

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

**January 8, 2013
5:30 p.m.**

MINUTES

Present:

Kristel Ann Foster, Member
Adelita S. Grijalva, Member
Michael Hicks, Clerk
Cam Juárez, Member
Mark Stegeman, Member

Also Present:

John J. Pedicone, Ph.D., Superintendent
Maria Menconi, Ph.D., Interim Deputy Superintendent
Martha Durkin, Lead Legal Counsel
Abel Morado, Ed.D., Assistant Superintendent, Secondary Leadership
Maggie Shafer, Assistant Superintendent, Elementary and K-8 Leadership
Pamela Palmo, Interim Chief Human Resources Officer
Yousef Awwad, Chief Financial Officer
John Gay, Chief Information Officer, Technology and Telecommunications Services
Candy Egbert, Chief Operations Officer, Engineering, Facilities and Planning
David Scott, Director, Accountability and Research
Cara Rene, Director, Communications and Media Relations
Lorrane McPherson, Interim Executive Director, Exceptional Education
Jeff Coleman, Director, School Safety, and Staff
Ricardo Castro, Friend of Kristel Ann Foster
Raul Aguirre, Friend of Cam Juárez
Heather Gaines, Legal Counsel, DeConcini, McDonald, Yetwin & Lacey, Attorneys
Mary Alice Wallace, Director of Staff Services to the Governing Board
Michele Gutierrez, Senior Staff Assistant I to the Governing Board
Alexis Huicochea, Arizona Daily Star
Andrew Brown, Everlasting Light Productions
TV Channels 9 (KGUN), 11/13 (KMSB/KOLD), AZ Public Media

ITEM

ACTION

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

Board Clerk Michael Hicks called the meeting to order and called for a moment of silence in recognition of the two-year anniversary of the January 8, 2011 shooting tragedy in Tucson and the December 2012 school shooting in Newtown, Connecticut. In his remarks he commented on the failure of the mental health system and committed the District to providing support for the mentally ill.

A moment of silence was held.

PLEDGE OF ALLEGIANCE

Michael Hicks led the Pledge of Allegiance.

1. **OATH OF OFFICE**

Kristel Ann Foster

Ricardo Castro administered the oath of office to Ms. Foster

Cam Juárez

Raul Aguirre administered the oath of office to Mr. Juárez.

Mark Stegeman

Martha Durkin administered the oath of office to Dr. Stegeman.

ACTION ITEMS

2. Election of Officers

a) Office of President

Kristel Foster nominated Adelita Grijalva as President, Cam Juárez seconded. Approved 3-1. Michael Hicks voted no, and Mark Stegeman abstained.

ITEM

ACTION

ACTION ITEMS (continued)

2. Election of Officers (continued)

b) Office of Clerk

Cam Juárez nominated Kristel Foster as Clerk; Adelita Grijalva seconded.

A substitute nomination of Mark Stegeman as Clerk by Michael Hicks died for lack of a second.

The original nomination was approved 4-1. Michael Hicks voted no.

SPECIAL MEETING RECESSED – 5:38 p.m.

SPECIAL MEETING RECONVENED – 5:43 p.m.

Ms. Grijalva presided when the meeting reconvened.

3. Approval of 2013 Regular and Special Business Meeting Schedules of the Tucson Unified School District Governing Board

Michael Hicks moved approval, Cam Juárez seconded. Approved unanimously by voice vote.

4. Authorization of Superintendent or, in the Superintendent's Absence, the Superintendent's Designee to Be the Representative of Tucson Unified School District No. One for the Purpose of Executing Documents Pertaining to Applications for Federal Funds Which Have Been Approved by the Board

Kristel Foster moved approval, Michael Hicks seconded. Approved unanimously by voice vote.

Dr. Pedicone responded to a question from Mr. Hicks concerning the reason for the authorization which allows documents to be signed that have a timeline for approval of federal grants.

ITEM

ACTION

ACTION ITEMS (continued)

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| 5. Authorization for Governing Board members, the Superintendent, Legal Counsel, Chief Financial Officer, and Chief Operations Officer to Travel in the State of Arizona for District-Related Business and to Receive Reimbursement of Per Diem Expenses as Allowed by Law | Michael Hicks moved approval, Kristel Foster seconded. Approved unanimously by voice vote. |
| 6. Authorization for Tucson Unified School District Legal Counsel to Appoint Hearing Officers for all Statements of Charges

Dr. Pedicone and Ms. Durkin provided clarification of the purpose for the authorization. | Michael Hicks moved approval, Cam Juárez seconded. Approved unanimously by voice vote. |
| 7. Authorization for Tucson Unified School District Legal Counsel to schedule Student Disciplinary Hearings for Recommendations to Expel and Authorize use of Hearing Officers in 2013

Dr. Pedicone and Ms. Durkin provided clarification of the purpose for the authorization. | Michael Hicks moved approval, Kristel Foster seconded. Approved unanimously by voice vote. |

CALL TO THE AUDIENCE

Ms. Grijalva reviewed the rules and protocol for Call to the Audience.

The following are names of individuals who spoke and the subject of their comments:

- Laura Leighton** – Education/Mexican American Studies
- Roberto Rodriguez** – Future of TUSD/Mexican American Studies
- Alice Novoa** – Ethnic Studies
- Stephanie Hamilton** – Closure of Brichta
- Frances Banales** – Welcome to new Board Members
- Betts Putnam-Hildago** – MAS or School Security
- Jana Happel** – Board Conduct
- Terry Higuera** – New Board

Ms. Grijalva closed the Call to the Audience and invited Board Members to respond.

ITEM

ACTION

Dr. Stegeman responded to comments made by Ms. Happel regarding the December 11, 2012 board meeting regarding the Unitary Status Plan.

ACTION ITEM

8. Schedule an executive meeting at this time to consider the following matters:

A. Legal Advice/Instruction to Attorney pursuant to A.R.S. §38-431.03(A)(3) and (A)(4)

1) Fisher-Mendoza

Michael Hicks moved approval, Cam Juárez seconded. Approved unanimously by roll call vote.

SPECIAL MEETING RECESSED – 6:11 p.m.

SPECIAL MEETING RECONVENED – 7:16 p.m.

ACTION ITEM

9. Fisher-Mendoza v. Tucson Unified School District – Consideration of the Joint Unitary Status Plan Noting Areas of Party Disagreement Filed on December 10, 2012, and District Objections thereto as Noted in November 9, December 10, and December 14, 2012, Court Filings – Requested by Board Member Adelita Grijalva

Adelita Grijalva moved the attached motion to withdraw objections to Section V.D(6)(a)(ii) of the Joint Proposed Unitary Status Plan, Cam Juárez seconded. Approved 3-2. Michael Hicks and Mark Stegeman voted no.

Ms. Grijalva moved the attached motion made part of these Minutes.

Dr. Stegeman commented on his reasons for opposing the motion.

Mr. Hicks commented on his reasons for opposing the motion.

Mr. Juárez commented on his reasons for supporting the motion.

Ms. Foster commented on her reasons for supporting the motion.

Ms. Grijalva commented on the confusion which arose in the December 11, 2012 meeting and her reasons for supporting the motion.

Ms. Durkin provided legal advice.

ITEM

ACTION

ACTION ITEM (continued)

- 9. Fisher-Mendoza v. Tucson Unified School District – Consideration of the Joint Unitary Status Plan Noting Areas of Party Disagreement Filed on December 10, 2012, and District Objections thereto as Noted in November 9, December 10, and December 14, 2012, Court Filings – Requested by Board Member Adelita Grijalva (continued)

Dr. Stegeman commented again concerning the value of Mexican American Studies.

At Dr. Pedicone’s request, Heather Gaines provided clarification on the direction she received by the Board’s vote to file with the Court a withdrawal of the District’s objections to the culturally relevant courses of instruction in Section V.D(6)(a)(ii) of the Joint Proposed Unitary Status Plan Noting Areas of Disagreement and to withdraw all objections to those provisions.

SPECIAL MEETING ADJOURNED – 7:27 p.m.

Approved this 12th day of February, 2013.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By _____
Kristel Foster, Clerk
Governing Board

ATTACHMENT

maw
Minutes1-8-13Special

January 8, 2013

Agenda Item 9

During the course of the development of the Joint Proposed Unitary Status Plan, the TUSD Governing Board directed counsel to file objections to the inclusion of curriculum, in particular curriculum related to culturally relevant courses, and the requirement that the culturally relevant courses be considered core courses. It is the intent of the motion I make today to direct counsel to withdraw all objections to including curriculum in the court-ordered Unitary Status Plan, to withdraw all objections related to culturally relevant courses, and to withdraw all objections to designating the culturally relevant courses as core courses. Designating a course as a core course means that passing the course will satisfy requirements for graduation. It does not mean that all students must take the course; culturally relevant courses will remain optional.

I move that the Governing Board withdraw all objections related to Section V. D(6)(a)(ii) of the Joint Proposed Unitary Status Plan Noting Areas of Party Disagreement submitted to the Court on December 10, 2012, and set forth in the Legal Memorandum of Objections Filed on November 9, 2012.

Moved: Adelita Grijalva

Seconded: Cam Juárez

Approved 3-2. Mike Hicks and Mark Stegeman voted “no.”