

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

**April 17, 2012  
7:00 p.m.**

**MINUTES**

**Present:**

Mark Stegeman, President  
Michael Hicks, Clerk  
Miguel Cuevas, Member – arrived at 7:09 p.m.  
Adelita S. Grijalva, Member – arrived at 7:08 p.m.  
Alexandre Sugiyama, Member

**Also Present :**

John Pedicone, Ph.D., Superintendent  
Maria Menconi, Ed.D., Interim Deputy Superintendent  
Yousef Awwad, Chief Financial Officer  
Pam Palmo, Interim Chief Human Resources Officer  
John Gay, Chief Information Officer  
Candy Egbert, Chief Operations Officer  
Martha Durkin, Lead Legal Counsel  
David Scott, Director, Accountability and Research  
Maggie Shafer, Assistant Superintendent, Elementary School Leadership  
Abel Morado, Ph.D., Assistant Superintendent, High School Leadership  
Lupita Garcia, Ph.D., Assistant Superintendent, Government Programs & Community Outreach  
Shannon Roberts, Director, Employee Relations  
Cara Rene, Director, Communications and Media Relations  
Jeffrey Coleman, Director of School Safety, and Staff  
Kathleen Perkins, Member of Advisory Board for University of Arizona College of Science  
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  
Alexis Huicochea, *Arizona Daily Star*

**SPECIAL MEETING CALLED TO ORDER** – 7:02 p.m.

**ITEM**

**ACTION**

**ACTION ITEMS**

- |                                                                                                                                                                                                                                                                                                                        |                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| 1. Schedule an executive meeting at this time to consider the following matters –                                                                                                                                                                                                                                      |                                                                                                                                       |
| A. 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)<br>1) Arbitrators' Decisions on Discharged Bus Drivers                                                                                                                  |                                                                                                                                       |
| B. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)<br>1) Fisher-Mendoza<br>2) Security of the Governing Board Room                                                                                                                                                                |                                                                                                                                       |
| C. 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 Subsections (A)(7)<br>1) School Sites Update on Agreements |                                                                                                                                       |
| 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 Subsection (A)(5)<br>1) Negotiations with Employee Organizations                                                                   |                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                        | Michael Hicks moved approval; Alex Sugiyama seconded. Approved 3-0. Miguel Cuevas and Adelita Grijalva were not present for the vote. |

**SPECIAL MEETING RECESSED** – 7:03 p.m.

**SPECIAL MEETING RECONVENED**– 8:40 p.m.

**PLEDGE OF ALLEGIANCE**

Mark Stegeman led in the Pledge of Allegiance.

**ITEM**

**ACTION**

Mark Stegeman entertained a motion to address Item No. 11 immediately following the Superintendent's Report.

Miguel Cuevas moved approval; Michael Hicks seconded. Approved unanimously.

**SUPERINTENDENT'S REPORT** - The Wright Learning Garden Donation

John Pedicone made introductory remarks followed by a presentation by Kathleen Perkins on STEM (Science, Technology, Engineering and Math) activities and the science garden at Wright Elementary School. Michael Hicks commented.

**STUDY/ACTION ITEMS**

- 11. Acceptance and Approval of the Charter School Application for Richey Elementary School Sponsored by TUSD

Miguel Cuevas moved approval; Michael Hicks seconded. Approved unanimously.

Maria Menconi presented information on the charter school application and TUSD's sponsorship for a charter school at Richey. John Pedicone, Adelita Grijalva, Miguel Cuevas, and Mark Stegeman commented and/or asked questions.

**STUDY ITEM**

- 2. Curriculum/Instruction Staff Development

Studied only.  
No action taken.

Maria Menconi made a PowerPoint presentation about staff development in the area of curriculum/instruction. She responded to comments and questions from Mark Stegeman, John Pedicone and Miguel Cuevas.

**RECESS SPECIAL MEETING** – 9:22 p.m.

## ITEM

## ACTION

### PUBLIC HEARING – Proposed Performance Based Compensation Plan Portion of 2012-2013 Classroom Site Fund Plan Under A.R.S. §15-977 (Proposition 301)

\*\*Speakers during this portion of the Public Hearing will abide by the rules governing Call to the Audience at Board meetings with the exception that each speaker will be allowed 2 minutes.

\*\*REF: Governing Board Policy Code No. BDAA – Procedures for Governing Board Members

There were no members of the public who requested to speak during the Public Hearing.

Alex Sugiyama moved to close Public Hearing; Adelita Grijalva seconded. Approved unanimously.

### RECONVENE SPECIAL MEETING – 9:24 p.m.

#### STUDY/ACTION ITEM

3. Approval of the Performance Based Compensation Plan (Prop 301) for School Year 2012-2013

Adelita Grijalva moved approval; Miguel Cuevas seconded. Approved 4-1. Mark Stegeman voted no.

Maggie Shafer and Frances Banales reviewed the Plan and responded to comments and questions from Mark Stegeman, Miguel Cuevas, Michael Hicks, Adelita Grijalva, John Pedicone and Alex Sugiyama. Martha Durkin provided legal advice.

#### INFORMATION ITEMS

4. Update on Procedure Planning for the 2013-2014 Calendar for TUSD – Requested by Board President Mark Stegeman

Information only.  
No action required.

John Pedicone introduced Lupita Garcia who made a presentation on the extensive committee process for developing the 2013-2014 calendar.

Prior to the end of Dr. Garcia's presentation, Michael Hicks reminded those present of the need to extend the meeting curfew pursuant to board policy.

**ITEM**

**ACTION**

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

Michael Hicks moved to extend the meeting to 10:30 p.m.; Alex Sugiyama seconded. Approved 4-0. Miguel Cuevas was not present for the vote.

**INFORMATION ITEMS** (continued)

4. Update on Procedure Planning for the 2013-2014 Calendar for TUSD – Requested by Board President Mark Stegeman (cont.)

Information only.  
No action required.

Following Lupita Garcia’s presentation, Adelita Grijalva and Mark Stegeman provided input on the calendar process.

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

Information only.  
No action required.

Yousef Awwad provided an update on the status of the FY 2013 budget process. Following his presentation, Mr. Awwad responded to comments and questions from Michael Hicks, John Pedicone, Miguel Cuevas, Alex Sugiyama, Mark Stegeman and Adelita Grijalva.

6. Employee Benefits Trust (EBT) Board Report – Requested by Board President Mark Stegeman

Information only.  
No action required.

Mark Stegeman provided a brief overview of the status of TUSD’s self-insurance and recommendations from the EBT.

Consideration of extending the meeting beyond the previously agreed upon time of 10:30 p.m. for adjournment in accordance with Governing Board Policy BDAA – Procedures for Governing Board Members

Alex Sugiyama moved to extend the meeting to 11:00 p.m.; Miguel Cuevas seconded. Approved 3-0. Adelita Grijalva and Michael Hicks were not present for the vote.

**ITEM**

**ACTION**

Dr. Pedicone commented on the possible need to go into executive session to discuss some of the remaining items.

Alex Sugiyama moved to go into executive session; Miguel Cuevas seconded. Approved 3-0. Adelita Grijalva and Michael Hicks were not present for the vote.

RECESS SPECIAL MEETING – 10:25 p.m.

RECONVENE SPECIAL MEETING – 10:42 p.m.

**ACTION ITEMS**

7. Final Action on the Advisory Decision of the Arbitrator in the Matter of Employee Discharge – Claudio Connell

John Pedicone recommended approval as discussed in executive session.

Miguel Cuevas moved to accept the arbitrator's report and advisory recommendation and uphold the district's decision to terminate the employee; Alex Sugiyama seconded. Approved 3-2. Adelita Grijalva and Michael Hicks voted no.

8. Final Action on the Advisory Decision of the Arbitrator in the Matter of Employee Discharge – Sonia Virgen

John Pedicone recommended approval as discussed in executive session.

Miguel Cuevas moved to accept the arbitrator's report and findings, modify the advisory recommendation and uphold the district's decision to terminate the employee; Alex Sugiyama seconded. Approved 3-2. Adelita Grijalva and Michael Hicks voted no.

9. Final Action on the Advisory Decision of the Arbitrator in the Matter of Employee Discharge – Tamara Strand

John Pedicone recommended approval as discussed in executive session.

Miguel Cuevas moved to accept the arbitrator's report and advisory recommendation and uphold the district's decision to terminate the employee; Alex Sugiyama seconded. Approved 3-2. Adelita Grijalva and Michael Hicks voted no.

**ITEM**

**ACTION**

**ACTION ITEMS** (continued)

10. Fisher-Mendoza v. TUSD – Approval of Settlement for 9<sup>th</sup> Circuit Attorneys’ Fees as Discussed in Executive Session

Miguel Cuevas moved approval; Adelita Grijalva seconded. Approved unanimously.

John Pedicone recommended approval. Michael Hicks and Mark Stegeman commented briefly about the fact that the fees for this settlement will come from the desegregation budget which directly impacts TUSD children.

**STUDY/ACTION ITEMS**

11. Acceptance and Approval of the Charter School Application for Richey Elementary School Sponsored by TUSD

Addressed out of sequence following Superintendent’s Report (above).

Miguel Cuevas moved to go into executive session; Alex Sugiyama seconded. Approved unanimously.

**RECESS SPECIAL MEETING** – 10:45 p.m.

**SPECIAL MEETING RECONVENED AND ADJOURNED**  
– 11:08 p.m.

Approved this 9<sup>th</sup> day of October, 2012.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By \_\_\_\_\_  
Michael Hicks, Clerk  
Governing Board