

**Minutes
State Board of Education
Monday, May 21, 2012**

The Arizona State Board of Education held a regular meeting at the Arizona Department of Education, 1535 West Jefferson Street, Room 417, Phoenix, Arizona. The meeting was called to order at 9:00 am.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

Members Present:

Ms. Hamilton
Superintendent Huppenthal
Mr. Jacks
Ms. Klein
Mr. Miller
Mr. Moore
Ms. Ortiz-Parsons
Dr. Rottweiler
Vice President Tyree
President Molera

Members Absent:

1. BUSINESS REPORTS

A. President's Report

President Molera thanked the Governor for her support of additional resources/FTEs for the Board's Investigative Unit. Due to the increased staffing President Molera indicated that he would hold consent item K, regarding and appointment to the PPAC, pending refinements to that committee process. President Molera asked Member Ortiz-Parsons to take the lead on the Board's efforts to reform the PPAC.

President Molera stated that he would present the Board with a proposal on how to structure the criteria related to the \$3,000,000 Innovative Education Grants. He would like to have these criteria established by August.

B. Superintendent's Report

Superintendent Huppenthal highlighted the article regarding Arizona's CTE programs that appeared in Time Magazine.

1. Recognition of Green Ribbon Schools

Superintendent Huppenthal recognized two Green Ribbon Schools: STAR School, a charter school, and Road Runner Elementary School, in the Washington Elementary School District

2. Other items as necessary

C. Board Member Reports

No Board Member reports

D. Director's Report

Mr. Yanez stated that he would reserve comment on most of the substantive items until the legislative report. He also stated that June 5th is confirmed for the Board's planning meeting. He stated that the first half of that agenda would be dedicated to discussing several of the legislative mandates from the recent legislative session. The last half of the meeting would be dedicated to discussion among members regarding the Board's 2013 priorities.

2. CONSENT AGENDA

A. Consideration to approve Arizona State Board of Education minutes for April 23, 2012

B. Consideration to approve Contract Abstracts

1. United States Department of Agriculture Fresh Fruit and Vegetable Program
2. Arizona Charter School Program
3. Mathematics and Science Partnerships Program

C. Consideration to allow the Arizona Department of Education to accept funds allocated from the United States Department of Agriculture to operate the Summer Food Service Program, pursuant to A.R.S. §§ 15-1152 and 15-1153

D. Consideration to approve the participation of the following school districts in the accounting responsibility program, pursuant to A.R.S. § 15-914.01:

1. Humboldt Unified School District
2. Higley Unified School District

E. Consideration to approve trainers for the Full Structured English Immersion Endorsement

F. Consideration to approve additional monies for teacher compensation for Fiscal Year 2012-2013, pursuant to A.R.S. §§ 15-952 and 15-537

G. Consideration to grant one year extensions to approved professional preparation programs to accommodate modified evaluation procedures

H. Consideration to appoint Nancy Southern to the Career Ladder Advisory Committee

I. Consideration to accept the recommendation of the Superintendent of Public Instruction and continue the Operational Performance Incentive Program for the following school districts for the 2012-2013 Fiscal Year, pursuant to A.R.S. § 15-919:

1. Joseph City Unified School District
2. Sedona-Oak Creek Joint Unified School District

J. Consideration to grant teacher preparation program approval to the

Northern Arizona University Masters of Education in Early Childhood
Special Education

- K. Consideration to appoint Bonnie Sneed to the Professional Practices Advisory Committee
- L. Consideration to permanently revoke any and all teaching certificates held by Marcos A. Cantu, pursuant to A.R.S. § 15-550
- M. Consideration to approve the expansion of the Arizona Online Instruction program offered by the Nogales Unified School District to include grades 7-8.
- N. Consideration to authorize the Special Education Advisory Committee to send a letter to the United States Secretary of Education regarding the calculation of high school graduation rates

Ms. Klein moved to approve the consent agenda with the exception of items 2F and 2K.
Second by Vice-President Tyree.
Motion passes unanimously

Ms. Klein moved to approve item 2F.

Second by Mr. Miller.

Ms. Klein asked to hear from staff regarding how this particular item aligns with the recent changes made to teacher evaluation systems.

Ms. Amator explained that the additional monies for teacher compensation tied to this item have been distributed consistently for several years. The schools recommended for approval have demonstrated that their existing evaluation systems are aligned to the teaching professional standards and they are teaching the appropriate academic standards as approved by the Board.

Ms. Klein stated that her intent was not to withhold the monies from these schools, provided that they are entitled to approval, but rather to call attention to the need to ensure all teacher evaluation policies are aligned.

Motion passes unanimously.

3. CALL TO THE PUBLIC

No requests to speak.

4. GENERAL SESSION

A. Presentation and discussion regarding legislative affairs

President Molera acknowledged the work of Mr. Yanez and Ms. Cannata at the legislature.

Ms. Cannata provided a summary of several education bills and the FY2013 budget. Ms. Cannata specifically covered the following:

The legislature appropriated \$40,000,000 to be distributed through a new funding weight. The Board may use up to \$1,500,000 of the funding, including two full time positions, to administer the fund. Ms. Cannata also explained the requirements for each district and charter to receive the new funds.

Mr. Yanez described his initial plans to have the Board make several key decisions necessary to ensure school districts and charters have the necessary guidance and time to submit their reading plans and budgets by the October 1st deadline.

Mr. Miller suggested that A and B schools not be required to submit the plans.

Ms. Klein stated that during the negotiations involved in creating the new reading fund the legislature made it clear that all schools should submit plans to ensure the state's ability to identify and replicate the best practices.

President Molera expressed his desire to keep the paperwork involved as simple as possible.

Ms. Cannata summarized several key provisions of the state's FY 2013 budget. She also summarized the following bills: HB2270, HB2663, HB2161, HB2500, HB2563, HB2598, HB2599, HB2697, HB2823, and SB1255.

B. Presentation and discussion regarding proposed achievement levels for the following assessments related to Board Examination Systems and the Grand Canyon Diploma

1. Cambridge IGCSE Mathematics
2. Cambridge IGCSE English First Language
3. Cambridge IGCSE English Literature
4. ACT Quality Core Algebra
5. ACT QualityCore Geometry
6. ACT QualityCore English 10

Dr. Sybil Frances, Executive Director of the Center for the Future of Arizona introduced the item. She explained that the proposed cuts scores are mapped to college and career readiness benchmarks.

Mr. Yanez explained that the standards setting process used for this item is different than the bookmark process the Board is accustomed to using with AIMS. In this process proposed cut scores were mapped/benchmarked against known college readiness assessments.

Dr. Everson, Chair of the Technical Advisory Committee for NCEE, provided a technical review of the process used to set the proposed standards, and described the specific proposed cut score for each of the six assessments.

Dr. Francis thanked the Board and stated that this item would be on the Board's June agenda for potential action.

C. Presentation and discussion regarding the Arizona Education Learning and Accountability System. The Board may take action to approve the expenditure of funds, pursuant to A.R.S. § 15-249.

Mr. Masterson provided an update regarding the Arizona Education Learning and Accountability System upgrades.

Mr. Masterson stated that there was no specific funding request before the Board, but the Data Governance Commission has recommended that the Board allow a 10 percent project contingency before requiring ADE IT staff to request budget allocation modifications.

President Molera stated that he was not comfortable taking action on the proposed 10 percent contingency at this time.

Ms. Klein stated that she would like to see a detailed budget document that delineates total expenditures from the various funding streams involved in the AELAS build.

D. Presentation and discussion regarding the A-F school accountability system. Discussion may include, but is not limited to, the proposed parallel model for alternative schools. The Board may take action to approve recommendations from the AZ LEARNS Subcommittee.

Mr. Miller introduced the item. He described the work of the subcommittee and thanked them and ADE staff for their work. He explained that the committee was able to reach a unanimous decision on the recommendations before the Board regarding alternative schools.

Dr. Giovannone provided a technical review of the proposed parallel accountability model for alternative schools. Details regarding the proposed model are included in the Board meeting materials.

Dr. Lazko-Kerr, Arizona Charter Schools Association, spoke in support of the proposed model.

Superintendent Huppenthal moved to approve the proposed parallel accountability model for alternative schools, as presented.

Mr. Miller seconded the motion.

Motion passes unanimously.

E. Presentation and discussion regarding the Elementary and Secondary Education Act Flexibility Waiver

Ms. Phillips introduced the item and thanked ADE staff that has been involved in drafting the proposed waiver.

Ms. Phillips indicated that overall the feedback from the USDOE on the proposed waiver has been positive, but there does remain some work to be completed with respect to several parts of the proposal. Most of the conversation with the USDOE has been updating them on the work that has already been done around accountability systems, teacher and principal evaluations and common core roll-out. The USDOE would like to see further explanation regarding what Arizona is doing to support Native American and migrant student in transition to the new standards.

Ms. Phillips described some of the ongoing work related to new accountability indicators linked to Annual Measurable Objectives (AMOs). She stated that the ADE's intent is to align the federal accountability system to our state's system, as closely as possible. She stated that Arizona's new AMOs will be based on Student Growth Targets. This would include growth to standard and growth to excellence calculations for each student.

F. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the certificates held by Buffy Murinko

Mr. Easaw provided an overview of the item.

Buffy Murinko holds a Standard Secondary Education certificate, which expires on August 31, 2013.

On February 25, 2008, the Investigative Unit for the State Board of Education (the “Board”) received a report of unprofessional conduct from the Flagstaff Unified School District, on the part of Buffy Murinko. It was alleged that Ms. Murinko forced several students to participate in physical education classes even though she was made aware that the students had doctor’s notes excusing them from participation in physical fitness activities. She later resigned in lieu of termination.

On March 9, 2010, the Investigative Unit received a report of unprofessional conduct from Show Low Unified School District, on the part of Buffy Murinko. It was alleged that Ms. Murinko forced several students to participate in physical education classes knowing they had medical excuses exempting them from participation in certain physical activities.

The Board filed a complaint against Buffy Murinko’s certificate alleging that Ms. Murinko failed to make reasonable efforts to protect pupils from conditions harmful to learning, health, or safety, in violation of Arizona Administrative Rule R7-2-1308(A)(1).

On February 15, 2012, the Professional Practices Advisory Committee (“PPAC”) held a hearing on the complaint. The PPAC found that on multiple occasions at both Flagstaff High School and at Show Low High School, Buffy Murinko forced students to participate in physical education activities when they were either already injured or were medically unable to participate in the activities; and further, in several instances caused students to further injure themselves. Ms. Murinko was not present for the hearing and did not participate in the hearing.

By a vote of 4 to 0, the PPAC recommended that the Board revoke all certificates held by Ms. Murinko.

Mr. Miller moved to accept the findings of fact, conclusions of law and recommendation of the PPAC to revoke the certificates held by Buffy Murinko.

Second by Mr. Moore.

Motion passes unanimously.

G. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and suspend the certificates held by Lisa Ostazeski

Mr. Easaw provided an overview of the item.

Lisa K. Ostazeski holds a Standard Elementary Education, Standard Special Education Emotional Disability, Standard Special Education Learning Disability, and a Standard Special Education Mental Retardation certificate(s), all of which expire on July 8, 2014.

On June 2, 2010, the Investigative Unit for the State Board of Education (the “Board”) received a report of unprofessional conduct from the Tucson Unified School District (“District”), on the part of Lisa Ostazeski. It was alleged that on May 19, 2010, Ms. Ostazeski was under the influence of alcohol while on duty at school. The results of a urinalysis performed at Concentra Urgent Care revealed that Ms. Ostazeski’s blood alcohol level was at 0.262. On May 25, 2010, Ms. Ostazeski and the District entered into a settlement agreement in exchange for her resignation, effective May 27, 2010.

The Board filed a complaint against Lisa Ostazeski’s certificates. On April 10, 2012, the Professional Practices Advisory Committee (“PPAC”) held a hearing and found that Lisa Ostazeski acted unprofessionally by being under the influence of alcohol while on school premises. By a vote of 6 to 0, the PPAC recommended a suspension of Ms. Ostazeski’s certificates through July 8, 2014.

Mr. Moore moved to accept the findings of fact, conclusions of law and recommendation of the PPAC to suspend the certificates held by Lisa Ostazeski.

Second by Ms. Ortiz-Parsons

Motion passes unanimously.

- H. Presentation and discussion regarding proposed standards and testing requirements related to Dropout Recovery Programs, pursuant to A.R.S. § 15-901.06
- I. Presentation, discussion and consideration to initiate rulemaking procedures for proposed rule R7-2-614(K), regarding Native American Languages Teaching Certificates

Ms. Amator presented a summary of the item.

Mr. Yanez reminded the Board that this matter has been discussed on previous agendas. He explained that the proposal to create the Native American Language Teaching Certificate was delayed at his request to allow time for legal counsel to review the recommended language. The specific concern deals with the exemptions the proposed rule allows for with respect to the AEPA and AZ/US constitutions. Mr. Yanez stated that legal counsel has advised that these exemptions are permissible as prescribed by federal law (Native American Languages Act).

Motion by Supt. Huppenthal to initiate rulemaking procedures for proposed rule R7-2-614, regarding Native American Language Teaching Certificates.

Second by Mr. Moore.

Motion passes unanimously.

- J. Board comments and future meeting dates. The executive director, presiding officer or a member of the Board may present a brief summary of current events pursuant to A.R.S. § 38-431.02(K), and may discuss future meeting dates and direct staff to place matters on a future agenda. The Board will not discuss or take action on any current event summary.

President Molera reminded the members of the upcoming June 5th planning meeting. He stated that he would get an agenda out to the members as soon as possible.

Mr. Miller stated that he attended the Greater Phoenix Chamber of Commerce Impact Awards and one of the winners was the Phoenix Collegiate Academy. The school won the award for success in the face of adversity. Challenge Charter School one this award several years ago. Mr. Miller stated that he is pleased to have charter schools recognized in this fashion.

5. ADJOURN

Motion by Ms. Ortiz-Parsons to adjourn.

Second by Mr. Miller.

Meeting adjourned at 11:55 AM.