows:

**Public Participation at Board Meetings\*\***

Members of the public may speak during the Call to the Audience portion of the agenda. The Board President shall be responsible for recognizing speakers and for maintaining proper order by setting such limitations as may be appropriate.

Any person desiring to speak shall complete the Call to the audience card. When addressing the Board, an individual shall state his/her full name and address before going into the subject matter.

Individuals are encouraged to be brief, with a maximum time limit of 3 minutes.

Individuals attending the meeting and/or speaking before the Board shall observe rules of propriety, decorum and good conduct, and refrain from impertinent or slanderous remarks.

These rules also apply to Public Hearings.

\*\*REF: Governing Board Policy No. BDAA – *Procedures for Governing Board Members*

The following individuals spoke during the public hearing regarding the post unitary plan: **Clyde Phillips, Laura Leighton, John White, Carter Smith, Sylvia Campoy, Sophia Villarreal, Julio Cammarota, Leah Edwards, Leilani Clark, Debbie Niwa, Mary Schiltz, Ellen Ouilette, Conrad Hom**

**RECONVENE SPECIAL BOARD MEETING** – 10:01 p.m.

**ITEM**

**ACTION**

**STUDY ITEM**

9. Discussion and Consideration of the Proposed Post Unitary Status Plan (PUSP)

Studied only.  
No action taken.

Judy Burns commented briefly in response to public hearing remarks.

At the request of a board member, Liz Fagen explained (1) the rationale for the PUSP Committee's decision that guests were not permitted to attend the court-ordered committee meetings and (2) the difficulty in getting the PUSP meetings scheduled sooner due to the number of committee members and their respective calendar obligations.

Mark Stegeman shared his concerns about the plan document and reiterated that they are not criticisms directed at staff or any particular program. He suggested his input be considered on its merits.

Adelita Grijalva reminded everyone that the plan document is a compromise between the Fisher and Mendoza plaintiffs and TUSD. She indicated that it would be helpful to know which group(s) submitted the various portions of the Plan wherein there was not consensus within the Committee.

Bruce Burke mentioned he would like to see Board unanimity or at least strong majority support of the plan. He suggested limiting any changes to significant issues or simple clarifications and addressing any issues of legality that have been raised by counsel.

Judy Burns stated that her understanding of the next step is for the Board to either support or not support TUSD administration's stance outlined in the plan document. She mentioned that a public presentation on the cost analysis for implementation of the proposed plan is scheduled for the board meeting of July 30, 2009.

**ITEM**

**ACTION**

**STUDY ITEM** (continued)

9. Discussion and Consideration of the Proposed Post Unitary Status Plan (PUSP) (cont.)


Miguel Cuevas shared his willingness to move forward with adopting the Plan on July 30th. Further, he suggested making no lofty changes and emphasized that, while individual board members may not want to negotiate in some areas of the Plan, certain compromises will be needed in order to accomplish the task.

During the discussion, Bonnie Betz and Rob Ross responded to questions and comments from board members.

**SPECIAL MEETING ADJOURNED** – 10:29 p.m.

Approved this 10<sup>th</sup> day of November, 2009.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By  \_\_\_\_\_  
Mark Stegeman, Clerk  
Governing Board

ba  
Minutes\7-28-09Special