

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

TIME: December 13, 2016
5:00 p.m.

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

In Attendance: Board Members Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks, Cam Juárez, and Mark Stegeman; Superintendent H.T. Sánchez, Ed.D.; and General Counsel Todd Jaeger. 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 – 7:32 p.m.

ACTION ITEM

- 5:00 p.m.
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) 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
 - Legal Counsel
 - Assistant Director, Exceptional Education
 - 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

D. 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. §38-431.03 (A)(4)

- 1) Fisher-Mendoza, etc. v. TUSD, et al.
- 2) Confidential Settlement Agreement and Release

ACTION ITEM

MOTION AND VOTE TO RECESS REGULAR MEETING TO EXECUTIVE SESSION **Not addressed. There was no Executive Session.**

RECESS REGULAR MEETING TO EXECUTIVE SESSION

ACTION ITEM

MOTION AND VOTE TO ADJOURN EXECUTIVE MEETING AND RECONVENE REGULAR MEETING – appx 7:30 p.m.

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

PLEDGE OF ALLEGIANCE – led by Governing Board Member Cam Juárez.

Governing Board President Adelita Grijalva requested a moment of silence for Nina Hickman, who passed away. She was a teacher at Carrillo Intermediate Magnet School.

Governing Board President Adelita Grijalva requested that Action Items #11 and Item #17 be addressed after the Superintendent's Student Advisory Council (SSAC) Report, with the remaining Actions Items to follow, then the Consent Agendas, back up to Information Items and the remaining items. **APPROVED.** Moved: Foster; Seconded: Juárez. Passed Unanimously (4-0). Mark Stegeman was not present to vote.

INFORMATION ITEM

2. Superintendent's Student Advisory Council (SSAC) Report
INFORMATION ONLY – Report presented by SSAC President Leamon Crooms. Adelita Grijalva commented

ACTION ITEMS

11. Lease-Purchase Agreement with the Flowers and Bullets Collective at the former Julia Keen Elementary School with Authorization for the Planning Services Director to Execute the Agreement **APPROVED The Administration be authorized to enter into the provided lease purchase agreement with Flowers and Bullets, after appropriate revisions are made as specifically recommended to the Board by legal counsel [if held: “during executive session”] to ensure compliance with Arizona law.** Dr. Sánchez recommended approval as submitted. Moved: Juárez; Seconded: Foster: Passed Unanimously (Voice Vote). Board members commenting and/or asking questions were Michael Hicks, Cam Juárez, Kristel Ann Foster and Adelita Grijalva.

17. Amendment to Performance Based Compensation Plan (Prop. 301) for School Year 2016-2017 **APPROVED the amendment as presented; also for the Board to give direction to Administration to work with TEA and Legal and the external auditors to develop a legal plan to ensure a zero balance in the fund at the end of the fiscal year.** Moved: Foster; Seconded: Juárez: *
Passed Unanimously (Roll Call Vote). Dr. Sánchez presented information, recommended approval and responded to Board inquiries. Todd Jaeger provided legal advice. Karla Soto provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Kristel Ann Foster, Mark Stegeman, Cam Juárez and Michael Hicks.

- *Prior to the vote on the original motion, Mark Stegeman moved as an amendment to the motion that the Board consider at the January 17 meeting a revision to Policy GCO to change evaluation points back to previous level. Moved: Stegeman; Seconded: Hicks: Failed 2-3 (Roll Call Vote). Kristel Ann Foster, Cam Juárez and Adelita Grijalva voted no.

7. Resolution Expressing Commitment to Students Regardless of Immigration Status – Requested by Board Clerk Kristel Ann Foster **APPROVED Moved: Foster; Seconded: Juárez: Passed 4-1 (Voice Vote).** Michael Hicks voted no. Ms. Foster read the Resolution, as the motion. Resolution attached and made part of the minutes.

10. Appointment of Tucson Unified School District Employee Benefits Trust (EBT) Board Member **APPROVED – Eric Rustand.** Moved: Stegeman; Seconded: Hicks: Passed Unanimously (Voice Vote).

12. Tucson Unified School District Calendars for 2017-2018 and 2018-2019 School Years **APPROVED – Calendars will be posted on TUSD website.** Moved: Foster; Seconded: Juárez: Passed 4-1 (Voice Vote). Mark Stegeman voted no. Dan Erickson presented information, recommended approval and responded to Board inquiries. Board members commenting and/or asking questions were Kristel Ann Foster, Mark Stegeman and Adelita Grijalva.
13. Direction to Legal Counsel Regarding District Response to Special Master's November 16, 2016 Recommendation Concerning Withdrawal of Magnet Status for Specified Schools **Item continued after Call to the Audience.**

During discussion of Item #13, Mark Stegeman moved, and Michael Hicks seconded that the Call to the Audience should be addressed; Passed Unanimously in a Voice Vote.

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 Adelita Grijalva read the protocol for CTA and announced that Spanish Interpreter services were available. Persons who spoke at Call to the Audience were: Michael Gordy re: 301 Monies; Jennifer Sprung re: Safe work environment; Dolores de Vera re: Pay for Substitutes; Cynthia L Cruz re: Classroom Site Fund – 301 Monies; Alex Sierra re: 301 Monies; Bennetta Morgan re: Utterback Issues; Georgia Brousseau re: Resignations-Salary and Hourly Separations Lists; Adam Martinez re: Magnet School Status; Lillian Fox re: 301 Performance Pay, Victoria Bodanyi re: 301 Monies, Melissa Garcia re: Thanks for Service to Board Member Juárez and Sex Education follow up; Sue N'Goran re: Bullying; Pilar Ruiz re: Teachers and parents; Theresa Tenace re: Kindness and Respect toward one another and Thank you to the Board; Jason Freed re: 301 Monies and Memorandum of Agreement with Bargaining Unions; Art Mendoza re: Board Agenda Item #15- Memorandum of Agreement for AFSCME.

Corky Poster's and Luis Herrera's names were called to speak but did not appear.

Board President Adelita Grijalva asked if Board members wanted to respond to Call to the Audience.

Kristel Foster addressed CTA speaker's concern regarding Sex Education and requested Administration to follow up with the Sex Education Committee. Mark Stegeman addressed CTA speaker's concern regarding substitute pay. Michael Hicks requested the 301 Committee change its members.

ACTION ITEMS

13. Direction to Legal Counsel Regarding District Response to Special Master's November 16, 2016 Recommendation Concerning Withdrawal of Magnet Status for Specified Schools **(Continued) APPROVED to not oppose the Special Master's recommendation with a request that Section 2(E)(1) of the Unitary Status Plan be upheld to allow magnet students to continue their programs through the final grade of their attendance with appropriate funding, and to continue the International Baccalaureate (IB) program under the Advanced Learning Experience (ALE)** Moved: Juárez; Seconded: Foster: Passed Unanimously (Roll Call Vote). Dr. recommended approval as submitted. Board President Adelita Grijalva commented.

In accordance with Governing Board Policy BDAA – *Procedures for Governing Board Members*, Board President Adelita Grijalva asked for a motion to extend the meeting beyond 10:00 p.m. until remaining agenda items were addressed Moved: Juárez; Seconded: Foster. Passed Unanimously (Voice Vote).

ACTION ITEMS

14. Review, approve, and adopt a Memorandum of Agreement with TEA and, thereby, authorize the 2017- 2018 annual step increase, to be effective July 1, 2017, for employees covered by the TEA Consensus Agreement **APPROVED** Moved: Juárez; Seconded: Foster: Passed Unanimously (Voice Vote). Dr. Sánchez presented information, recommended approval and responded to Board inquiries. Michelle Tong and Karla Soto provided information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks, Mark Stegeman, Kristel Ann Foster and Adelita Grijalva.
15. Review, approve and adopt Memoranda of Agreement with AFSCME, CWA and TEA and, thereby, authorize the 2017-2018 annual step increase, to be effective July 1, 2017, for classified employees covered by the AFSCME, CWA, TEA White Collar/Food Service and Non-Bargaining Employee agreements **APPROVED** Moved: Juárez; Seconded: Foster: Passed Unanimously (Voice Vote). Dr. Sánchez presented information, recommended approval and responded to Board inquiries. Michelle Tong and Karla Soto provided information and responded to Board inquiries. Board members commenting and/or asking questions were Michael Hicks Kristel Ann Foster and Cam Juárez.

16. Review, approve and adopt a Memorandum of Agreement with ELI and, thereby, authorize the 2017-2018 annual step increase, to be effective July 1, 2017, for the employees covered by ELI Meet and Confer Agreements for Administrators, Psychologists, and Research Project Managers **APPROVED** Moved: Juárez; Seconded: Foster: Passed Unanimously (Voice Vote). Dr. Sánchez presented information, recommended approval and responded to Board inquiries. Karla Soto responded to an inquiry from Board Member Michael Hicks.
8. Administrative Appointments, Reassignments and Transfers - Assistant Director, Exceptional Education **APPROVED – Elizabeth Greer Martin-Parrish**. Moved: Juárez; Seconded: Foster: Passed Unanimously (Voice Vote). Dr. Sánchez recommended Elizabeth Greer Martin-Parrish for the position.
9. Administrative Appointments, Reassignments and Transfers – Legal Counsel **APPROVED – Michelle Tong**. Moved: Foster; Seconded: Juárez: Passed Unanimously (Voice Vote). Dr. Sánchez recommended Michelle Tong for the position.

On behalf of the Governing Board, Board President Grijalva thanked Board Member Cam Juárez for his service on the Governing Board and presented him with a commemorative plaque.

Board Member Cam Juárez thanked the Community and Staff.

ACTION ITEM

18. Approval of Continuation of the University of Virginia Turnaround Program **APPROVED** Moved: Hicks; Seconded: Juárez: Passed Unanimously (Voice Vote). Dr. Sánchez presented information, recommended approval and responded to Board inquiries. Tina Stephens provided information and responded to Board inquiries. Board members commenting and/or asking questions were Adelita Grijalva and Michael Hicks.

CONSENT AGENDA** Items 6(a - n) **APPROVED**. Moved: Hicks; Seconded: Juárez. Passed Unanimously (Voice Vote). Dr. Sánchez recommended approval as submitted. Dr. Sánchez asked that item 6(g) be pulled to acknowledge and recognize Mr. Don Dickinson.

6. a) Salaried Critical Need and Replacement Hires **APPROVED**
- b) Hourly Critical Need and Replacement Hires **APPROVED**
- c) Salaried Separations **APPROVED**
- d) Hourly Separations **APPROVED**

- e) Requests for Leave of Absence for Certified Personnel **APPROVED**
- f) Requests for Leave of Absence for Classified Personnel **APPROVED**
- g) Curriculum Approval to teach United States Military History in Social Studies Class at University High School **APPROVED** Dr. Sánchez introduced Mr. Don Dickinson, Social Studies Teacher at University High School. Mr. Dickinson briefly presented the Board with the history of the third year project based on the United State Military History in Social Studies Class at University High School. Board members commenting and/or asking questions were Adelita Grijalva, Cam Juárez, Kristel Ann Foster and Michael Hicks.
- h) Approval of Supplementary Materials for Middle Schools and High Schools for 2016-2017 **APPROVED**
- i) Approval of 2016-17 College Board/Advanced Placement Testing Materials Expenditures **APPROVED**
- j) Approval of Confidential Settlement Agreement and Release **APPROVED**
- k) Minutes of Tucson Unified School District Governing Board Meetings **APPROVED**
 - 1) Regular Board Meeting November 15, 2016
- l) Acceptance of the Summary of Student Activity Funds for the Period of July 1, 2016, through October 31, 2016 **APPROVED**
- m) Ratification of Salary and Non-Salary Vouchers for the Period Beginning October 1, 2016, and Ending October 31, 2016 **APPROVED**
- n) Fiscal Year 2016-2017 Public Gifts and Donations to Schools Quarterly Report (1st Quarter) **APPROVED**

INFORMATION ITEMS

- 3. Superintendent's Report **POSTPONED**
- 4. School Community Partnership Council (SCPC) Report **POSTPONED**
- 5. Board Member Activity Reports **INFORMATION ONLY** – Board Members reporting activities were Kristel Ann Foster, Cam Juárez and Adelita Grijalva.

GOVERNING BOARD POLICIES

Study

19. Governing Board Policy BBAA – *Board Member Authority and Responsibilities* (revision) – Requested by Board Clerk Kristel Ann Foster **STUDIED ONLY** Board Clerk Kristel Ann Foster provided information and requested that the Board adopt the revision. Ms. Grijalva clarified that the item was for study only. Mark Stegeman commented.
20. Governing Board Policy IHAM – *Physical Activity and Wellness* (revision) – Requested by Board Clerk Kristel Ann Foster **STUDIED ONLY** Board Clerk Kristel Ann Foster provided information. Adelita Grijalva commented.

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**)

Mark Stegeman requested items on Revision of policies BEDBA and BEDB, Substitute Pay, and Revision of policy GCO – Evaluation of Certificated Staff Members.

Ms. Grijalva advised others to send requests to the Director of Staff Services.

10:00 p.m. **ADJOURNED REGULAR BOARD MEETING – 10:55 p.m.**

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.

Record of Attendance

Present:	Adelita S. Grijalva Kristel Ann Foster Michael Hicks Cam Juárez Mark Stegeman Leamon Crooms	President Clerk Member Member Member – arr @ 7:42 p.m. Student Liaison
Also Present Senior Leadership:	H. T. Sánchez, Ed.D. Todd Jaeger Karen B. Kopec, Ed.D. Abel Morado, Ed.D. Gabriel Trujillo, Ed.D. Karla G. Soto Stuart Duncan Scott Morrison Anna Maiden	Superintendent General Counsel Deputy Superintendent, Teaching & Learning Assistant Superintendent, Secondary Leadership Assistant Superintendent, Curriculum & Instruction Chief Financial Officer, Financial Services Chief Operations Officer, Engineering, Facilities and Planning Chief Information Officer, Technology and Telecommunications Services Chief Human Resources Officer, Human Resources
Administrative Staff:	Richard Foster Sam Brown Daniel Erickson Michelle Tong Tina Stephens Clarice Clash Jeffrey Coleman + Staff Jimmy Hart Maria Federico Brummer Michael Konrad Stefanie Boe Janna Acevedo Patricia Sandoval Charles McCollum Bryant Nodine Lisa McCorkle	Senior Director, Curriculum Development Legal Counsel Director, Advanced Learning Experience (ALE) Director, Employee Relations Director, School Improvement Senior Director, Curriculum Development Director, School Safety Director, African American Studies Director, Mexican American Studies Director, Secondary Leadership Director, Communications/Media Relations Director, Magnet Schools Interim Director, Language Acquisition Interim Director, Career & Technical Education and Sponsor, Superintendent’s Student Advisory Council Director, Planning and Student Assignment Interim Principal, Ochoa Community Magnet School

Agenda for Regular Board Meeting

December 13, 2016 – 5:00 p.m.

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Support Staff:	Mary Alice Wallace Sylvia L. Lovegreen Michele Gutierrez Nicholas Roman	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
	Gene Armstrong	Technical Support Specialist II, Technology Services
	Miguel Carrion	Video Technician, Communications/Media Relations
	Jess Ruvalcaba	District Photographer, Communications/Media Relations
	Michelle Valenzuela Juan Carlos Medina	Coordinator, Communications/Media Relations Spanish Interpreter
Employee Group Representatives:	Marcia Vela Cindy Graybill Susan Neal Art Mendoza Linda Hatfield Jacqueline DuPont Theresa Tenace Michael Boreale Jason Freed Margret Chaney Margie Lane	AFSCME Chief Steward AFSCME Vice-President AFSCME President AFSCME Organizing Director CWA President CWA Vice-President ELI President ELI CEO TEA President TEA Board Ethnic Minority Director-At-Large TEA ESP Director-At-Large
Media:	TV Channel(s) 4, 9, 11/13 AZ Daily Star – Angela Pittenger	
Presenters:	Don Dickinson	Social Studies Teacher, University High School

There were approximately 150+ people in the audience.

Adelita Grijalva presided and called the meeting to order at 7:32 p.m.

Meeting Adjourned at 10:55 p.m.

**A RESOLUTION OF THE GOVERNING BOARD OF
TUCSON UNIFIED SCHOOL DISTRICT NO. 1
OF PIMA COUNTY, ARIZONA
EXPRESSING COMMITMENT TO STUDENTS
REGARDLESS OF IMMIGRATION STATUS**

WHEREAS, the Tucson Unified School District (“the District”) exists for the purpose of providing a free public education to children residing in Arizona;

WHEREAS, the United States Supreme Court, in the case of *Plyer v. Doe*, held that the denial of equal educational opportunities to students on the basis of their immigration status (whether documented or not) was a discriminatory violation of the United States Constitution;

WHEREAS, the District serves numerous immigrant families and their children;

WHEREAS, discrimination against children, beyond being illegal, harms them emotionally, socially, and economically in ways and degrees that cannot be fully known or measured because their effects last throughout entire lifetimes;

WHEREAS, school districts and organizations collectively recognized their obligations to educate students regardless of immigration status earlier this calendar year by observing National Coming Out on April 7, 2016;

WHEREAS, the invitation and promise to the “huddled masses yearning to breathe free” which is found at the feet of the Statue of Liberty must surely, if at all, be given effect in the lives of children;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board and the District, and its administration, teachers, counselors and staff will support all students equally, whether their immigration status is documented or undocumented.

PASSED AND ADOPTED by the Governing Board this 13th of December, 2016.

Governing Board Members:

Adelita S. Grijalva, President

Kristel Ann Foster, Clerk

Cam Juárez, Member

Michael Hicks, Member

Mark Stegeman, Member