

**Tucson Unified School District No. 1  
Governing Board Special Meeting  
Sahuaro High School Auditorium  
545 N. Camino Seco  
Tucson, Arizona**

**September 28, 2004  
6:00 p.m.**

**MINUTES**

**Present:**

Joel T. Ireland, President  
Judy Burns, Clerk  
Bruce Burke, Member  
Adelita Grijalva, Member  
Mary Belle McCorkle, Ed.D., Member

**Also Present:**

Roger F. Pfeuffer, Interim Superintendent  
Patti Lopez, Ed.D., Interim Deputy Superintendent/Chief Academic Officer  
Judith Knight, Ph.D., Chief Business Officer  
Estella Zavala, Interim Director, Public Relations  
Kelly Langford, Senior Academic Officer – Student Services  
Maria Cuesta-Patterson, Principal Supervisor (Interim)  
Dea Salter, Principal Supervisor (Interim)  
Ross Sheard, Principal Supervisor (Interim)  
Susan Wybraniec, Executive Director, Human Resources  
Lorraine McPherson, Executive Director, Exception Education  
Bridget Auvenshine, Director of Staff Services to the Governing Board  
Mary Alice Wallace, Senior Staff Assistant II to the Governing Board  
Sylvia Lovegreen, Senior Staff Assistant I to the Governing Board  
Linda Todd, Staff Assistant II to the Governing Board  
Phil Brenfleck, Moderator, School Community Partnership Council  
Norma Johnson, Policy Coordinator  
Nancy Woll, EEO Compliance Officer, Human Resources – Employment Services  
Abel Ramirez, Administrator, Special Projects  
Dick Yetwin, Legal Counsel, DeConcini McDonald Yetwin & Lacy  
Pam Fine, Director, School Community Relations  
Lisa Howells, Assistant Principal, Sahuaro High School  
Susan Boyd, School Parent Liaison, Community Resolution Center  
Sara Gassen, *Arizona Daily Star*  
Romano Cardenas, *Tucson Citizen*  
TV Channel 13

**ITEM**

**ACTION**

SPECIAL MEETING CALLED TO ORDER – 6:15 P.M.

**DISCUSSION ITEMS**

1. Introductory Comments

No action was required or taken at this meeting

Joel Ireland opened the public hearing by announcing that the purpose of this Public Hearing/Meeting was to collect input regarding whether the Tucson Unified School District has reached “unitary status” which could lead to future action to terminate the pending desegregation lawsuit commonly known as Fisher/Mendoza.

Joel Ireland provided the public with procedures to be followed by anyone wanting to address the Board. President Ireland also noted that hearing-impaired interpreters were present in the event their services were needed.

Roger Pfeuffer made a PowerPoint presentation that provided a chronology of the Fisher/Mendoza litigation. This was followed by a brief explanation of what unitary status means. **[See Attachment A]** This presentation was simultaneously presented in Spanish. **[See Attachment B]**

Joel Ireland reviewed the rules for speaking at the Public Hearing.

2. Public Hearing/Meeting to collect input regarding whether the Tucson Unified School District has reached “unitary status” which could lead to future action to terminate the pending desegregation lawsuit commonly known as Fisher/Mendoza.

The following persons spoke during the Public Hearing:

John O’Dowd – Shared that he attended the briefing provided by Ms. Sneed to the Governing Board and is concerned about the amount of time the district has been given by the federal court to determine if TUSD has reached unitary status. Also expressed concern about the standard that the court has imposed of only going to consider the stipulation of settlement and feels that the standard that the court is proposing is too narrow and should be challenged.

## ITEM

## ACTION

The following persons spoke during the Public Hearing:  
(continued)

Barbara Krider – Expressed her opinion that TUSD has never fulfilled its obligation to the Hispanic and African American communities within its boundaries to remedy past discrimination as agreed to in the 1978 stipulation of settlement.

Levi Jackson – Member of the Tucson Metropolitan Chamber of Commerce shared the Chamber's statement on desegregation financing in TUSD, basically stating that the business community has no qualms with TUSD ensuring that every student receives equal educational opportunities but 30 years is too long; ending desegregation taxation inside TUSD will help businesses thrive, expand and create jobs.

Ed Dose – Expressed the opinion that parents should have a choice of where their children go to school. My child is not allowed to go to a school in the Flowing Wells School District where my wife teaches.

Randy Palacio – Teacher at Roskrige Bilingual Middle School expressed his concerns regarding the fact there are currently over one hundred students waiting to come into Roskrige who are not allowed to enroll because of the 30-year-old judicial order that doesn't apply anymore because demographics have changed. Instead, they are going to charter schools because they have a choice

Ricardo Gomez – President of the PTSA at Roskrige Bilingual Middle School shares the same concerns as previous speaker; additionally stated that although not totally in favor of unitary status, we are almost forced to support it in order to get on to the business of educating our children. We want to continue funding, have plenty of TA's available and want flexibility in the program.

Dan McDonald – Community representative on the site council at Tucson High Magnet School expressed concerns that some of the remnants of discrimination continue to exist today. With regard to the Underwood Consent Decree, one of the stipulations in this agreement dealt with the inadequacy of physical education facilities at Tucson High Magnet School. Suggested that unitary status not be established until disparities are addressed.

## ITEM

## ACTION

The following persons spoke during the Public Hearing:  
(continued)

Kim Dominguez – Cholla High Magnet School graduate expressed her concerns regarding discrimination and racism within the district and stated that our academic outcomes significantly favor white students. Commented that we must remember and understand our responsibility to overcome racism, inequality and simple unfairness that exists in our schools; no on unitary status

Joel Ireland took a moment to inquire if anybody needed the hearing-impaired interpreters; he thanked the interpreters and excused them from the hearing.

Tom Berning – Parent of two students at Tucson High Magnet School and Executive Director of Southern Arizona Legal Aid distributed an analysis of TUSD AIMS 2004 results for TUSD Grade 10 classes. In his opinion these statistics are a prima facie (at first sight before closer inspection) case of racial discrimination under the federal regulations under Title VI of the Civil Rights Act.

Maria Vanegas-Coleman – Expressed support of unitary status so that children at Roskruge Bilingual Middle School can be admitted on the merit of where they want to attend and the special programs they are interested in; she also shared that in her opinion, TUSD has shown positive intent that programs have been established to provide more equitable education.

Jeff Coleman – Shared his positive experience with Roskruge Bilingual Middle School and expressed his desire that regardless of whatever happened in the past in the district, it must be rectified to allow Roskruge to open its doors and let the kids come in.

David Rheubottom – Shared his concerns regarding the magnet system within TUSD being done away with. He also commended Roger Pfeuffer for his attendance at dads only gatherings at Mansfeld Middle School for two consecutive years.

Theresa Roybal – Shared information that in her opinion provides evidence that unitary status, as it applies to students rights, equal rights, and language rights, has long been a factor at Roskruge Elementary and Bilingual Middle Magnet School. She proceeded to outline the recruitment efforts Roskruge has made during the last year toward this end.

## ITEM

## ACTION

The following persons spoke during the Public Hearing:  
(continued)

Augustine Romero – Director of Mexican American Raza Studies expressed his desire for the district to seek and explore partial unitary status.

Albert Soto – Chair of the Independent Citizens Committee expressed his concern about the lack of community attendance/involvement. He thanked the governing board and superintendent for holding the public hearings and encouraged staff to get this information out to the schools and parents and really make an effort to educate them on the unitary process.

Georgia Brousseau – Addressed two specific paragraphs in the stipulation of settlement which she believes the district has not yet fully complied with.

Charles Ares – Retired law professor at the University of Arizona expressed his opinion that regardless of whether TUSD is granted unitary status, TUSD's obligation to continue the effort to create unitary schools doesn't end. He also shared his concerns about how students will be affected if the decree is modified.

John O'Dowd – (second time) Indicated he shared Dr. Ares' concerns and is additionally concerned about the impact unitary status may have on desegregation funds currently being received as a result of Title 15-910(H), which is the statute that allows the district to exceed its budget limitation every year.

Barbara Krider – (second time) Read and responded to the questions posed in the handout she distributed when she spoke earlier tonight.

David Rheubottom – (second time) Suggested that students be surveyed on how they have benefited from the desegregation order.

Joel Ireland thanked everybody for giving their input.

PUBLIC HEARING AND SPECIAL MEETING ADJOURNED –  
7:20 P.M.

Approved this 18<sup>th</sup> day of January, 2005.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By   
Adelita Grijalva, Clerk  
Governing Board

sll  
Minutes\9-28-04Special