

TUCSON UNIFIED SCHOOL DISTRICT
GOVERNING BOARD
AGENDA FOR REGULAR BOARD MEETING*

TIME: September 12, 2017
4:00 p.m.

PLACE: Multipurpose Room
Duffy Community Center
5145 East Fifth Street
Tucson, Arizona 85711

In Attendance: Board Members Michael Hicks, President; Mark Stegeman, Clerk; Kristel Ann Foster, Adelita S. Grijalva, and Rachael Sedgwick; Superintendent Gabriel Trujillo and Lisa Anne Smith, Outside Legal Counsel. The complete attendance record is attached.

Details regarding presentations and discussions are available via agenda items and the audio and video recordings posted on the Governing Board page on the TUSD Internet at www.tusd1.org.

CALL TO ORDER – 4:00 p.m.

ACTION ITEM

Board Member Attendance was established via a call for the roll. Those in attendance were Rachael Sedgwick, Mark Stegeman and Michael Hicks. Kristel Foster and Adelita Grijalva were not present for the roll call.

- 4:00 p.m.
1. Schedule an executive meeting at this time to consider the following matters: **APPROVED**. Moved: Stegeman; Seconded: Sedgwick. Passed 3-0. (Voice Vote). Kristel Foster and Adelita Grijalva were not present for the vote. Outside Legal Counsel Lisa Anne Smith was not present for this action.
 - A. Student matters pursuant to A.R.S. §§15-342, 15-521, and 15-843; A.R.S. §38-431.03 (A)(2) (consideration of records exempt by law from public inspection); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4)
 - 1) Hearing Officers' Recommendations
 - B. 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 (A)(3) and (A)(4); and consideration of records exempt by law from public inspection (A)(2)
 - 1) Administrative appointments, reassignments and transfers
 - Director, Community School and Pre-K Programs
 - C. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)

- 1) Superintendent Contract
 - 2) Confidential Settlement Agreement and Release (Superior Court Case #C20170443)
 - 3) Confidential Settlement Agreement and Release – Office of Administrative Hearings Case #17C-DP-064-ADE
 - 4) *Gonzalez v. Douglas* Ruling regarding Mexican American Studies in Tucson Unified School District
- D. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives pursuant A.R.S. §38-431.03 Subsections (A)(5); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
- 1) Negotiations with employee organizations
- E. Discussion or consultation with the attorneys of the Governing Board in order to consider its position and instruct its attorneys regarding the Governing Board’s position regarding pending litigation pursuant to A.R.S. §38-431.02 (A)(4)
- 1) Fisher-Mendoza, etc. v. TUSD, et al.

ACTION ITEM

MOTION AND VOTE TO RECESS REGULAR MEETING TO EXECUTIVE SESSION **REGULAR MEETING RECESSED TO EXECUTIVE SESSION**

RECESS REGULAR MEETING TO EXECUTIVE SESSION

ACTION ITEM

MOTION AND VOTE TO ADJOURN EXECUTIVE MEETING AND RECONVENE REGULAR MEETING – appx 5:30 p.m.

5:50 p.m. – Reconvene Regular Board Meeting

Multipurpose Room
Duffy Community Center
5145 East Fifth Street
Tucson, Arizona 85711

5:30 p.m.

PLEDGE OF ALLEGIANCE – Led by Leamon Crooms, Superintendent’s Student Advisory Council President

Board President Michael Hicks asked for a moment of silence in remembrance of 9/11.

Board President Michael Hicks announced Call to the Audience was going to be addressed next, followed by the Superintendent's Report; and, that Martin Coss was available to provide Spanish Interpreter Services. Martin Coss repeated the announcement in Spanish. Board Clerk Mark Stegeman read the protocol for CTA.

CALL TO THE AUDIENCE (Pursuant to Governing Board Policy No. BDAA, at the conclusion of the Call to the Audience, the Governing Board President will ask if individual members wish to respond to criticism made by those who have addressed the Board, wish to ask staff to review a matter, or wish to ask that a matter be put on a future agenda. No more than one board member may address each criticism.) Persons who spoke at Call to the Audience were: Betts Putnam-Hidalgo re: support for Mexican American Studies; Daniel Quinonez re: culturally relevant classes; Maureen Nunez re: student walkout in support of DACA; Bryan Hinostre re: culturally relevant classes; Dolores de Vera re: pay raises and healthcare for substitute teachers; Audrey Cunneely re: thank you for approving certified and classified employee agreements; Lillian Fox re: congratulations to Dr. Trujillo for his appointment, school buses and budget; Mario Aguilar re: support for Mexican American Studies; and, Selena Guzman re: student walkout in support of DACA.

Board President Michael Hicks asked if Board members wanted to respond to Call to the Audience.

Board Clerk Mark Stegeman responded to comments made by Dolores de Vera.

Kristel Foster thanked students from Cholla High Magnet School for coming and addressing the Board.

Rachael Sedgwick responded to the comments by Cholla High Magnet School students and thanked them for speaking so beautifully.

INFORMATION ITEM

2. Superintendent's Report **INFORMATION ONLY** Dr. Trujillo acknowledged and thanked the University High School community for their work facilitating the College Application Process event, the Carrillo Magnet Elementary School community for their Patriotic Concert held yesterday in honor of 9/11 which President Hicks and Board Member Adelita Grijalva attended. He also thanked the school communities of Soleng Tom Elementary, Pueblo Gardens K-8 and Utterback Middle Magnet for adopting a school in hurricane-ravaged Houston, Texas and Miami, Florida.

Kristel Foster moved to address Item #18 before Item #9. Seconded: Stegeman. **APPROVED.** Passed Unanimously (Voice Vote).

CONSENT AGENDA Items 3(a-j, l-q) APPROVED.** Moved: Foster; Seconded: Grijalva. Passed Unanimously (Voice Vote). Dr. Trujillo recommended approval of the Consent Agenda with the exception of 3(k).

3. a) Salaried Critical Need and Replacement Hires **APPROVED**
- b) Hourly Critical Need and Replacement Hires **APPROVED**
- c) New Positions – Certified **APPROVED**
- d) New Positions – Classified **APPROVED**
- e) Salaried Changes **APPROVED**
- f) Hourly Changes **APPROVED**
- g) Salaried Separations **APPROVED**
- h) Hourly Separations **APPROVED**
- i) Requests for Leave of Absence for Certified Personnel **APPROVED**
- j) Requests for Leave of Absence for Classified Personnel **APPROVED**
- k) Permission to Reprint “A Concise Yoeme and English Dictionary” by the Pasqua Yaqui Tribe **POSTPONED BY DR. TRUJILLO TO SEPTEMBER 26, 2017**
- l) Approval of Supplemental Materials for High Schools for SY2017-2018 **APPROVED**
- m) Minutes of Tucson Unified School District Governing Board Meetings **APPROVED**
 - 1) Special Board Meeting, July 27, 2017
 - 2) Special Board Meeting, August 1, 2017
 - 3) Regular Board Meeting, August 8, 2017
 - 4) Special Board Meeting, August 14, 2017
 - 5) Special Board Meeting, August 15, 2017
 - 6) Special Board Meeting, August 16, 2017
 - 7) Special Board Meeting, August 17, 2017
 - 8) Special Board Meeting, August 22, 2017
- n) Approval of Confidential Settlement Agreement and Release (Superior Court Case #C20170443) **APPROVED**

- o) Approval of Confidential Settlement Agreement and Release – Office of Administrative Hearings Case #17C-DP-064-ADE **APPROVED**
- p) Acceptance of the Summary of Student Activity Funds for the Period of July 1, 2017 through July 31, 2017 **APPROVED**
- q) Ratification of Salary and Non-Salary Vouchers for the Period Beginning July 1, 2017, and Ending July 31, 2017 **APPROVED**

ACTION ITEMS

- 4. Administrative appointments, reassignments and transfers – Director, Community School and Pre-K Programs **APPROVED REEM KIEVIT. Dr. Trujillo recommended Reem Kievit for the position. Moved: Foster; Seconded: Grijalva. Passed Unanimously (Voice Vote).**
- 5. Approval of Superintendent Contract **APPROVED. Moved: Hicks; Seconded: Foster. Passed 4-1 (Roll Call Vote). Mark Stegeman commented and voted no.**
- 6. Resolution Affirming Tucson Unified School District’s Commitment to Students Regardless of Immigration Status – Requested by Board President Michael Hicks **APPROVED RESOLUTION PROVIDED BY BOARD PRESIDENT HICKS. Moved: Stegeman; Seconded: Hicks. Passed Unanimously (Roll Call Vote). Adelita Grijalva read the Resolution submitted by Board President Hicks and made a substitute motion for approval of the Resolution version she submitted which includes paragraph regarding DACA/DREAMers. Seconded: Foster. No vote was taken. Board members commenting and/or asking questions were Kristel Foster, Michael Hicks, Adelita Grijalva, Mark Stegeman and Rachael Sedgwick.**
- 7. Review, Approve and Adopt the 2017-2018 Employee Agreement for Exempt Administrators, Exempt Coordinators and Supervisory/Confidential Employees (Non-Bargaining Employees [NBE] Agreement) **ITEM PULLED BY DR. TRUJILLO – WILL BE AGENDIZED FOR THE SEPTEMBER 26, 2017, SPECIAL BOARD MEETING.**
- 8. Charter of the Tucson Unified School District Technology Oversight Committee (TOC) (revision) – Requested by Board Member Rachael Sedgwick **APPROVED REMOVAL OF THE RESIDENCY RESTRICTION. Moved: Hicks; Seconded: Stegeman. Passed 3-2 (Roll Call Vote). Kristel Foster and Adelita Grijalva voted no. Rachael Sedgwick presented information. Board Clerk Mark Stegeman commented.**

STUDY ITEM

18. Impact Analysis – What impact does Judge Tashima’s ruling in *Gonzalez v. Douglas* have on Tucson Unified School District? – Requested by Board Members Adelita Grijalva and Kristel Foster **STUDIED ONLY**. Lisa Anne Smith presented information. Kristel Foster commented.

ACTION ITEMS

9. Re-Integration of Mexican American Studies Back into Tucson Unified School District – Requested by Board Members Adelita Grijalva and Kristel Foster **STUDIED ONLY**. Kristel Foster read the Board Agenda Item as a Study Item and asked that it be re-agendized for the Board meeting immediately following the remedy issued by the Judge in charge. Ms. Grijalva agreed. Michael Hicks commented.
10. Proposed Changes/Amendments to the Arizona School Boards Association (ASBA) Bylaws **NO ACTION TAKEN**. Kristel Foster, as ASBA Delegate, indicated that unless Board members have any recommended changes to the ASBA Bylaws, there is no action required. Mark Stegeman, Dr. Trujillo and Michael Hicks commented.

RECESS REGULAR MEETING 6:59 p.m.

RECONVENE REGULAR MEETING 7:10 p.m.

ACTION ITEMS

11. Approval of Alternate Authorizing Resolution for a Previously Approved Lease/Purchase of Buses **APPROVED**. Moved: Hicks; Seconded: Foster. Passed Unanimously (Voice Vote). Dr. Trujillo introduced Kevin Startt who presented information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Michael Hicks, Mark Stegeman and Rachael Sedgwick.
12. Governing Board Policies BBAA, BCA, BDAA, BEDB, BGA and BHD (revised and consolidated) – Requested by Board Clerk Mark Stegeman **BOARD CLERK MARK STEGEMAN MOVED APPROVAL OF PROPOSED CHANGES TO GOVERNING BOARD POLICIES BBAA, BCA, BDAA, BEDB AND BHD. APPROVED**. Moved: Stegeman; Seconded: Sedgwick. Passed 3-2 (Roll Call Vote). Kristel Foster and Adelita Grijalva voted no. Mark Stegeman presented information. Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Rachael Sedgwick, Kristel Foster, Adelita Grijalva and Michael Hicks. Dr. Trujillo asked for clarification. Lisa Anne Smith provided legal advice and clarification.

Prior to the final vote, Kristel Foster made a substitute motion to approve the ASBA model policies for BBAA, BCA, BDAA, BEDB, and BHD; Adelita Grijalva seconded. FAILED 2-3 (Roll Call Vote). Michael Hicks, Mark Stegeman and Rachael Sedgwick voted no.

13. Governing Board Policy BDG – *General Counsel* (new) – Requested by Board Clerk Mark Stegeman **APPROVED**.

Mark stegeman moved approval. Rachael Sedgwick seconded. Adelita Grijalva made a substitute motion to approve Governing Board Policy BDG with the following change to the third bullet: **The Board President and Superintendent shall annually evaluate the performance of the General Counsel, after receiving input from each of the other Board members. Each Board member and the Superintendent shall have the opportunity to add an unedited commentary of his or her individual observations or evaluation.** Michael Hicks seconded.

The substitute motion passed 4-1 (Roll Call Vote). Kristel Foster voted no. Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Kristel Foster, Rachael Sedgwick and Michael Hicks. Dr. Trujillo commented.

STUDY/ACTION ITEM

14. Proposed Alternate Model for English Language Learner (ELL) Students to Participate in Dual-Language Programs **APPROVED**. Moved: Foster; Seconded: Grijalva. Passed 4-1 (Voice Vote). Mark Stegeman voted no. Dr. Trujillo, Mark Alvarez, Sam Brown and Patricia Sandoval-Taylor presented information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Kristel Foster, Mark Stegeman, Adelita Grijalva and Rachael Sedgwick.

INFORMATION ITEMS

15. Proposed Middle School, Open Access GATE at Roberts-Naylor **INFORMATION ONLY**. Dr. Trujillo, Charlotte Patterson and Dan Erickson presented information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Mark Stegeman, Rachael Sedgwick, Adelita Grijalva and Kristel Foster.
16. Update on the State of Technology in Tucson Unified School District **INFORMATION ONLY**. Dr. Trujillo introduced Scott Morrison who presented information and responded to Board inquiries. Board members commenting and/or asking questions were Mark Stegeman, Kristel Foster, Rachael Sedgwick and Michael Hicks.

17. Review of Long-term Substitutes' Contract Rights – Requested by Board Clerk Mark Stegeman **INFORMATION ONLY**. Mark Stegeman provided information. Dr. Trujillo and Janet Rico-Uhrig provided additional information and responded to Board inquiries. Board members commenting and/or asking questions were Mark Stegeman, Rachael Sedgwick, Michael Hicks and Adelita Grijalva. Lisa Anne Smith provided legal advice.

FUTURE AGENDA ITEMS (A board member may propose future agenda item(s), with limited discussion. The discussion should center around the purpose of placing the item on the next most appropriate agenda for consideration and action as necessary. Ref: **Governing Board Policy BEDBA**) Rachael Sedgwick asked that an item be placed on the agenda for the September 26, 2017 Special Board meeting for consideration of items to be removed from the TEA Consensus for placement in policy. Adelita Grijalva requested an item to review benchmark assessments aligned with AZmerit and a calendar of District reporting. Kristel Foster requested that Free & Reduced Lunch data be added to Ms. Grijalva's request.

10:00 p.m. **MOTION AND VOTE TO EXTEND OR ADJOURN REGULAR MEETING**
9:18 p.m. – Regular Board Meeting Adjourned

ADJOURNMENT

- One or more Governing Board members will/may participate by telephonic or video communications.
- Names and details, including available support documents, may be obtained during regular business hours at the TUSD Governing Board Office.
- Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Translations/Interpretations Services at 225-4672. Requests should be made as early as possible to arrange the accommodation.
- Upon request, TUSD will provide a certified interpreter to interpret Governing Board meetings whenever possible. Please contact Translations/Interpretations Services at 225-4672 at least 72 hours prior to the event. Every effort will be made to honor requests for interpretation services made with less than 72 hours' notice.
- Previa petición, TUSD proporcionará un intérprete certificado para interpretar la agenda de las reuniones de la Mesa Directiva o de proporcionar los servicios de interpretación en la reuniones de la Mesa Directiva cuando sea posible. Favor de contactar los Servicios de Traducción/Interpretación al teléfono 225-4672 cuando menos 72 horas antes del evento. Se hará todo lo posible para proporcionar los servicios de interpretación realizados con menos de 72 horas de anticipación.
- If authorized by a majority vote of the members of the Governing Board, any matter on the open meeting agenda may be discussed in executive session for the purpose of obtaining legal advice thereon, pursuant to A.R.S. 38-431.03 (A)(3). The executive session will be held immediately after the vote and will not be open to the public.
- The order of items on this agenda may be modified during the meeting at the discretion of the Board President or upon a motion to amend the order of business which is approved by a 2/3 vote of the Board.

Record of Attendance

Present:	Michael Hicks Mark Stegeman Kristel Ann Foster Adelita S. Grijalva Rachael Sedgwick Leamon Croom	President Clerk Member [arr @ 4:05 p.m.] Member [on phone @ 4:05 p.m.; arr @ 4:15 p.m.] Member President, Superintendent Student Advisory Council
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Also Present Senior Leadership:	Gabriel Trujillo, Ed.D. Robert S. Ross, Jr. Lisa Anne Smith Richard Gastellum Mark Alvarez Stuart Duncan Scott Morrison	Superintendent General Counsel Outside Legal Counsel Interim Assistant Superintendent, Secondary Leadership Interim Assistant Superintendent, Elementary/ K-8 Leadership Chief Operations Officer Chief Information Officer
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Administrative Staff:	Renee Weatherless Janet Rico-Uhrig Samuel Brown Martha Taylor Charlotte Patterson Maricela Meza Kevin Startt Jeffrey Coleman + Staff Dan Erickson Maria Federico Brummer Matt Munger Kathleen Scheppe Janna Acevedo Patricia Sandoval-Taylor	Executive Director, Finance Executive Director, Human Resources Legal Counsel Senior Director, Desegregation Director, Student Placement & Community Outreach Director, Employee Relations Director, Purchasing Director, School Safety Director, Advanced Learning Experience (ALE) Director, Mexican American Student Services Director, Secondary Leadership Director, Elementary/K-8 Leadership Director, Magnet Department Director, Language Acquisition
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Support Staff:	Mary Alice Wallace Sylvia L. Lovegreen Michele Gutierrez Nicholas Roman Michelle Valenzuela Miguel Carrion Gene Armstrong Martin Coss	Director of Staff Services to the Governing Board Senior Staff Assistant II to the Governing Board Senior Staff Assistant I to the Governing Board Administrative Assistant, Superintendent's Office Interim Director, Communications/Media Relations Video Technician, Communications/Media Relations Technical Support Specialist II, Technology Services Spanish Interpreter
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Employee Group Representatives:	Jason Freed	President, Tucson Education Association (TEA)
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Media:	Hank Stephenson Dylan Smith TV Channel(s) 11/13	<u>Arizona Daily Star</u> <u>Tucson Sentinel</u>
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There were approximately 75 people in the audience.
Michael Hicks presided and called the meeting to order at 4:00 p.m.
Meeting recessed at 4:00 p.m. and reconvened at 5:50 p.m.
Meeting recessed at 6:59 p.m. and reconvened at 7:10 p.m.
Meeting Adjourned at 9:18 p.m.

Approved this 17th day of October, 2017.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE



By _____
Mark Stegeman, Clerk
Governing Board