

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

**November 10, 2009  
4:00 p.m.**

**MINUTES**

**Present:**

Judy Burns, President  
Mark Stegeman, Clerk [arrived at 5:00 p.m.]  
Bruce Burke, Member  
Miguel Cuevas, Member  
Adelita S. Grijalva, Member [arrived at 4:25 p.m.]

**Also Present:**

Elizabeth Celania-Fagen, Ed.D., Superintendent  
Rob Ross, Legal Counsel  
Michael Areinoff, Legal Counsel  
Mary Alice Wallace, Director of Staff Services to the Governing Board  
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board

**ITEM**

**ACTION**

**SPECIAL MEETING CALLED TO ORDER** – 4:07 p.m.

**ACTION ITEMS**

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| <p>1. Schedule an executive meeting at this time to consider the following matters –</p> <p style="padding-left: 20px;">A. Student matters pursuant to A.R.S. §§15-342, 15-521, and 15-843; A.R.S. §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)</p> <p style="padding-left: 40px;">1) Determine whether to schedule student disciplinary hearings and authorize use of hearing officers</p> <p style="padding-left: 40px;">2) Hearing Officers' Recommendations</p> | <p>Miguel Cuevas moved approval; Bruce Burke seconded. Approved 3-0. Adelita Grijalva and Mark Stegeman were not present for the vote.</p> |
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**ITEM**

**ACTION**

**ACTION ITEMS** (continued)

1. Schedule an executive meeting at this time to consider the following matters – (cont.)
  - B. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4)
    - 1) Opening Minds Through the Arts (OMA)/ Keen Elementary School Settlement
    - 2) Retiree Contracts and Benefits
  - C. 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) Recommendation to Deny Request for Leave of Absence
    - 2) 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
    - 3) Appointment of Member to the TUSD Technology Oversight Committee
  - D. Legal Advice/instruction to attorney pursuant to A.R.S. §38-431.03
    - 1) Review of Superintendent's 2009 Goals in Accordance with Provision 3(B) of the Superintendent's Contract approved by the Governing Board on April 8, 2008

**ITEM**

**ACTION**

**ACTION ITEMS** (continued)

1. Schedule an executive meeting at this time to consider the following matters – (cont.)
  - E. 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** – 4:08 p.m.

**SPECIAL MEETING RECONVENED** – 5:44 p.m.

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| <ol style="list-style-type: none"><li>C. 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)<ol style="list-style-type: none"><li>1) 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</li></ol></li></ol> | Discussion only. No action taken at this time. |
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Certified Teacher Michael Craig requested that discussion of the Statement of Charges against him be held in public.

Bruce Burke recused himself from the discussion.


Michael Areinoff presented the Statement of Charges. He and Rob Ross responded to questions and comments from Mark Stegeman, Adelita Grijalva, Judy Burns and Miguel Cuevas.

**SPECIAL MEETING RECESSED** – 5:53 p.m.

**SPECIAL MEETING RECONVENED AND ADJOURNED**  
– 6:45 p.m.

Approved this 8<sup>th</sup> day of December, 2009.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

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

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Minutes\11-10-09Special