

Responses to hit mail pieces

The “Protect Our Schools” Independent Expenditure Committee (IEC), which has substantial out-of-county and out-of-state funding, has sent several last-minute attack mailers that make false or misleading claims. Doing this just before election day makes it easier to avoid scrutiny.

This letter corrects some lies in the mailers, and rebuts other statements or places them in context.

Claim: “Mark Stegeman has voted to close 20 schools in 8 years.”

This is false. I have voted to close 15 schools, as the records cited by the mailer show. This deliberate lie is important because it hides the fact that I fought against many closures. I voted against four of the closures that the board approved (Richey, Howenstine, Townsend, Carson) and successfully opposed many more proposed closures (e.g. Cragin, Sewell, Santa Rita, Pueblo Gardens, Warren, etc.).

There is no current discussion of more closures – except as a contrived election issue. The only exception on the horizon, as I have said since the last round of closures, is that TUSD has yet to address overcapacity in the high schools. The previous closure rounds never reached that issue.

Claim: “Cost TUSD hundreds of thousands of dollars with unfounded Attorney General complaints, finding nothing.”

This is false. After an outside party filed an Open Meeting Law complaint in 2015, I filed four additional OML complaints. Three of the four were successful. In August the Attorney General’s office found that TUSD had violated Open Meeting Law by holding discussions in Executive Session that should have been held in public. On September 13 the board voted unanimously to accept the findings and receive training in the Open Meeting Law before the end of the calendar year.

One of my complaints concerned the extremely slow posting of board meetings minutes. Some meetings’ minutes were still not posted more than two years after the meeting. For years I had tried unsuccessfully to require faster posting. The board majority explicitly rejected this by a 3-2 vote in October, 2014. After I filed the external complaint, however, 31 sets of minutes suddenly appeared for approval (August 11, 2015). Since that time, the posting of minutes has been fairly punctual.

I filed a separate complaint that the board had illegally taken an action in private, out of public view. The evidence was clear, because in a court filing TUSD had referred to a board action that had never occurred in an open meeting. After I filed the complaint, TUSD made a new court filing, stating that it had made a mistake and the board had never taken that action.

As for the “hundreds of thousands of dollars,” the board never voted to hire outside counsel to defend against these complaints, and it never received a report on any such expenses. It seems unlikely that TUSD spent that much money to defend holding an illegal Executive Session, but if it did then perhaps that in itself needs investigation.

The board has spent recklessly in other legal matters. In January the majority voted to switch (again) its external counsel for the desegregation case. (The vote was 3-2.) The new lawyers, from Phoenix, were initially billing the district more than *\$90,000 per month* for their services.

Claim: “Financially backed by developers trying to purchase closed schools.”

There is no evidence of inappropriate influence. I have received contributions from a wide range of persons, including Tucson developers. The largest such contribution is \$1,000. No one has ever provided even circumstantial evidence that this distorted any votes. I actually voted against the sales of several closed school sites, which passed on 3-2 votes, because the sales prices seemed too low. TUSD’s policies for property transactions are inadequate, and I have consistently worked to protect district and taxpayer interests.

In contrast, the other two incumbents (Foster and Juarez) each recently received \$5,000 contributions from a previously obscure Phoenix “housewife” and her husband. The husband turned out to be the Vice President of Marketing for ESI, which got a \$21 million outsourcing contract from TUSD earlier this year. That contract passed on a 3-2 vote, with Foster and Juarez voting Yes. I voted No and was – as it happened – overlooked when they were writing \$5,000 checks.

In Foster’s and Juarez’s campaign finance reports, the \$5,000 contribution was attributed only to the housewife, not to the husband who works for ESI, though both names were on the checks. Both candidates promised to return the contributions, but apparently only Foster has done so. Juarez’s campaign finance report, due yesterday, was not filed. That may not be an accident.

Claim: “Mark Stegeman and his slate of candidates are bought and paid for by these special interests.”

This is ridiculous. I have no “slate of candidates.” This probably refers to the endorsements from TUSD Kids First, over which I have no control. TUSD Kids First also endorsed Betts Putnam-Hidalgo. Anyone who knows Betts knows that she is in no respect a candidate “bought and paid for” by business interests.

Claim: voted to layoff teachers.

This is correct, but layoffs were essential during some years, due to state budget cuts and enrollment losses. Other board members (including Grijalva) also voted for them, though the votes were sometimes split. Layoffs have now become unnecessary, because teachers have been fleeing TUSD so rapidly, even mid-semester, that TUSD has the opposite problem of trying to fill so many vacancies. TUSD's teacher vacancies recently rose above 170, which may be a record. We have a much higher percentage of its teaching positions vacant than do the neighboring districts.

I do think that in 2009 we gave termination notices to too many teachers: a few weeks later we were trying to hire many of them back. I supported the Fagen administration in that vote but now believe it was a mistake.

Did not "vote for every salary increase for teacher pay."

True, but the one raise I opposed occurred under exceptional circumstances. I have supported every teacher pay increase but one, which the board adopted in December 2014. The former CFO had left several months before, warning of budget deficits and declining reserves. His concerns had not been adequately resolved. I felt that a mid-year pay increase in that environment was fiscally irresponsible. (I suspected that the timing of that raise was calculated to force a negative vote that could be used in this election – and here we are.)

Concerns about budget deficits remain. TUSD's cash reserves have been declining, according to the staff's own reports. (The reports have stopped without explanation; the last report was in April.) Fitch and Moodys both downgraded TUSD's credit rating last summer, and Fitch's downgrade cited "persistent operating deficits." Holding back most of the 123 money, and a large part of the teachers' 301 money, both seem connected to covering those deficits.

Not endorsed by the Tucson Education Association (the teachers' union)

True. The TEA also declined to endorse Betts Putnam-Hidalgo, who for years has been a stronger advocate for teachers than Foster and Juarez. The TEA also passed over Lori Riegel, though she strongly advocated for teachers to receive more of the 123 and 301 money and is a substitute teacher herself. The endorsements seem to be more about protecting the status quo than about helping teachers.

I have been endorsed by several former TEA presidents.

Thanks for your patience in considering these responses. - Mark