

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

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

MINUTES

Present:

Adelita S. Grijalva, President
Kristel Ann Foster, Clerk
Michael Hicks, Member
Cam Juárez, Member – arr. @ 4:08 p.m.
Mark Stegeman, Member – arr. @ 4.03 p.m.
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
Yousef Awwad, Chief Financial Officer
John Gay, Chief Information Officer
Candy Egbert, Chief Operations Officer
Pam Palmo, Interim Executive Director, Human Resources
Maggie Shafer, Assistant Superintendent, Elementary/K-8 Leadership
Abel Morado, Ed.D., Assistant Superintendent, Secondary School Leadership
Jim Fish, Executive Director, Student Equity and Intervention
Lorrane McPherson, Interim Executive Director, Exceptional Education
David Scott, Director, Accountability and Research
Shannon Roberts, Director, Employee Relations
Cara Rene, Director, Communications/Media Relations
Jeff Coleman, Director, School Safety, & Staff
Holly Colonna, Director, Guidance Counseling and Student Prevention Programs
Donna Johnson, Director, School Health Services
Charles McCollum, Sponsor, Superintendent Student Advisory Council
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
Linda Hatfield, President, Communication Workers of America
Alexis Huicochea, Arizona Daily Star
TV Channels 4, 9, 11/13

ITEM

ACTION

REGULAR MEETING CALLED TO ORDER – 4:01 p.m.

ITEM

ACTION

ACTION ITEM

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| 1. Schedule an executive meeting at this time to consider the following matters: | Michael Hicks moved approval, Kristel Foster seconded. Approved 3-0. Cam Juárez and Mark Stegeman were not present for the vote. |
| A. Legal Advice/Instruction to Attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
1) Fisher-Mendoza
2) Open Meeting Law and Governing Board Policy Code BDAA – <i>Procedures for Governing Board Members</i> | |
| 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) Recommendation to deny request for leave of absence for certified teacher | |
| C. 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)
1) Negotiations with employee organizations | |

REGULAR MEETING RECESSED – 4:01 p.m.

REGULAR MEETING RECONVENED – 6:46 p.m.

Adelita Grijalva apologized for the late beginning of the meeting.

PLEDGE OF ALLEGIANCE

Dr. Pedicone led the Pledge of Allegiance.

No action required.

INFORMATION ITEMS

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| 2. Superintendent’s Student Advisory Council (SSAC) Report | Information only.
No action required. |
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Dr. Pedicone introduced Evelyn Sanchez. She briefly reported on a recent activity at Santa Rita “Spread the Word to End the Word” to promote equality among exceptional education students; meetings at Tucson High where SSAC and upper classmen presented to under classmen on graduation and life after high school; a Youth and Peace Conference workshop to

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2. Superintendent's Student Advisory Council (SSAC)
Report (continued)

be held at Doolen on March 26 on combating bullying. The next meeting will be on March 19 at Santa Rita.

Kristel Foster commented.

SUPERINTENDENT'S REPORT

No action required.

Dr. Pedicone indicated he had no formal report for the meeting.

BOARD MEMBER ACTIVITY REPORTS

No action required.

Mike Hicks reported he visited Dodge Middle school; attended Doolen's 70th anniversary with Dr. Pedicone, Kristel Foster and Mark Stegeman; visited Dunham; and best of all, spent time at Gridley during the snow storm.

Kristel Foster reported she finished meeting with all but one of the Cabinet members and thanked them for going over their areas with her. She attended the Howell monthly dinner meeting and learned about the tradition in that area. She also attended Doolen's 70th anniversary celebration and suggested Board could work with the Historical Society to institute landmarks for schools 75 years and older. She visited TUSD's booth at the Tucson Festival of Books, and last night participated at Blenman's Literacy Night event which entertained children's author and illustrator Floyd Cooper.

Cam Juárez reported on calls to elementary schools to visit and assist in recruitment for Kindergarten to bring in new students and reinforce pre-K.

CALL TO THE AUDIENCE

No action required.

Adelita Grijalva outlined the protocol for Call to the Audience.

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

Terry Higuera – Midvale Park Neighborhood Association donation to Grijalva Elementary School

Debbie Perez – Monitor position and request for compensation for lost wages

Alan Lee – Labor relations and opposition to outsourcing

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CALL TO THE AUDIENCE (continued)

Lilian Fox – Revision of School Selection design on the TUSD web page

Roxanna M. Gil – Denial of Request for second year of Leave of Absence

Kathy Schultz – Timelines for employee groups to provide cost savings ideas regarding budget deficit and opposition to increase in case loads

Frances Banales – Request for \$ figures on cost savings suggestions, and increases in benefits cost to employees

Tony Vacura – Increases in Special Ed caseload caps

Betts Putnam-Hidalgo – Court ruling on culturally relevant curriculum, and budget cuts in central administration

Mike Wisnieski – Importance of Blue Collar workers

Kristel Foster asked staff to review cuts with principals for consistency.

Mike Hicks asked the District to investigate the situation surrounding the donation to Grijalva from the Midvale Park Neighborhood Association.

Cam Juárez congratulated Mr. Wisnieski on his daughter's graduation from University High school with a full ride scholarship.

Mark Stegeman commented in response to Ms. Banales' remarks concerning the Trust Board, of which he is a member, that although the Trust Board does not have anything to do with negotiations with employee groups, the Trust Board sets the overall rate for medical plans. He stated that although costs and claims have risen, the Trust Board voted to hold the overall rate the same for next year, and that reserves will handle any losses.

Evelyn Sanchez asked what the definition of culturally relevant means. Adelita Grijalva asked Dr. Pedicone to provide response at the next SACC meeting.

CONSENT AGENDA

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| 3. | a) Salaried critical need and replacement hires | Michael Hicks moved approval of Consent Agenda Items 3 (a-g, j-s), Adelita Grijalva |
| | b) Hourly critical need and replacement hires | |
| | c) Salaried separations | |
| | d) Hourly separations | |

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CONSENT AGENDA (continued)

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| 3. | e) | Recommendation to Deny Request for Leave of Absence for Certified Teacher – Roxana Gil-Seykora | seconded. |
| | f) | Requests for leave of absence for classified personnel | Subsequent to the motion and second, Ms. Foster asked that items 3 (h) and 3 (i) be considered separately. |
| | g) | 2012-2013 Advanced Placement Testing Materials Expenditure | The maker and seconder of the motion agreed to the removal of the items as requested. |
| | j) | Supplemental Reading and Math Interventions: SuccessMaker-Version 5 and Subsequent Versions (6.0 expected to be released soon) | Approved unanimously in a voice vote. |
| | k) | Request Approval for Lease Purchase of SuccessMaker Full Curriculum Perpetual District-wide License, with Authorization for Director of Purchasing to Sign Lease Purchase Documents | |
| | l) | Acceptance of the Pima County Health Department Tobacco and Chronic Disease Prevention Agreement to provide School Health Advisory Services for Tobacco Prevention, effective January 1, 2013 through December 31, 2013, with option for four one-year renewals pending TUSD Governing Board approval, with Authorization for the Superintendent to Execute Agreement | |
| | m) | Amendment No. 3 to the Intergovernmental Agreement for the Provision and Administration of Dental Screening and Sealant Services between Tucson Unified School District and Pima County, effective February 2, 2013 through February 1, 2014 | |
| | n) | Award of Food Services Bid No. 12FR1 Frozen Foods: Group 1, March 12, 2013 through February 15, 2014, awarded to Malone Meat Poultry, Inc., US Foodservice, Shamrock Foods, Jones Dairy Farm, and Buena Vista Foods, in the amount of \$1,352,776.57 | |
| | o) | Award of Food Services Bid No. 13SS Single Service and Disposable Food Services Supplies, March 13, 2013 through February 28, 2014, awarded to Western Paper Distributors, Malone Meat Poultry Inc., Shamrock Foods, Wallace Packaging LLC, CCP Industries, Merit Foods of Arizona, and US Foodservice, in the amount of \$353,022.44 | |

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CONSENT AGENDA (continued)

- 3. p) Permission to Accept Contractor Proposal for Parking Expansion at Westside Transportation Facility (Bond), accepted D. L. Wither's proposal in the amount of \$290,000.00 including contingency
- q) Minutes of Tucson Unified School District Governing Board Meetings
 - 1) Special Board Meeting, August 28, 2012
 - 2) Regular Board Meeting, September 11, 2012
 - 3) Special Board Meeting, October 2, 2012
 - 4) Special Board Meeting, January 29, 2013
 - 5) Special Board Meeting, February 8, 2013
- r) Acceptance of the Summary of Student Activity Funds for the Period of July 1, 2012 through January 31, 2013
- s) Ratification of salary and non-salary vouchers for the period beginning February 1, 2013, and ending February 28, 2013

Dr. Pedicone recommended approval as submitted.

Kristel Foster requested Consent Agenda items 3(h) and (i) be considered separately:

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| 3. h) Adoption of 2012-2013 High School Supplementary Materials for Project MORE | Michael Hicks moved approval, Cam Juárez seconded. Approved unanimously in a roll call vote. |
| i) Adoption of 2013-2014 High School Supplementary Materials for the Cholla Magnet High School IB (International Baccalaureate) Program | |

Kristel Foster expressed concern about the process in policy for adopting textbooks and materials. Dr. Pedicone, Maria Menconi and Abel Morado responded to further questions and/or comments from Kristel Foster, Mark Stegeman and Evelyn Sanchez.

INFORMATION ITEMS

- 4. School Community Partnership Council (SCPC) Report No report.

In the absence of the SCPC Board Liaison, no report was given.

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INFORMATION ITEMS (continued)

5. Presentation of Budget Status and Update on FY 2013

Information only. No action required.

Dr. Pedicone introduced this item and asked Yousef Awwad to make the presentation. Using a Power Point presentation, Mr. Awwad began his update on the status of the current year's budget, and he and Dr. Pedicone responded to questions and comments from Board members Cam Juárez and Mark Stegeman. Mr. Awwad also reported on the Auditor General's report and Dr. Pedicone commented. Mr. Awwad and Dr. Pedicone responded to questions from Board member Kristel Foster.

6. Presentation of Proposed Draft Desegregation Budget for SY 13-14

Information only. No action required.

Dr. Pedicone introduced this item as a beginning to apply dollars to the Unitary Status Plan and commented that the draft has been assessed by an outside expert retained by the Special Master. He turned the presentation over to Sam Brown who provided information via Power Point on the proposed budget for the 2013-2014 year along with an interim budget for the remainder of the current school year as required by the USP; other aspects of the USP projects and their budgets; and finally the whole budget. The budget will be submitted to the Governing Board for final approval along with Special Master recommendations for Board approval or rejection, Mr. Brown outlined the timeline in accordance with the USP.

Mr. Brown responded to questions and comments by Board members Cam Juárez, Kristel Foster, Michael Hicks, Adelita Grijalva, and Michael Hicks.

ACTION ITEMS

7. Proclamation: César E. Chávez Week in Tucson Unified School District March 18-22, 2013 – Requested by Board Member Cam Juárez

Cam Juárez moved approval of the Proclamation as read, Adelita Grijalva seconded. Approved unanimously in a voice vote.

Cam Juárez read the following Proclamation as a motion. The purpose of the celebration is to promote the legacy of César E. Chávez to the community and TUSD students.

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ACTION ITEMS (continued)

7. Proclamation: César E. Chávez Week in Tucson Unified School District March 18-22, 2013 – Requested by Board Member Cam Juárez (continued)

WHEREAS, César Chávez, recognized as one of our Nation's great civil rights and labor-union leaders, committed his life to improving the lives of farm workers everywhere and brought their plight to national attention, faithfully adhering to the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.; and

WHEREAS, on August 8, 1994, César Chávez posthumously received the Presidential Medal of Freedom, the highest civilian honor in the United States; and

WHEREAS, César Chávez's life motto, "Si Se Puede" (it can be done) embodies the invaluable legacy he left for the world's benefit; and

WHEREAS, The Arizona César E. Chávez Holiday Coalition has planned activities for the Tucson community to celebrate the life of César Estrada Chávez and to recognize the men and women who labor in the agricultural fields to produce the food we serve at our tables;

*NOW, THEREFORE, the Governing Board of the Tucson Unified School District does hereby proclaim March 18-22, 2013 as **César E. Chávez Week** in this District and encourages all of our students and employees to observe this week with appropriate community service and educational themes to honor César's enduring legacy.*

8. Approval of the 301 Plan for School Year 2013-2014

Dr. Pedicone introduced this item and asked Maggie Shafer to make the presentation. He commented on the collaboration with TEA to develop and approve the 301 Plan. Using a Power Point presentation, Ms. Shafer presented information indicating ratification of the Plan has taken place and asked for Board approval of the Plan as is.

Mark Stegeman expressed concerns of whether this Plan and last year's Plan conform to the intent and normal practice of 301 Plans as it relates to the language of Prop 301. He stated this is not a comment on the pedagogy.

Ms. Grijalva thanked staff for their hard work.

Michael Hicks moved approval, Kristel Foster seconded. Approved 4-1 in a roll call voted. Mark Stegeman voted no.

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ACTION ITEMS (continued)

9. FY 2013 Budget Discussions with Employee Groups, as directed in the February 12, 2013, Regular Board Meeting

Dr. Pedicone introduced this item as a summary of work over the past month as trying to come up with ways to address the deficit. and asked Mr. Awwad to make the presentation. Mr. Awwad reported on responses from employee groups. He discussed the proposal from AFSCME regarding health insurance, life insurance, and an incentive concerning retirement. Discussed ideas from other groups, some of which were deemed good but would require work to implement.

Michael Hicks moved to accept Administration's proposed language to reduce the District's budget shortfall as discussed in Executive Session and for the District to present this language to the employee groups and return to the Board in April's meeting with results of this discussion, seconded by Kristel Foster. Approved unanimously in a voice vote.

10. Authorization to Investigate Outsourcing as Postponed from the February 12, 2013 Regular Governing Board meeting

Dr. Pedicone said brought back as

Ms. Grijalva asked how this changes from the previous action approved on February 12th that included RFP's. Mr. Awwad responded the normal action would be to go with an RFI, and once it is known what is needed, then go with an Request for Proposal (RFP). However, he stated RFIs may not be needed in this case since the needs are already known.

Dr. Stegeman suggested Mr. Hicks' motivation might be that the Board would be more comfortable going with RFIs than RFPs to begin with.

Mr. Juárez stated that since information is already known, that negates the RFI process. Mr. Awwad stated enough information is available to write an RFP.

Mr. Hicks stated that an RFP can go forward; an RFI does not go forward. He indicated he would like to find out details about what a particular activity can be done for, and doesn't believe

Michael Hicks moved to ask the Administration to do Requests For Information (RFIs) concerning outsourcing, not RFPs, to see what is feasible; Mark Stegeman seconded.

After discussion, Michael Hicks amended his motion to approve going out for RFPs with the stipulation that proposals would be reviewed by the Board prior to negotiations with vendors or awards, pending Counsel's research that review

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ACTION

ACTION ITEMS (continued)

10. Authorization to Investigate Outsourcing as Postponed from the February 12, 2013 Regular Governing Board meeting (continued)

the expertise is available in the District to find out all the information required to write an RFP. He further stated he wants to make sure all information is brought forward to the Board on what costs will be and what will be saved through outsourcing.

Dr. Pedicone stated the purpose of RFIs is to gather information and ideas on what companies may be able to do to achieve the goal of certain functions of the District. He stated the District currently has information on what many of the relevant companies can provide and their track records are known because of their outsourcing services to others. He further stated that the previous suggestion of going out for RFPs was to find out specifics, but the proposals are not binding and don't have to be awarded.

Mr. Awwad continued the discussion on where the bulk of expenditures are and looked at contracts awarded to other districts for particular areas and see approximate savings.

Ms. Foster asked if going out for an RFI before an RFP pushes the timeline later and extends the decision making process? She expressed concern about stress for employees who might be affected. Mr. Awwad indicated it would delay the decision by a couple of months.

Mr. Hicks commented further he is not ready to award anything to anyone and waste the time if there is no inclination to go out for an RFP which takes time to put together. He indicated he wanted employees to be taken care of.

Dr. Stegeman said he would support issuing RFPs if others were so inclined.

Mr. Juárez stated there are data that outsourcing does not work. He indicated he would rather TUSD staff spend time on finding solutions and stated he would not support outsourcing at this point, especially with no quality data.

of the proposals by the Board is legal; Mark Stegeman accepted the change as the seconder of the motion.

Failed 2-3 in a roll call vote. Cam Juárez, Kristel Foster and Adelita Grijalva voted no.

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ACTION ITEMS (continued)

10. Authorization to Investigate Outsourcing as Postponed from the February 12, 2013 Regular Governing Board meeting (continued)

Ms. Grijalva stated there might be savings in year one, but was concerned about year two and the future, and where the District might be if an outsourced service was terminated, e.g., the condition of school buses. She also expressed concern about the loss of ancillary services that employees do above and beyond their job descriptions which would not happen unless they were written into outsourced contracts. She indicated she has done homework through discussions with other districts and had been willing to consider other options in order to gain improved functions in some areas. However she stated she would defer to the will of the Administration if there is interest, but as the item stands here, she indicated she was not willing to move forward with custodians, ground maintenance and transportation. She expressed her desire to keep as many employees working as possible, understanding there will need to be concessions.

Ms. Foster indicated she would like to vote on the RFP issue so the District can move forward on decisions. She stated the Board is a steward of public funds, and she was not willing to give taxpayer funds to private sector.

Ms. Grijalva clarified the action being considered would be to request RFI's.

Mr. Hicks stated he is willing to change his motion

Ms. Durkin provided legal advice that was possible if the seconder accepted.

Mr. Hicks changed his motion to going out for RFPs with the stipulation that awards are not made automatically, that there be no negotiations before coming back to the Board for review.

Dr. Stegeman indicated his willingness to second but asked for clarification.

Mr. Hicks clarified that the Board would review before a vendor is identified, a Best and Final Offer before the board.

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ACTION

ACTION ITEMS (continued)

10. Authorization to Investigate Outsourcing as Postponed from the February 12, 2013 Regular Governing Board meeting (continued)

Mr. Awward clarified that once proposals are received, they are confidential and can't be discussed in public.

Ms. Grijalva clarified that, as an example, if 4 vendors made proposals, the Board would want to look at all before moving forward.

Dr. Stegeman asked for legal advice if Statute allows the Board to look at proposals in Executive Session.

Ms. Durkin said she would research, but would consider RFPs as confidential documents for Executive Session.

Dr. Pedicone expressed concern about providing that information, but if determined to be legal to review in Executive Session, the Board would have opportunity to review and make a decision on whether to move forward.

Dr. Stegeman stated his belief it would be cleaner to do RFPs, but stated he was prepared to accept the change in the motion as the seconder.

Mr. Hicks asked the consequence if it was determined not to be legal for the Board to review the proposals.

Dr. Pedicone suggested including the caveat "pending Counsel's research that review of the proposals by the Board is legal."

Subsequent to the vote which did not pass, Dr. Stegeman stated he would like to propose something additional concerning this item.

There was no discussion concerning the motion.

Mark Stegeman moved to issue an RFP on busing with two stipulations: 1) that the RFP does not include routing; and 2) the winning vendor agrees to hire all the bus drivers without disciplinary records. Mike Hicks

ITEM

ACTION

ACTION ITEMS (continued)

10. Authorization to Investigate Outsourcing as Postponed from the February 12, 2013 Regular Governing Board meeting (continued)

seconded for discussion.

Motion failed 1-4 in a roll call vote. Cam Juárez, Kristel Foster, Mike Hicks and Adelita Grijalva voted no.

FUTURE AGENDA ITEMS

Dr. Stegeman requested that the agenda item he and Mike Hicks had requested concerning expansion of a small middle school appear on the next agenda. Ms. Grijalva stated the Agenda Committee would be meeting. He stated it was a request to the Board President and Superintendent.

Ms. Foster requested an item concerning historical landmarks and buildings, and a review of textbook and materials policy.

REGULAR MEETING ADJOURNED – 9:18 p.m.

Approved this 22nd day of October, 2013.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By _____
Kristel Ann Foster, Clerk
Governing Board

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Minutes\03-12-13Regular