

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

**February 12, 2013
4:00 p.m.**

MINUTES

Present:

Adelita S. Grijalva, President
Kristel Ann Foster, Clerk
Michael Hicks, Member
Cam Juárez, Member – *arr. @ 4:07 p.m.*
Mark Stegeman, Member
Evelyn Sanchez, President, Superintendent's Student Advisory Council

Also Present:

John Pedicone, Ph.D., Superintendent
Martha Durkin, Lead Legal Counsel
Maria Menconi, Ed.D., Interim Deputy Superintendent
Abel Morado, Ed.D., Assistant Superintendent, Secondary Leadership
Maggie Shafer, Assistant Superintendent, Elementary and K-8 Leadership
Yousef Awwad, Chief Financial Officer
John Gay, Chief Information Officer, Technology and Telecommunication Services
Candy Egbert, Chief Operations Officer, Engineering, Facilities and Planning
Pamela Palmo, Interim Chief Human Resources Officer
Jim Fish, Executive Director, Equity Intervention
Lorrane McPherson, Interim Executive Director, Exceptional Education
David Scott, Director, Accountability and Research
Cara Rene, Director, Communications and Media Relations
Jeff Coleman, Director, School Safety, and Staff
Charles McCollum, Sponsor, Superintendent's Student Advisory Council &
Interim Director, Career and Technological Education
Kent Johnson, Field Technician Lead, Technology Services
Mary Alice Wallace, Director of Staff Services to the Governing Board
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board
Frances Banales, President, Tucson Education Association
Dan Ireland, Vice President, Tucson Education Association
Leo Masursky, Board Liaison, School Community Partnership Council
Alexis Huicochea, Arizona Daily Star
TV Channels 4, 11/13 and AZ Public Media

ITEM

ACTION

REGULAR MEETING CALLED TO ORDER – 4:05 p.m.

No action required.

ITEM

ACTION

ACTION ITEM

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| 1. Schedule an executive meeting at this time to consider the following matters:

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) Requests for Review of Failing Grades
2) Hearing Officer’s Recommendation

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)
1) Hearing Officer’s Report and Recommendation to Dismiss Certified Teacher

C. Legal Advice/Instruction to Attorney pursuant to A.R.S. §38-431.03(A)(3) and (A)(4)
1) Fisher-Mendoza
2) Settlement Agreement – John Ward v. TUSD, et al.

D. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives pursuant to A.R.S. §38-431.03 (A)(5)
1) Negotiations with employee organizations

E. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. §38-431.03 Subsection (A)(7)
1) Land Disposition | Michael Hicks moved approval, Kristel Foster seconded. Approved 4-0 by voice vote. Cam Juárez was not present for the vote. |
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REGULAR MEETING RECESSED – 4:07 p.m.

REGULAR MEETING RECONVENED – 6:45p.m.

PLEDGE OF ALLEGIANCE

Kristel Foster led the Pledge of Allegiance.

No action required.

ITEM

ACTION

INFORMATION ITEMS

2. Superintendent's Student Advisory Council (SSAC) Report No action required

Evelyn Sanchez presented the report. The SSAC meeting was held at Catalina earlier today, on February 12. She thanked Catalina for their hospitality. She further reported on the leadership activities at the meeting. Guest speaker Dr. Pedicone reported on the *Move On* legislation and asked SSAC members to consider media reports. Board member Mark Stegeman was in attendance. She invited board members to attend the next meeting on March 19 at Sabino High School.

SUPERINTENDENT'S REPORT

No action required.

Dr. Pedicone thanked Evelyn Sanchez and other SSAC members for their leadership. He recognized the following principals who were nominated for the 2013 Rodel Exemplary Principal Initiative: **Rosanna Ortiz-Montoya**, Menlo Park; **Deb Anders**, Davidson; and **Steven Trejo**, C.E. Rose. He reviewed the Initiative and the criteria each principal engendered in order to be honored.

Rosanna introduced her husband and sons who accompanied her to the board meeting. Deb could not be present at the meeting due to a conflict with an activity at Davidson. Steve was accompanied by his wife and son whom he introduced, and he recognized all the teachers, parents and friends of C.E. Rose in attendance

BOARD MEMBER ACTIVITY REPORTS

No action required.

Michael Hicks attended the MLK Shootout held at the McKale Center. He stated he would like to see more staff and board members in attendance next year. He also thanked Interscholastics Director Herman House for putting on the awesome event.

Kristel Foster reported she was honored to help celebrate recent National Certified Teachers at Tucson High; attended some school closure boundary meetings at Corbett; moderated the Senior Debate at University High and was most impressed; met with a dedicated group of custodians, bus drivers, and principals; met with a group of students from UNIDOS; has met with half of the Superintendent's Cabinet to learn more about specific functions and responsibilities of their departments; and read to the C.E. Rose class of Mrs. Taylor Bull who was a former student of hers at the UofA; and is looking forward to reading at Gale tomorrow.

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BOARD MEMBER ACTIVITY REPORTS (continued)

Cam Juárez reported that the meeting with UNIDOS was helpful in approaching new challenges being faced. He highlighted participation in Love of Reading at Manzo, Menlo Park, and Robison; C. E. Rose and said other schools are on his schedule to read to classes during the coming week. The book he read to students was “Lucky Luis” by Gary Soto, which he highly recommended.

Mark Stegeman reported he went to the UHS multicultural breakfast which is used to recruit students from underrepresented groups who have been invited to come to UHS, and which has had some success in increasing enrollment.

CALL TO THE AUDIENCE

No action required.

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:

Debbie Perez – Monitor Position and violation of recall rights

Lillian Fox – Budget

Daniel Montoya – Mexican American Studies and the USP

Dan Ireland – Budget/Negotiations

Betts Putnam-Hidalgo – Transition Team

Frances Banales – advocated for 301 Plan; expressed appreciation for collaboration in the DIT process concerning the closures; asked for collaboration in negotiations with employee groups regarding the budget deficit.

Michael Hicks requested the Superintendent investigate the situation regarding violation of recall rights.

Kristel Foster thanked Mr. Ireland for his comments about effective teachers being the most critical to success.

INFORMATION ITEMS

3. Presentation of Budget Status and Update on FY 2013 Budget

No action required.

Dr. Pedicone introduced this item. Using Power Point, Yousef Awwad presented an update on where the District stands as of December 31st on budget expenditures and balances. He

ITEM

ACTION

INFORMATION ITEMS (continued)

3. Presentation of Budget Status and Update on FY 2013 Budget (continued)

and Dr. Pedicone responded to questions from Board members Michael Hicks, Cam Juárez, and Kristel Foster.

4. School Community Partnership Council (SCPC) Report

No action required.

Leo Masursky presented the report. He reviewed the organization and purpose of the SCPC and the meeting schedule. He reported on the January 28 meeting in detail and discussed the upcoming meeting on February 25.

Dr. Pedicone responded regarding his availability to speak at the February 25 meeting and staff members he will ask to accompany him to answer questions.

Board members commenting were Cam Juárez, Michael Hicks, and Kristel Foster. Dr. Pedicone responded to questions by Board member Mark Stegeman.

Dr. Pedicone and Adelita Grijalva clarified the issue concerning the District's position being the same as the Board's position on culturally relevant courses; Mark Stegeman and Kristel Foster commented.

It was confirmed that Board members are invited and are allowed to attend SCPC meetings. Board staff posts a Three or More notice to cover the attendance of a majority of the Board.

5. Report from the Employee Benefits Trust Board

No action required.

Dr. Pedicone asked Yousef Awwad to introduce the Chair of the Trust Board, Dr. Neil West, who presented the report. Dr. Pedicone expressed appreciation for the service of the Employee Benefits Trust Board members who serve in a voluntary capacity. Mr. Awwad also explained the service of the board members and expressed appreciation.

Dr. West presented the report and thanked his fellow board members, Mark Stegeman from the Governing Board, Yousef Awwad from TUSD Finance, Bob Harbour, a CPA, and Mark Mansfield, who works for Tucson Electric. He discussed options the Trust Board is working on which he will bring back to the Governing Board at a future meeting.

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ACTION

INFORMATION ITEMS (continued)

5. Report from the Employee Benefits Trust Board (continued)

Dr. West responded to Board member Kristel Foster's question.

CONSENT AGENDA

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| 6. | a) | Salaried Critical Need and Replacement Hires | Michael Hicks moved approval of Consent Agenda items No. 6(a-d, f-i, l, and n-r), Kristel Foster seconded. Approved unanimously by voice vote. |
| | b) | Hourly Critical Need and Replacement Hires | |
| | c) | Salaried separations | |
| | d) | Hourly separations | |
| | f) | Requests for Leave of Absence for Classified Personnel | |
| | g) | Adoption of 2012-2013 High School Supplementary Materials – Official SAT Study Guide with DVD | |
| | h) | Approval of the Free Throw Web-based program from Arizona Department of Education | |
| | i) | Adoption of 2012-2013 High School Supplementary Materials – Kontakte: A Communicative Approach | |
| | l) | Award of Food Services Bid No. 13CN Canned Fruits and Vegetables Bid, February 13, 2013 – November 30, 2013, awarded to Malone Meat Poultry, Inc., and Shamrock Foods, in the amount of \$198,830.49 | |
| | n) | Minutes of Tucson Unified School District Governing Board Meetings | |
| | | 1) Regular Board Meeting, August 14, 2012 | |
| | | 2) Special Board Meeting, December 20, 2012 | |
| | | 3) Special Board Meeting, January 8, 2013 | |
| | | 4) Regular Board Meeting, January 15, 2013 | |
| | o) | Acceptance of the Summary of Student Activity Funds for the Period of July 1, 2012 through December 31, 2012 | |
| | p) | Ratification of salary and non-salary vouchers for the period beginning January 1, 2013, and ending January 31, 2013 | |
| | q) | Hearing Officer's Report and Recommendation to Dismiss Certified Teacher Frank Frazier | |
| | r) | Settlement Agreement – John Ward v. TUSD, et al., filed in Superior Court, Pima County C2011-3457 | |

Dr. Pedicone recommended approval of the Consent Agenda as submitted.

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ACTION

CONSENT AGENDA (continued)

Michael Hicks requested Consent Agenda items no. 6(e), (j) and (k) be considered separately.

6. e) Requests for Leave of Absence for Certified Personnel

Board members Michael Hicks and Mark Stegeman asked questions concerning leaves of absence. Dr. Pedicone responded.

Martha Durkin provided legal advice concerning leaves of absence.

6. j) Intergovernmental Agreement between Tucson Unified School District and the University of Arizona to allow the University to assist TUSD in administering the Advanced Placement Exams to TUSD Students from May 6, 2013 to May 17, 2013

Board members asking questions and/or commenting were Michael Hicks, Mark Stegeman, Cam Juárez, Kristel Foster, and Adelita Grijalva and SSAC President Evelyn Sanchez.

Dr. Pedicone, Charles McCollum and Yousef Awwad responded and provided information on the administration of AP examinations in the past, the proposal to centralize examinations by utilization of the UofA, and details of administering AP tests, including transportation, parking and fees.

6. k) Amendment No. 1 to the Intergovernmental Agreement between Ohlone College and Tucson Unified School District to extend the IGA for the period of February 1, 2013 through June 30, 2013

Dr. Pedicone and Charles McCollum responded to Board member Michael Hicks' questions concerning the IGA, which is to train teachers to teach Cisco through online instruction.

Martha Durkin provided advice that the amendment is merely to extend through the end of the fiscal year.

Mark Stegeman requested Consent Agenda item no. 6(m) be considered separately.

Michael Hicks moved approval, Mark Stegeman seconded. Approved unanimously by voice vote.

Michael Hicks moved approval, Mark Stegeman seconded. Approved unanimously by voice vote.

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

ITEM

ACTION

CONSENT AGENDA (continued)

6. m) Award of Request for Proposals (RFP) No. 13-73-17 – Trademark Logo Licensing, Royalties and Protection, awarded to Licensing Resource Group (LRG Prep, LLC), who will provide 50% of all revenue to TUSD from sales of licensed products through their retail network.

Kristel Foster moved approval, Mark Stegeman seconded. Approved unanimously by voice vote.

Board member Mark Stegeman commented and asked for explanation of the reason to change from previous practice. Other Board members asking questions and/or commenting were Adelita Grijalva and Michael Hicks.

Dr. Pedicone and Yousef Awwad responded to questions.

Martha Durkin provided legal advice.

ACTION ITEMS

7. Recommendations from Regional Boundary Committee Recommendations on Attendance Area Changes for the 2013-2014 School Year for School Consolidations

Michael Hicks moved approval of the recommendations subject to Court approval of the boundaries, subject to Court approval of the closures, and subject to the USP Review Process; Mark Stegeman seconded. Approved unanimously by roll call vote.

Dr. Pedicone introduced the item and asked Candy Egbert to make the presentation. She reviewed the boundary process and indicated Bryant Nodine and Sam Brown are part of the school consolidation team and their involvement in the process. Bryant Nodine presented via Power Point the process used in accordance with Board Policy JC (*Student Attendance Boundaries*) since the decision was made for the closures in December. He presented the recommendations for the boundaries for each school and Sam Brown presented the effect and impact in terms of the Unitary Status Plan.

Bryant Nodine, Dr. Pedicone, Candy Egbert, Maggie Shafer, and Sam Brown responded to questions and/or comments from Kristel Foster, Adelita Grijalva, Mark Stegeman, Cam Juárez and Michael Hicks.

The issue of all students currently at Wakefield having the option to attend Hollinger was clarified through discussion between board members and Dr. Pedicone, Bryant Nodine, Maggie Shafer and Candy Egbert.

[For details of discussion, listen to the audio recording or view the video recording on the TUSD web under the Governing Board link.]

REGULAR MEETING RECESSED – 9:48 p.m.

REGULAR MEETING RECONVENED – 10:00 p.m.

Consideration of extending the meeting beyond the 10:00 p.m. curfew in accordance with Governing Board Policy BDAA – *Procedures for Governing Board Members*

Cam Juárez moved to extend the meeting until the agenda was finished, Kristel Foster seconded. Approved 4-1 in a voice vote. Michael Hicks voted no.

ACTION ITEMS (continued)

8. Reconsideration of the vote on January 29, 2013, to investigate outsourcing for Operations, Custodians, Ground Maintenance, Transportation, Human Resources, Payroll, Benefits and Technology Operations – Requested by Board Member Cam Juárez

Cam Juárez moved reconsideration of the vote, Kristel Foster seconded. Approved 3-2 in a roll call vote. Mark Stegeman and Michael Hicks voted no.

Martha Durkin provided legal advice in response to a parliamentary question by Board member Mark Stegeman.

Martha Durkin read the original motion approved on January 29, 2013:

The original motion of January 29, 2013 was not voted on again.

“Authorized staff to explore and investigate short term and long term advantages of outsourcing for the following areas: Operations, Custodians, Ground Maintenance, Transportation, Human Resources, Payroll, Benefits and Technology Operations.”

A substitute motion was made by Adelita Grijalva (and amended) to postpone the matter of outsourcing to the Regular Board Meeting on March 12, 2013, and in the meantime staff is to work with employee groups to come up with suggestions for reducing the deficit in-house. Kristel

Cam Juárez read a statement indicating he was unable support outsourcing at this time.

During a lengthy discussion, Board members commenting were Michael Hicks, Cam Juárez, Kristel Foster, Mark Stegeman and Adelita Grijalva. Dr. Pedicone responded to comments by Board members.

Martha Durkin provided legal advice regarding parliamentary procedure regarding substitute motions in response to comments by Board member Mark Stegeman. Dr. Pedicone commented.

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ACTION

ACTION ITEMS (continued)

8. (continued)

Dr. Pedicone clarified with Yousef Awwad that the plan for postponement and discussion with employee groups was reasonable.

Board members commenting further were Adelita Grijalva, Kristel Foster and Cam Juárez.

Foster seconded (and accepted the amendment).
Approved 4-1 in a roll call vote.
Michael Hicks voted no.

9. Approval of Continuation of Livestream Premium Channel for Video Streaming of Tucson Unified School District Governing Board Meetings

Dr. Pedicone introduced Mary Canty who presented using Power Point. She reviewed the history and operation of video streaming from inception to the present, including data on usage and cost.

Board members asking questions and/or commenting were Michael Hicks, Kristel Foster, Mark Stegeman, and Adelita Grijalva.

Michael Hicks moved approval, Mark Stegeman seconded.
Unanimously approved by a voice vote.

STUDY ITEMS

10. Review of Proposed Magnet Plan in accordance with the Unitary Status Plan

Dr. Pedicone introduced the item. Vicky Callison presented using Power Point to provide an in-depth update on magnet schools currently in existence and new ones planned. She provided information on the magnet grant for which the Unitary Status Plan (USP) requires the District to make application by March 1. The Magnet Plan will be provided to the Board for action in April.

Board members asking questions and/or commenting were Adelita Grijalva, Michael Hicks, Cam Juárez, and Mark Stegeman.

Studied only.

ITEM

ACTION

STUDY ITEMS (continued)

11. Update on 301 Plan Progress for 2013-2014 Studied only.

Dr. Pedicone introduced Maggie Shafer and Frances Banales to make the presentation via Power Point. The plan was provided to the Board in advance of the board meeting to give time for review and to present to teachers for ratification. The Plan will be presented to the Board post-ratification in March for approval. A school-by-school report will be prepared in June on student achievement.

Dr. Pedicone, Frances Banales, Maggie Shafer and Yousef Awwad responded to questions and/or comments by Board members Michael Hicks, Kristel Foster and Mark Stegeman.

12. Tucson Unified School District's Participation in the Federal E-Rate Program Studied only.

Dr. Pedicone introduced John Gay who presented via Power Point regarding E-Rate. The point of the presentation was to give Board members information on the e-rate application process and on the IT Infrastructure Modernization Initiative (ITIMI) currently under way. Agenda items will be presented at the February 26, 2013 meeting for Board action to authorize submission of e-rate applications.

Board members asking questions and/or commenting were Michael Hicks, Mark Stegeman and Adelita Grijalva. Mr. Gay responded.

FUTURE AGENDA ITEMS

Kristel Foster requested a Study/Action item on dual language as ALE (advanced learning experience).

REGULAR MEETING RECESSED TO EXECUTIVE SESSION – 11:31 p.m.

Adelita Grijalva clarified that the meeting would adjourn after the Executive Session in the Board Conference Room.

REGULAR MEETING RECONVENED AND ADJOURNED –
12:15 a.m. on February 13, 2013

Approved this 9th day of April, 2013.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By _____
Kristel Ann Foster, Clerk
Governing Board

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Minutes\02-12-13Regular