



State of Arizona
Department of Education

February 5, 2014

Kristine Morris
Chief Deputy County Superintendent
Maricopa County Education Service Agency
VIA EMAIL
Kristine.morris@mcesa.maricopa.gov

Dear Ms. Morris:

MCESA is a local education agency in order to spend and receive public funds to provide programs and services to school districts and charter schools within the county. A.R.S. § 15-301(C). MCESA is authorized to, "[i]n collaboration with the department of education and other state agencies, provide assistance to school districts and charter schools on the use of student data, staff development, curriculum alignment and technology to improve student performance." MCESA is the recipient of several federal grants that assist the districts and charters within its boundaries, including the REIL. A.R.S. § 15-302(A)(13). ADE has partnered with MCESA in its REIL grant to acquire a set of online tools that will be integrated in the future statewide Instructional Improvement System.

MCESA requested additional access to the ADE-administered educator observation and evaluation tools, True North Logic and BFK Award. Currently, MCESA has view only access to aggregated school and district reporting. MCESA would like the same access as the District in order to more properly serve its participating districts. The access MCESA seeks is for the evaluation report and performance classification of teachers.

Arizona law states that evaluation reports and performance classifications are confidential and shall not be released or shown to any person except "authorized district officers and employees for all personnel matters regarding employment." A.R.S. § 15-537(I)(2). ADE recognizes that MCESA's agreements with its partner districts nominate MCESA employees as authorized users with access to REIL Scorecards, Performance-pay eligibility lists, and data used to perform quality assurance checks. However, ADE does not believe it has the authority to grant MCESA the access it seeks in True North Logic and BFK Award because districts have not designated MCESA employees, as required by Arizona law, as, "authorized district officers and employees." ADE is copying MCESA's partner districts on this letter make them aware ADE's legal basis as to why districts should grant MCESA access to their teacher evaluation data rather than ADE.

Sincerely,

A handwritten signature in blue ink that reads "Carrie O'Brien".

Carrie O'Brien
Director of Legal Services and Data Privacy Officer

cc: MCESA Partner Districts

