

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

**April 16, 2013
5:30 p.m.**

MINUTES

Present:

Adelita S. Grijalva, President
Kristel Ann Foster, Clerk
Michael Hicks, Member
Cam Juárez, Member
Mark Stegeman, Member

Also Present:

John Pedicone, Ph.D., Superintendent
Martha Durkin, Legal Counsel
Yousef Awwad, Chief Financial Officer
Candy Egbert, Chief Operations Officer, Engineering, Facilities and Planning
John Gay, Chief Information Officer, Technology and Telecommunications Services
Jeff Coleman, Director, School Safety
Augustine Romero, Director, Multicultural Curriculum
Kevin Startt, Interim Director, Purchasing
Gary Solomon, CEO, PROACT Search
Mary Alice Wallace, Director, Staff Services to the Governing Board
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board
Alexis Huicochea, Arizona Daily Star

ITEM

ACTION

SPECIAL MEETING CALLED TO ORDER – 5:36 p.m.

PLEDGE OF ALLEGIANCE

Michael Hicks led the Pledge of Allegiance.

STUDY ITEM

1. Superintendent Search

Studied only. No action required.

Adelita Grijalva indicated all board members had had the opportunity to meet with the search consultant individually. She introduced Gary Solomon, the search consultant, who presented information concerning his

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ACTION

STUDY ITEM (continued)

1. Superintendent Search (continued)

firm's proposal to conduct the search for the TUSD Superintendent. He provided background information on PROACT, the services they provide and the manner in which the services are rendered. He presented elements of the search including the collective board conversation plus one-on-one meetings with each board member earlier in the day; development of the position profile which would determine every aspect of the search; recruitment nationally, regionally and locally with efficient use of resources in mind; personal service as the designated consultant and recruiter; research and due diligence services on applicants; application and assessment procedures on applicants; full background checks on top candidates presented; diverse talents recruited for the position; consensus of board members is the goal. He expressed the hope that the Board will interview top 5-7 candidates, followed by discussions to arrive at finalists who will be invited in for activities involving all stakeholders, and then final discussion with the Board to identify the choice for the Superintendent. Mr. Solomon presented the timeline for the search with the hope that a June decision can be made. The advertising plan was presented with targets both inside and outside the education community and the costs associated. He discussed direct recruiting of persons who may not be looking for another position. He indicated how PROACT would merge their application process with the TUSD Human Resources application process. He discussed the Code of Ethics, which he would ask Board members to sign, to ensure protection of the interests of the Board, District and candidates and to maintain confidentiality. He stated that all communication would go through the Board President, and that he will have a standing weekly phone conversation with the Board President.

Ms. Grijalva indicated communication could be sent through the Director of Staff Services who will make sure all Board members are kept informed.

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ACTION

STUDY ITEM (continued)

1. Superintendent Search (continued)

Mr. Hicks asked that the Code of Ethics be corrected to show the Board President as “her” rather than “his” and as “president” rather than “chair.”

Mr. Solomon responded to questions from Kristel Foster concerning how recruiting affects salary, how applicants are made aware of the salary range, and salary expectations of candidates presented to the Board.

Mr. Solomon responded to questions from Cam Juárez on how candidates will be informed concerning the Tucson community in addition to the position profile.

Ms. Grijalva commented that the position profile was developed for a previous search and much of the information has not changed.

Ms. Foster commented on a change in the process this time that there would not be a stakeholder committee to screen applicants. Mr. Solomon indicated candidates would be less willing to apply because of the threat or risk of a breach of confidentiality if large numbers of persons were privy to applications.

Mr. Hicks reiterated that the duly elected board members are charged with the responsibility to hire. Ms. Grijalva discussed all the activities where the community would have opportunity to provide input.

Dr. Stegeman commented he liked the suggestion Mr. Solomon made of linking to the PROACT website and asked that that happen. Regarding the preferred start date posted of July 1, he inquired how that would affect candidates' viability. Mr. Solomon replied availability would be discussed with candidates and only those who can be available within reason would be presented to the Board. Dr. Stegeman asked concerning a previous situation where information had been found and not provided to a Board, and how PROACT would ensure that the Board would have all relevant background information. Mr. Solomon described the indepth background checks that would be done.

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STUDY ITEM (continued)

1. Superintendent Search (continued)

Dr. Stegeman proposed including in the contract with PROACT a provision that if information not divulged to the Board was made public and resulted in the withdrawal of a candidate, there be some adjustment of the fee. Mr. Solomon said if the Board chose to bypass someone because of a lack of information or if a candidate withdrew, PROACT would include language to adjust the fee.

In response to a question by Dr. Stegeman, Martha Durkin provided legal advice concerning an addendum to the contract that had been prepared by Purchasing which would provide four additional protections. She read the following language contained in the Contract Addendum:

1. *If PROACT needs to execute another search because the chosen candidate decides not to be employed by the District or the Board decides it wants to see additional candidates, these search activities will be provided at no additional cost.*
2. *If the Superintendent appointed with PROACT's assistance departs from the position within one (1) year of beginning his/her tenure, PROACT will conduct a new search for the Board at no additional cost apart from travel/advertising expenses.*
3. *The Superintendent appointed with PROACT's assistance will not be presented to another Board as a candidate if it would result in his/her leaving the District in less than five (5) years unless the Board advises PROACT that the Superintendent may seek another position or the Superintendent is no longer employed by the Board.*
4. *PROACT will validate all credentials, including academic credentials that are verified with registrars and/or college deans, employment history with former employers, as well as contact references with any references provided by candidates, the Board, by other involved parties, or those used by PROACT Search. PROACT will also conduct literature searches, consumer credit and criminal background investigations, public*

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STUDY ITEM (continued)

1. Superintendent Search (continued)

records searches including court and county recorder documents, driver's license checks and social security traces.

Dr. Stegeman asked for an additional provision that there would be no fee. Ms. Durkin asked for clarification regarding no fee as opposed to performing another search at no cost. She indicated she didn't see any objection to adding an additional provision.

[The final Contract Addendum added the following statement:

5. *In the event the Board severs its relationship with PROACT because of PROACT's failure to provide relevant background information prior to an offer of employment, PROACT shall reimburse the search fees paid by the District.]*

Ms. Foster inquired whether the marketing chart provided and level proposed was specific to the TUSD search. Dr. Pedicone commented. Mr. Solomon responded that PROACT attempts to be sensitive to resources available while remaining efficient and appropriate in advertising for the position.

Mr. Solomon responded to Mr. Juárez' request for clarification on the number of background checks that would be made.

Dr. Stegeman commented he was comfortable with the amount of money proposed for the advertising plan.

Mr. Hicks asked for clarification regarding the phrase "*by other involved parties*" contained in provision number 4 of the Contract Addendum. Ms. Durkin replied that it referred to anyone with knowledge about a candidate who gave a reference. Mr. Hicks commented that the statement seemed too broad. Dr. Stegeman stated it is important to go beyond the references a candidate lists and would like for PROACT to have the discretion to follow up. Mr. Hicks disagreed and stated he had issues

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ACTION

STUDY ITEM (continued)

1. Superintendent Search (continued)

with the statement. Mr. Solomon stated this has not been an issue in the past.

Mr. Solomon responded to Ms. Foster's question about when the Board will be involved with candidates and development of interview questions. Martha Durkin provided legal advice that questions could be developed in Executive Session.

Mr. Solomon responded to Ms. Foster's question regarding number of finalists.

Mr. Solomon responded to Mr. Juárez' and Ms. Foster's questions about PROACT's ability to adhere to the proposed timeline.

Mr. Juárez stated his appreciation for the sensitivity shown for the amount of time that the Superintendent position requires which impacts family life.

Mr. Hicks stated he believed the Code of Ethics was important for the Board members to sign.

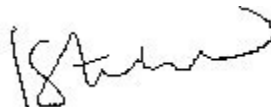
Ms. Foster commented on the quality of the proposal brought.

Ms. Grijalva thanked Mr. Solomon for the book "Searching for Super" written by Tim Quinn, Gary Solomon, Thomas Vranas and Michelle Keith. She thanked him for coming and for his presentation.

SPECIAL MEETING ADJOURNED – 6:31 p.m.

Approved this 22nd day of October, 2013.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE



By _____

Kristel Ann Foster, Clerk
Governing Board

