

TUCSON UNIFIED SCHOOL DISTRICT
GOVERNING BOARD
AGENDA FOR SPECIAL MEETING*

TIME: April 25, 2017
4:00 p.m.

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

In Attendance: Board Members Michael Hicks, President; Mark Stegeman, Clerk; Kristel Ann Foster, Adelita S. Grijalva, and Rachael Sedgwick; Interim Superintendent Gabriel Trujillo and Legal Counsel Michelle Tong. 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.

4:00 p.m. CALL MEETING TO ORDER – 4:06 p.m.

ACTION

1. Schedule an executive meeting at this time to consider the following matters:
APPROVED. Moved: Sedgwick; Seconded: Stegeman. Passed Unanimously. (Voice Vote). Adelita Grijalva and Kristel Foster stated that they would leave the room during the discussion of items 1(c) and 1(d).
 - 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 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) Administrative appointments, reassignments and transfers
 - Principal – Tucson Magnet High School
 - C. Discussion or consultation for legal advice with the attorney or attorneys of the Governing Board, pursuant to A.R.S. §38-431.03 (A)(3)
 - 1) Employee Discipline and Due Process Procedures, Generally
 - D. 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) Discussion of Disciplinary Action Regarding Certificated Administrator – Requested by Board President Michael Hicks

- 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.
- F. 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)
 - 1) Negotiations with employee organizations

ACTION ITEM

MOTION AND VOTE TO RECESS SPECIAL MEETING TO EXECUTIVE SESSION

RECESS SPECIAL MEETING TO EXECUTIVE SESSION

ACTION ITEM

MOTION AND VOTE TO RECESS EXECUTIVE MEETING AND RECONVENE

MEETING – approx. 5:30 p.m.

5:43 p.m. – Reconvene Regular Board Meeting

Multipurpose Room
Duffy Community Center
5145 E. Fifth Street

5:30 p.m.

PLEDGE OF ALLEGIANCE – Led by Carlie Queen, 11th Grade Student from Palo Verde Magnet High School.

Board President Michael Hicks announced that Spanish Interpreter Services were available and the Spanish Interpreter Martin Coss repeated the announcement in Spanish.

Michael Hicks announced that during Executive Session item number 1(d) was pulled and 1(f) was postponed.

Kristel Foster announced that she would not be participating on Board Agenda items number 17 and 18.

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.)* Board President Michael Hicks announced 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. Persons who spoke at Call to the Audience were: Betts Putnam-Hidalgo re: SCPC meetings; Audrey Cunneely re: ESP-Health Assistant; Michael Boreale re: Board Agenda Item #18; Gail Kamaras re: Tax Payer Vouchers; Brenda Wevler re: SB1431; Dolores de Vera re: Substitute Pay; Edward Cizek re: Budget and District Management; Margaret Chaney re: Leadership Relationship; Lucy LiBoshe re: American Federation of Teachers.

Hugo Parra was called to speak but did not appear.

Mark Stegeman moved to extend the Call to the Audience to hear the last speaker. Seconded: Foster. **APPROVED** Passed Unanimously (Voice Vote).

CALL TO THE AUDIENCE – Continued

Lucy Libosha re: Introduction to AFT

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

Mark Stegeman thanked Dolores de Vera for the Substitute Information that she provided to the Board and commented on Betts Putnam-Hidalgo on SCPC. Dr. Trujillo responded to Dr. Stegeman regarding SCPC

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Rachael Sedgwick requested that Dr. Trujillo present the process, contracts and laws for the Teacher bargaining union.

ACTION ITEMS

2. Administrative appointments, reassignments and transfers – Principal, Tucson High Magnet School **APPROVED – SHAWNA RODRIGUEZ**
Moved: Grijalva; Seconded: Foster. Passed Unanimously (Voice Vote) Dr. Trujillo recommended Shawna Rodriguez for the position.

3. Award of Request for Proposal (RFP) 18-01-22 – Banking and Payroll Paycard Services **APPROVED – WELLS FARGO BANK AND RAPID PAYCARD. These are multi-term contracts with the initial term effective July 1, 2017 through June 30, 2018 with four (4) annual renewal options through June 30, 2022 for a maximum contract length of five (5) years. Estimated District expenditures for Banking Services expenses/fees are \$72,000 per year. There is no cost to the District for Payroll Paycard Services.** Moved: Hicks; Seconded: Foster. Passed Unanimously (Voice Vote). Dr. Trujillo and Kevin Startt provided information and responded to Board inquiries. Mark Stegeman commented.
4. Fisher Fee Agreement for 2016 **APPROVED** Moved: Grijalva; Seconded: Stegeman. Passed Unanimously (Voice Vote). Dr. Trujillo provided information.
5. Revision of Fiscal Year 2016-2017 Tucson Unified School District Annual Expenditure Budget **APPROVED** Moved: Grijalva; Seconded: Foster. Passed Unanimously (Voice Vote). Dr. Trujillo and Renee Weatherless provided information and responded to Board inquiries. Board members commenting and/or asking questions were Mark Stegeman and Rachael Sedgwick.
6. Resolution to Oppose Expansion of Education Savings Accounts (SB1431) **APPROVED** Moved: Foster; Seconded: Grijalva. Passed 4-1 (Roll Call Vote). Mark Stegeman voted no. Kristel Foster read the Resolution to Oppose Expansion of Education Saving Accounts (SB1431) as the motion. Dr. Trujillo recommended for approval the Resolution to Oppose Expansion of Education Savings accounts (SB1431). Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Rachael Sedgwick and Kristel Foster.

STUDY/ACTION ITEMS

7. Code of Conduct Draft – Update to the Governing Board **STUDIED ONLY** Dr. Trujillo, Abel Morado, Michael Konrad, Matt Munger, Stephanie Miller, Carlie Queen, Jazmine Ruelas, Fernando Soto and Kyyan Bemiss provided information and responded to Board inquiries. Board members commenting and/or asking questions were Mark Stegeman, Kristel Foster, Rachael Sedgwick, Adelita Grijalva, and Michael Hicks. Board members will review information and provide written comments to the Administration.

RECESS REGULAR MEETING – 7:10 p.m.

RECONVENE REGULAR MEETING – 7:20 p.m.

8. New Superintendent Search Process Format, Consultant(s) and Direction – Requested by Board President Michael Hicks and Board Member Kristel Foster **APPROVED – ARIZONA SCHOOL BOARDS ASSOCIATION, DR. NICK CLEMENT, CONSULTANT** Moved: Grijalva; Seconded: Stegeman. Passed Unanimously (Roll Call Vote). Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Michael Hicks, Kristel Foster and Rachael Sedgwick. Michelle Tong provided legal advice.

Mark Stegeman read in the form of a motion. *“We request the consultant gather input from the Board, Administrators and other TUSD Stakeholders on which skills and attributes should be included in the Superintendent job posting. Consultant will summarize his input about the posting and work with the ad with the Board directly. Write the ad and place it in the appropriate venues as soon as possible. The consultant may also recruit applicants.”* Seconded: Sedgwick **FAILED** 2-3 (Roll Call Vote) Kristel Foster, Adelita Grijalva and Michael Hicks voted no.

Adelita Grijalva moved to address Item #10 and Item #12 before Item 9. Seconded: Foster. **APPROVED** Passed Unanimously (Voice Vote).

INFORMATION ITEM

10. Legislative Update **INFORMATION ONLY**
Dr. Trujillo, John Kelley and Lourdes Peña provided information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Mark Stegeman, Adelita Grijalva, Kristel Foster and Rachael Sedgwick.

STUDY ITEM

12. Solar Photovoltaic System Phase III **STUDIED ONLY** Dr. Trujillo, Stuart Duncan and Tina Cook provided information and responded to Board inquiries. Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Kristel Foster and Michael Hicks. It will come back on May 9 for Action.

INFORMATION ITEM

9. Superintendent’s Update **INFORMATION ONLY**– Details of the Superintendent’s Report regarding update on Cost Savings, 24-Hour Service, Recognitions and Upcoming Initiatives are available via the audio and video recordings posted on the TUSD web.

STUDY ITEMS

11. FY 2016-2017 Budget Update **INFORMATION ONLY** Dr. Trujillo, Renee Weatherless, Tina Stephens and Kevin Startt provided information and responded to Board inquiries. Board members commenting and/or asking questions were Rachael Sedgwick, Michael Hicks and Adelita Grijalva. Michelle Tong provided legal advice.
13. Draft Proposal for Governing Board Meeting Procedures – Requested by Board President Michael Hicks **Mr. Hicks pulled the item.**

Governing Board Policies

Action

14. Governing Board Policy Code BEDB – *Board Meeting Agenda Posting and Organization* (revision) – Requested by Board Clerk Mark Stegeman **APPROVED with a typographical error corrected.** Moved: Stegeman; Seconded: Sedgwick. Passed 3-2 (Roll Call Vote). Kristel Foster and Adelita Grijalva voted no. Board members commenting and/or asking questions were Mark Stegeman, Adelita Grijalva, Rachael Sedgwick, Mark Stegeman and Michael Hicks. Michelle Tong provided legal advice.

Study

15. Governing Board Policy IHAMC – *Requiring Instruction and Training in Cardiopulmonary Resuscitation* (new) as Required by Senate Bill 1137, Fifty-Second Arizona Legislature, Second Regular Session 2016 **STUDIED ONLY** Dr. Trujillo provided information and responded to Board inquiries. Board members commenting and/or asking questions were Rachael Sedgwick, Michael Hicks and Adelita Grijalva. Michelle Tong provided legal advice.
16. Governing Board Policies JRR – *Student Surveys* (new) and LC – *Relations with Education Research Agencies* (new) and LCA – *Administration of Student Surveys* (elimination; now covered by JRR) as Required by Senate Bill 1137, Fifty-Second Arizona Legislature, Second Regular Session 2016 **STUDIED ONLY** Dr. Trujillo provided information and responded to Board inquiries. Mark Stegeman commented.

ACTION ITEM

17. Board Approval of Educational Services, Inc., (ESI) Contracts – Requested by Board Clerk Mark Stegeman and Board Member Rachael Sedgwick
Board Member Kristel Foster stated that she would not stay for Item 17 and asked that the item be postponed to give staff the time to prepare the information, Board Agenda Item was submitted the day before the Board meeting.

Kristel Foster moved to postpone items #17 and #18 to another meeting to give staff enough time to respond to items. Seconded: Grijalva. **FAILED** 2-3 (Roll Call Vote) Mark Stegeman, Rachael Sedgwick and Michael Hicks voted no.

Mark Stegeman read in the form of a motion. *“The Board hereby requests the General Counsel to draft appropriate policy language, for consideration by the Board. This language should, in part, imply that administrators on ESI contracts can be hired only with Board approval and at Board-approved salaries and can be released by the Board (typically on the superintendent’s recommendation) with 30 days notice. Current requirements for Board approval of the hiring and release of full-time teachers should be extended, in an appropriate way, to teachers hired through ESI. The intent is that a full-time employee’s decision to retire and return through ESI not become a means of circumventing the Board’s customary role in employment decisions that have budgetary impact. Separately, it should be clear in policy that full-time employee’s employment security rights do not extend, by default, to outsourced contractors. The General Counsel is free to present options and alternatives texts to the Board, within the scope of this general mandate.”*
APPROVED Moved: Stegeman; Seconded: Sedgwick. Passed 4-0 (Roll Call Vote). Kristel Foster was not present to vote.

Board members commenting and/or asking questions were Kristel Foster, Mark Stegeman and Rachael Sedgwick.

STUDY ACTION ITEM

18. Budget Allocation Targets – Requested by Board Clerk Mark Stegeman and Board Member Rachael Sedgwick **Mark Stegeman read in the form of a motion: *The fiscal year 2017-2018 budget shall allocate at least 50% to Instruction at the most 10% to administration, as measured by the State Auditor General's office. Staff's presentation of the budget to the Board shall compare budgeted numbers to actual spending in 2016-2017, to explain in detail how spending will be reallocated to achieve the targets. The presentation shall also explain the reasons for recent discrepancies between targets announced at the start of the fiscal year and actual allocations as reported by the Auditor General 1 1/2 years later, and why similar discrepancies will not cause slippage and failure to reach the Board's targets in 2017-2018.*** Moved: Stegeman; Seconded: Sedgwick. **FAILED 2-2 (Roll Call Vote).** Adelita Grijalva and Michael Hicks voted no. Kristel Foster was not present to vote. Board members commenting and/or asking questions were Adelita Grijalva, Rachael Sedgwick and Mark Stegeman.

During the discussion of agenda item #18, in accordance with Governing Board Policy BDAA – *Procedures for Governing Board Members*, Rachael Sedgwick moved to extend the meeting for five minutes. **APPROVED** Moved: Sedgwick; Seconded: Stegeman. Passed 3-1 (Roll Call Vote). Michael Hicks voted no. Kristel Foster was not present to vote.

10:00 p.m. MOTION AND VOTE TO EXTEND OR ADJOURN SPECIALBOARD MEETING
10:08 p.m. – Special 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	President Clerk Member Member Member
Senior Leadership:	Michelle Tong Abel Morado, Ed.D. Mark Alvarez Karla G. Soto Stuart Duncan Scott Morrison Anna Maiden	Legal Counsel Assistant Superintendent, Secondary Leadership Interim Assistant Superintendent, Elementary/K-8 Leadership Chief Financial Officer Chief Operations Officer Chief Information Officer, Chief Human Resources Officer
Administrative Staff:	Sam Brown Renee Weatherless Maricela Meza Kevin Startt Jeff Coleman + Staff Michael Konrad Matt Munger Tina Stephens Janet Rico-Uhrig Stefanie Boe Lorenzo Lopez Rabih Hamadeh Charles McCollum Shawna Rodriguez	Legal Counsel Director- Finance Director, Employee Relations Director, Purchasing Director, School Safety Director, Middle School Leadership Director, Secondary Leadership Director, School Improvement Director, Talent Acquisition Recruitment & Retention Director, Communications/Media Relations Director, Culturally Responsive Pedagogy & Instruction Director, Infrastructure Technology Interim Director, Career & Technical Education and Sponsor, Superintendent's Student Advisory Council Interim Principal, Tucson High Magnet School
Support Staff:	Sylvia Lovegreen Michele Gutierrez Nicholas Roman Gene Armstrong Martin Coss Miguel Carrion	Senior Staff Assistant II to the Governing Board Senior Staff Assistant I to the Governing Board Administrative Assistant, Superintendent's Office Technical Support Specialist II, Technology Spanish Interpreter Video Technician, Communications & Media Outreach
Employee Group Representatives:	Jason Freed	President, Tucson Education Association TEA)
Presenters:	John B. Kelley Lourdes Peña Stephanie Miller Charlie Queen Jazmine Ruelas Kyyan Bemiss Fernando Soto	Principal, Triadvocates Public Affairs Advisor, Triadvocates Teacher, Palo Verde Magnet High School Student, Palo Verde Magnet High School Student, Palo Verde Magnet High School Student, Palo Verde Magnet High School Student, Palo Verde Magnet High School

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Guests:	Ben Garrett John Mitman	Director, Operations, Natural Power and Energy Director, Engineering and Development, Natural Power and Energy
	Eric Barnes Zeb Wallace	Principal Project Manager, Constellation Energy Sr. Business Development Manager, Solar, Constellation Energy

There were approximately 60+ people in the audience.

Michael Hicks presided and called the meeting to order at 4:06 p.m.

Meeting recessed at 4:07 p.m. and reconvened at 5:53 p.m.

Meeting recessed at 7:10 p.m. and reconvened at 7:20 p.m.

Meeting adjourned at 10:08 p.m.

Approved this 9th day of May, 2017.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By _____
Mark Stegeman, Clerk
Governing Board