

**Minutes
State Board of Education
Monday, June 22, 2009**

The Arizona State Board of Education held a regular meeting at the Arizona Department of Education, 1535 West Jefferson, Room 417, Phoenix, Arizona. The meeting was called to order at 9:02 AM.

Members Present:

Mr. Jacob Moore, President
Dr. Vicki Balentine, Vice President
Superintendent Tom Horne
Mr. Jesse Ary
Ms. Bonnie Kasey
Dr. John Haeger
Mr. Larry Lucero
Ms. Anita Mendoza
Mr. Jaime Molera

Members Absent:

Dr. Karen Nicodemus
Ms. Cecilia Owen

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

1. BUSINESS REPORTS

A. President's Report

Mr. Moore attended a follow-up meeting for the College and Career Readiness Policy Institute (CCRPI). Mr. Moore stated there are several members of the Board participating in the 18 month project to develop a roadmap for college and career readiness and their task is to be completed by the end of December. Mr. Moore said representatives of the 8 states working on this task will meet in September in Washington, D.C. Once the draft report will be presented to the Board before it is completed and the Board will have the opportunity to provide input before the final report is submitted.

B. Superintendent's Report

Supt. Horne recognized Cara Peczkowski for receiving the Young Dietitian of the Year Award from the Arizona Dietetic Association. Supt. Horne stated Ms. Peczkowski has served on the AZDA Central District Board and State Board for the last four years.

The Educational Services and Resources Division supported the Arizona FFA's 80th Annual Conference. Supt. Horne said nearly 1,000 students attended the conference which was held at the University of Arizona.

The Educational Technology Unit and Intel won the Best Overall Award in the area of Best Practices Business-Education Partnerships for Arizona's Intel® Teach program. The award ceremony was part of the Arizona Education and Business Coalition's 2009 Annual meeting and conference. Supt. Horne stated the Intel® Teach Program is a research-based professional development program that guides K-12 classroom teachers' to integrate technology tools and

resources into their own lessons, promote 21st century learning, and student-centered practices. Supt. Horne congratulated Ms. Cathy Poplin for the accomplishment.

C. Board Member Reports

Dr. Haeger stated state has been involved in getting Lumina Grant to further assist students with affordability and accessibility to higher education. Dr. Haeger also said the AZ Board of regents will meet and move forward to create a new architecture of higher education that will provide more opportunities throughout the state.

D. Director's Report

1. Maine Consolidated School District - USFR update
2. 2009 Parent Survey

Mr. Yanez stated the Maine Consolidated School District came before the Board for violations of the USFR and at that time the Board did not take any action. The Attorney General has since revisited the Maine Consolidated School District and has confirmed that the district is back in compliance with the USFR.

The 2009 Parent Survey was received and is similar to the previous year. Mr. Yanez noted there is a possibility this will be the last survey due to budget difficulties.

Mr. Yanez requested to pull Item 5-C pertaining Ms. Denise. Gill. Ms. Gill's attorney requested for the item to be tabled since she was unavailable to attend the Board meeting.

Mr. Moore stated item 5-J pertaining to Santa Cruz Union High School District would be moved and addressed after call to the public.

2. CONSENT AGENDA

- A. Consideration to approve State Board of Education minutes
 1. May 18, 2009
 2. May 18, 2009 – Executive Session
 3. May 12, 2009 – Special Session/Executive Session

- B. Consideration to approve contract abstracts
 1. 2010 Migrant Education Program-Portable Assisted Study Sequence Program (PASS)
 2. 2009 Economic Stimulus Funding for NSLP equipment
 3. Adult Education Assistance Awards FY 2010
 4. Adult Education Integrated Basic Education and Skills Training Grant Initiative
 5. 2010 IDEA Para professional Tuition Assistance
 6. 2010 IDEA AT Tech for Learning Comm. Competitive Grants
 7. 2010 Mathematics and Science Partnerships Sub-Grant Awards

- C. Consideration to approve trainers for the Structured English Immersion Provisional and Full Endorsements
- D. Consideration to accept funds from the Qwest Foundation pursuant to A.R.S. §§15-206 and 15-207
- E. Consideration to approve the following research proposals submitted by the Arizona Education Policy Initiative:
 - 1. School Finance Redesign Project
 - 2. Understanding the Relationship between AIMS Scores and Postsecondary Entrance
- F. Consideration to appoint the following individuals to the Special Education Advisory Panel:
 - 1. Char Ugol
 - 2. Kimberly A. Peaslee
 - 3. Dr. Barbara Ganz
 - 4. Dave Graham
 - 5. Kathy McDonald
 - 6. Dr. Kay B. Turner
 - 7. M. Diane Bruening
 - 8. Nancy Williams
 - 9. Robert Hill
- G. Consideration to revoke the teaching certificates of the following individuals, pursuant to A.R.S. § 15-550:
 - 1. Susan Jane Anderson
 - 2. Paul Richard Borta
 - 3. Stephen C. Hume
- H. Consideration to approve the appointment of Nancy Oyen to the Professional Practices Advisory Committee
- I. Consideration to appoint the following individuals to the Certification Advisory Committee:
 - 1. Tim Carter
 - 2. Bobbie Darroch
 - 3. Frank Garcia
 - 4. Kimberly Peasley
 - 5. Rosemary Radloff
 - 6. Meredith Curley
- J. Consideration to approve fiscal year 2009-2010 participation in the Career Ladder Program for the East Valley Institute of Technology District
- K. Consideration to approve additional monies for teacher compensation for fiscal year 2009-2010, pursuant to A.R.S. §§ 15-952 and 15-537

- L. Consideration to approve the following Mathematics or Science Achievement Grants, pursuant to A.R.S. § 15-720.01:
1. Metro LEADS Leading EcoExplorations and Demonstrations of Sustainability
 2. Engineering 102 in High Schools – A Partnership between UA Engineering and Arizona High Schools
 3. Challenger Space Center North: Establishing a Northern Arizona STEM Education Hub Featuring Spaceflight Mission Simulations
 4. Harnessing the Power of Data: The POD Project NAU Center for Science, Teaching and Learning
 5. Discovering the Dragonfly Larvae for Every Child: Wetland Based Outdoor Classrooms in Navajo County
 6. Bioregional Outdoor Education Project
- M. Consideration to approve request from the Whiteriver Unified School District to budget and accumulate in the unrestricted capital section for fiscal year 2009-2010
- N. Consideration to accept funds from the ASU and Helios Foundations for the purpose of providing support to Arizona K-12 Administrators
- O. Consideration to approve charter school contract amendments for the following:
1. Foothills Academy
 2. Pima County Board of Supervisors

Mr. Yanez asked to remove Greenlee Accommodation from Item 2-K.

Dr. Balentine moved to approved the consent agenda with exception of Greenlee Accommodation on Item 2-K

Motion second by Supt. Horne

Motion Passes

Ms Kasey did not vote

3. CALL TO THE PUBLIC

- Mark Neish, stated he was disappointed with the AIMS Task Force meetings. Mr. Neish stated that he felt the meetings were rushed. Mr. Neish did not agree with information the Task Force members did not review. Mr. Neish asked for a moratorium on graduation requirements until budget allows schools to hire additional staff. Mr. Neish provided the Board with handouts.
- Mel Hannah, from the AZ State NAACP. Mr. Hannah addressed the Board in representation of Mr. Wilbert Nelson. Mr. Hannah provided a letter from Mr. Nelson and stated the NAACP does not agree with the elimination of ethnic studies. Mr. Hannah

said the decision to continue with ethnic studies should be at the local school board level not legislative level.

Mr. Moore asked to continue with item 5J.

4. ADJOURN AS THE STATE BOARD OF EDUCATION AND
RECONVENE AS THE STATE BOARD FOR VOCATIONAL
AND TECHNOLOGICAL EDUCATION

Dr. Balentine moved to adjourn as the State Board of Education and reconvene as the State Board for Vocational and Technical Education.

Mr. Lucero second the motion

Motion passes

Presentation and discussion regarding Career and Technical Education end of program assessments.

Ms. Barbara Border stated the purpose of the presentation was to provide the Board with an update of the Arizona Skills Standards and Assessment for Career and Technical Education. Ms. Border stated State and Federal Legislation has prompted a review of the end of program for career and technical education. Ms. Border introduced Dr. Maggie Mangini and Ms. Helen Bootsma and recognized their work.

Ms. Border stated there are 6 major components to the system:

- Technical Skills Assessment Development
- Assessment Delivery
- Scenario, Portfolio, and Performance Assessment Development
- Management System
- Certification Process
- Decision Making Bodies

Ms. Border provided a summary of each of the six components and said additional components will be added to the information available on line throughout the development of the assessments. There are 21 assessments and all assessments are first piloted. In the fall 13 assessments will be piloted and about 70 will be the total available. Ms. Border said various groups have collaborated such as industry and business associations, incumbent workers, The Arizona Skill Standards Commission, and Multi-state Consortium.

Dr. Mangini stated the Career and Technical Education has system unparalleled across the country and the systems are being built to trace history of every item and build reliability and validity. Dr. Mangini said ASU will hold a pre-conference in July and item analysis meetings are also being held though out the state. Ms. Border stated the feedback received from the field is very positive and supportive.

Mr. Lucero asked if in the evaluation process there is follow up with students. Ms. Border said there is a follow up as long as the student leaves a valid address. Mr. Ary stated he has participated with this project and appreciates the work and he believes this program may become a prototype. Mr. Moore asked if there was a definition for career readiness. Ms. Border stated at the federal level it is to meet industry standards for a specific occupation. Supt. Horne stated the

biggest benefit is to have the industry help create the assessment and they determine.

Mr. Molera left the room at 10:38 AM

Mr. Lucero moved to adjourn as the State Board for Vocational and Technical Education, and reconvene as the State Board of Education

Ms. Mendoza second the motion

Motion passes

Mr. Molera did not vote

ADJOURN AS THE STAE BOARD FOR VOCATIONAL AND
TECHNOLOGICAL EDUCATION AND RECONVENE AS THE
STATE BOARD OF EDUCATION

Mr. Molera returned to the meeting.

5. GENERAL SESSION

A. Presentation and update regarding the implementation of
Education and Career Action Plans

Ms. Maxine Daly provided an overview of the Education and Career Action Plans (ECAP) and a list of the ECAP attributes and implementation phase. A handout with updated information was provided to the Board. Ms. Daly listed the ECAP Attributes and provided of summary of each. The following are the 4 Attributes:

- Academic
- Career
- Postsecondary
- Extracurricular

Ms. Kay Schreiber provided information on the implementation process and the resources provided. Ms. Schreiber stated ECAP information has been uploaded to IDEAL portal and provided an overview. ECAP has four levels and is available to all users across the state. It is provided free by ADE and on-line courses are being offered through IDEAL. ECAP is a framework for planning; assists students setting goals and the action plan needed to achieve these goals. Ms. Kay stated the specific ECAP goal is to help students be ready and prepared for the transition to post secondary education or career readiness. ECAP will continue to be assessed and any necessary changes will be made to improve the process.

Board members thanked the presenters and recognized their work.

B. Update regarding legislative affairs. The Board may take
action to support, oppose or remain neutral on specific
legislative proposals

Ms. Susie Cannata stated only 7 bills have been signed for the current legislative session and the Governor has released her 5 point plan. One of the proposals was to reduce the K-12 budget by \$295. Million. This same proposal is backfilled with \$222. Million in stimulus funds for

education.

Ms. Cannata stated most of the proposed education policy changes have been consolidated into three separate bills. SB1187 and HB2639 are the K-12 budget bills that was passed. SB1196, Sen. Hoopenthal's omnibus bill and Rep. Krandall's administrative reduction bill, HB2516.

Ms. Cannata highlighted the provisions on bills that affect Board such as HB2459, HB2240 and SB1171. SB1069 has passed the rules committee and is waiting a vote by the full Senate.

- C. Presentation, discussion and consideration to accept the propose negotiated settlement agreement in the teacher certification matter of Denise M. Gill

Item tabled.

- D Presentation, discussion and consideration to initiate rulemaking procedures for R7-2-302.06, R7-2-302.07, R7-2-302.08, R7-2-302.09, R7-2-302.10 relating to AIMS Augmentation

Mr. Yanez provided a summary of the proposal of the rule to fulfill all legislative requirements relating to AIMS Augmentation.

Dr. Balentine asked by when this item would be finalized in order to provide schools with the information for their policies. Mr. Yanez stated that the rule should be finalized by the next Board meeting.

Dr. Balentine moved to initiate rulemaking procedures for proposed rules R7-2-302.06, R7-2-302.07, R7-2-302.08, R7-2-302.09 and R7-2-302.10 relating to AIMS Augmentation.

Mr. Molera second the motion

Motion Passes

- E. Presentation, discussion, and consideration to adopt the designated grade levels for the AIMS Writing Assessment

Ms. Roberta Alley stated that at the time when the contract was adopted with Pearson it was determined that there would be three grade levels of writing assessments. Ms. Alley provided information on selection of the three elementary grade levels. A list of how other states administer the writing assessment was provided. Ms. Alley presented the list of recommendations and stated the goal is to have the assessment available by March. Ms. Alley explained the process to create a supplement single writing prompt with multiple choice items. Also provided was an outline of the support for non-tested grades.

Ms. Kasey stated she is concerned writing will not be evaluated in the primary grades and assessing in upper elementary grades. Ms. Alley said teachers are encouraged to use the writing rubric and assessing at the 3rd grade level will also allow students the time to build their writing skills. Supt. Horne sated an assessment at every grade level would be ideal but due to budget capacity it can only be administered at certain grade levels and assessing at the later grades provides a greater incentive for schools to prepare students.

Dr. Balentine stated this plan allows some continuity with the AZ LEARS system and agrees with Supt. Horne that the assessment is most beneficial at later grades in elementary.

Mr. Molera asked what the affect would be on the accountability systems. Ms. Alley stated this proposal would not affect the AYP accountability system would have minimal impact on the AZ LEARS accountability system. Supt. Horne stated this proposal would not be permanent and after the budget crisis there would be intent to bring the assessment back to the other grade levels.

Mr. Molera stated it would be beneficial to record what schools are doing for the non-assessed grade levels. Ms. Alley said districts are asked to sign their declarations stating they will teach the academic standards and science is included in the declarations.

Dr. Balentine moved to administer the AIMS writing assessment in grades 5, 6, and 7, beginning in the spring of 2010.

*Dr. Haeger second the motion
Motion Passes*

F. Presentation, discussion, and consideration to adopt the
Performance Level Descriptors for AIMS Mathematics

Ms. Alley requested approval of the AIMS mathematics performance level descriptors. Ms. Alley stated these descriptors were presented to the Board in May. Once they are approved the work will begin to develop the new assessment. Ms. Alley stated that the descriptors presented are more rigorous than the ones adopted in June of 2008.

Dr. Balentine motioned to adopt the performance level descriptors for AIMS mathematics as presented.

*Ms. Kasey second the motion.
Motion passes*

G. Presentation, discussion, and consideration to adopt the
Performance Level Descriptors for AIMS-A Reading,
Mathematics, and Science

Ms. Alley requested the approval of the AIMS-A Reading, Math, and Science performance level descriptors. Ms. Alley stated teachers have reviewed and updated the performance level descriptors to match the achievement that was noted on AIMS-A assessment.

Dr. Balentine moved to adopt the performance level descriptors for AIMS-A Reading, Math, and Science as presented.

*Motion second by Ms. Kasey
Motion passes*

H. Presentation and discussion regarding draft of the Arizona
Health Education and Physical Education Standards articulated
by grade level

Mr. Molera left the meeting at 11:30

Ms. Lynn Ladd, Health and Program Director of Health and Nutrition services requested approval of the Health Education and Physical Education Standards articulated by grade level.

Ms. Ladd also provided background information on the process of developing the standards, information on the public input and the transition plan to implement the revised standards. A list of the advisory council members was also provided.

Ms. Ladd listed the strands for each grade level stated the purpose for the grade spans is to align with the development of students. The transition plan will include professional development and technical assistance.

- I. Presentation, discussion, and consideration to approve intergovernmental agreements with the following districts, in accordance with A.R.S. § 15-241:
 1. Fort Thomas Elementary School (Fort Thomas Unified District)
 2. Hohokam Middle School (Tucson Unified District)
 3. W T Machan Elementary School (Creighton Elem. District)
 4. Peach Springs School (Peach Springs Unified District)
 5. Pinon Elementary School (Pinon Unified District)
 6. Pinon Middle School (Pinon Unified District)
 7. Sacaton Elementary School (Sacaton Elementary District)
 8. Sacaton Middle School (Sacaton Elementary District)
 9. Seven Mile School (Whiteriver Unified District)
 10. Shaw Butte School (Washington Elementary District)
 11. Thompson Ranch Elementary (Dysart Unified District)
 12. Whiteriver Elementary School (Whiteriver Unified District)

Ms. Angela Denning stated the Board members were presented background information on the process for the intergovernmental agreements at the May Board meeting. Ms. Denning said the 12 ISA's currently presented followed the same process as the 3 that were approved in May.

Mr. Moore asked if there could be one motion for all 12 IGA's Ms. Pollock stated this is possible but each school must be identified.

Dr. Balentine asked if school districts were required to meet all of the provisions of the interventions outlined in the IGAs. Ms. Denning stated districts and schools are held accountable for the interventions listed on the IGA's.

Mr. Moore asked for what the appeal process was if a recommendation is challenged. Ms. Denning stated appeals are received and processed by the School Improvement and Intervention Section and if there are negotiations needed the Attorney General's office is contacted. Mr. Sampson provided a summary of the process and stated in the past the appeals usually involve employee matters.

Dr. Balentine moved to adopt the IGA with the following school districts, as presented.

- 1. Fort Thomas Elementary School (Fort Thomas Unified District)*
- 2. Hohokam Middle School (Tucson Unified District)*
- 3. WT Machan Elementary School (Creighton Elem. District)*
- 4. Peach Springs School (Peach Springs Unified District)*
- 5. Pinon Elementary School (Pinon Unified District)*
- 6. Pinon Middle School (Pinon Unified District)*
- 7. Sacaton Elementary School (Sacaton Elementary District)*

8. *Sacaton Middle School (Sacaton Elementary District)*
9. *Seven Mile School (Whiteriver Unified District)*
10. *Shaw Butte School (Washington Elementary District)*
11. *Thompson Ranch Elementary (Dysart Unified District)*
12. *Whiteriver Elementary School (Whiteriver Unified District)*

Ms. Mendoza second the motion

Mr. Lucero asked why the IGA for Pinon Unified District had a strikethrough of two coaches to one. Ms. Denning said this change was one of the negotiation points in order to help the district in this time economic troubles.

Motion Passes

- J. Presentation, discussion and consideration to determine non-compliance with the USFR for failing to correct deficiencies and to withhold state funds pursuant to A.R.S. §15-272(B) from Santa Cruz valley Union High School District No. 840

Mr. Sampson provided a summary of the Auditor General's findings in regards to Santa Cruz Valley Union High School District. The district was found out of USFR compliance for the following reasons:

- The District failed to maintain appropriate controls over competitive purchasing and expenditures
- The District failed to maintain accurate capital assets and stewardship lists.
- The District needs to strengthen its controls over cash receipts and bank accounts.
- The District failed to ensure the accuracy of its accounting records and needs to improve its financial reporting.

Mr. Sampson stated SCVHUSD is currently having 5% of its state aid withheld.

Cheri Wallace, Supt. of SCVHUSD stated the district has a long history of failure to comply with the USFR this problem has been prolonged and aggravated by a frequent turn over in the superintendent position and a lack in expertise to supervise financial operations. Ms. Wallace provided information on the USFR non-compliance reports starting in 2006 and stated the financial problems go as far back as 18 years. In addition to over expenditures the district lost CTE funding, various un-cashed checks that added up to \$25, 000 and several opened credit cards. Ms. Wallace provided the Board with a corrective action plan and evidence of the changes the district has made and practices that are currently implemented in order to be in compliance. Ms. Wallace stated the district has hired new staff for the administrative positions and she also stated the district has also received advice of specialized consultants. More training will be provided to continue the improvements. Ms. Wallace said the district's has been struggling but managing to operate with the initial 5% reduction and stated an additional 3% reduction will have a very negative impact. Ms. Wallace proposed using the funds withheld from the district to be used for further audit assistance.

Mr. Ary asked if credit card bills continue, Ms. Wallace responded the district currently has no credit cards open.

Dr. Balentine asked what the legal ramifications would be to use funds withheld to assist with further audits. Mr. Yanez stated certain criteria have to be met in order to appoint a fiscal crisis team. Ms. Sampson stated law allows the reduction of the funds but not the redirecting of the funds. Mr. Yanez said there is a possibility the withheld amount would not cover the cost of a fiscal crisis team. Ms. Wallace said she has received quotes from two different companies and the cost would be about \$45,000 per year. Ms. Wallace stated the district understands the technicalities and high expense a further audit involves but further assistance is crucial.

Mr. Molera asked for further clarification; Ms. Wallace stated that HB2469 requires report negative fund balances or over expenditures to the State Department of Education but the negative funds the district currently has are not covered by the new law. Mr. Molera asked the amount of the negative fund balance. Ms. Wallace referred to Count Supt. Orlenda Roberts, Chief Deputy, Tonya Taylor and Accountant, Lori Ashford to provide the information Mr. Molera requested.

Pinal County Supt. Orlenda Roberts stated one of the issues was a federal grant. The funds for this federal grant were used to start projects before the funds were released. Food service expenditures were an additional discrepancy item. Mr. Molera asked the problems have been pin-pointed. Pinal County Supt. stated the problems have been identified and procedures have been established to address these issues.

Mr. Ary stated the district has made a case for receivership and asked Ms. Wallace they were to accept a receivership. Mr. Yanez said a fiscal crises team could be an option. He also suggested that the Board table item to further review to possibility of a receivership / fiscal crisis team.

Mr. Moore asked if the district has requested or is ready to request a new visit. Mr. Wallace stated the district would be ready in January.

Dr. Balentine moved table item 5K until the August 24th Board Meeting.

Motion second by Dr. Haeger

Motion passes

Mr. Moore asked for a motion to adjourn as the State Board of Education in order to address Item 4.

- K. Presentation, discussion and consideration to close the rulemaking record and adopt proposed rules R7-2-612 (E), relating to Teaching Intern Certificate

Mr. Mark Anderson requested approval to close the rulemaking process for the Teaching Intern Certificate. Mr. Lucero asked if in the process of the Rules Moratorium applies to the education rules. Mr. Yanez stated the Governor's office has been notified of the rules presented to the Board and these education rules are exempt of the moratorium.

Dr. Balentine moved to close the rulemaking record and adopt proposed rules R7-2-614(E), relating to the Teaching Intern Certificate

Motion second by Mr. Lucero

Motion passes

- L. Presentation and discussion regarding procedures for appeals

relating to applications for certification, pursuant to
A.R.S. 15-534.01

Mr. Mark Anderson provided Board members with information on the process that would need to be established in order to fulfill the statutory mandate. Mr. Anderson explained the proposed process and stated the final action in the process would be an action item on the State Board agenda. Mr. Anderson stated this proposal would be brought to the Board for consideration to approve at the August meeting. The main steps of the proposed process are:

- Written notice sent to denied applicant
- Appeal must be received at ADE within 15 days from the date the denial notice was received
- Appeal consists of a cover letter explaining the reason for the appeal, a copy of the denial letter, copies of official transcripts, and a copy of the completed experience verification form.
- The completed appeal packet is provided to all members of the advisory committee established by the State Board

Mr. Anderson stated the Committee referenced in the proposed process would be named Certification Appeals Advisory Committee (CAAC). This committee would consist of 5 members appointed by the State Board after initial recommendation by Supt. Horne. Monthly meetings would be conducted to review the appeals and the recommendations of the committee will be presented to the Board.

Mr. Moore asked if the PPAC members would be at all involved with the appeals. Ms. Pollock stated they would not and recommended that the members for the committee were not associated with the ADE to avoid accusations of bias. Mr. Anderson stated the Board would be provided on a regular basis a list of the appeals that are reviewed.

Noted Item K was pulled from the consent agenda.

6. ADJOURN

Mr. Lucero moved to adjourn

Second by Ms. Kasey

Motion passes

Meeting adjourned at 12:05 PM