

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

**April 28, 2009
5:30 p.m.**

MINUTES

Present:

Judy Burns, President
Mark Stegeman, Clerk
Bruce Burke, Member
Miguel Cuevas, Member
Adelita S. Grijalva, Member

Also Present :

Elizabeth Celania-Fagen, Ed.D., Superintendent
Bonnie Betz, Chief Financial Officer
Rob Ross, Legal Counsel
Chyrl Lander, Director, Communications and Media Relations
David Scott, Director, Accountability and Research
Dea Salter, Chief Academic Officer, Team 1
Jim Fish, Chief Academic Officer, Team 4
Steve Holmes, Chief Academic Officer, Team 5
Ross Sheard, Chief Academic Officer, Team 6
Chandra Givens, Chief Negotiator and Labor Relations Director, Employee Relations
Brian MacMaster, Chief Technology Officer
Leon George, Director, Purchasing Department
Richard Gastellum, Administrator on Special Assignment – Desegregation/Unitary Status
Pernela Jones, Executive Director, Tucson Education Association
Mary Alice Wallace, Director of Staff Services to the Governing Board
Sylvia Lovegreen, Senior Staff Assistant II to the Governing Board
Rhonda Bodfield, *Arizona Daily Star*
Mary Bustamante, *Tucson Citizen*

SPECIAL MEETING CALLED TO ORDER – 5:33 p.m.

ITEM

ACTION

ACTION ITEMS

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| 1. Schedule an executive meeting at this time to consider the following matters – | Adelita Grijalva moved approval; Miguel Cuevas seconded. Approved unanimously. |
| A. 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 or lease of real property pursuant to A.R.S. §38-431.03 Subsection (A)(7) | |
| 1) Pomegranate Farms Real Estate Proposal: Land Exchange for Southwest School Site | |
| B. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4) | |
| 1) Fisher-Mendoza Post Unitary Status Plan | |
| 2) USAC Request for Information re: E-Rate | |
| 3) Governing Board Audit Committee Complaint Procedure | |
| 4) Settlement of Parrin v. TUSD | |
| 5) Ifkovits v. TUSD | |
| C. Legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4); personnel issues pursuant to A.R.S. §38-431.03 Subsection (A)(1) | |
| 1) Office of Civil Rights – Rincon/ University High Schools | |

ITEM

ACTION

ACTION ITEMS (continued)

1. Schedule an executive meeting at this time to consider the following matters – (cont.)
 - D. Personnel issues pursuant to A.R.S. §38-431.03 Subsection (A)(1); legal advice/instruction to attorney pursuant to A.R.S. §38-431.03 Subsections (A)(3) and (A)(4)
 - 1) Administrative Appointments, Reassignments and Transfers
 - 2) Statement of Charges and Resolution to Send Notice of Intent to Dismiss Certified Administrator and Determine Whether to Appoint Hearing officer to Conduct Dismissal Hearings Pursuant to A.R.S. §15-541 for Certified Administrator
 - 3) Governing Board Staff

SPECIAL MEETING RECESSED – 5:34 p.m.

SPECIAL MEETING RECONVENED– 8:28 p.m.

INFORMATION ITEMS

2. Status Update on the PeopleSoft or Replacement of Enterprise Resource Planning (ERP) Software Information only; no action taken.

Liz Fagen, Brian MacMaster and Bonnie Betz provided a brief update and responded to comments and questions from Judy Burns.

ACTION ITEMS

3. Administrative Appointments, Reassignments and Transfers – Principal, Warren Elementary School
Liz Fagen recommended Robin Dunbar.
Bruce Burke moved approval; Miguel Cuevas seconded. Approved 4-0. Adelita Grijalva was not present for the vote.

ITEM

ACTION

ACTION ITEMS

4. Statement of Charges and Resolution to Send Notice of Intent to Dismiss Certified Administrator and Determine Whether to Appoint Hearing officer to Conduct dismissal Hearings Pursuant to A.R.S. §15-541

Bruce Burke moved approval as read; Mark Stegeman seconded. Approved 3-0. Adelita Grijalva was not present for the vote. Miguel Cuevas recused himself from the vote.

Liz Fagen recommended that the Board move forward with a Statement of Charges for certified administrator, Linda Patterson. Bruce Burke read a motion *to adopt the Statement of Charges and send notice of intent to dismiss this certified administrator [Linda Patterson] and to appoint a hearing officer to conduct a dismissal hearing pursuant to the statute. The notice period shall begin upon the certified administrator's return to work from her currently approved leave of absence.* Miguel Cuevas commented before the roll call vote.

STUDY/ACTION ITEMS

5. Post Unitary Status Plan

Liz Fagen recommended that the Plan be filed with the Court. Richard Gastellum and Steve Holmes presented information and responded to comments and inquiries from board members. Rob Ross provided legal advice. Mark Stegeman, Miguel Cuevas, Adelita Grijalva, Bruce Burke and Judy Burns commented and/or asked questions.

Miguel Cuevas moved to adopt the Plan and give permission to Legal Counsel to submit it to the Court on the Board's behalf; Bruce Burke seconded.

Following clarification from Legal Counsel, Mr. Cuevas amended his motion to authorize Legal Counsel to submit the Plan to the Court on the Board's behalf; As second to the motion, Bruce Burke concurred. Amended motion approved 4-1. Mark Stegeman voted no.

6. Pomegranate Farms Real Estate Proposal: Land Exchange for Southwest School Site

Removed from agenda. No action taken.

Liz Fagen recommended that this item be removed from the agenda.

ITEM

ACTION

STUDY/ACTION ITEMS (continued)

7. Report of the Board Subcommittee on Policies

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| a) Governing Board Policies/Regulations for Elimination | Miguel Cuevas moved approval of (a)(1-4); Bruce Burke seconded. Approved unanimously. |
| 1) Code GCBA – <i>Exempt Employees</i> | |
| 2) Code EDDA – <i>Fees for Use of TUSD #1 Materials</i> | |
| 3) Code EGADB – <i>Media Copyright Compliance & Regulation 1040 – Radio & Television</i> | |
| 4) Code KBA – <i>Relations with Parent Teacher Associations</i> | |
| | |
| b) Governing Board Policies for Revision | Miguel Cuevas moved approval of (b)(1-4); Adelita Grijalva seconded. Approved unanimously. |
| 1) Code DBC – <i>Budget Planning, Preparation and Schedules</i> | |
| 2) Code JICB – <i>Care of School Property by Students</i> | |
| 3) Code JLA – <i>Student Insurance Program</i> | |
| 4) Code KBEA – <i>(PTA) Clothing Bank</i> | |

As Chair of the Policies Subcommittee, Miguel Cuevas commented briefly about the process used for making the recommendation to eliminate certain policies and revise others. Judy Burns, Mark Stegeman and Rob Ross commented. Liz Fagen recommended approval as moved by Mr. Cuevas.

8. ~~Creation~~ Continuation of the Governing Board Subcommittee to Create a Board Ends Results Policy

Liz Fagen, Judy Burns, Miguel Cuevas, Mark Stegeman, Bruce Burke and Adelita Grijalva participated in the discussion. It was noted that two board members currently serve on the Subcommittee, i.e., Bruce Burke and Mark Stegeman; the Subcommittee also includes members of the Superintendent's staff.

Miguel Cuevas moved to create a Board Ends Results Subcommittee and that the Subcommittee adhere to the open meeting law.

Following further discussion, he amended his motion to **continue** (rather than create) the Subcommittee; Mark Stegeman seconded. Approved unanimously.

ITEM

ACTION

STUDY ITEMS

- 9. Report of the Board Subcommittee on Ends Results


Studied only.
No action taken.

Liz Fagen and Steve Holmes presented the report via PowerPoint. Judy Burns, Mark Stegeman and Bruce Burke commented.

SPECIAL MEETING ADJOURNED – 9:11 p.m.

Approved this 8th day of September, 2009.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By 

Mark Stegeman, Clerk
Governing Board

ba
Minutes\4-28-09Special