

TUCSON UNIFIED SCHOOL DISTRICT
GOVERNING BOARD
AGENDA FOR REGULAR BOARD MEETING*

TIME: August 8, 2017
2:30 p.m.

PLACE: Multipurpose Room
Duffy Community Center
5145 East Fifth Street
Tucson, Arizona 85711

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

CALL TO ORDER – 2:34 p.m.

ACTION ITEM

- 2:30 p.m.
1. Schedule an executive meeting at this time to consider the following matters: **APPROVED. Moved: Foster; Seconded: Stegeman. Passed 3-0. (Voice Vote). Rachael Sedgwick and Adelita Grijalva were not present for the vote. Legal Counsel Lisa Anne Smith was not present for this action.**
 - 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); and consideration of records exempt by law from public inspection A)(2)
 - 1) Superintendent Search – Screen Applications
 - 2) Administrative appointments, reassignments and transfers
 - General Counsel, Legal
 - B. 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); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
 - 1) Negotiations with employee organizations
 - C. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)
 - 1) Confidential Settlement – Office of Administrative Hearings Case Number 17C-DP-067-ADE

D. 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); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4)

1) Borman Elementary School – Lease Renewal

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.

ACTION ITEM

MOTION AND VOTE TO RECESS REGULAR MEETING TO EXECUTIVE SESSION REGULAR MEETING RECESSED TO EXECUTIVE SESSION

RECESS REGULAR MEETING TO EXECUTIVE SESSION

ACTION ITEM

MOTION AND VOTE TO ADJOURN EXECUTIVE MEETING AND RECONVENE REGULAR MEETING – appx 5:30 p.m.

6:24 p.m. – Reconvene Regular Board Meeting

Multipurpose Room
Duffy Community Center
5145 East Fifth Street
Tucson, Arizona 85711

Roll call vote of Governing Board Members, to reconvene the meeting; Passed 5-0.

Board President Hicks requested Information Items #21 and #22 be addressed after Item #6. Moved: Foster; Seconded: Hicks. Passed Unanimously (Voice Vote).

5:30 p.m.

PLEDGE OF ALLEGIANCE – Led by Buddy Goodwin, Home Schooled, 6th grader.

INFORMATION ITEM

2. Superintendent’s Report **INFORMATION ONLY** – Dr. Trujillo provided an update on the Opening of School. Details are available via the video and audio recordings on the web.

PRIORITY ITEMS FROM JULY 27, 2017

STUDY/ACTION ITEM

3. Draft Voter Information Packet for November 7, 2017 Bond Election
STUDIED ONLY. Dr. Trujillo and Bryant Nodine provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Rachael Sedgwick, Mark Stegeman and Kristel Foster. Lisa Anne Smith provided legal advice.

INFORMATION ITEM

4. TUSD AzMerit Performance Results **INFORMATION ONLY.** Dr. Trujillo and Dr. Halley Freitas provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Rachael Sedgwick, Mark Stegeman, Kristel Foster and Michael Hicks.

Rachael Sedgwick moved to address items #9, #10 and #11 before Call to the Audience. Motion died for lack of a second.

INFORMATION ITEMS

5. System-wide Coordinated Response to Increase Student Achievement
INFORMATION ONLY. Dr. Trujillo and Dr. Halley Freitas provided information and responded to Board inquiries. Board members commenting and/or asking questions were Kristel Foster, Adelita Grijalva, Rachael Sedgwick and Michael Hicks.
6. Review of Legal Services to include Fees and Pro Bono services for Board-directed services since January 2017 – Requested by Board Members Adelita Grijalva and Kristel Foster **INFORMATION ONLY.** Dr. Trujillo, John Flanders and Nicole Lowry provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Kristel Foster, Mark Stegeman, Rachael Sedgwick and Michael Hicks. Lisa Anne Smith provided legal advice.
21. Semi-Annual Report of the Audit Committee to the Governing Board
INFORMATION ONLY. Rachel Wall provided information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Adelita Grijalva, Rachael Sedgwick and Kristel Foster.
22. Santa Rita's Eagle Academy Intense Credit Recovery Program Successes and Future Expansion, and College and Career Readiness in Partnership with Pima Community College **INFORMATION ONLY.** Dr. Trujillo, James Palacios, Maegan Casey and Dr. Darla Zirbes provided information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Kristel Foster, Mark Stegeman and Rachael Sedgwick.

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 Myrna Quezada was available to provide Spanish Interpreter Services. Myrna Quezada repeated the announcement in Spanish. Board Clerk Mark Stegeman read the protocol for CTA. Persons who spoke at Call to the Audience were: Jason Freed re: Negotiations; Mike Goodwin re: Sex Offender Student at Palo Verde Magnet School; Audrey Cunneely re: Agreement for TEA; Dolores de Vera re: Healthcare for Substitutes; Meg Gebert re: Science related agenda items; Jorge Leyva re: Time management; Lillian Fox re: Employee agreements; Pilar Ruiz re: Superintendent Candidate Forum, posting of meeting minutes, public document requests and Individual Board Members Forums with the community; Betts Putnam-Hidalgo re: Salary of Director of Communications for TUSD and Item #14; Connie Transue re: Representation of Teachers by Tucson Federation of Teachers; Lucy LiBosha re: Representation of Teachers by Tucson Federation of Teachers; Dan Ireland re: Tucson Education Association Negotiations.

Clare Brock Apecechea and Rolande Baker were called to speak but did not appear.

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

Adelita Grijalva commented in reference to Mike Goodwin's concerns at Palo Verde Magnet High School and asked Dr. Trujillo to read Counsel Smith's legal advice.

Rachael Sedgwick commented on Lucy LiBosha's request for a survey of the district.

Mark Stegeman expressed his concerns on the lateness of the Call to the Audience.

Michael Hicks commented on the Tucson Education Association agreements and indicated teachers had all information to ratify Consensus.

CONSENT AGENDA** Items 7(a-k, m-v) **APPROVED**. Moved: Foster; Seconded: Stegeman. Passed Unanimously (Voice Vote). Dr. Trujillo recommended approval of the Consent Agenda. Rachael Sedgwick requested items 7(l) be discussed and voted on separately; the maker and seconder of the motion agreed.

7. a) Salaried Critical Need and Replacement Hires **APPROVED**
- b) Hourly Critical Need and Replacement Hires **APPROVED**

- c) New Positions – Certified **APPROVED**
- d) New Positions – Classified **APPROVED**
- e) Salaried Changes **APPROVED**
- f) Hourly Changes **APPROVED**
- g) Salaried Separations **APPROVED**
- h) Hourly Separations **APPROVED**
- i) Requests for Leave of Absence for Certified Personnel **APPROVED**
- j) Requests for Leave of Absence for Classified Personnel **APPROVED**
- k) Blanket Approval for High School and Middle School Participation in Fine and Performing Arts Non-Athletic Activities for 2017-2018 School Year **APPROVED**
- l) Approval of Supplemental Materials for Middle Schools Hands On, Minds On Science **Dr. Trujillo and Kristina Allen provided information and responded to Board inquiries. Board members commenting and/or asking questions were Rachael Sedgwick, Michael Hicks and, Mark Stegeman. Lisa Anne Smith provided legal advice. After discussion, Dr. Trujillo pulled the item.**
- m) Approval of Intergovernmental Agreement Between Tucson Unified School District and Flowing Wells School District – Science Resource Center Module Rental **APPROVED**
- n) Easement Agreement with Tucson Electric Power at the former Wakefield Middle School with Authorization for the Director of Planning Services to Execute the Agreement **APPROVED**
- o) Approval of Invitation for Bids (IFB) 18-36-19 Shelf Stable Fruits and Vegetables **APPROVED – MALONE MEAT POULTRY, INC., KELLOGG SUPPLY, INC., SHAMROCK FOODS AND PETERSON FARM FRESH, INC. Estimated expenditure cost is \$601,758.00.**
- p) Approval of Invitation for Bids (IFB) 18-33-19 Dry Goods **APPROVED – SHAMROCK FOODS AND MALONE MEAT POULTRY, INC. Estimated expenditure cost \$407,900.00.**
- q) Minutes of Tucson Unified School District Governing Board Meetings **APPROVED**
 - 1) Special Board Meeting, June 27, 2017
 - 2) Regular Board Meeting, July 11, 2017

- r) Acceptance of the Summary of Student Activity Funds for the Period of July 1, 2016 through June 30, 2017 **APPROVED**
- s) Ratification of Salary and Non-Salary Vouchers for the Period Beginning June 1, 2017, and Ending June 30, 2017 **APPROVED**
- t) Fiscal Year 2016-2017 Public Gifts and Donations to School Quarterly Report (4th Quarter) **APPROVED**
- u) Confidential Settlement Agreement and Release – Office of Administrative Hearings Case Number 17C-DP-067-ADE **APPROVED**
- v) Rescind Item that was Board Approved on June 13, 2017 – Agreement with Craig Masters Development, LLC, for the Purchase of the property located at the Northeast Corner of Bonanza Ave and 5th Street, with authorization for the Director of Planning to Execute the Agreement **APPROVED**

ACTION ITEMS

- 8. Administrative appointments, reassignments and transfers – General Counsel, Legal **APPROVED – ROBERT S. ROSS, JR.** Dr. Trujillo recommended Robert S. Ross, Jr. for the position. Moved: Grijalva; Seconded: Stegeman. Passed Unanimously (Voice Vote).
- 9. Superintendent Search – Identify Finalists Via Alpha-Identifier for Tucson Unified School District Superintendent **APPROVED – Applicants B, G, P and W.** Dr. Clement recommended four applicants B, G, P and W for the next phase of the Superintendent Search and will contact the four applicants. Moved: Stegeman; Seconded: Sedgwick. Passed Unanimously (Voice Vote).
- 10. Superintendent Search – Establish a Schedule for Finalists' Visits and Interviews **APPROVED – PUBLIC FORUM DATES: MONDAY, AUGUST 14th; TUESDAY, AUGUST 15th; WEDNESDAY, AUGUST 16th; AND THURSDAY, AUGUST 17, 2017.** Dr. Clement will provide an accumulative schedule, questions and will work with the Communications Department. Moved: Foster; Seconded: Hicks. Passed Unanimously (Voice Vote). Board members commenting and/or asking questions were Rachael Sedgwick, Kristel Foster, Mark Stegeman and Michael Hicks

11. Superintendent Search – Schedule Agenda Items for August 22 to Select Finalist for Contract Negotiations, Appoint a Board Member to Negotiate a Contract, and Schedule a Special Meeting to Appoint the Superintendent and Approve the Contract **APPROVED**. Dr. Clement recommended the Governing Board schedule an Executive Session for discussion and selection of a finalist at the August 22, 2017 Special Board meeting. Moved: Hicks; Seconded: Stegeman. Passed Unanimously (Voice Vote). Board members commenting and/or asking questions were Adelita Grijalva, Mark Stegeman, Kristel Foster and Michael Hicks.
12. Review, Approve and Adopt the Revised 2017-2018 Consensus Employee Agreement between Tucson Unified School District (TUSD) and Tucson Education Association (TEA), Pending Ratification by TEA **APPROVED** Moved: Foster; Seconded: Grijalva. Passed 3-2 (Roll Call Vote). Rachael Sedgwick and Mark Stegeman voted no. Dr. Trujillo, Maricela Meza and Jason Freed provided information and responded to Board inquiries. Board members commenting and/or asking questions were Rachael Sedgwick, Mark Stegeman, Kristel Foster, Adelita Grijalva and Michael Hicks. Lisa Anne Smith provided legal advice.

10:00 p.m.

MOTION AND VOTE TO EXTEND OR ADJOURN REGULAR MEETING

Board Member Kristel Foster moved to extend the Regular Board meeting to address items 13-18. Seconded: Hicks. FAILED 2-3 (Roll Call Vote). Rachael Sedgwick, Mark Stegeman and Michael Hicks voted no.

Board President Michael Hicks moved to extend the Regular Board meeting until all items were addressed. Seconded: Stegeman. FAILED 2-3 (Roll Call Vote). Rachael Sedgwick, Kristel Foster and Adelita Grijalva voted no.

10:10 p.m. – Regular Board meeting adjourned.

The following items were not addressed and were postponed to the August 22, 2017 Special Board meeting:

ACTION ITEMS

13. Review, Approve and Adopt the Revised 2017-2018 White Collar Food Services Employee Agreement (WC/FS) between Tucson Unified School District (TUSD) and Tucson Education Association (TEA), Pending Ratification by TEA
14. Review, Approve and Adopt the 2017-2018 Employee Agreement for Exempt Administrators, Exempt Coordinators and Supervisory/Confidential Employees (NBE Agreement)
15. Cancel or Reschedule the October 31, 2017, Special Board Meeting – Requested by Board Member Adelita Grijalva

16. Additional Information Relative to the Agreement with the City of Tucson for the Purchase of the Parking Lot Adjacent to Davis Elementary School
17. Affirmation of the Proclamation on Student Safety Awareness Month

STUDY/ACTION ITEMS

18. Memorandum of Understanding to Establish the Respective Responsibilities of Tucson Unified School District (TUSD) and Tucson Hispanic Chamber of Commerce Foundation (THCOCF) in Implementing the Young Entrepreneurs Academy (YEA) as an After-School Opportunity for Students at TUSD High Schools
19. Governing Board Policies BBAA, BCA, BDAA, BEDB, BGA, and BHD (revised and consolidate) – Requested by Governing Board Clerk Mark Stegeman
20. Governing Board Policy BDG – General Counsel – Requested by Board Clerk Mark Stegeman

FUTURE AGENDA ITEMS (A board member may propose future agenda item(s), with limited discussion. The discussion should center around the purpose of placing the item on the next most appropriate agenda for consideration and action as necessary. Ref: Governing Board Policy BEDBA)

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

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| Present: | Michael Hicks Mark Stegeman Kristel Ann Foster Adelita S. Grijalva Rachael Sedgwick | President Clerk Member Member [arr @ 2:40 p.m.] Member |
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| Also Present Senior Leadership: | Gabriel Trujillo, Ed.D. Lisa Anne Smith Richard Gastellum Mark Alvarez Stuart Duncan Scott Morrison | Interim Superintendent and Assistant Superintendent, Curriculum & Instruction Outside Legal Counsel Interim Assistant Superintendent, Secondary Leadership Interim Assistant Superintendent, Elementary/ K-8 Leadership Chief Operations Officer Chief Information Officer |
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| Administrative Staff: | Renee Weatherless Janet Rico-Uhrig Samuel Brown Demetrius Lee, Jr. Halley Freitas Maricela Meza Kevin Startt Maura Clark-Ingle Jeffrey Coleman + Staff Jimmy Hart Dan Erickson Matt Munger Maria Marin Michael Konrad Rabih Hamadeh Bryant Nodine Charles McCollum Nicole Lowery Kristina Allen | Executive Director, Finance Executive Director, Human Resources Legal Counsel Internal Auditor Senior Director, Assessment and Program Evaluation Director, Employee Relations Director, Purchasing Director, Exceptional Education Director, School Safety Director, African American Studies Director, Advanced Learning Experience (ALE) Director, Secondary Leadership Director, Elementary/K-8 Leadership Director, Secondary Leadership Director, Infrastructure Technology Acting Director, Planning and Student Assignment Interim Director, Career & Technical Education and Sponsor, Superintendent's Student Advisory Council Manager, Risk Management Program Coordinator, Science Resource Center |
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| Support Staff: | Mary Alice Wallace Sylvia L. Lovegreen Michele Gutierrez Nicholas Roman Miguel Carrion Gene Armstrong Luis Orantes Myrna Quezada | Director of Staff Services to the Governing Board Senior Staff Assistant II to the Governing Board Senior Staff Assistant I to the Governing Board Administrative Assistant, Superintendent's Office Video Technician, Communications/Media Relations Technical Support Specialist II, Technology Services Meaningful Access Coordinator, Language Acquisition Spanish Interpreter |
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| Employee Group Representatives: | Jason Freed Dan Ireland | President, Tucson Education Association (TEA) Vice-President, Tucson Education Association (TEA) |
| Presenters: | John Flanders Dr. Nicholas Clement Rachel Wall Charles Andrade James Palacios Maegan Casey Dr. Darla Zirbes | Arizona Trust Superintendent Search Consultant, Arizona School Boards Association (ASBA) Chair, Audit Committee Member, Audit Committee Principal, Santa Rita High School Eagle Academy Teacher, Santa Rita High School Vice-President of Instruction, Pima Community College East Campus |
| Media: | Hank Stephenson TV Channel(s) 9, 11/13 Dylan Smith | <u>Arizona Daily Star</u> <u>Tucson Sentinel</u> |

There were approximately 60+ people in the audience.

Michael Hicks presided and called the meeting to order at 2:34 p.m.

Meeting recessed at 2:34 p.m. and reconvened at 6:24 p.m.

Meeting Adjourned at 10:10 p.m.