

TUCSON UNIFIED SCHOOL DISTRICT
GOVERNING BOARD
AGENDA FOR SPECIAL MEETING*

TIME: February 28, 2017
4:00 p.m.

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

In Attendance: Board Members Michael Hicks, President; Mark Stegeman, Clerk; Kristel Ann Foster, Adelita S. Grijalva, and Rachael Sedgwick; and General Counsel Todd Jaeger. The complete attendance record is attached.

Absent: H. T. Sánchez, Ed.D., Superintendent

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.

4:00 p.m. CALL MEETING TO ORDER

ACTION ITEMS

1. Removal of External Legal Counsel for Matters Related to the Superintendent's Contract and Employment – Requested by Board Members Adelita S. Grijalva and Kristel Ann Foster **ITEM PULLED** Board members commenting and or asking questions were Adelita Grijalva, Kristel Ann Foster and Michael Hicks. Todd Jaeger provided legal advice.
2. Schedule an executive meeting at this time to consider the following matters: **APPROVED.** Motion: Sedgwick; Seconded: Hicks. Passed Unanimously (Voice Vote). Mark Stegeman was not present to vote.
 - 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) – Requested by Board Member Rachael Sedgwick and Board Clerk Mark Stegeman
 - 1) Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer
 - 2) Discussion of consultation for legal advice with the attorney or attorneys of the public body
 - 3) Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, or pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation
 - a) Superintendent

ACTION ITEM

MOTION AND VOTE TO RECESS SPECIAL MEETING TO EXECUTIVE SESSION **SPECIAL MEETING RECESSED TO EXECUTIVE**

RECESS SPECIAL MEETING TO EXECUTIVE SESSION

ACTION ITEM

MOTION AND VOTE TO RECESS EXECUTIVE MEETING AND RECONVENE MEETING – approx. 5:30 p.m.

5:30 p.m. – Reconvene Special Board Meeting

Multipurpose Room
Duffy Community Center
5145 E. Fifth Street

5:30 p.m.

PLEDGE OF ALLEGIANCE Led by Adriana Moerkerken, Family Life Curriculum Committee Member/Parent.

Mark Stegeman moved to have Item #11 addressed before Call to the Audience. Seconded: Sedgwick.

Kristel Ann Foster made a substitution to address Item #11 after Call to the Audience. Seconded: Grijalva. **FAILED** 2-3 (Roll Call Vote). Rachael Sedgwick, Mark Stegeman and Michael Hicks voted no.

The initial motion and second was **APPROVED** 3-2 (Roll Call Vote). Kristel Ann Foster and Adelita Grijalva voted no.

ACTION ITEM

11. Discussion/Consideration/action re Employment, Assignment, Appointment, Promotion, Demotion, Dismissal, Salaries, Disciplining or Resignation of a Public Officer – Requested by Board Member Rachael Sedgwick and Board Clerk Mark Stegeman **APPROVED**. Board President Hicks moved to accept the resignation and approve and the separation and release agreement for Superintendent H. T. Sánchez;

1. That the Board accept the Superintendent's resignation herewith submitted to the Board for its consideration;
2. That the Board approve the Separation and Release Agreement signed by the Superintendent, submitted here for consideration, and authorize the Board President to sign and date the same; and
3. That if the Board fails to approve either one of these documents, then neither shall be approved.

Seconded: Stegeman. Passed 3-2 (Roll Call Vote). Board Members Kristel Ann Foster and Adelita Grijalva voted no. Board members commenting and or asking questions were Kristel Ann Foster, Rachael Sedgwick, Mark Stegeman, Adelita Grijalva and Michael Hicks. Todd Jaeger provided legal advice.

Board Member Adelita Grijalva read the following letter from Dr. Sánchez at his request to share with the community if given the opportunity.

Dear Tucson Unified Friends and Family:

It has been nothing short of an amazing experience serving as the superintendent of the Tucson Unified School District. Our city is blessed with talent, compassion, and kindness. I leave with great pride in all that we have accomplished for our students, their families, and our city. I have been honored to serve with the most accomplished team of leaders at the central office level and at the campus level. You set the standard in excellence when it comes to your focus on student learning and success as well as your dedication to our community. Our instructional and support staff are second to none. They are quality personified. I will miss working with our union leadership. It is evident that you want nothing short of what is best for our district and our students. You have stood with me to better the district and, for this, I am grateful. I have learned a lot from our community leaders. I have never met a mayor like Mayor Rothschild. He is dynamic, and has helped TUSD transform students from dropouts to high school graduates, and he has established many positive partnerships with the city and TUSD. To the faith community, your humility in service of our students will never be forgotten. To my friends in South Tucson, you do God's work, and you are my inspiration. To our elected officials, thank you for standing up for K-12 education. Your voices ring loud and clear and speak power to power. To our business leaders, thank you for helping make connections between the classroom and the workplace. You have pushed us to be better. To our parents, the many friendships that developed from our conversations focus on building not just the schools your children attend, but the district, shows the power you have when you come together and take charge of your district. To our students, I will miss seeing you in classrooms upon my campus visits. You are all beautiful, talented, and gifts from God.

I have spent the last 3 years and 8 months focused on our amazing district. I look forward to spending more time with my beautiful wife and wonderful children. It is their turn to be my focus. They have been so strong in enduring the challenges and critiques of me during my time here. We have prayed, together, for strength, and God has always blessed us. As we return home to family, we feel God's presence and understand his plan for us.

I wish TUSD nothing but success,

Yours Truly,

*Heliodor T. Sanchez, Jr., Ed.D.
Superintendent of Schools
Tucson Unified School District*

Mr. Hicks announced that Dr. Karen Kopec would be Acting Superintendent.

Board President Michael Hicks announced that Spanish Interpreter Services were available and the Spanish Interpreter Martin Coss repeated the announcement in Spanish.

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.)*

The Board Clerk read the protocol for CTA. Persons who spoke at Call to the Audience were: Derek Harris re: Support for Superintendent; Suzan Costich re: Superintendent's Role; Richard Hernandez re: Termination of H. T. Sánchez; Kathleen Armenta re: Supporting Dr. Sánchez; Cassandra Becerra re: Superintendent Sánchez; Lillian Fox re: 301, Truth and Pay Raises;

Kristel Ann Foster moved to extend the Call to the Audience until everyone who had submitted a CTA card had spoken. Seconded: Grijalva. **FAILED**. 2-3 (Roll Call Vote). Rachael Sedgwick, Mark Stegeman and Michael Hicks voted no.

Mark Stegeman move to extend the Call to the Audience through all the cards that had already been turned in. Seconded: Sedgwick. **APPROVED**. 4-1 (Voice Vote). Michael Hicks voted no.

CALL TO THE AUDIENCE – Continued

Pilar Ruiz re: Code of Conduct; Lisa Barnes re: District Leadership-Community Involvement in TUSD; Diana Wilson re: Agenda Item #3; Shauna Holden re: Item #3-Non-discrimination Policy; Kerrie Green re: Non-discrimination Affirmation-Item #3; Erin Russ re: District Transgender Policy; Debbie Embry re: Racial Comments; Manuela Uilches re: Support for Dr. Sánchez; Michael Varney re: Item #11; Betts Putnam-Hidalgo re: Use of Dissegregation Money; Esperanza Duarte re: Dr. Sánchez/Pima Community College; Audrey Cunnelly re: How Call to the Audience Cards are chosen; Shaylynn O'Connell re: Allergies and Superintendent Sánchez; Jaime Tadeo re: Support for H. T. Sánchez; Rev. Elwood McDowell re: Dr. Sánchez – Improvements for African Americans; Bill Jones re: H. T. Sánchez; Lori Banzhaf re: Update of Intern to Career; Dominic Grant re: Transgender Rights (Topic #3); Lahela Mattos re: Family Life Curriculum; Guadalupe Heiningner re: In Support of Dr. Sánchez; Natalie Luna re: Support of Dr. Sánchez.

Francisca Lopez turned in a Call to the Audience card after vote was taken to not accept any more cards.

Beth Graybill, Don Martin, Kim Daniel and Andrea Rickard were called to speak but did not appear.

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

Board member Rachael Sedgwick read an apology letter regarding her racial comments a few weeks ago. Board President Michael Hicks referenced the number of City Managers Tucson has had in the past.

ACTION ITEM

3. Official Statement by the Tucson Unified School District regarding Anti-discrimination Protection for Transgender Students – Requested by Board Member Kristel Ann Foster Board Member Kristel Ann Foster read in the form of a motion the Official Statement by the Tucson Unified School District regarding Anti-discrimination Protection for Transgender Students. Seconded: Sedgwick.

Dr. Stegeman made a substitute motion with edits to the statement Seconded: Sedgwick. Passed Unanimously (Roll Call Vote) The approved statement is attached and made part of these minutes.

Board members commenting and or asking questions were Mark Stegeman, Adelita Grijalva, Rachael Sedgwick, Kristel Ann Foster and Michael Hicks. Todd Jaeger provided legal advice.

INFORMATION ITEMS

4. Presentation on Average Daily Membership (40th and 100th Day) – Requested by Board Member Rachael Sedgwick **INFORMATION ONLY.** Scott Morrison provided information and responded to inquiries. Board members commenting and or asking questions were Mark Stegeman, Rachael Sedgwick, Kristel Ann Foster and Michael Hicks.
5. Update on Family Life Curriculum **INFORMATION ONLY.** Gabriel Trujillo, Deja Foxx, Elisa Medina, Cindy Coleman and Adriana Moerkerken provided information and responded to inquiries. Board members commenting and/or asking questions were Adelita Grijalva, Kristel Ann Foster, Rachael Sedgwick, Mark Stegeman and Michael Hicks.
6. Report on Refugee and Immigrant Student Services – Requested by Board Member Kristel Ann Foster **INFORMATION ONLY.** Mark Alvarez provided information and responded to inquiries. Board members commenting and/or asking questions were Michael Hicks, Kristel Ann Foster and Rachael Sedgwick.

7. Tucson Unified School District Magnet Transition Plan Overview Spring 2016 **INFORMATION ONLY**. Janna Acevedo, Gabriel Trujillo and Sam Brown provided information and responded to inquiries. Board members commenting and/or asking questions were Michael Hicks, Adelita Grijalva, Rachael Sedgwick and Mark Stegeman.

Board Member Adelita Grijalva moved that items 8, 9, 10 and 12 be postponed to another scheduled Board meeting. Seconded: Hicks. **APPROVED**. Passed Unanimously (Voice Vote).

8. Potential November 2017 Bond Election **ITEM POSTPONED**
9. FY 2016-2017 Budget Update **ITEM POSTPONED**
10. TUSD AzMerit – Spring 2016 **ITEM POSTPONED**

ACTION ITEM

12. Schedule Future Board Meetings **ITEM POSTPONED**

10:00 p.m. MOTION AND VOTE TO EXTEND OR ADJOURN SPECIAL BOARD MEETING
– 9:02 p.m. – Regular Board meeting adjourned.

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 Member |
| Absent: | H. T. Sánchez, Ed.D. | Superintendent |
| Also Present Senior Leadership: | Todd Jaeger Karen Kopec, Ed.D. Abel Morado, Ed.D. Mark Alvarez Gabriel Trujillo, Ed.D. Karla G. Soto Stuart Duncan Scott Morrison Anna Maiden | General Counsel Deputy Superintendent, Teaching and Learning Assistant Superintendent, Secondary Leadership Interim Assistant Superintendent, Elementary/ K-8 Leadership Assistant Superintendent, Curriculum & Instruction Chief Financial Officer Chief Operations Officer Chief Information Officer Chief Human Resources Officer |
| Administrative Staff: | Michelle Tong Sam Brown Richard Foster Halley Freitas Renee Weatherless Jeffrey Coleman + Staff Dan Erickson Matt Munger Michael Konrad Kathleen Scheppe Stephanie Boe Jimmy Hart Bryant Nodine Janna Acevedo Tina Stephens Charles McCollum Lisa McCorkle Theresa Tenace | Legal Counsel Legal Counsel Senior Director, Curriculum Development Senior Director, Assessment and Program Evaluation Director, Finance Director, School Safety Director, Advanced learning Experience (ALE) Director, Secondary Leadership Director, Secondary Leadership Director, Elementary/K-8 Leadership Director, Communications/Media Relations Director, African American Studies Director, Operations Director, Magnet Department Director, School Improvement Coordinator, Career and Technical Services Interim Principal, Ochoa Community Magnet School Principal, Mary Meredith |

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| Support Staff: | Mary Alice Wallace Sylvia L. Lovegreen Michele Gutierrez Nicholas Roman Mary Canty Miguel Carrion Jes Ruvalcaba Gene Armstrong Luis Orantes Martin Coss Jose Medina | 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 District Video Producer, Communications & Media Outreach Video Technician, Communications/Media Relations District Photographer, Communications/Media Relations Technical Support Specialist II, Technology Services Coordinator, Meaningful Access Spanish Interpreter Spanish Interpreter |
| Employee Group Representatives: | Jason Freed Linda Hatfield Jacqueline DuPont | President, Tucson Education Association President, Communication Workers of America (CWA) Vice President, Communications Workers of America (CWA) |
| Board Committees: | Kristen Bury | Board Liaison, School Community Partnership Council |
| Presenters: | Family Life Curriculum Committee Deja Foxx, TUSD Student Elisa Medina, Parent/Community Member Cindy Coleman, Community Member/Retired Teacher Adriana Moerkerken, Community Member | |
| Media: | Yoohyun Jung TV Channel(s) 4, 9, 11/13, AZ Public Media, Tucson Weekly, Tucson Sentinel | <u>Arizona Daily Star</u> |

There were approximately 150+ people in the audience.

Michael Hicks presided and called the meeting to order at 4:02 p.m.

Meeting recessed at 4:04 p.m. and reconvened at 5:30 p.m.

Meeting Adjourned at 9:02 p.m.

Approved this 7th day of March, 2017.

TUCSON UNIFIED SCHOOL DISTRICT NO. ONE

By _____
Mark Stegeman, Clerk
Governing Board

Board Agenda Item # 3 – Official Statement by the Tucson Unified School District regarding Anti-discrimination Protection for Transgender Students – Requested by Board Member Kristel Ann Foster

Official Statement following the Federal decision to rescind anti-discrimination protections for transgender students

The Tucson Unified Governing Board believes each and every student in our community has the right to feel safe and respected in our schools. Even if the federal guidelines protecting any particular group of people or kind of person are revoked, Tucson Unified will always welcome, protect and support ALL students and staff. Our commitment and determination will not be diminished by recent Federal rollbacks of policies that provided protections for transgender students in public schools.

Tucson Unified is committed to a policy of nondiscrimination based on disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age and national origin. This policy, from Section A: Foundation and Basic Commitments, Policy Code AC still prevails in all matters concerning our Governing Board, District employees, students, the public, educational programs and services and individuals with whom the Board does business.

APPROVED Unanimously in a roll call vote on February 28, 2017 by the Tucson Unified School District Governing Board.