

EXECUTIVE SUMMARY

Issue: Non-Compliance with the USFR for Toltec Elementary School District No. 22 and to Withhold State Funds Pursuant to A.R.S. § 15-272(B)

Action/Discussion Item

Information Item

Background and Discussion

Under Arizona law school districts must spend and account for public funds in accordance with the Uniform System of Financial Records ("USFR"). Jointly developed by the Arizona Department of Education and the Arizona Auditor General's Office (Auditor General), the USFR incorporates finance-related laws and regulations as well as generally accepted accounting principles. The Auditor General is responsible for assessing whether school districts are in compliance with the USFR, and notifying the Department of Education when they are not. See A.R.S. § 15-271(E). Based on the Auditor General's reports, the State Board of Education may direct the Superintendent of Public Instruction to withhold any portion of state funds from school districts or charter schools that are out of compliance with the USFR. See A.R.S. § 15-271(B). State funds will be withheld until the Auditor General reports that the school has come into compliance with the USFR. See A.R.S. § 15-271(B).

The Auditor General notified Toltec Elementary School District No. 22 ("District") that it was not in compliance with the USFR based on a review of the District's audit reports for the fiscal year (FY) ending June 30, 2015. The Auditor General agreed to delay any status review of the FY 2015 audit reports until the audit reports and USFR Compliance Questionnaire for the year ending on June 30, 2016 are received and reviewed. The Auditor General has not yet received the District's audit reports and USFR Compliance Questionnaire for the year ending on June 30, 2016 and therefore the District has not complied with the USFR and state and federal law regarding report submission.

Toltec Elementary School District No. 22 was notified via email and certified letter sent on September 7, 2017 of this review before the State Board of Education.

Copies of the Auditor General's letters may be downloaded from the Arizona Auditor General's website at <https://www.azauditor.gov/reports-publications/school-districts>.

Recommendation to the Board

It is recommended that the Board determine that Toltec Elementary School District No. 22 is out of compliance with the USFR for fiscal year ending 2016 based on the letters from the Auditor General and move to direct the Superintendent of Public Instruction to withhold 3% of the District's state aid until the Auditor General reports that the District is in compliance with the USFR.

Contact Information:

Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education
Miguel Lozano, Assistant Attorney General, Office of the Attorney General

**UNIFORM SYSTEM OF FINANCIAL RECORDS (USFR)
NON-COMPLIANCE – SUMMARY**

DISTRICT:

Toltec Elementary School District No. 22

BASIC FINANCIAL/PERFORMANCE INFORMATION FY 2016:

Total State Aid:	\$2,213,059.17
Students Enrolled:	1,026
Number of Schools:	2
Student/Teacher Ratio:	16.3
Classroom Dollars:	45.2% of per pupil funding spent in classroom

ADMINISTRATIVE STATUS:

On January 11, 2017, the Auditor General's Office notified the District that it had not complied with the USFR based on a review of the District's audit report and USFR Compliance Questionnaire for the year ending June 30, 2015. The Auditor General's review revealed significant deficiencies in internal controls, which showed that the District was not compliant with the USFR. The District's management provided information regarding progress towards completion of the audit in February 2017. Based on that information and the fact that the 2016 audit was due very soon, the Auditor General's Office agreed to delay any status review until the audit reports and USFR Compliance Questionnaire for the year ending on June 30, 2016 are received and reviewed. The 2016 audit reports and USFR Compliance Questionnaire were due March 31, 2017. The audit was not scheduled to be completed until May 31, 2017, due to issues with the District initial contract with an independent auditor. The Auditor General's Office sent a letter to the State Board of Education on June 8, 2017 outlining this information.

The Auditor General's Office has not yet received the District's audit reports and USFR Compliance Questionnaire for the year ending on June 30, 2016. Consequently, the District has not complied with the USFR and state and federal law regarding report submission.

SUMMARY OF AUDITOR GENERAL'S FINDINGS:

A Status Review cannot be conducted to assess the status of the district's current deficiencies due to the District's failure to provide audit reports and a USFR Compliance Questionnaire for the year ending June 30, 2016. Currently, information available to the

Auditor General's Office indicates that the District is non-compliant for both deficiencies in internal controls evidenced as well as reporting requirements.

The Auditor General's office will not perform a status review until: (1) the District submits the audit report and USFR Questionnaire to the Auditor General's Office; (2) the District notifies the Board that it has substantially corrected its internal control deficiencies and provided the Auditor General's Office with both the outstanding audit report and USFR Compliance Questionnaire; and (3) the Board requests that the Auditor General perform a status review. Once each of these have occurred, the Auditor General will contact the District to discuss in detail what action the District has taken to correct its internal control deficiencies and whether another status review is warranted.

DATE DISTRICT ANTICIPATES FINDINGS WILL BE SATISFACTORILY ADDRESSED:

The District has indicated that the audit for the year ending June 30, 2016 will be completed within the month of September. However, information provided by the District's audit firm and the District have not been consistent with regard to an expected date of completion.

ADDITIONAL USFR COMPLIANCE ISSUES:

None

RECOMMENDED ACTION: (REFER TO DECISION MATRIX)

The Board should move to find the District noncompliant with the USFR and to withhold **3%** of the District's state aid until the Auditor General receives the current audit report and USFR Compliance Questionnaire and verifies that the internal control deficiencies have been corrected.

UNIFORM SYSTEM OF FINANCIAL RECORDS (USFR) NON-COMPLIANCE – DECISION TABLE

	<u>District Status</u>	<u>Recommended Action</u>
1	The Auditor General's Office verifies that the District is out of compliance at time of Board meeting. The District does not present credible evidence that the deficiencies will be remedied prior to the next Board meeting.	Move to find the District in noncompliance with the USFR and to withhold 3% of the District's state aid until the Auditor General verifies that the deficiencies have been met and that the District is back in compliance.*
2	The Auditor General's Office verifies that the District is out of compliance at time of Board meeting. The District provides evidence that all deficiencies have been remedied and is ready for the Auditor General to verify compliance.	Move to find that the District is in noncompliance with the USFR, but to table any action pending the results of the Auditor General's status review. <i>(Board staff will request that the Auditor General's Office conduct a follow-up status review. The results of this review would not be available for several months.)</i>
3	The Board tables action to withhold funds under scenario no. 2 and the Auditor General's status review confirms that the District remains out of compliance with the USFR.	Move to find the District in noncompliance with the USFR and to withhold 5% of the District's state aid until the Auditor General verifies that the deficiencies have been met and that the District is back in compliance.*
4	The District is out of compliance due to prior year deficiencies and is already subject to withholdings. - AND - The Auditor General's Office verifies that the District is again out of compliance for the current fiscal year.	Move to find the District in noncompliance with the USFR and to withhold an additional 3% of the District's state aid until the Auditor General verifies that the deficiencies have been met and that the District is back in compliance.*
5	Pursuant to A.R.S. § 15-272, upon a finding of noncompliance, the Board reserves the right to withhold up to ten percent of the portion of state monies to a school District for each violation from the date of the determination until such time as the auditor general reports compliance with the USFR.*	

**Pursuant to A.R.S. § 15-272(D), a District shall not be eligible to recover withheld funds if the District remains out of compliance through the end of the fiscal year following the fiscal year when the initial determination of noncompliance was made.*

The recommended actions described in this table are not binding. The Board may take action not prescribed in this table due to unique or unforeseen circumstances.



DEBRA K. DAVENPORT, CPA
AUDITOR GENERAL

STATE OF ARIZONA
OFFICE OF THE
AUDITOR GENERAL

MELANIE M. CHESNEY
DEPUTY AUDITOR GENERAL

June 8, 2017

The Honorable Diane Douglas
Superintendent of Public Instruction
Arizona Department of Education
Executive Officer
Arizona State Board of Education
1535 West Jefferson Street
Phoenix, AZ 85007

Subject: Toltec Elementary School District No. 22

Dear Ms. Douglas:

We issued a letter January 11, 2017, informing Toltec Elementary School District No. 22 that it had not complied with *the Uniform System of Financial Records* (USFR) based on our review of the District's audit reports and USFR Compliance Questionnaire for the year ended June 30, 2015. The District was given 90 days to correct its deficiencies.

In February 2017, District management represented to us that they had made significant progress in correcting the deficiencies during fiscal year 2016. We mutually agreed to wait until the District's audit reports and USFR Compliance Questionnaire were completed for the year ended June 30, 2016, before we would perform a status review to determine if the District has corrected its internal control deficiencies. Those reports were due by March 31, 2017.

To date, we have not received the District's audit reports and USFR Compliance Questionnaire for the year ended June 30, 2016. Consequently, the District has not complied with the USFR and state and federal law regarding report submission, and we request that the Board take appropriate action as prescribed by Arizona Revised Statutes §15-272.

If you have questions concerning this matter, please call Laura Miller, Accounting Services Director, or Megan Smith, Accounting Services Manager, at (602) 553-0333.

Sincerely,

Debbie Davenport
Auditor General

cc: Governing Board
Dr. Jeff Van Handel, Superintendent
Ms. Eileen Crumbaker, Business Manager
Toltec Elementary School District No. 22
The Honorable Jill Broussard, Pinal County School Superintendent
Dr. Karol Schmidt, Executive Director
Arizona State Board of Education
Ms. Shari Zara, Deputy Superintendent Operations
Ms. Christy Ellison, Deputy Associate Superintendent, Grants Management
Arizona Department of Education

Toltec Elementary School District

Pinal County

Efficiency peer groups 9 and T-6, Achievement peer group 17

Legislative district(s): 11

District size, location:

Medium, Rural

Students attending:

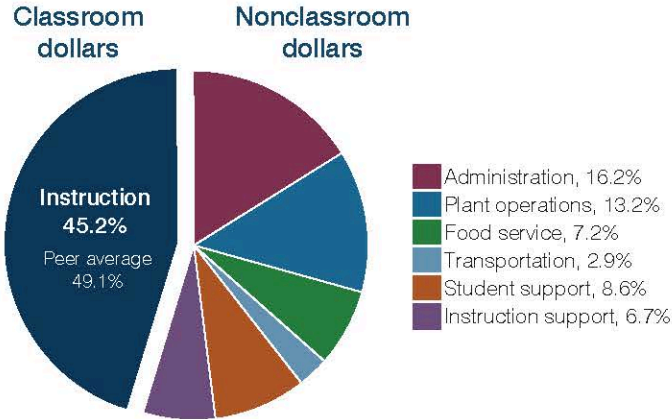
1,026

Number of schools:

2

OPERATIONAL EFFICIENCY

Spending by operational area



Efficiency measures relative to peer averages

Operational area	Measure	District	Peer average	State average
Administration	Cost per pupil	\$1,196	\$1,108	\$806
	Students per administrative position	64	59	67
Plant operations	Cost per square foot	\$5.88	\$7.02	\$6.10
	Square footage per student	166	149	154
Food service	Cost per meal	\$2.80	\$2.88	\$2.81
Transportation	Cost per mile	\$3.24	\$3.68	\$3.72
	Cost per rider	\$290	\$543	\$1,092

Very low Low Comparable High Very high

Per pupil spending

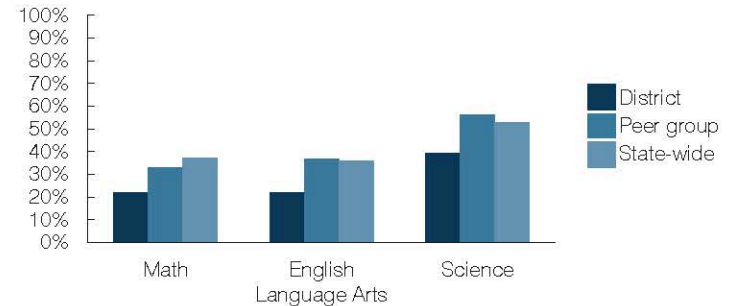
Spending by area	District		Peer average 2016	State average 2016
	2015	2016		
Instruction	\$ 4,180	\$ 3,351	\$ 3,970	\$ 4,145
Administration	831	1,196	1,108	806
Plant operations	891	977	1,027	939
Food service	577	530	573	415
Transportation	333	218	437	364
Student support	521	640	512	633
Instruction support	476	498	473	444
Total operational	\$ 7,809	\$ 7,410	\$ 8,100	\$ 7,746
Land and buildings	\$ 1,185	\$ 447	\$ 302	\$ 621
Equipment	204	218	308	400
Interest	326	96	81	216
Other	141	0	115	153
Total nonoperational	\$ 1,856	\$ 761	\$ 806	\$ 1,390
Total per pupil spending	\$ 9,665	\$ 8,171	\$ 8,906	\$ 9,136

STUDENT AND TEACHER MEASURES, FINANCIAL ASSESSMENT, AND REVENUES

Student and teacher measures

Measure	District	Peer average	State average
Attendance rate (2015)	93%	95%	94%
Graduation rate (2015)	N/A	N/A	N/A
Poverty rate (2015)	16%	19%	23%
Students per teacher	16.3	14.2	18.6
Average teacher salary	\$33,394	\$44,172	\$46,384
Amount from Proposition 301	\$1,410	\$4,469	\$5,315
Average years of teacher experience	11.4	12.6	11.0
Percentage of teachers in first 3 years	15%	14%	20%

Students who passed state assessments



Financial stress assessment

Overall financial stress level: **High**

Measure: 2014 through 2016	Assessment
Change in number of district students	Moderate decrease
Spending exceeded operating/capital budgets	Capital only
Spending increase election results	No election held
Operating reserve percentage, Trend	3.6%, Increasing
Years of capital reserve held	Less than 1 year
Current financial and internal control status	Noncompliant

Low Moderate High

Per pupil revenues

Revenues by source	District		Peer average 2016	State average 2016
	2015	2016		
Federal	\$ 1,965	\$ 2,007	\$ 1,836	\$ 1,301
State	4,884	4,499	4,877	3,780
Local	2,438	2,704	2,734	4,268
Total revenues per pupil	\$ 9,287	\$ 9,210	\$ 9,447	\$ 9,349

Select revenues from common sources

Source	District 2015	District 2016	Peer average 2016	State average 2016
Equalization formula funding	\$ 5,974	\$ 5,547	\$ 5,688	\$ 5,471
Grants	1,967	2,045	1,981	1,182
Donations and tax credits	8	5	72	86

Select revenues from less common sources

Source	District 2015	District 2016	Number of peers receiving
Desegregation	\$ 0	\$ 0	0 of 10
Small school adjustment	0	0	0 of 10
Federal impact aid	0	0	3 of 10
Voter-approved levy increases	398	442	7 of 10

Classroom dollar percentage

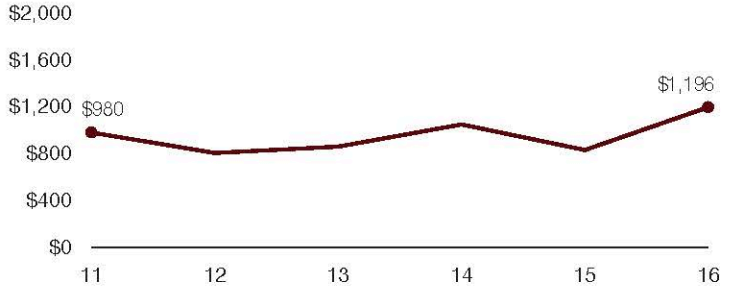
Year:	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Percentage:	61.0	60.0	58.1	57.5	62.3	64.6	59.0	58.0	59.0	53.9	49.9	44.9	45.4	49.2	53.5	45.2

OPERATIONAL TRENDS
Fiscal years as indicated

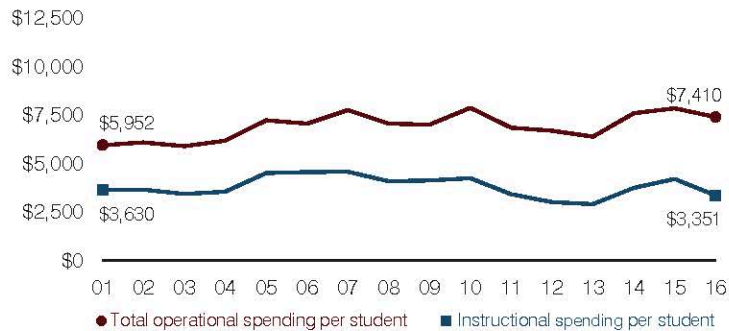
5-year spending trend (2011 through 2016)

Total operational spending per pupil, adjusted for inflation, increased by 8 percent. The percentage of dollars spent in the classroom varied year to year, decreasing overall from 49.9 to 45.2 percent. Overall, as a percentage of total operational spending, student support and instruction support increased substantially, food service increased, and administration increased slightly, while transportation decreased substantially.

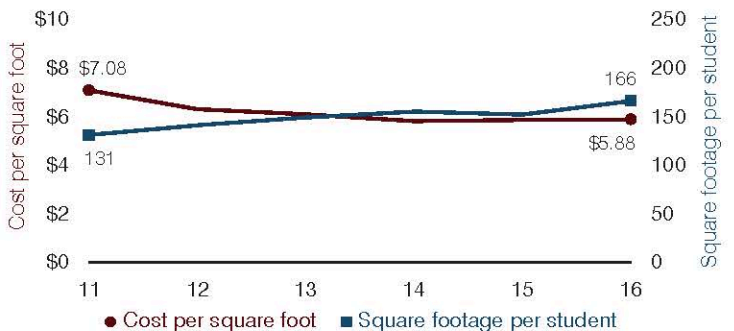
Administrative cost per pupil



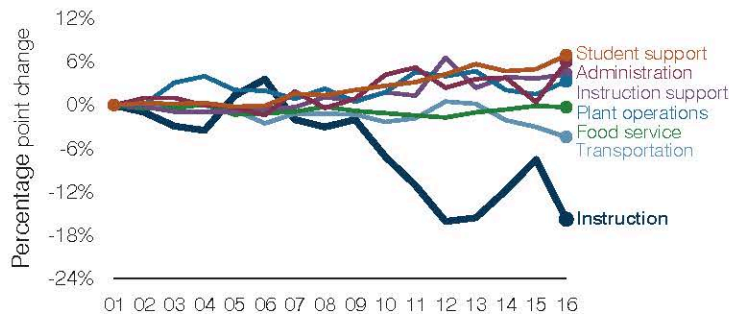
Total operational and instructional spending per pupil (inflation adjusted to 2016 dollars)



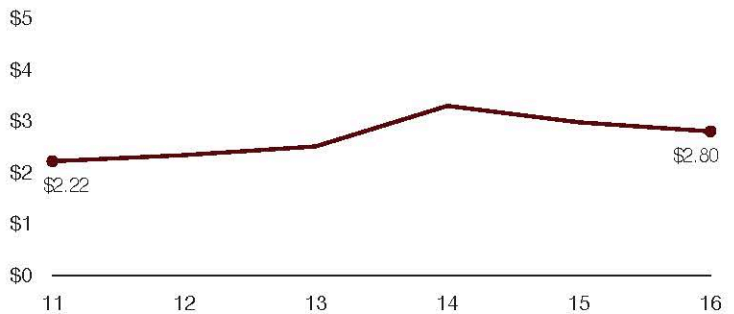
Plant cost per square foot and square footage per student



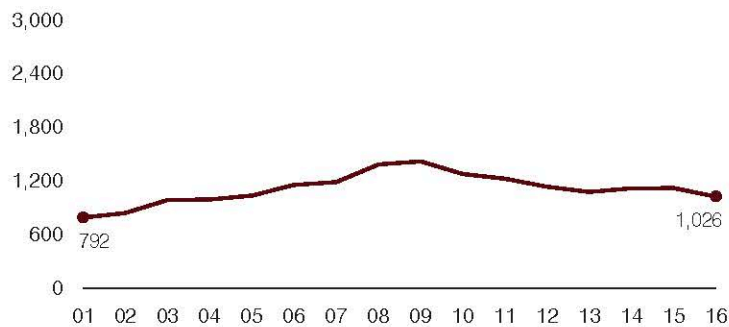
Changes in operational spending percentages



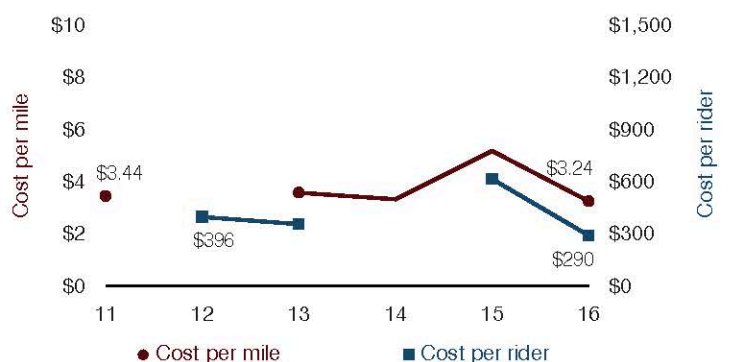
Food service cost per meal



Students attending



Transportation costs per mile and per rider



Finances by Fund	July 1, 2015 Balance	Revenues	Transfers	Expenditures		June 30, 2016 Balance
				Budget	Actual	
Maintenance & Operations (M&O)	(\$742,256)	\$5,707,816	\$97,663	\$5,955,017	\$5,621,199	(\$557,976)
Clism St-CSF & Ins Imp Funds-IIF	\$270,150	\$477,502	\$0	\$1,837,956	\$352,186	\$395,466
Unrestricted Capital Outlay	\$1,242,854	\$130,010	\$36,747	\$141,486	\$102,539	\$1,307,072
Emergency Deficiencies Correction	\$1,113	\$36,971	\$0	\$0	\$36,958	\$1,126
Building Renewal	\$0	\$0	\$0	\$0	\$0	\$0
New School Facilities	\$0	\$0	\$0	\$0	\$36,957	(\$36,957)
Adjacent Ways	\$402,868	\$525,001	\$0	\$890,270	\$146,644	\$781,225
Debt Service	\$43,543	\$454,292	\$0	\$2,000,000	\$453,984	\$43,851
School Plant	\$103,760	\$16,508	\$0	\$410,000	\$87,874	\$32,394
Federal Projects	(\$223,805)	\$1,551,227	(\$62,524)	\$6,610,000	\$1,212,625	\$52,273
State Projects	\$0	\$0	\$0	\$1,000,000	\$0	\$0
Food Services	\$0	\$517,243	\$0	\$1,000,000	\$515,707	\$1,536
Other	\$169,182	\$36,809	\$0	\$1,085,010	\$103,213	\$102,778
Total	\$1,267,409	\$9,453,379	\$71,886	\$20,929,739	\$8,669,886	\$2,122,788
Bond Building	\$0	\$0	\$0	\$0	\$0	\$0
Fiduciary & Internal Service Funds	\$52,484	\$942,563	\$0	\$3,045,000	\$754,321	\$240,726
Indirect Costs	\$0	\$63,448	(\$63,448)	\$100,000	\$0	\$0

Revenues Received By Source	Local	County	State	Federal	Total Rev
Maintenance & Operations (M&O)	\$1,438,261	\$272,640	\$3,996,915	\$0	\$5,707,816
Unrestricted Capital Outlay	\$18,118	\$4,068	\$107,824	\$0	\$130,010
Classroom Site & Ins Improv Funds-CSF & IIF	\$2,007	\$0	\$475,495	\$0	\$477,502
School Facilities	\$0	\$0	\$36,971	\$0	\$36,971
Adjacent Ways	\$525,001	\$0	\$0	\$0	\$525,001
Debt Service	\$454,292	\$0	\$0	\$0	\$454,292
Other: See Definitions for Description	\$60,751	\$0	\$0	\$2,061,036	\$2,121,787
Total By Source	\$2,498,430	\$276,708	\$4,617,205	\$2,061,036	\$9,453,379
Percentage Of Total Revenues	26.43%	2.93%	48.84%	21.80%	100.00%

Special Education Expenditures	Budget	Actual
Autism	\$115,000	\$93,963
Emotional Disability	\$110,000	\$140,945
Hearing Impairments	\$25,000	\$29,159
Other Health Impairments	\$0	\$0
Specific Learning Disability	\$85,000	\$91,311
Mild, Moderate, or Severe ID*	\$25,000	\$43,864
Multiple Disabilities	\$45,000	\$45,442
Multiple Disabilities with SSI **	\$45,000	\$37,649
Orthopedic Impairment	\$10,000	\$48,019
Preschool Severe Delay	\$40,000	\$18,651
Developmental Delay	\$77,250	\$22,844
Speech/Language Impairment	\$230,125	\$210,567
Traumatic Brain Injury	\$0	\$0
Visual Impairment	\$16,385	\$11,270
Subtotal	\$823,760	\$793,684
Gifted	\$0	\$0
ELL Prog (Inc. Costs/Comp. Ins.)	\$0	\$80,143
Remedial Education	\$0	\$0
Vocational Tech Ed	\$0	\$0
Career Education	\$0	\$0
Total	\$823,760	\$873,827

* Intellectual Disability; ** Severe Sensory Impairment

Miscellaneous Data as of 6/30/2016	
Bonds Outstanding	\$3,135,000
Land & Improvements	\$4,708,822
Building & Improvements	\$19,209,865
Furniture, Equip, Vehicles	\$2,469,593
Construction in Progress	\$0

Fall 2015 Enrollment	1,104	Number of Schools	4
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Gifted Program Duplicated Counts								
KG	1	2	3	4	5	6	7	
0	10	7	0	4	8	11	13	
8	K-8	9	10	11	12	9-12	K-12	
8	61	0	0	0	0	0	61	

Gifted Program Actual Expenditures	Tax Rates		Valuation
	Primary	3.1315	\$72,746,301
	Secondary	0.6241	\$72,746,301
K-8	\$0	S.R.P. and/or GPLET	
9-12	\$0	\$0	

Avg Daily Membership	Total Resident	Attending Resident	Other Attending	Total Attending
13-14 Elem	598.660	596.320	502.085	1,098.405
13-14 HS	4.640	4.640	11.400	16.040
13-14 Total	603.300	600.960	513.485	1,114.445
14-15 Elem	1,093.254	1,090.364	3.630	1,093.994
14-15 HS	25.143	25.143	0.000	25.143
14-15 Total	1,118.397	1,115.507	3.630	1,119.137
15-16 Elem	1,022.472	1,020.047	3.630	1,023.677
15-16 HS	0.000	0.000	0.000	0.000
15-16 Total	1,022.472	1,020.047	3.630	1,023.677

Certified Staff	Certified FTE	Students Per Staff	Classified Staff	Classified FTE	Students Per Staff
Admins	7.00	157.71	Managers	3.25	339.69
Teachers	52.00	21.23	Teacher Aides	36.00	30.67
Others	4.00	276.00	Others	41.00	26.93
Subtotal	63.00	17.52	Subtotal	80.25	13.76
Total FTE		143.25	Total Students Per Staff		7.71

Year End Teacher FTE	53.00
Year End Teacher Salaries	\$1,744,644
Superintendent's Salary	\$90,000

EXECUTIVE SUMMARY

Issue: Presentation and discussion of statewide 2016-2017 ACT scores

Action/Discussion Item

Information Item

Background and Discussion

The ACT test is a national college admissions examination that consists of subject area tests in English, Mathematics, Reading and Science. The ACT with writing includes the four subject area tests plus a 40-minute writing test.

On September 7, 2017, ACT released “The Condition of College and Career Readiness 2017” and the “ACT National Profile Report 2017” and a report specific to Arizona’s Graduating Class of 2017.

Attached is a presentation created by ACT that summarizes the findings of these reports.

Recommendation to the Board

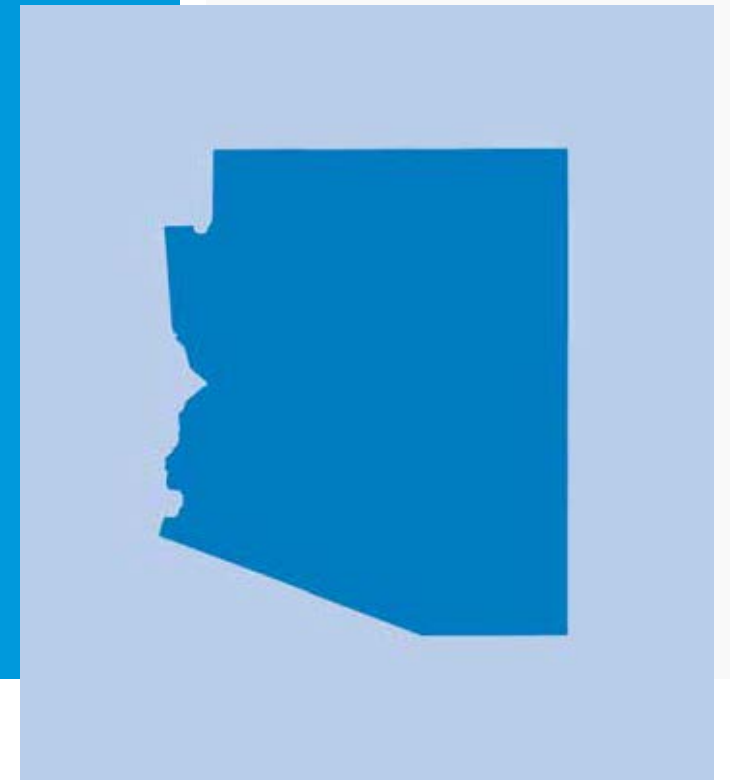
This item is information only and no action is requested.

Contact Information:

Stephanie Lewis, Senior State Lead, ACT
Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

Arizona

Condition of College and Career Readiness 2017



This report looks at the achievement of the ACT®-tested 2017 graduating class relative to college and career readiness.

As a research-based nonprofit organization, ACT is committed to providing information and solutions to support a holistic view of readiness and meaningful data for better decisions.

This presentation is a summary of the full Arizona report, which is available at:

act.org/condition2017

Arizona State Exemplar

2017 ACT College and Career Readiness Campaign



Moises Guzman

Trinity High School, Dysart Unified School District

“I have been working since the end of my sophomore year about twenty-five plus hours a week to help contribute to the bills with the rest of my family.”

A driven young man, Moises is president of his school’s AVID (Advancement Via Individual Determination) club, a tennis player, and a frequent volunteer, all while working his way through high school to help support his family. He spearheaded a fundraiser to recycle cans and bottles, helping the environment while raising money for AVID club college visits.

Moises is looking forward to earning his master’s degree in aerospace engineering. In college, he will be well prepared to progress toward his goal after taking and succeeding in Advanced Placement calculus and physics courses in high school, among other challenging courses.

19.7

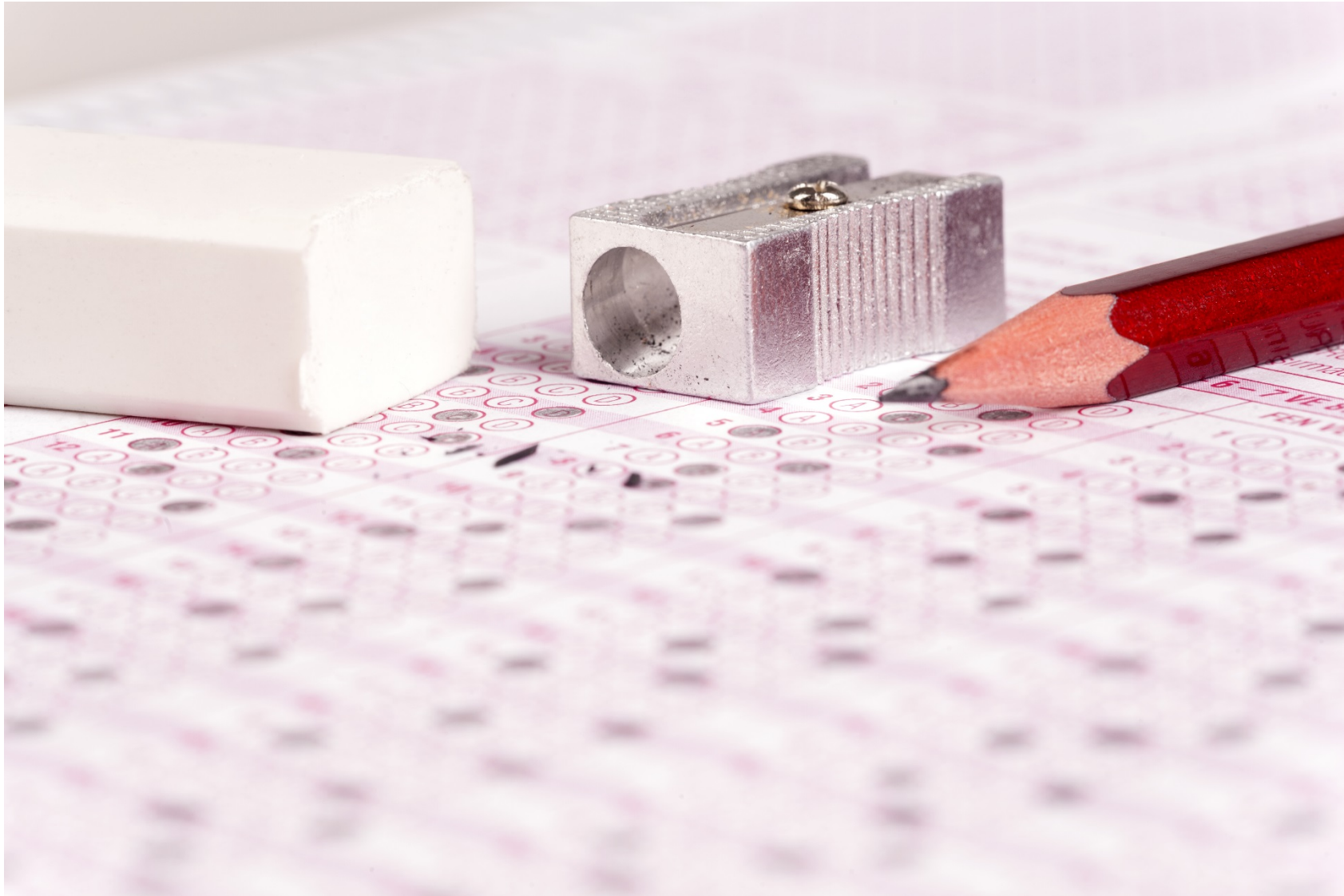
Arizona Average Composite Score

31%

Percent of 2017 Arizona ACT-tested Graduates Meeting all Three or Four Benchmarks

5,947

Number of more students tested over 2016

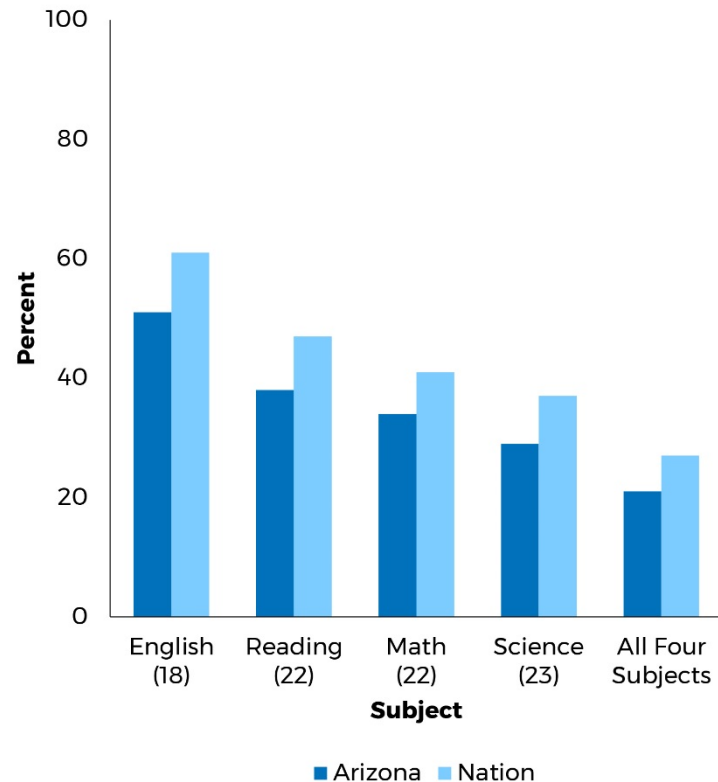


Key Scores and Benchmarks

Key Findings

- In the Arizona graduating class of 2017, 42,232 graduates took the ACT test, compared to 31,658 in 2013. This reflects 62 percent of the 2017 graduates who took the ACT, compared to 60 percent nationally.
 - This is a growth of 10,000+ students from 2013 to 2017
 - The largest percent of this growth came from the Hispanic/Latino population.
- Arizona graduates of 2017 had an average Composite score of 19.7, compared to the national average of 21.0.
 - In 2016, Arizona graduates had ACT Composite score of 21.9. This decline is a result of a significant increase in the number of students taking the test.
 - Even with significant growth in the Hispanic/Latino demographic, their composite scores continue to improve.

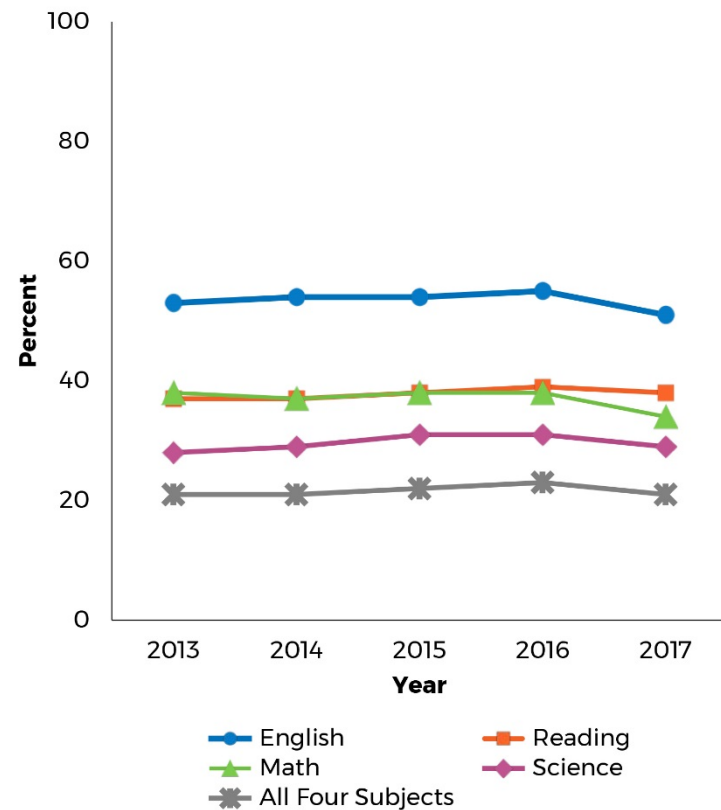
Percent of 2017 ACT-Tested High School Graduates Meeting ACT College Readiness Benchmarks* by Subject



State / Nation	English (18)	Reading (22)	Math (22)	Science (23)	All Four
Arizona	51	38	34	29	21
Nation	61	47	41	37	27

* The ACT College Readiness Benchmarks are scores on the ACT subject area tests that represent the level of achievement required for students to have a 50% chance of obtaining a B or higher or about a 75% chance of obtaining a C or higher in corresponding credit-bearing first-year college courses. Throughout this report, benchmark attainment corresponds with students meeting or exceeding score values in parentheses ().

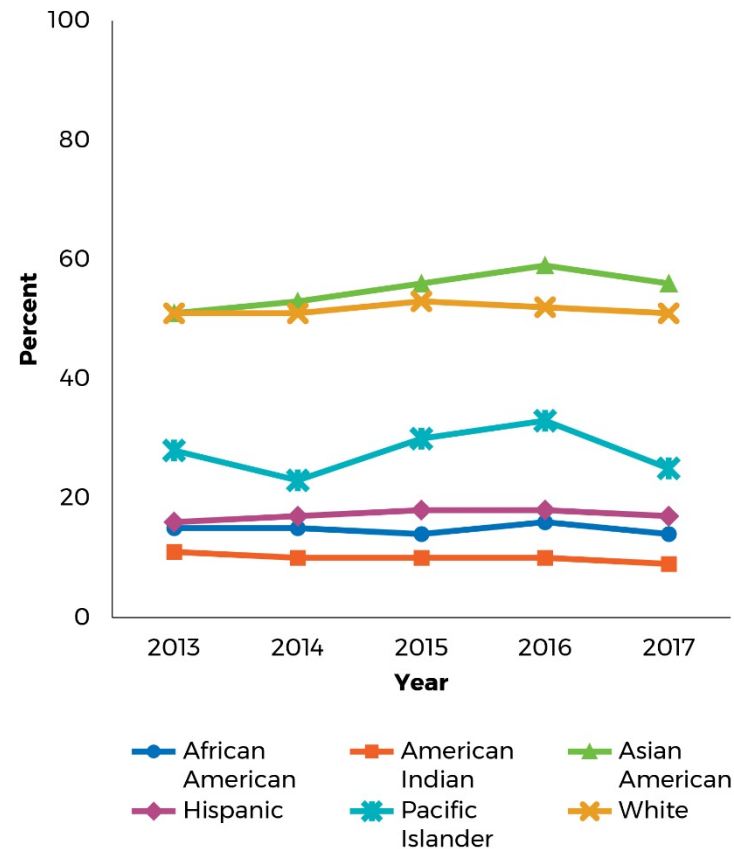
Percent of 2013–2017 ACT-Tested High School Graduates Meeting ACT College Readiness Benchmarks



Subject	2013	2014	2015	2016	2017
English	53	54	54	55	51
Reading	37	37	38	39	38
Math	38	37	38	38	34
Science	28	29	31	31	29
All Four	21	21	22	23	21

Percent of 2013–2017 ACT-Tested High School Graduates Meeting Three or More ACT College Readiness Benchmarks by Race/Ethnicity*

* Percentages for groups with insufficient counts will be missing.



Race	2013	2014	2015	2016	2017
African American	15	15	14	16	14
American Indian	11	10	10	10	9
Asian American	51	53	56	59	56
Hispanic	16	17	18	18	17
Pacific Islander	28	23	30	33	25
White	51	51	53	52	51

Arizona Between 2013 and 2017, the number of students taking the ACT in Arizona increased by 10,574 students (33 percent).

Student Data Trends: 2013–2017, State vs. Nation

Outcome	Cohort	2013	2014	2015	2016	2017
Percent Tested	Arizona	50	55	56	58	62
	Nation	54	57	59	64	60
N Tested	Arizona	31,658	33,999	35,248	36,285	42,232
	Nation	1,799,243	1,845,787	1,924,436	2,090,342	2,030,038
Average English Score	Arizona	18.5	18.8	18.8	19.1	18.6
	Nation	20.2	20.3	20.4	20.1	20.3
Average Reading Score	Arizona	19.6	20.0	20.2	20.5	20.1
	Nation	21.1	21.3	21.4	21.3	21.4
Average Math Score	Arizona	20.3	20.2	20.2	20.2	19.8
	Nation	20.9	20.9	20.8	20.6	20.7
Average Science Score	Arizona	19.4	19.5	19.7	20.0	19.8
	Nation	20.7	20.8	20.9	20.8	21.0
Average Composite Score	Arizona	19.6	19.7	19.9	20.1	19.7
	Nation	20.9	21.0	21.0	20.8	21.0



Behaviors Impacting Access & Opportunity

Benefits of Retesting

23.4

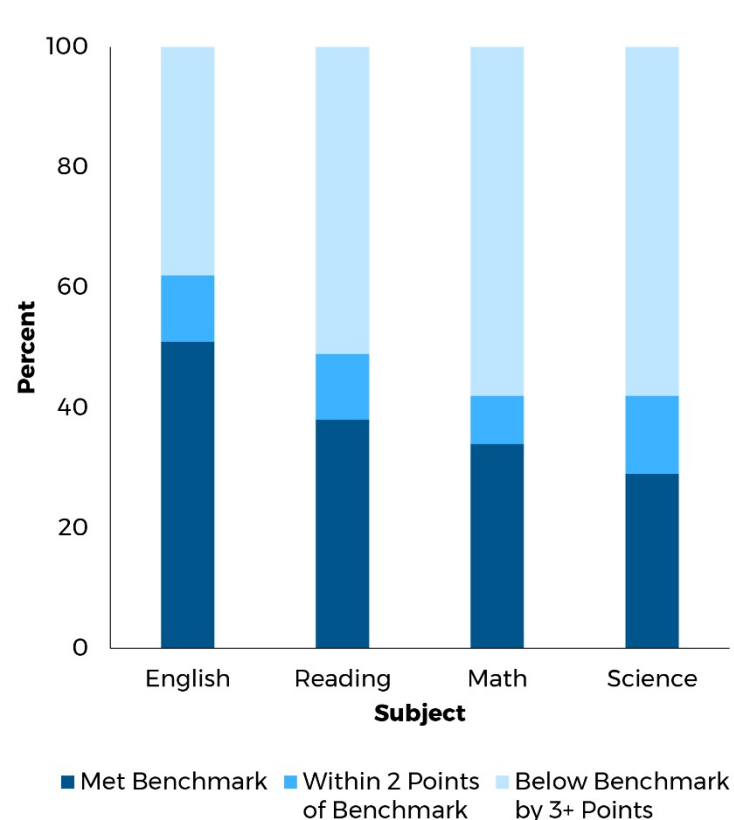
**Average Composite score of 2017
Arizona Graduates taking the ACT **two
or more times****

18.7

**Average Composite score of 2017
Arizona Graduates taking the ACT **one
time****

Percent of 2017 ACT-Tested High School Graduates by ACT College Readiness Benchmark Attainment and Subject

Note: Percents in this graph may not sum to 100% due to rounding. Values less than 0.5% will not appear.



Attainment	English	Reading	Math	Science
Met Benchmark	51	38	34	29
Within 2 Points of Benchmark	11	11	8	13
Below Benchmark by 3+ Points	38	51	58	58

of students w/in 2 points of benchmark =

- English 4,646
- Math 4,646
- Reading 3,379
- Science 5,490



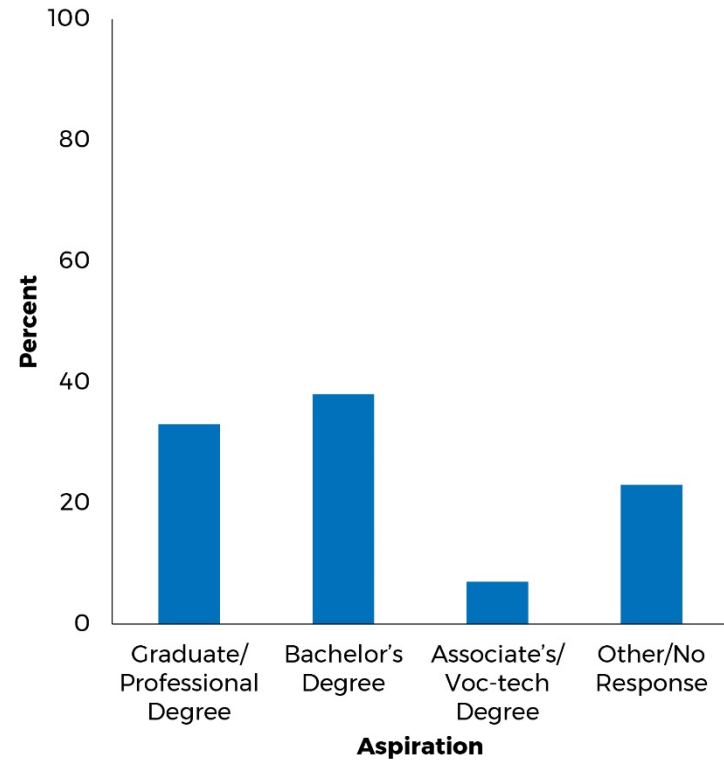
Aspirations Matter

Progress Toward Post
Secondary Education

77% of Arizona's ACT-tested graduates aspire to postsecondary education (Associate's, bachelor's, graduate or professional degrees)

Percent of 2017 ACT-Tested High School Graduates by Educational Aspirations

Note: Percents in this graph may not sum to 100% due to rounding.



Aspiration	Percent
Graduate / Professional Degree	33
Bachelor's Degree	38
Associate's / Voc-tech Degree	7
Other / No Response	23

There is good news in that 77% of Arizona's 2017 ACT-tested graduates aspired to postsecondary education. Interestingly enough, 80% of Arizona's 2016 ACT-tested graduating class aspired to enroll in postsecondary education, compared to 58% who actually did enroll. If we fully closed the aspirational gap, an additional 8,199 of the 2016 ACT-tested graduates from Arizona would have enrolled in postsecondary education.

73% of Arizona graduates
opted into EOS.

Colleges and universities
received
107,405 ACT score reports
from
2017 Arizona graduates.



Aspirations
Matter
Progress Toward Career

Table 3.4. Likely ACT National Career Readiness Certificate (NCRC) Level Based Upon ACT Composite Score¹

Student Group	ACT NCRC Level²	N	%	Average Composite
State	Gold or Higher	8,276	20	28.2
	Silver	19,926	47	20.1
	Bronze	12,047	29	14.6
	Needs Improvement	1,983	5	11.5
National	Gold or Higher	538,392	27	28.5
	Silver	984,772	49	20.3
	Bronze	440,158	22	14.7
	Needs Improvement	66,716	3	11.5

¹ The ACT Composite scores associated with a 50% chance of earning each ACT NCRC level or higher are: 13 for Bronze, 17 for Silver, 25 for Gold, and 35 for Platinum. Based on those cut scores, students who earned an ACT Composite score of less than 13 would be classified as 'Needs Improvement', 13 to 16 as 'Bronze', 17 to 24 as 'Silver', and 25 or above as 'Gold or Higher' in the table above. For comparison, individual student score reports classify those who scored 12-13, 14-17, and 18 and higher as making progress toward Bronze, Silver, and Gold certificates.

² Additional information on the ACT NCRC can be found at www.act.org.

Earning a gold certificate translates to having the skills for 93% of jobs from the ACT JobPRO database which has over 21,000 jobs profiled.



What's
Next?

What is the impact of a 0.1 increase in the state average ACT Composite score?



Less Remediation

92 fewer students needing remedial English
158 fewer students needing remedial math



Greater Persistence

106 more students persisting to year two
119 more students persisting to year four



More Advancement

89 more students enrolling in college
128 more students earning a degree within six years

If we fully closed the aspirational gap,
an additional 8,199
of the 2016 ACT-tested graduates from
Arizona would have enrolled in
postsecondary education.



Helping people
achieve education
and workplace
success.

ACT is focused on providing better data to students, parents, schools, districts, and states so that all can make more informed decisions to improve educational outcomes. We accomplish this goal by taking a holistic view and using consistent and reliable historical information so that individuals and institutions have a better context to make critical decisions about the journey they have undertaken.

Visit ACT.org to learn more.



Follow us @ACT.

Questions

Stephanie Lewis
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208-995-4355

For the complete Arizona
Condition of College and Career Readiness 2017 report, go to
act.org/condition2017

EXECUTIVE SUMMARY

Issue: Update regarding the ADE Standards revision of Arizona Science and Social Studies Standards.

Action/Discussion Item

Information Item

Background and Discussion

The Arizona Department of Education (ADE), specifically the K-12 Academic Standards Section/High Academic Standards for Students Division, presented a formal process for the development of standards at the May 2014 State Board of Education meeting. That process was subsequently approved by the State Board in May 2014 and used for the development of the Foreign and Native Languages Standards (adopted 5/18/15), Arts Standards (adopted 5/18/15), and the Physical Education Standards (adopted 5/18/15).

On September 26, 2016, the K-12 Academic Standards Section provided notice to the State Board of Education of its intent to begin revision of the Arizona Science and Social Studies Standards according to the ADE Standards Development Process.

During the past several months, ADE has convened educators, content experts, and other stakeholders from across Arizona to engage in the standards development process for the Science Standards and Social Studies Standards. Throughout this process, there have been opportunities for broad engagement by these groups, in addition to opportunities to review public feedback.

The K-12 Academic Standards Section wishes to update the State Board on the following areas of the standards development process: Number of educators involved to date; Number of committee meetings conducted to date; Current progress to date, including a timeline for the initial presentation of a draft to the State Board and the presentation of a final draft to the State Board. Additional information related to the Arizona Science and Social Studies Standards review can be found at the following link: http://www.azed.gov/standards-practices/k-12standards/k12engagement/az_sci_ss_standards-review/. For updates related specifically to Science Standards review please visit, <http://www.azed.gov/standards-practices/category/science-events/sci-standards-review-updates/>. For updates related specifically to Social Studies Standards review please visit, <http://www.azed.gov/standards-practices/category/science-events/sci-standards-review-updates/>.

Recommendation to the Board

Information item only. No action is needed.

Contact Information:

Jonathan Moore, Deputy Associate Superintendent, K-12 Academic Standards
Carol Lippert, Associate Superintendent, High Academic Standards for Students

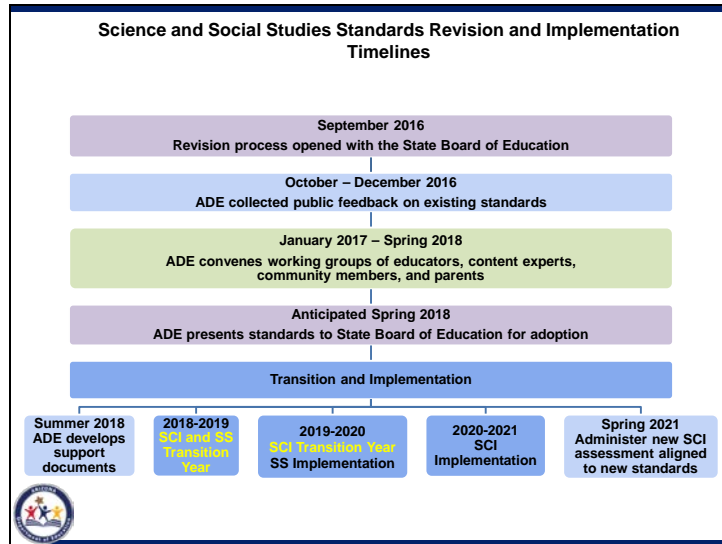
K-12 Standards Revisions Updates



Diane Douglas
Superintendent of Public Instruction

Science and Social Studies Standards

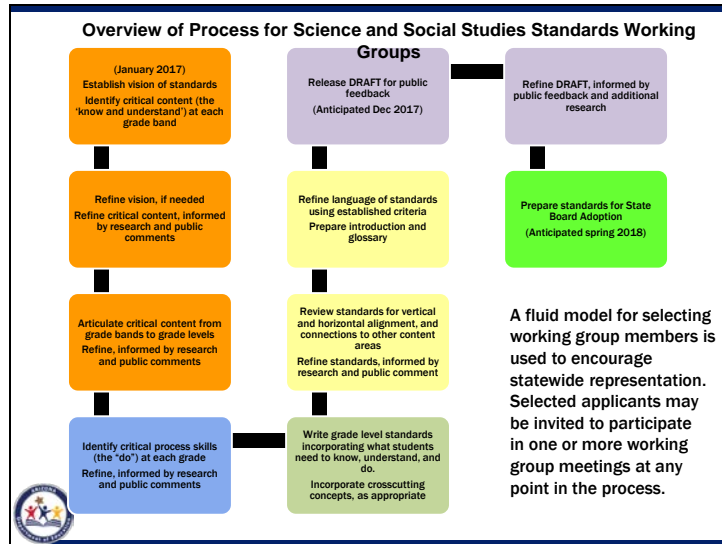
September 25, 2017



This is the projected timeline for standards development and implementation. We are anticipating presenting the final versions of the science and social studies standards to you in Spring 2018 for you to approve. This will provide schools opportunity in the summer to begin professional development and aligning their curriculum to the new standards.

There will be a 1-year transition year for social studies, with implementation during the 2019-20 school year.

There will be a 2-year transition period for science, in order to provide enough time to develop and field test items for a new science assessment, aligned to the new standards. Full implementation of the science standards will be during the 2020-21 school year, with assessment of the new standards in Spring 2021.



This is a more detailed look at the actual process of the standards work.

Following the September 2016 State Board, we opened a survey to gather public feedback on the current science and social studies standards from October 4- December 17, 2016.

All of the feedback was published live as it was received and can still be accessed on the science and social studies standards review pages on the ADE Website.

For both content areas, working groups first convened in January 2017 and both content areas are currently in the writing and refining stages of the standards development.

We are still on target for presenting a draft to you during the December board meeting so that it can be released for public review.


Following public review, the working groups will make revisions and we anticipate presenting the final version of each standards during a Spring 2018 board meeting.

Science Standards Update

Working groups to date:

- Convened a total of 9 days
- Averaged 25-30 participants per day
- 93 educators participated
- 64 districts, charters, IHEs represented
- 13 counties represented

Following each working group, the agenda, and presentation are posted on the [Science Standards Review Updates Page](#)

4

Meeting dates were

Jan 23, Feb 22, March 22, April 27, May 31, June 28, July 13-14, and Sept 6

Of the 93 different educators that have participated, 84 are from K-12 settings (classroom teachers, coaches, science and STEM specialists, and administrators) and 9 represent higher education (science education, planetary sciences, geology, earth sciences, biology, and engineering)

The 64 institutions represented include 4 institutes of higher education, 11 charter schools, and 49 districts from across the state.


13 counties have had representation, except for Greenlee and LaPaz; we did not receive any applications from these counties.

Applications are available and new working group members are selected throughout the entire process.

For any working group meeting, we invite approximately 50% returning from the prior meeting and 50% new members.

Overview of Science Changes

- 1. Shifting from performance objectives to broader standards to allow for greater depth and more connections**
- 2. Organizing standards around big ideas in science learning progression and coherence**
- 3. Connecting science practices with content**



5

The 2004 science standard is written with 6 strands, multiple concepts per strand, and multiple performance objectives per concept.

We received multiple public comments on the current standard stating that the performance objectives were overly prescriptive, too small, and too disjointed to be able to teach science in a meaningful way or to allow teachers to make meaningful connections, especially if they were implementing a STEM course or curriculum.

- The revised standard shifts away from small performance objectives to broader standards to address these comments and to also be more consistent in grain size with the math and ELA standards.
 - Each standard will allow for greater depth of instruction and allow teachers to make more connections between the different disciplines of science, as well as between science and other content areas.
 - Because of this, there will be fewer standards to teach in each grade level in order to give teachers time to teach and students time to learn these deeper standards

We also received public comments on the current standard stating that the standard is disjointed – some concepts are covered too often and are redundant, and there are too large of gaps between other concepts. There were also many statements stating that it was unclear why certain concepts are included together in specific grade levels.

2. To address these comments, the revised standard is Organized around big ideas in science. This helps connect the standards to larger ideas that are common across grade bands, and follows learning progression within each content area to build coherence and develop understanding over time. Additionally, there will be a grade level summary that explains how the content within a grade level connects or builds to further student understanding of the big ideas.

There were also many comments complaining that the current standard separates the process of doing science (Strands 1-3) from the science content/knowledge (Strands 4-6) and requested that process and knowledge be better connected in each standard.

- To address these comments, nature of science big ideas and science and engineering practices will be integrated with core disciplinary big ideas so the standards don't create a false idea that science content and process are separate endeavors.

Social Studies Standards Update

Working groups to date:

- Convened a total of **11** days
- Averaged **20** participants per day
- **79** educators participated
- **52** districts, charters, IHEs represented
- **10** counties represented

Following each working group, the agenda, and presentation are posted on the [Social Studies Standards Review Updates Page](#)

6

Meeting dates were Jan 31, March 3, March 30, April 25, May 31, June 20, July 6 (small group), July 17, July 19, August 1 (small Group), September 12.

Of the seventy-nine different educators that have participated, sixty-eight are from K-12 settings (classroom teachers, coaches, social studies specialists, and administrators) and nine represent higher education (social studies education, economics, Political Science, United States/World History) and two represent outside educational organizations- Arizona Geographic Alliance and Arizona Council for Economics Education.

The 51 institutions represented include 6 institutes of higher education, 10 charter schools, and 34 districts, and 2 organizations from across the state.


10 counties have had representation, except for Santa Cruz- invited 3 times, LaPaz, Gila, Greenly, Graham (no applications);

Applications are available and new working group members are selected throughout the entire process.

For any working group meeting, we invite approximately 50% returning from the prior meeting and 50% new members.

Overview of the Social Studies Changes

- 1. Shifting from performance objectives to broader standards to allow for greater depth and more connections**
- 2. Organizing standards around big ideas in social studies allows for coherence, depth and rigor**
- 3. Connecting social studies content with disciplinary skills**
- 4. The addition of Financial Literacy in each grade band**

7

The 2005 Social Studies Standard is written with 5 strands, up to 10 concepts per strand and multiple performance objectives per concept. We received multiple public feedback comments about the current standard stating that the performance objectives were too small and disjointed to teach social studies in a meaningful way or make meaning connections between the strands and other content areas- especially at the K-8 level. The feedback also identified that there were too many concepts and PO's at each grade level, forcing teachers to forgo understanding for coverage.

1. The new standards shift away from small performance objectives to broader/meatier standards to address these comments and also create more consistency with the Math and ELA standards.

- Each standard will allow for a greater depth of instruction and allow teachers to make more connections within social science disciplines and well as between social studies and other content areas. This will be very helpful to K-6 educators especially.
- This will allow for more depth in each grade level due to the amount of standards decreasing. Teachers can now focus on understanding as opposed to coverage.

We also received public comments on the current standard stating that the standard is disjointed and lacks coherence. especially in the middle grades– some concepts are covered too often and are redundant, and there are too large of gaps between other concepts. There is no chronological consistency. There were also many statements stating that it was unclear why certain concepts are included together in specific grade levels for example Egypt in 1st grade.

2. To address these comments, the revised standard is Organized around big ideas in social studies. This helps connect the standards to larger ideas that are common across grade bands, and follows learning progression within each content area to build coherence and develop understanding over time. Additionally, there will be a grade level summary/story that explains how the content within a grade level connects or builds to further student understanding of the big ideas.


There were also many comments complaining that the there is a focus on discrete facts without the skills to become historical thinkers, readers, and writers. More emphasis was asked to be given to analyzing primary and secondary sources, authentic research, the development of questions, taking and defending arguments, analyzing cause and effect, understanding change/continuetu and context and requested that process and knowledge be better connected in each standard.

- To address these comments, inquiry practices and social science skill and practices will be integrated with core disciplinary big ideas so the standards don't create a false idea that social studies content and practices are separate endeavors.

There was concern in the public feedback about the lack of student knowledge on Financial Literacy. To address this, we created a Financial Literacy Big Idea that will be taught in each grade band from k=12.

Additional Parent/Community Input

Critical Period #1 September/October	Critical Period #2 January/February	Critical Period #3 April/May
<ul style="list-style-type: none">• This time represents the meeting before the draft standards are released to the public for comment.• It is anticipated that this meeting will occur during the September/October 2017 timeframe.	<ul style="list-style-type: none">• This time represents the meeting after public comment has ended for the draft standards.• It is anticipated that this meeting will occur during the January/February 2018 timeframe.	<ul style="list-style-type: none">• This time represents the meeting before the draft standards are presented to the State Board of Education for adoption.• It is anticipated that this meeting will occur during the April/May 2018 timeframe.



8

In addition to the public feedback periods prior to starting the work and when the draft is released in December, we are bringing in parent/community focus groups at three key points in the development of each Standard.

The first critical period is this fall, prior to presenting the draft to the state board.

The first science parent and community focus group is scheduled for October 11

The first social studies parent and community focus group is scheduled for October 19th

The remaining two are after the working group has responded to public feedback, but prior to submitting the final version of the standards for board adoption.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action to initiate rulemaking procedures for proposed changes to R7-2-301 “Minimum Course of Study and Competency Goals for Students in the Common Schools” and R7-2-302 “Minimum Course of Study and Competency Requirements for Graduation from High School”

Action/Discussion Item

Information Item

Background and Discussion

The Department requests the Board open comment for the draft recommendations for changes to R7-2-301 “Minimum Course of Study and Competency Goals for Students in the Common Schools” and R7-2-302 “Minimum Course of Study and Competency Requirements for Graduation from High School.” Though these drafts have not been widely shared, they were created by ADE with input from various stakeholders. A public comment period will allow for wider dissemination of the draft policies to ensure adequate input from a variety of public sectors.

The updated policies include the following changes:

R7-2-301:

1. Removal of references to the “essential skills.” The Essential Skills of Instruction have been replaced by academic standards.
2. Updated course names to reflect the terminology utilized in State Board of Education approved academic standards.
 - a. Language and Literature are combined to become English Language Arts.
 - b. Music, Visual Arts, and Performing Arts are combined to become The Arts.
 - c. Foreign or Native American Language becomes World and Native Languages.
 - d. Practical Arts becomes Career and Technical Education
3. Moved World and Native Languages from a required course to an optional course. Districts expressed to ADE that, although acquisition of a second language in K-8 is a preference, the requirement is difficult to fulfill due to a lack of qualified teachers and conflict with other priorities related to English language arts, mathematics, and science.
4. Added Educational Technology and Computer Sciences as optional courses.
5. Removed a requirement that special education courses be notated on a student’s transcript as this is in direct violation of student privacy rights under IDEA.

R7-2-302:

1. Updated descriptive language in English Language Arts, Mathematics, and

Contact Information:

Carol Lippert, Associate Superintendent, High Academic Standards for Students Division

EXECUTIVE SUMMARY

- Science to match the State Board of Education approved academic standards.
2. Removed the requirement for a separate one-half credit for principles of speech and debate because this requirement is now included in the State Board of Education approved Arizona English Language Arts Academic Standards.
 3. Clarified language for mathematics and science requirements.
 4. Added a statutory reference for competency requirements.
 5. Removed a requirement that special education courses be notated on a student's transcript as this is in direct violation of student privacy rights under IDEA.

After receipt of public comment, revisions will be presented to the Board at its October 23, 2017 meeting, and final adoption of updated policies would be anticipated at the Board's December meeting.

Recommendation to the Board

It is recommended that the Board initiate rulemaking procedures regarding proposed changes to R7-2-301 "Minimum Course of Study and Competency Goals for Students in the Common Schools" and R7-2-302 "Minimum Course of Study and Competency Requirements for Graduation from High School."

Revised August 29, 2017

R7-2-301. Minimum Course of Study and Competency

Goals for Students in the Common Schools

A. Students shall demonstrate competency as defined by the State Board-adopted [Essential Skills academic standards](#), at the grade levels specified, in the following required subject areas. District instructional programs shall include an ongoing assessment of student progress toward meeting the competency requirements. [These shall include accomplishment of the academic standards in at least reading, writing, mathematics, science and social studies, as determined by district and/or statewide assessments.](#)

1. ~~Language~~-[English Language Arts](#)

2. [Literature](#)

~~3-2.~~ [Mathematics](#)

4.3. [Science](#)

5-4. [Social Studies](#)

6. ~~Music~~

7-5. ~~Visual Arts~~-[The Arts](#)

8-6. [Health/Physical Education](#)

9-7. ~~Foreign or native American Language (includes modern and classical)~~

B. [The local governing board may prescribe course of study and competency requirements for promotion that are in addition to or higher than the course of study and competency requirements the State Board of Education prescribes.](#) Additional subjects may be offered by the local governing board as options and may include, but are not limited to:

1. ~~Performing Arts~~ [Educational technology](#)

2. ~~Practical Arts~~ [Career and Technical Education](#)

3. [Computer Sciences](#)

4. [World and Native Languages](#)

C. Prior to the issuance of a standard certificate of promotion from the 8th grade, each student shall demonstrate competency, as defined by the local governing board, of the State Board [of Education](#) adopted ~~Essential Skills-~~ [academic standards](#) for grade 8 in the subject areas listed in subsection (A).

D. Special education and promotion from the 8th grade.

1. The local governing board of each school district shall be responsible for developing a course of study and graduation requirements for all students placed in special education programs in accordance with R7-2-401 et seq.

Revised August 29, 2017

2. Students placed in special education classes in grades K-8 are eligible to receive the standard certificate of promotion without meeting State Board [of Education](#) competency requirements, ~~but reference to special education shall be placed on the student's transcript or in the permanent file.~~

E. Online and distance education courses may be offered by the local governing board or charter school if the course is provided through an Arizona Online Instruction Program established pursuant to A.R.S. §15-808.

F. Alternative Demonstration of Competency. Upon request of the student, the local school district governing board or charter school shall provide the opportunity for a student in grades seven and eight to demonstrate competency in the subject areas listed in subsection (A) in lieu of classroom time.

DRAFT

R7-2-302. Minimum Course of Study and Competency

Requirements for Graduation from High School

The Board prescribes the minimum course of study and competency requirements as outlined in subsections (1) through (5) and, beginning with the graduating class of 2017, receipt of a passing score of sixty correct answers out of one hundred questions on a civics test identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services as prescribed in A.R.S. § 15-701.01(A)(2).

1. Subject area course requirements. The Board establishes 22 credits as the minimum number of credits necessary for high school graduation. Students shall obtain credits for required subject areas as specified in subsections (1)(a) through (e) based on completion of subject area course requirements or competency requirements. At the discretion of the local school district governing board or charter school, credits may be awarded for completion of elective subjects specified in subsection (1)(f) based on completion of subject area course requirements or competency requirements. The awarding of a credit toward the completion of high school graduation requirements shall be based on successful completion of the subject area requirements prescribed by the State Board and local school district governing board or charter school as follows:

a. Four credits of English or English as a Second Language, which shall include but not be limited to the following: ~~grammar, writing, and reading skills, advanced grammar, composition, American literature, advanced composition, research methods and skills and literature reading literature, reading informational text, writing, research methods, speaking & listening skills, grammar, and vocabulary.~~ ~~One half credit of the English requirement shall include the principles of speech and debate but not be limited to those principles.~~

b. Three credits in social studies to minimally include the following:

- i. One credit of American history, including Arizona history;
- ii. One credit of world history/geography;
- iii. One-half credit of American government, including Arizona government; and
- iv. One-half credit in economics.

c. Four credits of mathematics to minimally include:

i. ~~Two~~ Three credits containing course content covering the following areas in preparation for proficiency at the high school level on the statewide assessment and aligned to the Arizona Mathematics Standards for Algebra I, Geometry, and Algebra II : ~~Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic.~~ These three credits shall be taken consecutively beginning with the ninth grade unless a student meets these requirements prior to the ninth grade pursuant to subsection (1)(c)(iv).

ii. ~~aa. The requirement for the third~~ One credit, covering Algebra II or course content equivalent to Algebra II, ~~may be met by Courses meeting this requirement may include,~~ but is ~~are~~ not limited to,

career and technical education and vocational education, economics, science, and arts courses as determined by the local school district governing board or charter school.

~~iii.~~ ~~ii.~~ One Fourth credit that includes significant mathematics content as determined by the local school district governing board or charter school.

~~iv.~~ ~~iii.~~ Courses successfully completed prior to the ninth grade that meet the high school mathematics credit requirements may be applied toward satisfying those requirements.

~~v.~~ ~~iv.~~ The mathematics requirements may be modified for students using a ~~personal-curriculum~~ Personal Curriculum pursuant to R7-2-302.03.

d. Three credits of science, including standards in Earth, life, and physical sciences, and in preparation for proficiency at the high school level on the statewide assessment.

e. One credit of fine arts or career and technical education and vocational education.

f. Seven credits of additional courses prescribed by the local school district governing board or charter school.

g. A credit or partial credit may apply toward more than one subject area but shall count only as one credit or partial credit toward satisfying the 22 required credits.

2. Credits earned through correspondence courses to meet graduation requirements shall be taken from an accredited institution as defined in R7-2-601. Credits earned thereby shall be limited to four, and only one credit may be earned in each of the following subject areas:

a. English as described in subsection (1)(a) of this Section,

b. Social Studies,

c. Mathematics, and

d. Science.

3. Online and distance education courses may be offered by the local governing board or charter school if the course is provided through an Arizona Online Instruction Program established pursuant to A.R.S. § 15-808.

4. Local school district governing boards or charter schools may grant to career and technical education and vocational education program completers a maximum of 5 ½ credits to be used toward the Board English, mathematics, science, and economics credit requirements for graduation, subject to the following restrictions:

a. The Board has approved the career and technical education and vocational education program for equivalent credit to be used toward the Board English, mathematics, science, and economics credit requirements for graduation.

b. A credit or partial credit may apply toward more than one subject area but shall count only as one credit or partial credit toward satisfying the 22 required credits.

c. A student who satisfies any part of the Board English, mathematics, science, and economics requirements through the completion of a career and technical education and vocational education program shall still be required to earn 22 total credits to meet the graduation requirements prescribed in this Section.

5. Competency requirements.

a. The awarding of a credit toward the completion of high school graduation requirements shall be based on [the requirements outlined in A.R.S. §15-901 and](#) the successful completion of State Board-adopted academic standards for subject areas listed in subsections (1)(a) through (1) (e) and the successful completion of the competency requirements for the elective subjects specified in subsection (1)(f). Competency requirements for elective subjects as specified in subsection (1) (f) shall be the academic standards adopted by the State Board. If there are no adopted academic standards for an elective subject, the local school district governing board or charter school shall be responsible for developing and adopting competency requirements for the successful completion of the elective subject. The school district governing board or charter school shall be responsible for developing and adopting the method and manner in which to administer a test that is identical to the civics portion of the naturalization test used by the united states citizenship and immigration services, and a pupil who does not obtain a passing score on the test may retake the test until the pupil obtains a passing score.

b. The determination and verification of student accomplishment and performance shall be the responsibility of the subject area teacher.

c. Upon request of the student, the local school district governing board or charter school shall provide the opportunity for the student to demonstrate competency in the subject areas listed in subsections (1)(a) through (1)(f) of this Section above in lieu of classroom time. In appropriate courses, a school district governing board or charter school shall include as a mechanism to demonstrate competency a score determined by the State Board as college and career ready on the competency test adopted by the State Board.

6. The local school district governing board or charter school shall be responsible for developing a course of study and graduation requirements for all students placed in special education programs in accordance with A.R.S. Title 15, Chapter 7, Article 4 and A.A.C. R7-2-401 et seq. Students placed in special education classes, grades 9-12, are eligible to receive a high school diploma upon completion of graduation requirements, ~~but reference to special education placement may be placed on the student's transcript or permanent file.~~

EXECUTIVE SUMMARY

Issue: TUCSON UNIFIED SCHOOL DISTRICT NUMBER 1, REQUEST TO IMPLEMENT AN ALTERNATIVE MODEL FOR ENGLISH LANGUAGE LEARNERS ENROLLED IN TWO-WAY DUAL LANGUAGE PROGRAMS.

Action/Discussion Item

Information Item

Background and Discussion

History

The Tucson Unified School District (TUSD) is currently operating under a federal desegregation Consent Decree (the Unitary Status Plan, or “USP”) in the U.S. District Court, Arizona District. USP implementation is monitored by the court-appointed Special Master, Dr. Willis Hawley.

The USP describes dual language programs as “positive and academically rigorous programs designed to contribute significantly to the academic achievement of all students who participate in them and which provide learning experiences comparable to the advanced learning experiences [ALEs]... .” and requires the District to “build and expand its Dual Language programs in order to provide more students throughout the District with opportunities to enroll... .” USP § V(C)(1), ECF Docket #1713 at 32-33.¹

In 2014-15 school year, the District initiated its Two-Way Dual Language program with a short-term goal of “building” a stronger program (recruiting teachers, improving professional development, and enrolling more students to existing programs), and a long-term goal of “expanding” to other schools and adding more programs. The District communicated this approach to the Special Master, the Plaintiffs, and the Court.

However, in the spring of 2015 during the development of the 2015-16 USP Budget, the Mendoza Plaintiffs (representing the Mexican-American student class) objected to the District’s approach and asked the Special Master to recommend to the Court that the District invest more funding into “building and expanding” dual language so more students could enroll. In August of 2015, the Special Master recommended that the “Court should direct the District to develop plans for increasing student access to dual language programs and should implement such plans for the 2016-17 school year. In developing these plans, the District, as it has done in developing other plans, should engage one or more nationally recognized consultants to assist in the study.”

¹ The USP was filed in February 2013 [ECF Docket # 1450] but was revised to correct errors in 2014.

EXECUTIVE SUMMARY

In December of 2015, the Court directed the District to “engage one or more nationally recognized consultants” to study and “develop a plan for increasing student access to dual language programs....” Court Order of December 22, 2015, ECF Docket #1879 at 9.

By March 2016, the District contracted with a nationally recognized consultant, Ms. Rosa G. Molina, to assist it in developing a plan for increasing student access to dual language programs, as directed by the Court. In May 2016, Ms. Molina submitted recommendations to be used as the foundation for the Plan, including the following:

“[c]reate an Alternative Program Waiver or attain a Federal Court Exemption that allows Spanish-speaking students full access to TWDL programs starting at their kindergarten level.”

Over the summer of 2016, the District worked with Ms. Molina to develop the Plan and, pursuant to USP § I(D)(1), the District submitted the Plan to the Special Master and Plaintiffs for review and comment in August 2016. By September 2016, the District had received comments, revised the plan, and resubmitted it to the Special Master and Plaintiffs for final review. After revising the plan to address stated concerns, the District resubmitted the final plan in December 2016.

The only component of the plan that is not yet fully implemented is Ms. Molina's recommendation to seek an alternative program waiver or federal court exemption. This request, and the attached alternative model, is the District's attempt to obtain an “alternative program waiver” from the State Board for the limited purpose of permitting native Spanish-speaking students to participate in the District's Two-Way Dual-Language program to fulfill the Court's directive to increase access to dual language programs.

Action Requested

TUSD is requesting approval from the State Board of Education to allow English Language Learners to participate in TUSD's TWDL program in grades K-5.

EXECUTIVE SUMMARY

State Law Impact

The impact of State Law on the implementation of the proposed alternative model is discussed below:

1. Children shall be placed in English language classrooms. (15-752)

The TWDL model places students in TWDL language classrooms that require students to develop their literacy and academic proficiency in English and a second language. English language instruction accounts for up to 50% of the instructional time depending on the grade level. Academic English language development (AELD) is taught kindergarten thru fifth grade with the amount of English gradually increasing every year.

2. All children taught in English using English materials. (15-751, 15-752)

In the TWDL model, all children are taught in English using English materials in varying proportions, depending on the relevant grade level.

3. ELL students shall be educated through Structured English Immersion (SEI). (15-752)

In the TWDL model, native Spanish-speaking students who are also ELL students are educated through dual-language instruction which includes English language instruction in varying proportions, depending on the relevant grade level.

4. The period of SEI instruction is temporary - not normally intended to exceed one year. (15-752)

Research has shown that in many cases the TWDL model is successful in teaching English to ELL students in a manner that results in said students becoming proficient in English in a short amount of time, thus ensuring that their status as ELL students is temporary.

5. Students with a similar degree of fluency shall be grouped together. (15-752)

In the TWDL model, students with a similar degree of fluency are grouped together.

6. Once ELL students have achieved English language fluency they shall be transferred to an English language mainstream classroom. (15-752)

The TWDL model is designed for ELL students to reach English and Spanish language fluency (50/50 fluency) by the fifth grade. Students will enter middle school

EXECUTIVE SUMMARY

and continue to complete two-three courses in Spanish within the TWDL pathway in preparation for placement in honors and/or the highest levels of World Language coursework in their high school years. The academic day would continue in English for at least 50% of the day depending on their grade level.

7. Students in their first year classified as an ELL shall receive four hours of ELD daily. (15-756.01)

The purpose of this proposal is to seek an exemption from the four-hour ELD requirement for ELL students participating in the TWDL program

8. Entry and exit from the program is based on AZELLA score. (15-756)

The TWDL model is designed to be a full course of study, which results in achieving full proficiency in two languages, as demonstrated through the awarding of the Arizona State Seal of Biliteracy.

9. Models shall be research based. (15-756.01)

As described above, the TWDL model is research based.

10. Models shall be cost effective. (15-756.01)

The District is currently operating under a desegregation consent decree under which the development and expansion of the TWDL program is already underway and is fully funded through a mix of General M&O and 910(G) funding. The addition of ELLs participating in the TWDL program will not bring significant additional cost. In fact, approval of this application would likely facilitate the creation of full size classrooms in the existing dual-language programs, which will result in increased cost effectiveness.

Recommendation to the Board

TUSD Recommendation: That the Board approve TUSD's proposed alternative model to allow English Language Learners to participate in TUSD's TWDL program in grades K-5

Attorney General and Board Staff Recommendation: That the Board receive legal advice from its counsel on TUSD's submitted proposal

Tucson Unified School District (TUSD)
ALTERNATE PROPOSED PROGRAM FOR ENGLISH LANGUAGE LEARNERS
ENROLLED IN TWO-WAY DUAL-LANGUAGE PROGRAMS

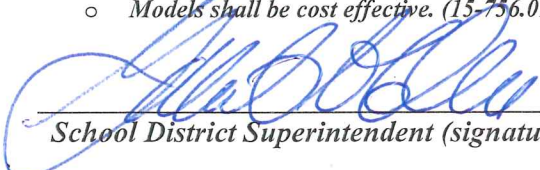
School District Name	Tucson Unified School District	
District CTDS	100201000	
Contact Name	Mark Alvarez	
Contact Title	Assistant Superintendent	
Contact phone #	(520) 225.6304	
Contact E-mail	Mark.Alvarez@tusd1.org	
Schools that program will applied to (list of schools may be attached):		
Bloom Elementary School	Roskruge K-8 School	
Davis Magnet Elementary School	Van Buskirk Elementary School	
Grijalva Elementary School	White Elementary School	
Hollinger K-8 School	Any TUSD Elementary and K-8 Schools Added to the TWDL Program in the Future.	
McCorkle K-8 School		
Mission View Elementary School		

Requirement checklist for alternate proposed program submission

- Cover sheet
- Program Narrative:
 - Program Structure
 - Classroom Practices
 - Timeline for Implementation of the Proposed Program
 - Expected Outcomes
- Signature/date

Program narrative must address each legal requirement:

- Children shall be placed in English language classrooms. (15-752)
- All children taught in English using English materials. (15-751, 15-752)
- ELL students shall be educated through Structured English Immersion (SEI). (15-752)
- The period of SEI instruction is temporary - not normally intended to exceed one year. (15-752)
- Students with a similar degree of fluency shall be grouped together. (15-752)
- Once ELL students have achieved English language fluency they shall be transferred to an English language mainstream classroom. (15-752)
- Students in their first year classified as an ELL shall receive four hours of ELD daily. (15-756.01)
- Entry and exit from the program is based on AZELLA score. (15-756)
- Models shall be research based. (15-756.01)
- Models shall be cost effective. (15-756.01)


 School District Superintendent (signature)

9/6/17
 Date

INTRODUCTION TO TUSD’S PROPOSED TWO-WAY DUAL LANGUAGE (TWDL) MODEL

Two-Way Dual Language (TWDL) programs are one type of dual language program that have consistently shown positive academic, language/literacy, and sociocultural outcomes for English Language Learners (ELLs). The TWDL program in TUSD will provide equal access to an Advanced Learning Experience (ALE)¹ for ELL students. A classroom that combines students from different language groups who are all striving to attain a common goal will provide a challenging and affirming environment for ELLs to reach their full academic, social and linguistic potential. In a recent study in Portland, non-native English speakers in the two-way immersion classrooms were reclassified as fully English proficient more quickly than those in English-only classrooms.

TUSD seeks to implement TWDL programs in eleven schools, as a school choice option for families (but this alternative model would only apply at nine of the eleven schools – those with elementary grades K-5). However, in TUSD’s remaining schools, SEI will still be the default program for any child whose parent has not selected the dual language program. The following document includes program details, research base and projected outcomes that support the implementation of this program.

¹ During the 2012-13 school year, the District formally recognized dual-language programs as one among many Advanced Learning Experiences (ALEs) including Advanced Placement (AP), Dual-Credit, GATE, and other similar programs.

A. PROGRAM STRUCTURE

1. Description

a. Classroom Content

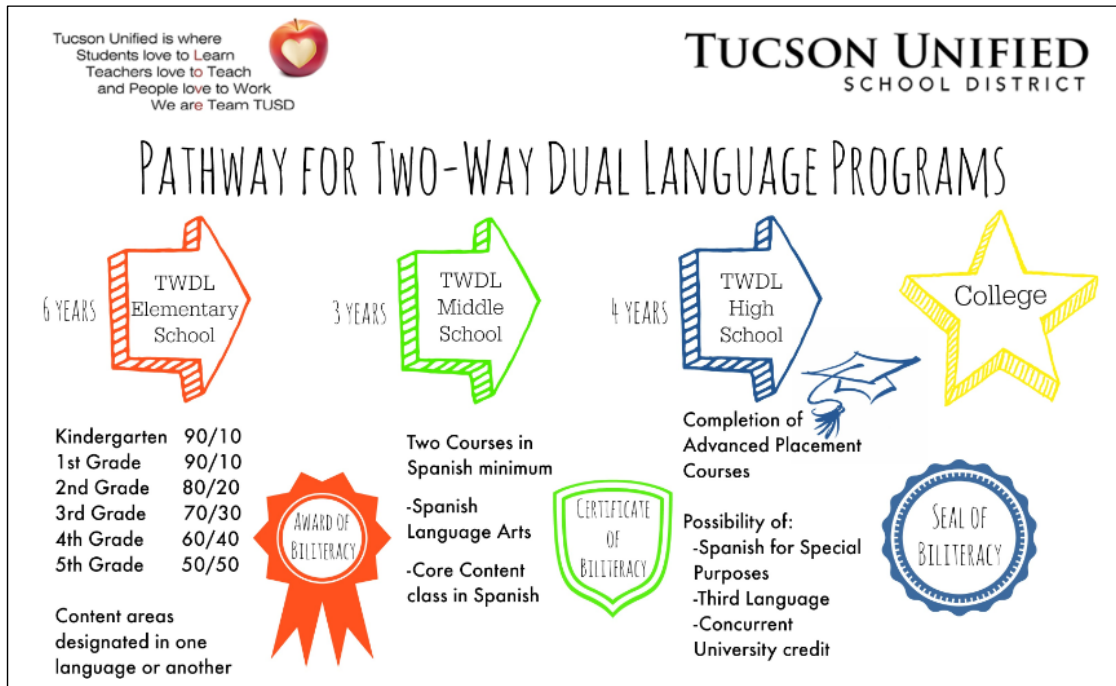
The table below is an overview of the TWDL model, which addresses the academic content and language of instruction for each content area. Spanish Language Arts and math are content areas taught in Spanish from Kindergarten to fifth grade. Science, Social Studies are taught in Spanish Kindergarten thru second grade and then continued in either English or Spanish from third to fifth grade. Academic English language development (AELD) is taught kindergarten thru fifth grade with the amount of English gradually increasing every year. English language arts is introduced in third grade as well as English mathematics bridge for those non-transferable skills being assessed in English state mandated assessments in mathematics.

Table 1: TWDL Model – Curriculum Content Per Grade Level			
Grade	English	Spanish	English Spanish Bridge
Kindergarten	Academic English Language Development (AELD) Listening and Speaking Pre-Reading Skills Beginning Reading	Spanish Language Arts	
1st grade			
2nd grade	AELD Listening Speaking Reading and Writing Beginning Reading	Math	
3rd grade	AELD / English Language Arts (ELA) Listening Speaking Reading and Writing	Science	Math (10 min. maximum, English Workbook, Test Prep, and Non-Transferable Skills)
4th grade	AELD / ELA Listening Speaking Reading and Writing Science	Social Studies	
5th grade	Social Studies		

b. Procedures and Criteria for Entry and Exit from the Classroom

Entrance criteria: All students (including ELLs and students who have not yet obtained oral proficiency in English) entering Kindergarten and first grade are eligible to participate if their parents have attended an informational meeting on TWDL and have applied to the program. In order to ensure linguistically balanced classrooms, the District will screen all students orally in English and Spanish using local measures. Students applying to the program after first grade must meet program criteria for Spanish reading and writing, and must pass an oral interview.

Exit criteria: The TWDL model is designed to be a full course of study, which results in achieving full proficiency in two languages, as demonstrated through the awarding of the Arizona State Seal of Biliteracy.²



c. Criteria and Procedures for Grouping Students

The District will evaluate all students orally in English and Spanish using local measures in order to ensure linguistically balanced classrooms. A linguistically balanced classroom would include approximately one-third each of Native Spanish speakers, Native English Speakers, and Bilingual (English and Spanish) speakers. (See Table 2, below).

² The Arizona Seal of Biliteracy recognizes students who graduate from a school operated by a school district or a charter school located in this state and who have attained a high level of proficiency in one or more languages in addition to English. See Arizona Revised Statute section 15-258.

d. Class Size, Scheduling, and Allocation of Classroom Time

The chart below delineates class size at each grade level, time allocations for each language and content area, and proficiency standards that will drive instruction. Spanish language instruction is driven by the Arizona College and Career Readiness Standards (AZCCRS) for each content area. Academic English language development is driven by AZ English Language Proficiency Standards (ELPS).

Table 2: TWDL Program Model (Class size and Time Allocations)					
	K – 1st	2nd	3rd	4th	5th
Class Size	24:1	27:1	27:1	27:1	27:1
Class Time Instruction Allocations	90% Spanish; 10% Academic ELD driven by AZ English Language Proficiency Standards	80% Spanish; 20% Academic ELD driven by AZ English Language Proficiency Standards	70% Spanish; 30% Academic ELD driven by AZ English Language Proficiency Standards	60% Spanish; 40% Academic ELD driven by AZ English Language Proficiency Standards	50% Spanish; 50% Academic ELD driven by AZ English Language Proficiency Standards
Spanish	Spanish Language Arts (SLA)/Math/PE/Social Studies/Science	SLA/Math/PE/Social Studies/Science	SLA/Math/PE/Social Studies/Science	SLA/Math/PE/Social Studies/Science	SLA/Math/PE/Social Studies/Science
English	Academic English Language Development (AELD) Listening and Speaking Pre-Reading Skills/Beginning Reading	Academic English Language Development (AELD) Listening, Speaking, Reading, Writing	ELA/AELD Listening, Speaking, Reading, Writing	ELA/AELD Listening, Speaking, Reading, Writing Science Social Studies	ELA/AELD Listening, Speaking, Reading, Writing Science Social Studies
English Spanish Bridge			Mathematics	Mathematics	Mathematics

e. Qualifications of Classroom Personnel

All teachers assigned to a TWDL classroom will be highly qualified and will hold a bilingual endorsement, as described in the “Requirements For Bilingual Education, Prek-12 Endorsements Arizona Department Of Education.”³ In addition, each class will have a paraprofessional who meets district minimum requirements:

- Speak, read and write in English.
- One year of experience working with youth
- TUSD Bilingual (English/Spanish) Exam
- High School Diploma or G.E.D
- Associate’s (or higher) degree OR 60 Semester-Hour credits from an accredited institution or AZ Dept. of Education-approved Academic Assessment Test Related training or experience

f. Differentiation of Structure from Elementary to Middle to High School

Not applicable – this model only applies at the Elementary School level.

2. Training Regimen Used to Ensure Effectively Delivered Instruction.

The District’s Language Acquisition Department, along with a nationally recognized expert consultant in Two-Way Dual Language Immersion Programs, will conduct mandatory workshops for participating teachers, administrators, and directors. The District will mandate that all alternate program model teachers attend quarterly workshops.

The workshops will include:

- orientation and review to the TWDL design, research, and components (participants will include site and central administrators)
- in-depth review of curriculum and instructional components of a TWDL program, methodology, use and separation of language (participants will include site administrators, central administrators, and teachers)
- instructional strategies and resources
- in order to implement training effectively in the classroom, the district will follow up with observations and coaching, using rubrics from the Guiding Principles for Dual Language Education. The Guiding Principles for Dual Language Education (Center for Applied Linguistics, available at: <http://www.cal.org/twi/guidingprinciples.htm>)

³ Available at <https://cms.azed.gov/home/GetDocumentFile?id=57a63016aadebc02a4f4f3e6>

3. Training Plan

Curriculum: Table 3 below describes the intended audience, the curriculum, the delivery method and duration of the training plan.

Materials: Guiding Principles for Dual Language Education, district created curriculum, SIOP.

Training Provider: District’s Language Acquisition Department under the direction of a nationally-recognized expert in the area of developing Two-Way Dual Language programs.

Table 3: TWDL Training Plan			
Intended Audience	Topics/Curriculum	Delivery Method	Hours/Duration
Participating teachers, school administrators at participating sites, Elementary and K-8 Leadership Directors	Orientation and review to the TWDL design, research, and components	Face-to-face	3-hour session, repeated as needed
Participating teachers, school administrators at participating sites	In-depth review of curriculum and instructional components of a TWDL program, methodology, use and separation of language	Face-to-face	2-hour sessions, three times per year
Participating teachers, school administrators at participating sites	Instructional strategies and resources for teaching literacy in the targeted languages	Face-to-face	1-hour sessions, three times per year
Participating teachers, school administrators at participating sites, Elementary and K-8 Leadership Directors	Ongoing evaluation and refinements, using the Guiding Principles for Dual Language Education (Center for Applied Linguistics, available at: http://www.cal.org/twi/guidingprinciples.htm)	Face-to-face	3-hour session, repeated as needed

4. Research Base

The TWDL model is aimed at developing a deeper proficiency in both English and Spanish for participating students from all language backgrounds. This goal is well-supported by Wayne P. Thomas and Virginia P. Collier's five-year research study (1996-2001) on English Language Learner's long-term academic achievement in grades K-12 in the Houston Independent School District. The findings of this study show that,

“Student achievement is clearly the highest in the two-way bilingual immersion schools, both for students who begin schooling with no or limited proficiency in English, and for native-English speakers who choose to be in the bilingual classes. Both of these groups, by fifth grade, are on or above grade level in both English and Spanish. In English reading (the most difficult subtest, because it tests all curricular subjects), the Spanish speakers reached the 51st percentile in fifth grade.”

Furthermore, as the study followed English language learners into and beyond ninth grade, it found that at the end of schooling, the bilingually schooled former LEPs reached a seven-NCE higher achievement in comparison to the graduates of the ESL program. As the researchers state, this is “a very significant difference in terms of effect size - what is termed by program evaluators an actionable difference, equivalent to one-third of a national standard deviation.” (Wayne P Thomas, George Mason University and Virginia P. Collier, George Mason University, *“A National Study of School Effectiveness for Language Minority Students’ Long-Term Academic Achievement,”* See Attachment 1).

Specifically, in TUSD, an additional and valued outcome of this program is equal access to an Advanced Learning Experience (ALE) for ELL students. Sustained formal study of both first and second languages will firmly establish the basis that leads to bilingualism and bi-literacy, allowing students to become competitive members of a global society. Through participation in this program, students develop positive cross-cultural experiences, gain global citizenship perspectives and develop an appreciation for diversity. In addition, students will begin in kindergarten a pathway to qualify for the Arizona State Seal of Biliteracy upon graduation from high school.

There are strong, evidence-based reasons supporting the TWDL model, but to reap the benefits of the model it is critical that native speakers from both language groups are able to participate. Dr. Soltero writes: “According to the extensive research on dual language education, ‘well implemented programs’ include a variety of required criteria that must be followed, one of which is to have students from both language groups.” (Sonia W. Soltero PhD is the author of *Dual Language: Teaching and Learning in Two Languages (2004), Schoolwide Approaches*

to Educating ELLs: Creating Linguistically and Culturally Responsive K-12 Schools (2011) and Dual Language Education: Program Design and Implementation (2016)

Research has shown that bilingual proficiency leads to better academic outcomes for all students. “Research in the U.S has shown that ELs with greater bilingual proficiency outperform ELs with lower levels of bilingual proficiency in academic domains.” (Genesee, F & Lindholm-Leary, K (2012) *The Education of English language learners*. In K. Harris, S. Graham, & T. Urban, et al. (Eds) *APA Handbook of Educational Psychology*, pp. 499-526. Washington, D.C.: APA Books). A committee for the National Academy of Sciences (NAS)⁴ has found that ELs in “DL programs have a higher long-term likelihood of becoming proficient in English, meeting an English language arts threshold, and being reclassified relative to ELs in English only programs.” (National Academies of Sciences, Engineering, and Medicine. (2017). *Promoting the Educational Success of Children and Youth Learning English: Promising Futures*. Washington, DC: The National Academies Press. DOI: 10.17226/24677. The NAS committee also found the following:

- “Evidence indicates that certain aspects of dual language learning, processing, and usage are significantly and positively correlated and that the development of strong [primary language] skills supports the development of [English] skills. This interrelationship has been shown to be most evident in domains related to the acquisition of literacy skills.”
- “Evidence reveals significant positive correlations between literacy skills in ELs’ [primary language] and the development of literacy skills in [English]. Educational programs that provide systematic support for the development of ELs’ [primary language] often facilitate and enhance their development of skills in English, especially literacy.”
- “Loss of or reduced competence in the [primary language] results in reduced levels of bilingual competence and, commensurately, the advantages associated with bilingualism—cognitive enhancements, improved self-esteem, and job-related opportunities associated with competence in English and another language(s).”

⁴ The National Academy of Sciences (NAS) is a private, non-profit society of distinguished scholars. Established by an Act of Congress, signed by President Abraham Lincoln in 1863, the NAS is charged with providing independent, objective advice to the nation on matters related to science and technology. Nearly 500 members of the NAS have won Nobel Prizes, and the *Proceedings of the National Academy of Sciences*, founded in 1914, is today one of the premier international journals publishing the results of original research.

The Committee on Fostering School Success for English Learners: Toward New Directions in Policy, Practice, and Research was convened by the National Academies of Sciences, Engineering, and Medicine through its Board on Children, Youth, and Families and Board on Science Education.

The TWDL model “allows English learners to help native English speakers learn through a second language, while native English speakers help English learners acquire the curriculum through English. As most teachers know, one of the best ways to learn is to teach, and both student groups receive accelerated instructional benefits from their other-language peers and from the teacher's use of collaborative learning strategies that capitalize on this effect. Also, learning together increases student interest in the school and curriculum topics, improving student motivation to learn and further amplifying and accelerating student progress.” (Calderón & Minaya-Rowe, 2003; Freeman, 1998; Lindholm-Leary, 2001; Thomas & Collier, 1997/1998, 1999)

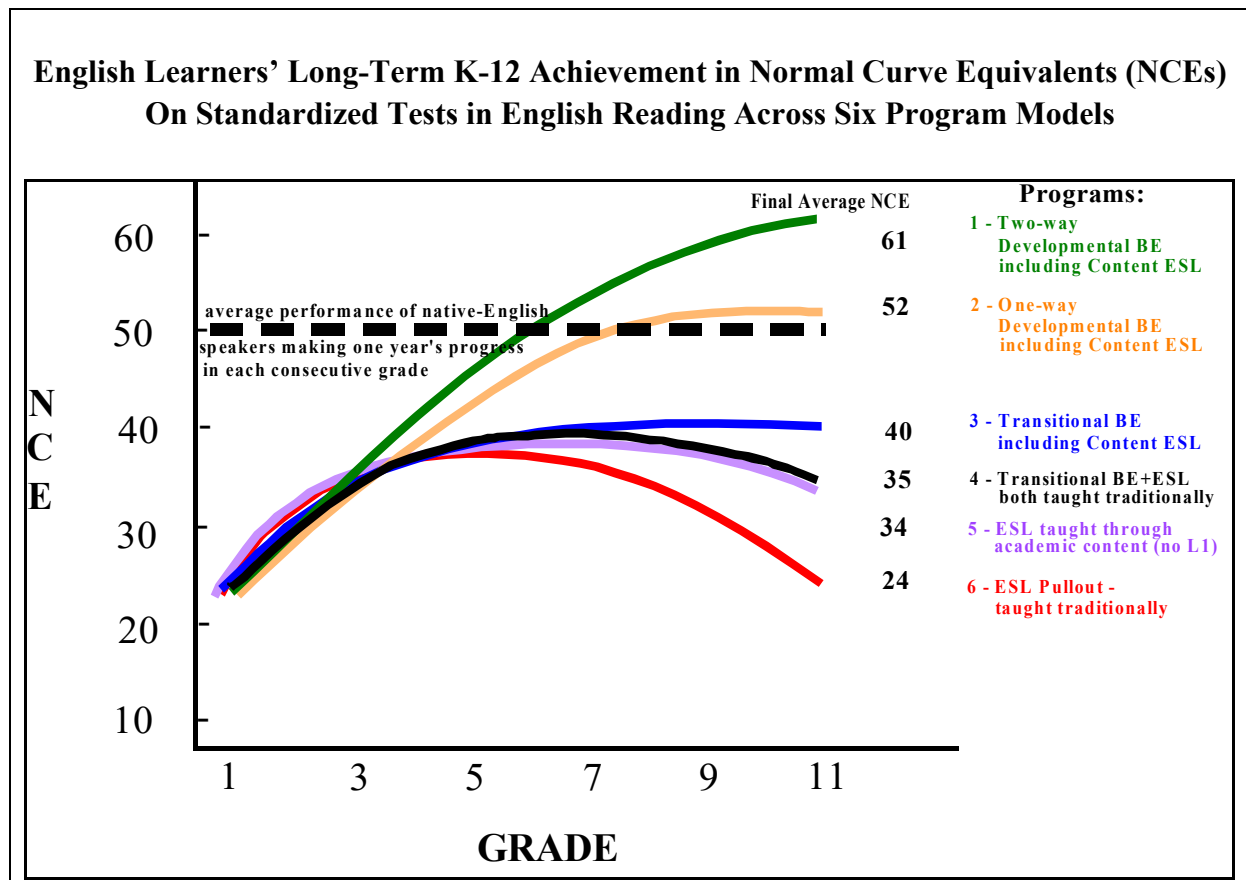
Dr. Lindholm-Leary of San Jose State University has worked with and conducted research in the area of two-way programs over thirty years and has submitted the following in support of TUSD’s application:

There is considerable research over the past 30 years demonstrating that [two-way] programs are effective. Despite wide variations in communities, schools, and students forming the research base, results are quite consistent in showing that both native English-speaking and English Learner (EL) students who participate in [two-way] programs achieve at levels that are at least comparable to, and often higher than, their peers enrolled in English-only instruction on standardized tests of achievement and language proficiency in English; but, [two-way] students have the additional benefit in that the students are also bilingual and biliterate, which their English-only instructed peers are typically not.

Professors Virginia P. Collier, Ph.D. and Wayne P. Thomas (George Mason University, Washington D.C.) have submitted the following in support of TUSD’s application:

In our longitudinal research studies, we have consistently found that students attending integrated dual language classes that are well-implemented are able to reach grade-level achievement in both first and second languages and outperform all other students in the school district. For example, in our recently completed North Carolina studies, analyzing all two-way (integrated) dual language schools throughout the state, we found that all groups are scoring substantially above their peers not in dual language – this includes native English speakers who are African American, native English speakers who are Caucasian, English learners, Latinos fluent in English, students with special needs who qualify for special education services, and students of low-income who qualify for free or reduced lunch. In our federally funded studies with Houston Independent School District (Texas) over a ten-year period, we found that African American, Caucasian, and Latino students reached above grade level in Spanish when integrated together in a two-way dual language

program, and all groups including English learners reached above grade level achievement in English by fifth grade and stayed above grade level in both languages throughout the remainder of their middle and high school years. English learners in Houston schools whose parents chose immersion in English were dropping dramatically below grade level in achievement by fourth and fifth grade, and most of these 1,599 students had dropped out of school before the end of high school.



Collier, V.P., & Thomas, W.P. (2009). *Educating English Learners for a Transformed World*. Albuquerque, NM: Dual Language Education of New Mexico – Fuente Press.

The TWDL model promotes multiculturalism and diversity which has been found by multiple governmental agencies, secondary educational institutions, and Fortune 500 companies as a key factor in improving the habits, capacities, and productivity of future members of the workforce. In essence, the model has benefits for all participating students beyond those that are strictly academic. “Student integration is central to TWI programmes for sociocultural and linguistic reasons. Student integration contributes to the development of positive intergroup relationships between language minority students and language majority students. It can break down stereotypes and develop positive attitudes towards both languages and language groups.” (Howard, 2003; Lambert & Cazabon, 1994; Lindholm, 1994; Lindholm-Leary & Borsato, 2001)

Professor Ester J. de Jong, EdD (University of Florida) has been working with Two-Way Immersion (TWI) programs for over twenty years and has submitted the following in support of TUSD's alternative model application:

The success of a TWI program in reaching the goals of bilingualism and biliteracy lies in being able to optimize access to fluent models of the language (teacher and peers) and meaningful opportunities to use both languages for communication and learning. The interactions between native speakers and second language learners of the two languages of the program are integral to the design of the program. Teachers purposefully use these linguistic resources to support language and literacy development as well as ensuring access to appropriate content knowledge and skills. Having been in many TWI classrooms, it is this paired interaction, in addition to carefully structured student-teacher interactions, that makes TWI programs so successful in reaching their outcomes for all their students, native English speakers and native partner language speakers alike.”

Research has shown that the TWDL model is successful in effectively and efficiently developing English proficiency in English Language Learners. In this regard, Professor Elizabeth Howard (University of Connecticut) has submitted the following in support of TUSD's application:

“...there is robust evidence from a number of small-scale and large-scale studies conducted over the past several decades that ELLs that are educated in well-implemented TWI programs perform as well as if not better than comparable students in English-only educational contexts. Perhaps the most compelling evidence of this effectiveness comes from a recently completed randomized trial carried out by Dr. Robert Slater and his colleagues in Portland, Oregon, which found that ELLs that were randomly assigned to TWI classrooms scored higher on standardized reading tests than those that were placed in mainstream, English-only classrooms. Additionally, non-native English speakers in the two-way immersion classrooms were reclassified as fully English proficient more quickly than those in English-only classrooms. Moreover, in order for programs to be considered well-implemented, they must meet the definitional criteria, which include integrating native English speakers and native speakers of another language for most or all of the instructional day at all grade levels.”

“In the Portland study, we found positive effects of dual-language immersion on English Learners' reclassification as English proficient.” (Steele, Jennifer L. and Slater, Robert O. and Zamarro, Gema and Miller, Trey and Li, Jennifer and Burkhauser, Susan and Bacon, Michael, **Effects of Dual-Language Immersion on Students' Academic Performance (October 1, 2015). EDRE Working Paper No. 2015-09. Available at SSRN: <http://ssrn.com/abstract=2693337>**)

Dr. Mary T. Cazabon (UMASS Boston, Applied Linguistics Department) has also written in support of TUSD’s application: “I call the student dynamic created in a dual language classroom the ‘reciprocity of need for the other’ (Cazabon, 2000). ... the dual language classroom creates opportunities for students to share, collaborate, and truly support each other for the mutual benefit of all. I have also found that ELs in a well-implemented dual language program will acquire English proficiency and literacy more rapidly than in an all-English program.

Donna Christian, Ph.D., (Senior Fellow, Center for Applied Linguistics) supports the TWDL model: “Two-way dual language programs have as a defining characteristic the integration of balanced numbers of students who come from homes where one of the two program languages is spoken. ... The integration of two language-based populations is a key feature of ‘two-way’ programs because it fosters second language learning for both sets of students. In particular, when classmates provide native speaker models in meaningful interaction between members of the two groups, language learning benefits.”

The U.S. Departments of Justice and Education have identified dual-language as a language assistance program that is educationally sound in theory and effective in practice:

“Language assistance services or programs for EL students must be educationally sound in theory and effective in practice... (citing Castañeda v. Pickard, 648 F.2d at 1009-10.). Some common EL programs for learning English that are considered educationally sound in theory under Castañeda’s first prong include: English as a Second Language (ESL)...; Structured English Immersion (SEI)...; Transitional Bilingual Education (TBE)...; [and]Dual Language Program(s), also known as two-way or developmental, is a bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half primary-English speakers and half primary speakers of the other language.”⁵

5. Cost Effectiveness

The District is currently operating under a desegregation consent decree under which the development and expansion of the Two-Way Immersion model is already underway and is fully funded through a mix of M&O and 910(G) funding. The addition of ELLs participating in the TWDL program will not bring significant additional cost. In fact, approval of this application would likely facilitate the creation of full size classrooms in our existing programs, which will result in increased cost effectiveness.

⁵ See U.S. Department of Justice / U.S. Department of Education Dear Colleague Letter: English Learner Students and Limited English Proficient Parents, January 7, 2015, p. 12, fn. 35.

B. CLASSROOM PRACTICES

1. Description of Classroom Practices

a. Use of language

Two-way programs educate English learners and native English speakers together, combining the instructional advantages of both types of one-way program. Effective two-way programs provide students with:

- A minimum of six years of two-way instruction;
- A focus on the core academic curriculum
- High-quality language arts instruction in both languages
- Separation of the two languages for instruction (no translation and no repeated lessons in the other language)
- Use of the non-English language for at least 50 percent of the instructional time and as much as 90 percent in the early grades
- An additive (that is, adding a new language at no cost to students' first language) two-way environment that has full support of school administrators, teachers, and parents
- Promotion of positive interdependence among peers and between teachers and students;
- High-quality instructional personnel, proficient in the language of instruction; and
- Active parent-school partnerships (Howard & Christian, 2002; Lindholm-Leary, 2001; Thomas & Collier, 2002).

b. Curriculum, materials and testing

Core academic curriculum is aligned with Arizona College and Career Readiness Standards and AZ English Language Proficiency Standards and assessment. Spanish language instruction is integrated into the state standards. (See Table 4 and 5)

c. Instructional methods and personnel training

The District will provide professional development to site administrators and teachers consisting of an in-depth review of TWDL curriculum and the instructional components of the TWDL program: methodology, use and separation of language, and sheltering strategies that support the development of bilingualism and biliteracy.

d. Language proficiency assessments - See Table 5 below.

e. Differentiation between Elementary and Secondary levels

Not applicable, the alternate program model is limited to the Elementary level.

Table 4: Language of Instruction and Materials by Grade Level

	K-1st	2nd	3rd – 5th
Spanish Language Arts (SLA)	<p>Spanish Spanish Common Core Standards Scholastic Book Room en Español Canciones y Cuentos Elefónicas Reading A-Z Scholastic News Esp. Imagine Learning Español <i>Harcourt Trofeos</i></p>	<p>Spanish Spanish Common Core Standards Scholastic Book Room en Español Canciones y Cuentos Elefónicas Reading A-Z Scholastic News Esp. Achieve 3000-Spanish <i>Harcourt Trofeos</i></p>	<p>Spanish Spanish Common Core Standards Scholastic Book Room en Español Reading A-Z Scholastic News Esp. Achieve 3000-Spanish <i>Harcourt Trofeos</i></p>
Mathematics	<p>Spanish Engage NY/Eureka Investigations</p>	<p>Spanish Engage NY/Eureka Investigations</p>	<p>Spanish Engage NY/Eureka Investigations</p>
Science	<p>Spanish FOSS Kits National Geographic Windows on Literacy Science Kits Scholastic News</p>	<p>Spanish FOSS Kits National Geographic Windows on Literacy Science Kits Scholastic News</p>	<p>Spanish English FOSS Kits National Geographic Windows on Literacy Science Kits Scholastic News</p>
Social Studies	<p>Spanish District Adopted Material Scholastic News Achieve 3000</p>	<p>Spanish District Adopted Material Scholastic News Achieve 3000</p>	<p>Spanish English District Adopted Material Scholastic News Achieve 3000</p>
English Language Arts (ELA-AzCCRS)	<p>English</p>	<p>English</p>	<p>English Scholastic Book Room Reading A-Z Scholastic News Achieve 3000-English <i>Harcourt Trophies</i></p>
Academic English Language Development (AELD-Using the Az ELP Standards)	<p>English (Listening/Speaking) Avenues Social Studies/Science Materials</p>	<p>English (Listening/Speaking Reading/Writing) Avenues Social Studies/Science Materials</p>	<p>English (Listening/Speaking Reading/Writing) Avenues Social Studies/Science Materials</p>

Table 5: TWDL Assessments Framework

Proficiency/Achievement	Measurement Instrument	Grade Levels	Timeline
Standards-based State Tests – 3rd Grade – 12th English Academic Testing	AzMerit	3 rd -12 th	Spring 2017
Language proficiency in English (ELs only)	AZELLA until students reclassify to fluent status	English Learners	August - May
Language proficiency in Span/Eng. (all)	Spanish FLOSEM – holistic measure to analyze language development in target language Pre-assessment	K-8	Fall to Fall testing
Reading Fluency and Comprehension – progress monitoring Both languages	DIBELS (Eng) / Canciones y Cuentos (Sp)	K-2	Pre-Post Fall – Spring
	EDL2: Kinder- target level: 3, First Grade- target: 4-18, Second Grade: target 28 DRA begins in 2 nd grade for Dual Language students	K-5	
	Grades 6-8 Pre and Post in both English and Spanish through Achieve 3000	6 th – 8 th	
Reading performance in LOGRAMOS (Summative Assessment)	Spanish and Language Arts (subsections only)	Grades 2-8	Spring to Spring Testing
Benchmark Assessments	SchoolCity writing assessments: 2nd-8 th grade benchmark assessments in Spanish (Fall) English writing AzMerit test prep in class throughout the year	2nd-8 th Grade	Fall and Spring
	SchoolCity reading assessment: 2 nd – 8 th grade benchmark assessments Eng. optional (Fall)		

2. Program Design for English Proficiency

As discussed in Table 2, a portion of the academic day will be dedicated to the explicit instruction of the English language, using AZ ELP standards and English language materials, with instruction delivered exclusively in English. A primary goal of the TWDL model is for students, including English Language Learners, to attain high levels of bilingualism and biliteracy in both English and Spanish over the span of several years.

Research provides ample evidence that English Language Learners in TWDL programs attain advanced levels of speaking, listening and literacy in English comparable to their peers and, over time, often surpass them. In the APA Handbook of Educational Psychology, Fred Genessee states that TWDL programs are intended to provide students with advanced levels of proficiency in two languages (L1 and L2). This includes advanced levels of literacy along with speaking and listening skills in all domains of learning. Successful achievement of these goals is evident over several years of participation in the program. Additional research to support this is explained in detail in section A(4), above.

3. Curriculum Materials

Core academic curriculum is aligned with Arizona College and Career Readiness Standards and AZ English Language Proficiency Standards and assessment. Spanish language instruction integrated into the state standards. See Tables 4 and 5 for materials and assessments.

4. Research Base for the Proposed Classroom Practices

Instructional methods are derived from research-based principles of dual language education and from research on the development of bilingualism and biliteracy in children. See the Guiding Principles for Dual Language Education report (Center for Applied Linguistics).⁶ Based on the Guiding Principles, effective features of instruction and classroom practices include:

- A variety of instructional techniques responding to different learning styles and language proficiency levels
- Positive interactions between teachers and students and among students
- A reciprocal interaction model of teaching, featuring genuine dialog

⁶ Available at: <http://www.cal.org/twi/guidingprinciples.htm>.

- Cooperative learning or group work situations, including
 - Students working interdependently on tasks with common objectives
 - Individual accountability and social equity in groups and in the classroom
 - Extensive interactions among students to develop bilingualism
- Language input that
 - Uses sheltering strategies to promote comprehension
 - Uses visual aids and modeling instruction, allowing students to negotiate meaning
 - Is interesting, relevant, and of sufficient quantity
 - Is challenging enough to promote high levels of language proficiency and critical thinking
- Language objectives that are integrated into the curriculum
- Structured tasks and unstructured opportunities for students to use language
- Language policies that encourage students to use the language of instruction
- Monolingual lesson delivery
- Balanced consideration of the needs of all students
- Integration of students (in two-way programs) for the majority of instruction

5. Cost Effectiveness of the Proposed Classroom Practices

Training for teachers in the classroom practices of this proposed program is already in place and fully funded in the District.

C. TIMELINE FOR IMPLEMENTATION; EXPECTED OUTCOMES

- 1. Schedule for implementation:** Full implementation SY 2017-18
- 2. Training:** Summer 2017, Quarterly 2017-18- In depth review of curriculum and instructional components of Two-Way Dual Language Program, methodology, use and separation of language.
- 3. Curriculum Development:** The curriculum for the model is in place and aligned to the current AZCCRS and AZELPS. In addition, Common Core en español supplements the curriculum, the majority of which is identical to the TUSD mainstream curriculum (<http://tusd1.org/resources/curriculum/elaV3.asp> and <http://tusd1.org/resources/curriculum/eldk-5.asp>). Tables 4 and 5 delineate materials and assessments that classrooms will use to measure student achievement.

D. EXPECTED OUTCOMES

The primary outcome of this program design is to ensure high academic and achievement for both English speaking and English Language Learners in two or more languages over the course of their K-12 schooling. TWDL classrooms combine both groups of students from the onset of their schooling within a challenging and affirming learning environment that allows the students to reach their full academic, social and linguistic potential. Allowing all students the opportunity to fully engage in a TWDL pathway that begins in Kindergarten and advances the students through their high school years, will help TUSD meet both its integration and school transformation goals. It is our intent that students from TWDL programs will graduate from TUSD high schools having qualified for the AZ State Seal of Bi-literacy, fully prepared for college or post-secondary schooling opportunities, and readied to engage in a 21st century global community.

ATTACHMENT 1

A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement

Principal Investigators:

Wayne P. Thomas, George Mason University
Virginia P. Collier, George Mason University



This report can be read online at: http://www.crede.ucsc.edu/research/llaa/1.1_final.html

This report was prepared with funding from the Center for Research on Education, Diversity & Excellence (CREDE), a national research center funded by the Office of Educational Research and Improvement (OERI) of the U.S. Department of Education, under Cooperative Agreement No. R306A60001-96 (July 1, 1996-June 30, 2001). The findings and opinions expressed here are those of the authors and do not necessarily reflect the positions or policies of OERI.

A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement

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EXECUTIVE SUMMARY

Purpose. Our research from 1985 to 2001 has focused on analyzing the great variety of education services provided for language minority (LM) students in U.S. public schools and the resulting long-term academic achievement of these students. This five-year research study (1996-2001) is our most recent overview of the types of U.S. school programs provided for these linguistically and culturally diverse students, focusing on English language learners' (ELLs/LEPs) long-term academic achievement in Grades K-12. This study includes qualitative and quantitative research findings from five urban and rural research sites in the northeast, northwest, south-central, and southeast U.S. It is designed to answer urgent policy questions of interest to the federal and state governments of the United States, since this demographic group is projected to be 40 percent of the school-age population by the 2030s and most U.S. schools are currently under-educating this student group. Overall, this research provides whole school district views of policy decision-making that is data-driven regarding designing, implementing, evaluating, and reforming the education of LM students.

Analyses. As principal investigators, we established a collaborative research agreement with each school district that chose to participate, to follow every LM student who entered the school district for every year of his/her attendance in that school district, by each program type attended including the mainstream, and by cohorts of similar student background (e.g. socioeconomic status, primary language [L1] and second language [L2] proficiency upon entry, prior schooling). Measures of student achievement were those administered by the school district, including standardized test scores. We reported generalizations across school districts based on group performance on standardized measures, in normal curve equivalents (NCEs—equal-interval percentiles). Quantitative analyses proceeded through five research stages (presented in detail in report), each stage followed by collaborative interpretation of the results with school district staff. Qualitative analyses from interviews, school visits, surveys, and source documents, included historical demographic patterns of linguistically diverse groups of each U.S. region, the sociolinguistic and social context for the school programs, and specific implementation characteristics of each program type, including a case study of one school innovation.

Research sites, student samples, and program types analyzed. By written agreement, the school districts participating in each of our studies are promised anonymity until they choose to self-identify. For this study, four sites decided to self-identify—Madawaska School Department and School Administrative District #24, both located in northern Maine; Houston Independent School District in Texas; and Grant Community School in Salem, Oregon. The total number of student records collected in the five school districts featured in this report was 210,054. (One student record includes all the school district records for one student collected during one school year, such as student background characteristics, the grade level and school program(s) that student attended, and academic achievement measures administered to that student during the school year.) Over 80 primary languages were represented in the student samples, but the data analyses in three of the five research sites focused on Spanish speakers, the largest language

group in the U.S. (75 percent of the U.S. LM school-age population). The student samples included newly arriving immigrants as well as ethnolinguistic groups of French cultural and linguistic roots in the northeast and students of Spanish-speaking heritage in the south-central U.S. The analyses focused on student outcomes from eight major different program types for LM students—90-10 two-way bilingual immersion (or dual language), 50-50 two-way bilingual immersion, 90-10 one-way developmental bilingual education, 50-50 one-way developmental bilingual education, 90-10 transitional bilingual education, 50-50 transitional bilingual education, English as a Second Language (ESL) taught through academic content, and the English mainstream.

FINDINGS: Qualitative findings are presented in the full report. Major findings from the quantitative analyses that are statistically and practically significant for decision-making are presented below. For decision-making purposes, a 4 NCE difference between groups is considered a small but significant difference (equivalent to 0.2 of a national standard deviation [s.d.]), 5 NCEs an actionable significant difference (0.25 of a national s.d.), 6 NCEs a moderate significant difference (0.3 of a national s.d.), and 10 NCEs a very large significant difference (0.5 of a national s.d.).

ENGLISH ACHIEVEMENT FINDINGS: Focusing first on **program comparisons**, we summarize **English language learners’ long-term achievement** on nationally standardized tests (ITBS, CTBS, Stanford 9, Terra Nova) in **English Total Reading** (the subtest measuring academic problem-solving across the curriculum—math, science, social studies, literature), for students who entered the U.S. school district with little or no proficiency in English in Grades K-1, and following them to the highest grade level reached by the program to date:

- English language learners immersed in the English mainstream because their parents refused bilingual/ESL services showed large decreases in reading and math achievement by Grade 5, equivalent to almost 3/4 of a standard deviation (15 NCEs), when compared to students who received bilingual/ESL services. The largest number of dropouts came from this group, and those remaining finished 11th grade at the 25th NCE (12th percentile) on the standardized reading test. (pp. 113-114, 122-124, Figures C-1, C-2, Tables C-1, C-2, C-10, C-11)
- When ESL content classes were provided for 2-3 years and followed by immersion in the English mainstream, ELL graduates ranged from the 31st to the 40th NCE with a median of the 34th NCE (23rd percentile) by the end of their high school years. (pp. 112-114, 126-127, 241-256, Figures C-1, C-2, E-1, E-6, E-7, E-8, E-9, E-14, Tables C-1, C-2, E-1, E-6, E-7, E-8, E-9, E-14)
- 50-50 Transitional bilingual education students who were former ELLs, provided with 50 percent instruction in English and 50 percent instruction in Spanish for 3-4 years, followed by immersion in the English mainstream, reached the 47th NCE (45th percentile) by the end

of 11th grade. (pp. 112-114, 126-127, Figures C-1, C-2, Tables C-1, C-2)

- 90-10 Transitional bilingual education students who were former ELLs reached the 40th NCE (32nd percentile) by the end of 5th grade. (In 90-10 TBE, for Grades PK-2, 90 percent of instruction is in the minority language, gradually increasing English instruction until by Grade 5, all instruction is in the English mainstream for the remainder of schooling.) (pp. 119-122, Figure C-8, Table C-7)
- 50-50 One-way developmental bilingual education students who were former ELLs reached the 62nd NCE (72nd percentile) after 4 years of bilingual schooling in two high-achieving school districts, outperforming their comparison ELL group schooled all in English by 15 NCEs (almost 3/4 of a national standard deviation—a very large significant difference). By 7th grade, these bilingually schooled former ELLs were still above grade level at the 56th NCE (61st percentile). (A one-way program is one language group being schooled through two languages.) (pp. 48-52, 58, Figures A-1, A-3, Tables A-5, A-6)
- 90-10 One-way developmental bilingual education students who were former ELLs reached the 41st NCE (34th percentile) by the end of 5th grade. (90-10 means that for Grades PK-2, 90 percent of instruction is in the minority language, gradually increasing English instruction to 50 percent by Grade 5, and a DBE program continues both languages in secondary school.) (pp. 119-122, Figure C-8, Table C-7)
- 50-50 Two-way bilingual immersion students who were former ELLs attending a high-poverty, high-mobility school: 58 percent met or exceeded Oregon state standards in English reading by the end of 3rd and 5th grades. (Two-way is two language groups receiving integrated schooling through their two languages; 50-50 is 50 percent instruction in English and 50 percent in the minority language.) (pp. 201-204, Figures D-4, D-6, Table D-18)
- 90-10 Two-way bilingual immersion students who were former ELLs performed above grade level in English in Grades 1-5, completing 5th grade at the 51st NCE (51st percentile), significantly outperforming their comparison groups in 90-10 transitional bilingual education and 90-10 developmental bilingual education. (pp. 119-121, Figure C-8, Table C-7)

SPANISH ACHIEVEMENT FINDINGS: A goal of one-way and two-way bilingual education is to graduate students who are fully academically proficient in both languages of instruction, to prepare these students for the workplace of the 21st century. We summarize **native-Spanish-speakers’ long-term achievement** on nationally standardized tests (Aprendizaje Básico, SABE) in **Spanish Total Reading** (the subtest measuring academic problem-solving across the curriculum—math, science, social studies, literature), following them to the highest grade level reached by the program to date:

- In 50-50 Two-way bilingual immersion, Spanish-speaking immigrants after 1-2 years of U.S. schooling achieved at a median of the 62nd NCE (71st percentile) in Grades 3-6. These immigrants arrived on or above grade level and maintained above grade level performance in Spanish in the succeeding two years. (pp. 199-200, Figure D-2, Tables D-5, D-6)
- In 90-10 Transitional bilingual education classes, native-Spanish speakers reached the 56th to 60th NCE (61st to 68th percentile) for Grades 1-4, and after moving into all-English instruction in Grade 5, they tested at the 51st NCE, still on grade level in Spanish reading achievement. (pp.117-119, Figure C-5, Table C-4)
- In 90-10 Developmental bilingual education classes, native-Spanish speakers reached the 56th to 63rd NCE (61st to 73rd percentile) for Grades 1-4, and in Grade 5 they outperformed the TBE comparison group by 4 NCEs at the 55th NCE (60th percentile). (pp. 117-119, Figure C-5, Table C-4)
- In 90-10 Two-way bilingual immersion classes, native-Spanish speakers reached the 58th to 65th NCE (64th to 76th percentile) for Grades 1-4, and in Grade 5 they outperformed the TBE and DBE comparison groups by a significant 6 NCEs at the 61st NCE (70th percentile). (pp. 117-119, Figure C-5, Table C-4)
- In reading achievement across the curriculum, native-Spanish speakers outperformed native-English speakers when tested in their native language, for Grades 1-8, regardless of the type of bilingual program Spanish-speaking students received. Native-Spanish speakers remained significantly above grade level at every grade except sixth grade (at the 49th NCE), reaching the 64th NCE (74th percentile) in 8th grade. (pp. 117-119, Figure C-3, Table C-3)

ACHIEVEMENT FINDINGS IN OTHER SUBJECTS:

- We chose the reading subtest of the standardized tests (results presented above) as the “ultimate” measure of attainment, because LM students’ reading scores were consistently the lowest among the subjects, and this is the measure that most closely correlates with the standardized tests required for admission to post-secondary education. Generally, LM

students achieved 5-10 NCEs higher in English language arts, math, science, social studies, and writing. (pp. 46-53, 111-114, 119-122, 241-256, Figures A-4, A-5, C-9, C-10, E-1 to E-14 and accompanying tables)

- In Spanish math, native-Spanish speakers generally outperformed native-English speakers tested in English math. When comparing native-Spanish speakers' achievement in Spanish math by program, for Grades 2-5, students attending all three bilingual program types achieved at or above the 55th NCE (60th percentile). But the Spanish speakers attending 90-10 Two-way bilingual immersion classes outperformed the Spanish speakers in 90-10 TBE and 90-10 DBE classes by 3-6 NCEs on Spanish math achievement, reaching the 59th NCE (66th percentile) by 5th grade. (pp. 114, 117-118, Figures C-4, C-6, Tables C-3, C-4)

ACHIEVEMENT OF NATIVE-ENGLISH SPEAKERS IN TWO-WAY BILINGUAL ED:

- Native-English speakers in two-way bilingual immersion programs maintained their English, added a second language to their knowledge base, and achieved well above the 50th percentile in all subject areas on norm-referenced tests in English. These bilingually schooled students equaled or outperformed their comparison groups being schooled monolingually, on all measures. (pp. 46-53, 119, 124, 201-204, Figures A-3 to A-5, D-1, D-3, D-5, D-7, D-9, Tables A-1 to A-11, C-4, C-12, C-13, D-1 to D-4, D-7, D-8, D-10, D-12, D-13, D-15, D-17 to D-10)

INFLUENCE OF STUDENT BACKGROUND ON STUDENT ACHIEVEMENT:

- Socioeconomic status (SES) typically influenced from 3-6% of LM students' reading achievement as measured by standardized tests, for both enrichment dual language programs and ESL content programs. In selected circumstances (e.g., oral proficiency of Spanish speakers learning English) the effect of SES explains as much as 11-12% of achievement. However, the effect of number of years of program participation on reading achievement varied with the program type. For one-way and two-way dual language programs, up to five years of program participation accounted for 6-9% of ELLs' reading achievement on standardized tests. For Spanish speakers learning English, 20% of oral proficiency was attributable to program exposure while program exposure accounted for 15% of oral proficiency for English speakers learning Spanish. In the case of the ESL Content program, years of schooling accounted for less than 2% of end-of-school reading achievement as measured by standardized tests. Thus, a strong dual language program can "reverse" the negative effects of SES more than a well-implemented ESL Content program by raising reading achievement to a greater degree. (pp. 56-57, 204-206, 256-258, Tables A-18, D-20, E-16 to E-18)

- The One-way developmental bilingual education program in Northern Maine influenced 8.5% of former ELLs' eventual reading achievement, exceeding the effects of low socioeconomic status at less than 4%. The Two-way bilingual immersion program at Grant Community School exerted a powerful and significant effect on Spanish-speaking students' scores on oral English development and influenced about 6 percent of their standardized reading scores as assessed in English, while SES accounted for about 4%. In this high-poverty school, SES alone accounted for 14 percent of the observed achievement variance overall. Thus, the school's dual language program is reducing the negative effects of SES by significant amounts for Spanish speakers learning English and taking the statewide assessment in English. (pp. 56-57, 204-206, 256-258, Tables A-18, D-20, E-16 to E-18)
- Number of years of primary language schooling, either in home country or in host country, had more influence than socioeconomic status when the number of years of schooling was 4 or more years. In addition, the L2 academic achievement of older immigrant arrivals with strong grade-level schooling completed in L1 in the home country was less influenced by low socioeconomic status and more dependent on number of years completed. Likewise, students of low socioeconomic status who were born in the U.S. or arrived at a very young age achieved at high levels in L2 when grade-level schooling was provided in both L1 and L2 in the U.S. (pp. 257-258, Figures C-1, E-6, E-7, Tables C-1, E-6, E-7, E-17, E-18)
- When immigrants were schooled all in English in the U.S., students who received 4-5 years of L1 schooling in home country (arriving at ages 10-12) scored 6 NCEs higher in English reading in 11th grade than those who received 1-3 years of home country schooling (arriving at ages 7-9). (pp. 248-251, Figures E-6, E-7, Tables E-6, E-7)
- Immigrants with interrupted schooling in home country achieved significantly below grade level, when provided instruction only in English. Those one year below grade level on arrival were at the 29th NCE (16th percentile) on the English reading test by 11th grade, those two years below grade level on arrival at the 26th NCE (13th percentile), those three years behind at the 20th NCE (8th percentile), and those four years behind at the 19th NCE (7th percentile). (pp. 251-253, Figure E-8, Table E-8)
- Gender differences among Hispanic students were found to be significant in only two subject areas—math and science. Hispanic males outperformed Hispanic females by 4 NCEs in math and 6 NCEs in science on the 11th grade tests in English. (p. 256, Figure E-14, Table E-14)

MAJOR POLICY IMPLICATIONS:

- Enrichment 90-10 and 50-50 one-way and two-way developmental bilingual education (DBE) programs (or dual language, bilingual immersion) are the only programs we have found to date that assist students to fully reach the 50th percentile in both L1 and L2 in all subjects and to maintain that level of high achievement, or reach even higher levels through the end of schooling. The fewest dropouts come from these programs.
- Parents who refuse bilingual/ESL services for their children should be informed that their children's long-term academic achievement will probably be much lower as a result, and they should be strongly counseled against refusing bilingual/ESL services when their child is eligible. The research findings of this study indicate that ESL or bilingual services, as required by *Lau v. Nichols*, raise students' achievement levels by significant amounts.
- When English language learners (ELLs) initially attend segregated, remedial programs, these students do not close the achievement gap after reclassification and placement in the English mainstream. Instead, they maintain or widen the gap in later years. Therefore, their average achievement NCE at reclassification should be as high as possible, since this is likely to be their highest achievement level that they reach during their school years. Ideally, instructional gains are best accomplished in an enrichment (not a remedial) program.
- Students with no proficiency in English must NOT be placed in short-term programs of only 1-3 years. In this study and all other research studies following ELLs long term, the minimum length of time it takes to reach grade-level performance in second language (L2) is 4 years. Furthermore, only ELLs with at least 4 years of primary language schooling reach grade-level performance in L2 in 4 years. As a group, students with no primary language schooling (either in home country or host country) are not able to reach grade-level performance in L2.
- The strongest predictor of L2 student achievement is amount of formal L1 schooling. The more L1 grade-level schooling, the higher L2 achievement.
- Bilingually schooled students outperform comparable monolingually schooled students in academic achievement in all subjects, after 4-7 years of dual language schooling.
- Students who receive at least 4-5 years of grade-level L1 schooling in home country before they emigrate to the U.S. typically reach the 34th NCE (23rd percentile) by 11th grade when schooled all in English in the U.S. in an ESL Content program, and then the mainstream. These students are on grade level when they arrive, but it takes them several years to acquire enough English to do grade-level work, which is equivalent to interrupting their schooling for 1 or 2 years. Then they have to make more gains than the average native-English speaker makes every year for several years in a row to eventually

catch up to grade level, a very difficult task to accomplish within the remaining years of K-12 schooling.

- The highest quality ESL Content programs close about half of the total achievement gap.
- When ELLs initially exit into the English mainstream, those schooled all in English outperform those schooled bilingually when tested in English. But the bilingually schooled students reach the same levels of achievement as those schooled all in English by the middle school years, and during the high school years the bilingually schooled students outperform the monolingually schooled students (see Figure C-2).
- Students who receive at least 5-6 years of dual language schooling in the U.S. reach the 50th NCE/percentile in L2 by 5th or 6th grade and maintain that level of performance, because they have not lost any years of schooling. Students who are raised in a dual language environment need at least 4 years of schooling in L1 and 4 years of schooling in L2 to achieve on grade level in either of the two languages. Providing bilingual schooling in the U.S. meets both needs simultaneously, typically in 4-7 years, leading to high academic achievement in the long term.
- Bilingual/ESL Content programs must be effective (at least 3-4 NCE gains per year more than mainstream students are gaining per year), well implemented, not segregated, and sustained long enough (5-6 years) for the typical 25 NCE achievement gap between ELLs and native-English speakers to be closed. Even the most effective programs can only close half of the achievement gap in 2-3 years, the typical length of remedial ELL programs. Therefore, short-term, remedial, and ineffective programs cannot close the large achievement gap and should be avoided.
- An enrichment bilingual/ESL program must meet students' developmental needs: linguistic (L1-L2), academic, cognitive, emotional, social, physical. Schools need to create a natural learning environment in school, with lots of natural, rich oral and written language used by students and teachers (L1 and L2 used in separate instructional contexts, not using translation); meaningful, 'real world' problem-solving; all students working together; media-rich learning (video, computers, print); challenging thematic units that get and hold students' interest; and using students' bilingual-bicultural knowledge to bridge to new knowledge across the curriculum.



Two Way Dual Language (TWDL)

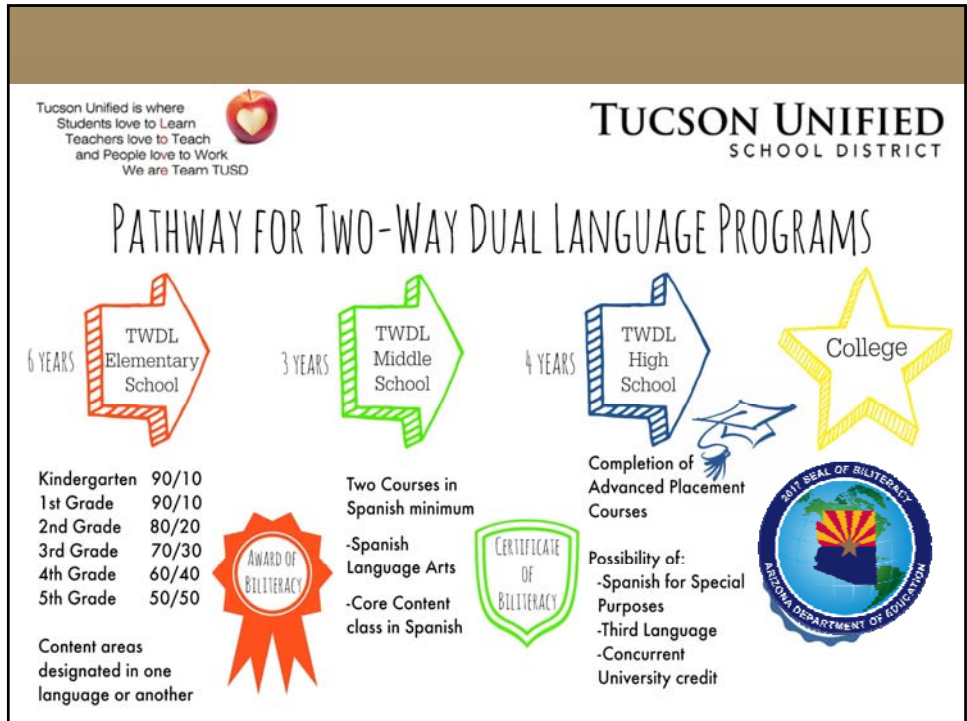
Language Acquisition Department 2017

TUCSON UNIFIED
SCHOOL DISTRICT




2017 SEAL OF BILITERACY
ARIZONA DEPARTMENT OF EDUCATION

Arizona
Department of Education



BACKGROUND



TUSD currently operates under a federal desegregation Consent Decree (the Unitary Status Plan, or “USP”).

The USP requires the District to “build and expand its Dual Language programs in order to provide more students throughout the District with opportunities to enroll... .” USP § V(C)(1), ECF Docket #1713 at 32-33

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BACKGROUND



In December of 2015, the Court directed the District to “engage one or more nationally recognized consultants” to study and “develop a plan for increasing student access to dual language programs....” Court Order of December 22, 2015, ECF Docket #1879 at 9.

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BACKGROUND



“[c]reate an Alternative Program Waiver or attain a Federal Court Exemption that allows Spanish-speaking students full access to TWDL programs starting at their kindergarten level.”

Expert Consultant Recommendation, May 2015

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CURRENT STATUS



Currently, native Spanish-speaking students cannot participate in TWDL programs at entry-grade levels until they show oral proficiency in English.

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HOW DO WE GET THERE?



TUSD requests approval from the State Board to allow ELs to participate in TUSD's TWDL program in grades K-5, starting at the kindergarten level in a limited number of Dual-Language schools (9).

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TWDL Programs

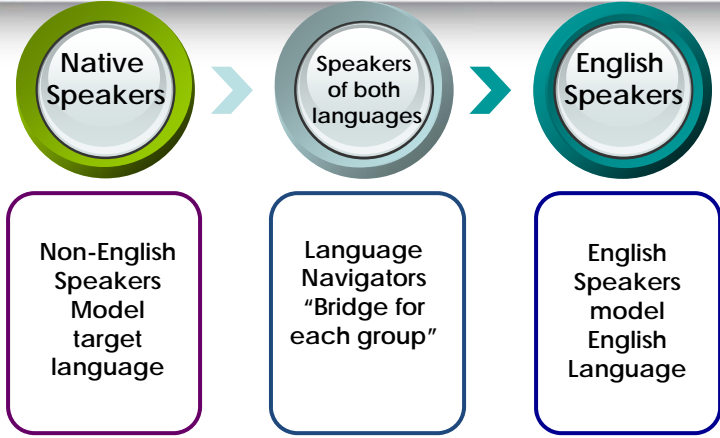
TWDL education is the **Gold Standard** for English Learners and English-only students to develop high proficiency levels in a target language and in English to prepare them for a global economy.

The TWDL program in TUSD requires Linguistically Balanced Classrooms.

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Linguistically Balanced Classrooms



The diagram illustrates the components of a linguistically balanced classroom. It features three circular nodes at the top, connected by right-pointing arrows. Below each node is a rounded rectangular box describing the role of that group.

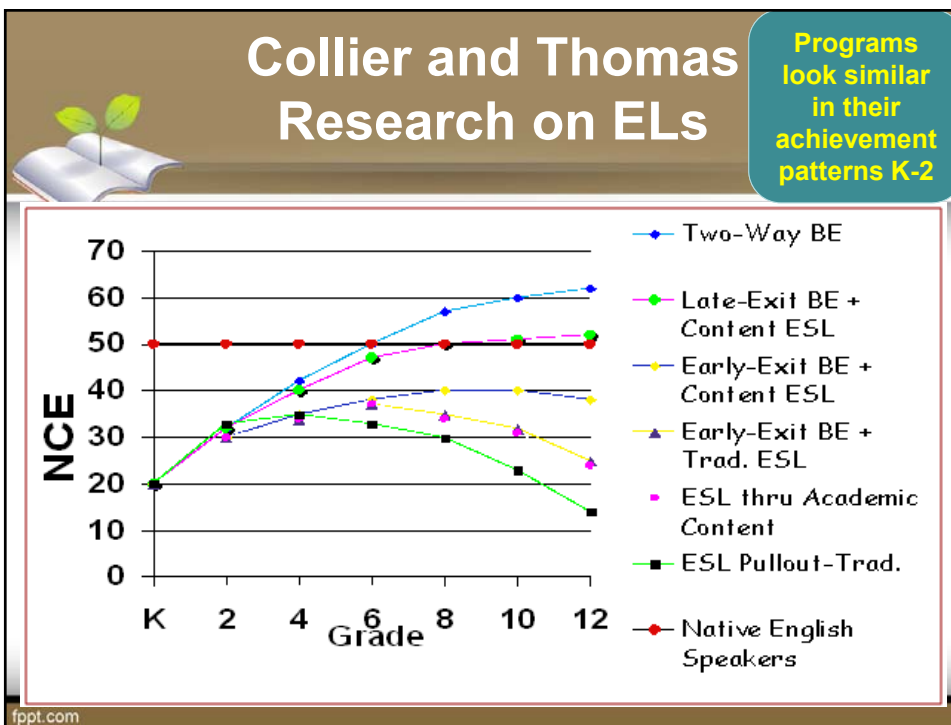
- Native Speakers** (Green circle): Non-English Speakers Model target language
- Speakers of both languages** (Grey circle): Language Navigators "Bridge for each group"
- English Speakers** (Teal circle): English Speakers model English Language


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Research Based Model

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Two-Way Dual Language Immersion

Cross Learning

Each language supports the learning of the second




English Learners (EL) in Dual Language Education Programs

“ELs in bilingual/DL programs have a higher long-term likelihood of becoming proficient in English, meeting an English language arts threshold, and being reclassified relative to ELs in English only programs.”

National Academy of Sciences (2017)

Committee on Fostering School Success for English Learners: Toward New Directions in Policy, Practice, and Research

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Other Conclusions from the National Academy of Sciences Report


“Evidence indicates that ... the development of strong [primary language] skills supports the development of English skills.”

“Evidence reveals significant positive correlations between literacy skills in ELs’ [primary language] and the development of literacy skills in English.”

National Academy of Sciences (2017)

Committee on Fostering School Success for English Learners: Toward New Directions in Policy, Practice, and Research

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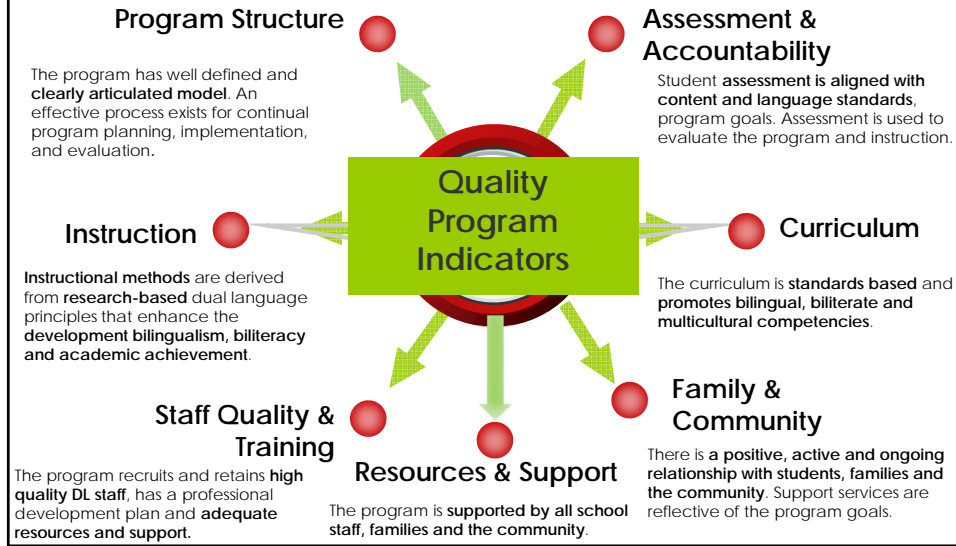
English Language Proficiency Grades 7-8 by Program Model

By grades 7-8, students are more likely to be reclassified as English proficient in a 90/10 dual language program than in a 50/50 program

Dual Language		
	90/10	50/50
Total English Proficiency in Grades 7-8	88%	81%

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Guiding Principles of Dual Language



Goals of Two-Way Dual Language Programs

Biliteracy & Dual Language Proficiency





Two-Way Dual Language Immersion

Combines native speakers of a target language with English-speaking students to develop a second language for both groups of students in listening, speaking, reading and writing.

Researchers: Kathryn Lindholm-Leary, David Dolson, Tove Skutnabb-Kangas, Donna Christian (CAL Research Team)


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Critical Components of Successful Dual Language Programs

1. Early entry into the program **beginning at Kindergarten or first grade for all language groups**
2. Strong focus on **Biliteracy & Dual Language Proficiency** for all
3. Emphasis on **equity and excellence** for all
4. **Administrative support** and instructional leadership
5. **High quality teachers** and professional development
6. **Parent Commitment** and home/school collaboration

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TUSD Alternative Language Programs

Structured English Immersion (four-hour block)
28 Elementary Schools; 13 Secondary Level Schools

Individual Language Learner Plan (ILLPs)
37 Elementary Schools; 11 Secondary Level Schools

Two-Way Dual Language (TWDL)
7 Elementary Schools, 2 K-8 schools, 2 Secondary Schools

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TWDL Programs in TUSD

<p><u>Elementary</u></p> <ul style="list-style-type: none">• Bloom (K-1)• Davis• Grijalva• McCorkle (K-5)• Mission View• White• Van Buskirk	<p><u>K-8 Schools</u></p> <ul style="list-style-type: none">• Roskruge• Hollinger (K-6) <p><u>Middle Schools</u></p> <ul style="list-style-type: none">• Pistor <p><u>High School</u></p> <ul style="list-style-type: none">• Pueblo
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Tucson Unified is where
Students love to Learn
Teachers love to Teach
and People love to Work
We are Team TUSD



TUCSON UNIFIED
SCHOOL DISTRICT


PATHWAY FOR TWO-WAY DUAL LANGUAGE PROGRAMS

6 YEARS




TWDL
Elementary
School

3 YEARS




TWDL
Middle
School

4 YEARS




TWDL
High
School



College

Kindergarten 90/10
1st Grade 90/10
2nd Grade 80/20
3rd Grade 70/30
4th Grade 60/40
5th Grade 50/50


Content areas
designated in one
language or another



**AWARD OF
BILITERACY**

Two Courses in
Spanish minimum

- Spanish
Language Arts
- Core Content
class in Spanish





**CERTIFICATE
OF
BILITERACY**

Completion of
Advanced Placement
Courses

Possibility of:


- Spanish for Special
Purposes
- Third Language
- Concurrent
University credit





TUSD respectfully requests State Board approval of TUSD's proposed alternative model to allow English Language Learners to participate in TUSD's TWDL program in grades K-5.

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THANK YOU
TUCSON UNIFIED
SCHOOL DISTRICT

Presenters:
Mark Alvarez - Assistant Superintendent of Elementary & K-8 Schools
Kathryn Lindholm - Leary, Ph.D. Professor Emerita, San Jose State University
Patricia Sandoval-Taylor - Language Acquisition Dept. Director
Paula Cortés - Language Acquisition Specialist
Anna Manzano - Language Acquisition Specialist
Samuel Emiliano Brown - Legal Counsel

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EXECUTIVE SUMMARY

Issue: Discussion, consideration and possible action on the search and selection of the new Executive Director

Action/Discussion Item

Information Item

Background and Discussion

The Executive Director provided the State Board of Education with a notice of intent to transition out of the position effective November 3, 2017, which has been accepted by the President of the Board.

At the August 4, 2017 Special Meeting, the Board approved a timeline for hiring an Executive Director and established the Executive Director Hiring Committee (Hiring Committee) consisting of five members of the Board to review applications, conduct interviews and make a recommendation to the Board.

The Hiring Committee met on the following dates:

- **August 8th:** Finalize job description, develop interview questions and finalize process;
- **August 10th:** Finalize job description, develop interview questions and finalize process;
- **August 18th:** Develop interview questions and identify candidates to be interviewed;
- **August 28th:** Develop interview questions and identify candidates to be interviewed;
- **September 6th:** Identify and evaluate candidates to be interviewed;
- **September 11th:** Identify and evaluate candidates to be interviewed. Send written assignment to candidates; and
- **September 14th:** Review written assignments and identify and evaluate candidates to be interviewed.

As of September 15th, the Hiring Committee planned to meet on September 18th and September 19th to hold in-person interviews. The hiring timeline anticipated the Board would make a final selection at the September 25th meeting.

Review and Recommendation of State Board Committee

The Hiring Committee will make a recommendation after completing in-person interviews.

Recommendation to the Board

It is recommended that the Board select a candidate to fill the position of Executive Director.

Contact Information:

Karol Schmidt, Executive Director, State Board of Education
Catcher Baden, Deputy Director, State Board of Education

EXECUTIVE SUMMARY

Issue: Recommendation for the Joint Technical Education District (JTED) A-F framework and timeline pursuant to A.R.S. §15-393.01(A).

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. § 15-393.01(A) requires the Department to develop specific criteria applicable to joint district accountability. The Board is required to approve these criteria prior to the issuance of letter grades. The statute specifies the following indicators: graduation rate of all students enrolled in a career and technical education program or course; the completion rate for each program offered by the joint district; performance on assessments required pursuant to section 15-391, paragraph 5, subdivision (b); and postgraduation employment rates, postsecondary enrollment rates and military service rates for students who complete a career and technical education program.

The Department has met with representatives of the JTEDs on July 24, 2017, August 2, 2017, August 31, 2017 and September 7, 2017 to develop a framework for JTED accountability and recommends the following timeline for final approval.

- September 25, 2017 – Board receives and accepts JTED accountability framework
- October 23, 2017 – Board reviews modeling data and accepts cut scores for JTED accountability
- On or before November 30, 2017 – Preliminary accountability designations provided to JTEDs for review and appeal; embargoed for public release
- December 18, 2017 – Final accountability designations provided to Board and released to public.

Recommendation to the Board

It is recommended that the Board accept the framework for JTED accountability pursuant to A.R.S. § 15-393.01(A) and the timeline for public release of JTED accountability designations.

Contact Information:

Carol Lippert, Associate Superintendent, High Academic Standards for Students Division
Cathie Raymond, Deputy Associate Superintendent, Career and Technical Education

JTED Accountability Draft – Year One Implementation

A.R.S. §15-303.01(A)

Criteria	Number of Points Earned	Starting Cohort or Year for calculation	Students included or excluded from calculation
1. The graduation rate of all students enrolled in a career and technical education program or course.	35 % graduates X .35	2016 Cohort	Included – all public school students who were ever enrolled in a CTE program or course from 9-12 grade and graduated within four years. Excluded – homeschool and private school students enrolled at JTED
2. The completion rate for each program offered by the joint district.	35 % completers X .35	2016 Year; 40 th Day Enrollment	All students at the JTED (central or satellite) enrolled (40 th day count) in the second course of an ADE CTE approved program sequence who complete that course in the evaluated year. Students can be counted more than once if they complete more than one program within that same year (duplicated count)
3. Performance on assessments required pursuant to section 15-391, paragraph 5, subdivision (b). <i>[(b) Requires an assessment that demonstrates the level of skills, knowledge and competencies necessary to be successful in the designated vocation or industry or an assessment necessary for certification in and acceptance by that vocation or industry. Any assessment adopted pursuant to this subdivision shall require a passing score of at least sixty percent.]</i>	15 % passers X .15	Statewide assessment taken in 2015-2016 academic year. Technical assessment taken upon eligibility for the exam.	CTE Statewide Technical Assessments - # passed out of # eligible to test as determined by ADE CTE -or- Industry Assessment including Certifications: # passed out of # who enrolled for the assessment
4. Postgraduation employment rates, postsecondary enrollment rates and military service rates for students who complete a career and technical education program.	15 % of respondents enrolled and/or employed X .15	2016 Cohort Much of this data is gathered via surveys conducted 6 months after a student completes the program; response rates vary greatly	Of those 2016 graduates who completed a program, the number that are employed and/or enrolled in postsecondary or military as determined by responses to the JTED or district surveys or for whom the Department has post-secondary enrollment data

EXECUTIVE SUMMARY

Issue: Consideration of Certificate Surrender for Randy Clarke
Case No. C-2017-533

Action/Discussion Item

Information Item

Background and Discussion

Randy Clarke holds a Substitute certificate valid until June 27, 2022.

The investigative unit received a notification from the Department of Public Safety that Mr. Clarke's Fingerprint Clearance Card had been suspended due to a Felony Aggravated Assault arrest by the Maricopa County Sheriff's Department.

Mr. Clarke was contacted by the investigative unit and surrendered his Arizona teaching certificate on August 22, 2017.

Recommendation to the Board

It is recommended that the State Board of Education accept the voluntary surrender of any and all certificates held by Randy Clarke, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Certificate Surrender for James Corbett
Case No. C-2017-426

Action/Discussion Item

Information Item

Background and Discussion

James Corbett holds a Standard Elementary Education (K-8) certificate which is valid until May 3, 2020.

The investigative unit received a notification from the Department of Public Safety that Mr. Corbett's fingerprint clearance card had been suspended due to an arrest by the Coconino County Sheriff's Office for Felony Sexual Conduct with a Minor and Felony Aggravated Luring a Minor for Sexual Exploitation.

Mr. Corbett was contacted by the investigative unit and surrendered his Arizona teaching certificate on August 8, 2017.

Recommendation to the Board

It is recommended that the State Board of Education accept the voluntary surrender of any and all certificates held by James Corbett, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Certificate Surrender for Rhonda Crose
Case No. C-2017-437

Action/Discussion Item

Information Item

Background and Discussion

Rhonda Crose holds a Provisional Elementary Education (1-8) certificate which is valid until October 2, 2017.

The investigative unit received a notification from NASDTEC that Ms. Crose's California teaching certificate had been revoked, due to allegations that she was providing contraband to prisoners in exchange for money.

Effective on March 19, 2017, the California Commission on Teacher Credentialing revoked all of Ms. Crose's California credentials.

Ms. Crose was contacted by the investigative unit and surrendered her Arizona teaching certificate on July 3, 2017.

Recommendation to the Board

It is recommended that the State Board of Education accept the voluntary surrender of any and all certificates held by Rhonda Crose, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Certificate Surrender for Larry De Bruin
Case No. C-2017-487

Action/Discussion Item

Information Item

Background and Discussion

Larry De Bruin held a Substitute certificate, which expired on May 6, 2003, and a Temporary Secondary (7-12) certificate and a Temporary Special Education certification, both of which expired on May 6, 2004.

The investigative unit received a notification from NASDTEC that Mr. De Bruin's Iowa teaching certificate had been suspended for two years, due to allegations that he was using district computers to access inappropriate and sexually explicit images and dating sites.

On August 6, 2008, the Iowa Board of Educational Examiners voted to suspend Mr. De Bruin's teaching certificate(s) for a period of two years.

Mr. De Bruin was contacted by the investigative unit and surrendered his Arizona teaching certificate(s) on August 17, 2017.

Recommendation to the Board

It is recommended that the State Board of Education accept the voluntary surrender of any and all certificates held by Larry De Bruin, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Certificate Surrender for Terri Hunsberger
Case No. C-2017-308

Action/Discussion Item

Information Item

Background and Discussion

Terri Hunsberger holds a Reciprocal Provisional Elementary (K-8) certificate, which expires on July 13, 2019.

The investigative unit received a report from the Department of Public Safety that Ms. Hunsberger's fingerprint clearance card had been changed to "Driver Restricted" due to an arrest by the Phoenix Police Department for two Counts of Extreme DUI and two Counts DUI-Misdemeanors.

Ms. Hunsberger was contacted by the investigative unit and surrendered her Arizona teaching certificate on August 23, 2017.

Recommendation to the Board

It is recommended that the State Board of Education accept the voluntary surrender of any and all certificates held by Terri Hunsberger, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding guidelines on educator applications and certification enforcement actions involving individuals with DUIs

Action/Discussion Item Information Item

Background and Discussion

Consistent with A.R.S. §15-203(20), the State Board of Education may impose disciplinary action upon a certified individual, including a letter of censure, suspension, suspension with conditions or revocation of a certificate upon a finding of immoral or unprofessional conduct.

A.R.S. §15-203(B)(4) states that the Board may provide for an advisory committee to determine whether grounds exist to approve or deny an initial application for certification or a request for a renewal of a certificate.

Board staff has reviewed and compiled a list of recent actions taken by the Board at previous meetings regarding applications, negotiated settlement agreements and contested actions for cases involving DUIs.

Board staff initially brought this item to the State Board at the June 26, 2017 meeting. At that time, the Board voted to table this item. Member Taylor offered suggestions to Board staff on certain changes to the matrix. These potential changes are in red.

Applicant	Action	Certified Educator	Settlement Agreement	Contested Action (Goes through PPAC)
One DUI within 3 years of application <i>(within a 5 year period)</i>	Grant application with letter from IU that file will be flagged and additional misconduct should be avoided up	First DUI	Close and flagged with letter from IU that additional misconduct should be avoided	Close and flagged with letter from IU that additional misconduct should be avoided
One DUI with Aggravating Factors	NSA to grant application with conditions	First DUI with Aggravating Factors	NSA: Letter of Censure with conditions or up to a 12 month suspension with conditions	12 - 18 month suspension with conditions
2-3 DUIs within 3 years of application <i>(5)</i>	Denial for six months – 1 year	2-3 DUIs within 3 years <i>(within a 5 year period)</i>	6 month – 1 year <i>(1-2 year)</i> suspension with conditions	1 year <i>(2-3 year)</i> suspension with conditions
More than 3 DUIs <i>(within a 5 year period)</i>	Denial for 1 – 2 years	More than 3 DUIs <i>(within a 5 year period)</i>	1 – 2 <i>(2 years through expiration of certificate)</i> year suspension with conditions	2-3 year <i>(3 years through expiration of certificate)</i> suspension with conditions
Aggravating:	BAC, child in vehicle, property damage and/or personal injury			
Mitigating:	Remorse, rehabilitation/treatment, abstention, length of sobriety			
Non mitigating:	Type of certificate, location of employment			
Conditions:	Counseling, rehabilitation completion, etc. NSA ONLY: 3-5 years with a DUI arrest or charge would warrant an automatic revocation			

Recommendation to the Board

It is recommended that the Board create a range of suggested action for immoral or unprofessional conduct by applicants and certificated individuals involving DUIs.

Contact Information:

Dr. Karol Schmidt, Executive Director, State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Approve the Negotiated Settlement Agreement for Marina Castro, C-2016-742

Action/Discussion Item

Information Item

Background and Discussion

Marina Castro holds a Substitute certificate, which expires on June 2, 2020.

Ms. Castro worked for ITC Personal In-Home Care, L.L.C. ("ITC") from at least January 25, 2015 through August 1, 2015.

Between February 1, 2015 and the week ending August 1, 2015, Ms. Castro filed 25 weekly claims for Unemployment Insurance ("UI") benefits with the Arizona Department of Economic Security ("ADES"). Ms. Castro worked for, and earned wages from, ITC each of those 25 weeks. However, when Respondent filed each of the 25 weekly claims for UI benefits noted above, she provided false information to ADES by failing to report that she had worked for, and earned wages from, ITC each of the 25 weeks.

As a result of her failure to report her wages from ITC each of those 25 weeks, Ms. Castro received UI benefits to which she was not entitled.

In July of 2016, a Direct Complaint was filed against Respondent in Maricopa County Superior Court charging Ms. Castro with 26 felony counts for the crimes of False Statement (24 counts); Fraudulent Schemes and Practices (1 count); and Theft (1 count). These charges arose from Ms. Castro's failure to report her earnings from ITC when she filed her claims for UI benefits for 24 different weeks between February 1, 2015 and the week ending August 1, 2015.

Ms. Castro retained counsel to represent her in the criminal case, and she was able to negotiate a plea agreement in the case. As a precondition of the plea agreement, Ms. Castro paid \$4,821.69 to ADES as full restitution for all criminal counts filed against her.

Pursuant to the plea agreement, on June 16, 2017, Ms. Castro entered a plea of guilty and was found guilty of one amended count of False Statement (Unemployment Compensation), a Class 1 Misdemeanor, in Maricopa County Superior Court. As a result of that criminal conviction, Ms. Castro received court fines and assessments in the total amount of \$401, which she paid in full. Pursuant to the plea agreement, the other 25 counts that had been filed against Ms. Castro were dismissed. Additionally, Ms. Castro's counsel made an oral motion to the Court to Set Aside Judgment of Guilt pursuant to A.R.S. § 13-907, and the Court granted the motion to Set Aside Judgment of Guilt.

Settlement Agreement

Ms. Castro has agreed to a one-year suspension of her certificate.

Recommendation to the Board

It is recommended that the State Board of Education accept the Negotiated Settlement Agreement for a one-year suspension of Ms. Castro's certificate.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Approve the Negotiated Settlement Agreement for Ray Wallace, C-2017-084R

Action/Discussion Item

Information Item

Background and Discussion

Ray Wallace held a Standard Secondary Education (6-12) certificate, which expired on August 19, 2015. Mr. Wallace is applying for issuance of a Provisional Secondary Education (6-12) certificate.

On September 15, 1997, Mr. Wallace was charged with one count of Contributing to the Delinquency of a Minor, a Class 1 Misdemeanor, in Flagstaff Municipal Court for allegedly providing alcohol to a minor. On February 9, 1998, Mr. Wallace entered a deferred prosecution agreement with the prosecutor in the case wherein the prosecutor agreed to dismiss the charges if no additional complaints were filed against Mr. Wallace in the ensuing six months. The charges were subsequently dismissed.

On October 10, 2009, Mr. Wallace was arrested in northern Arizona on suspicion of driving under the influence of alcohol ("DUI"). A breathalyzer test was administered to Mr. Wallace to determine his blood alcohol content ("BAC"), and the test results showed that his BAC was 0.130 at 1:07 a.m. and 0.127 at 1:14 a.m.

Mr. Wallace subsequently entered a plea agreement in Page Justice Court, and on November 19, 2009, he was found guilty of one count of DUI, a Class 1 Misdemeanor, as a result of the October 10, 2009 arrest.

On December 5, 2009, Mr. Wallace was arrested in Phoenix, Arizona, on suspicion of DUI. Test results of a blood sample taken from Mr. Wallace showed that Mr. Wallace's BAC was 0.201. At the time of that arrest, his driver's license had already been suspended due to the prior DUI conviction.

Mr. Wallace subsequently entered a plea agreement in Maricopa County Superior Court, and on September 24, 2010, he was found guilty of one count of Endangerment, a Class 6 Felony, and one count of DUI, a Class 1 Misdemeanor, as a result of the December 5, 2009 arrest. Mr. Wallace was sentenced to four months in jail and two years of probation.

After being released from jail, Mr. Wallace voluntarily checked himself into an outpatient chemical dependency program run by Banner Health.

On May 4, 2012, Mr. Wallace was granted early discharge from his probation by the Court.

On June 26, 2012, Mr. Wallace stole a swimming pool valued at \$99.97 from a Walmart in Phoenix, Arizona, and was apprehended by Walmart loss prevention officers. The Phoenix Police Department ("PPD") was called to the scene, and the PPD gave Mr. Wallace a citation charging him with one count of Shoplifting, a Class 1 Misdemeanor. Mr. Wallace was then released from the scene.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

On October 19, 2012, Mr. Wallace entered a Shoplifting/Theft Diversion Program Plea Agreement in Phoenix Municipal Court wherein Mr. Wallace agreed to plead guilty to Shoplifting and the City Prosecutor agreed to dismiss the Shoplifting charge against Mr. Wallace, if he successfully completed the diversion program.

On or about November 5, 2012, the Shoplifting charge against Mr. Wallace was dismissed in Phoenix Municipal Court after he successfully completed the shoplifting/theft diversion program.

On January 14, 2013, Mr. Wallace filed an application for renewal of his Standard Secondary Education 6-12 certificate with the Certification Unit of the Arizona Department of Education. On that application, Mr. Wallace answered "Yes" to the questions "Have you ever been arrested for any offense for which you were fingerprinted?" and "Have you ever been convicted of any felony offense?" Along with the application, Mr. Wallace submitted written explanations describing the four incidents set forth above.

On June 12, 2013, Mr. Wallace appeared before the PPAC for an application review screening regarding his application for renewal of his certificate. At that application review screening, the PPAC:

- a. voted unanimously (5-0) to adopt findings of fact that Mr. Wallace had engaged in the conduct detailed above between 2009 and 2012;
- b. voted unanimously (5-0) to find the following three mitigating factors: (1) Successful completion of an outpatient program for chemical dependency to which Mr. Wallace voluntarily admitted himself, (2) Exceeding requirements in chemical dependency rehabilitation program, and (3) Letters of recommendation from current employers;
- c. voted unanimously (5-0) to find the following two aggravating factors: (1) Recentness of shoplifting offense, and (2) Three criminal violations within three years (2009-2012);
- d. voted unanimously (5-0) to adopt conclusions of law finding that Mr. Wallace had engaged in unprofessional conduct pursuant to A.R.S. § 15-534(D) and A.A.C. R7-2-1308(B)(15); and
- e. voted by majority (4-1) to recommend that the Board deny Mr. Wallace's application for renewal of his Standard Secondary Education 6-12 certificate for the reason that Mr. Wallace had engaged in immoral or unprofessional conduct. The primary reasons cited by the four PPAC members who voted to recommend denial of the application were the number of incidents (3) occurring between 2009 and 2012 and the recentness of the 2012 shoplifting incident.

On August 16, 2013, prior to the PPAC's recommendation being presented to the Board, Mr. Wallace formally withdrew his application for renewal of his Standard Secondary Education 6-12 certificate. Because Mr. Wallace withdrew his application for renewal, the matter was removed from the Board's agenda for its August 26, 2013 meeting.

On October 3, 2014, LR reported to the Glendale Police Department ("GPD") that he had seen Mr. Wallace in the backyard of the house LR was renting, and he alleged that Mr. Wallace was

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

trying to steal some things. The GPD located Mr. Wallace on October 4, 2014, and he denied all of LR's allegations. Despite Mr. Wallace's denials, the GPD arrested him and charged him with one count of Attempted Burglary 3rd Degree, a Class 4 Felony, one count of Trespassing 1st Degree, a Class 1 Misdemeanor, and one count of Criminal Damage, a Class 1 Misdemeanor.

On October 7, 2014, the Maricopa County Attorney's Office ("MCAO") filed a Direct Complaint against Mr. Wallace in Maricopa County Superior Court charging him with one count of Burglary in the 3rd Degree and one count of Criminal Damage.

Less than two months later, however, on December 4, 2014, the MCAO filed a Motion to Dismiss in Maricopa County Superior Court requesting that the Court dismiss all charges against Mr. Wallace "in the interest of justice." The Court granted that motion on December 4, 2014, and all charges against Mr. Wallace were dismissed without prejudice.

Mr. Wallace has never been convicted of any crimes related to the October 4, 2014 arrest, and there are no pending criminal charges against him related to that arrest.

On or about January 17, 2017, Mr. Wallace filed an application for certification with the Certification Unit of the Arizona Department of Education seeking issuance of a Provisional Secondary Education 6-12 certificate. On that application, Mr. Wallace answered "Yes" to the questions "Have you ever been arrested for any offense for which you were fingerprinted?" and "Have you ever been convicted of any felony offense?" Along with the application, Mr. Wallace submitted written explanations briefly describing the five incidents set forth above.

Prior to scheduling an application review hearing or screening in front of the PPAC, Mr. Wallace engaged in settlement negotiations with the Investigative Unit, Board staff, and the Attorney General's Office which resulted in this Agreement. As yet, no hearing or screening has been scheduled for the PPAC in this matter, in order to first give the Board an opportunity to consider this Agreement.

Settlement Agreement with Conditions

The State Board of Education will grant Mr. Wallace's application for certification with the conditions that if Mr. Wallace is arrested for any criminal offense at any time within three years from the date the Agreement is approved and adopted by the Board, Mr. Wallace waives his due process rights to a disciplinary administrative hearing and will be subject to automatic revocation of any and all of his certificates, which is a disciplinary action that will be reported to the National Association of State Directors of Teacher Education and Certification ("NASDTEC") and will bar Mr. Wallace from applying for any certificate for five years. Mr. Wallace shall notify the Board of any such arrest in writing within five working days of the date of that arrest.

Recommendation to the Board

It is recommended that the State Board of Education accept the Negotiated Settlement Agreement, with conditions, for Ray Wallace.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Approve Application for Certification, with conditions, for Matthew Gehrman C-2016-415-2R

Action/Discussion Item

Information Item

Background and Discussion

Mr. Gehrman is applying for renewal of his Principal and Standard Secondary Education (6-12) certificates.

On April 21, 2012, Mr. Gehrman was arrested for a DUI. His blood alcohol content ("BAC") was measured between .121 and .147. Mr. Gehrman pled guilty to DUI. He disclosed this arrest and subsequent conviction on his renewal application for certification.

On June 15, 2015, Mr. Gehrman was arrested for an extreme DUI. His BAC measured at .190. After a jury trial, Mr. Gehrman was convicted of a DUI. He subsequently disclosed this arrest and conviction on his renewal application for certification.

At the August 28, 2017 State Board of Education meeting, the State Board of Education President asked for Mr. Gehrman's case to be moved to the next State Board meeting, in order for counsel to review the PPAC's recommendation.

Recommendation of the Professional Practices Advisory Committee ("PPAC")

The PPAC, at its July 18, 2017 meeting, recommended by a vote of 3 to 1, that the Board grant Mr. Gehrman's application for certification despite evidence showing that Mr. Gehrman engaged in unprofessional conduct, **with the condition that any certificate issued is subject to immediate revocation in the event of the arrest and conviction of an alcohol-related matter through the life of the certificate.**

Recommendation to the Board

That the State Board of Education accept the Findings of Fact, Conclusions of Law and Recommendation of the Professional Practices Advisory Committee and approve the application, with conditions, of Matthew Gehrman.

Contact Information:

Alicia Williams
Deputy Director- Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Approve Application for Certification, with conditions, for Rene Rodriguez C-2016-270R

Action/Discussion Item

Information Item

Background and Discussion

Mr. Rodriguez is applying for an Elementary Education (1-8) certificate and for renewal of his Substitute certificate.

On July 14, 1990, Mr. Rodriguez was arrested for assault. He pled guilty to Assault, a misdemeanor.

On June 17, 2000, Mr. Rodriguez was arrested for DUI. He was found guilty of this offense.

On August 28, 2005, Mr. Rodriguez was arrested for DUI. His Blood Alcohol Content ("BAC") was measured at .136 and .133. He was found guilty of this offense.

On April 12, 2008, Mr. Rodriguez was arrested for DUI. His BAC was measured at .173. He was found guilty of this offense.

On June 20, 2008, Mr. Rodriguez was arrested for possession of marijuana. The charges were later dismissed by the court after he successfully completed a drug diversion program.

On December 3, 2011, Mr. Rodriguez was arrested for DUI. His BAC was measured at .212. In 2013, he was found guilty of Aggravated DUI, a Class 4 Felony.

Mr. Rodriguez disclosed each of these arrests on his applications for certification.

At the August 28, 2017 State Board of Education meeting, the State Board of Education President asked for Mr. Rodriguez's case to be moved to the next State Board meeting, in order for counsel to review the PPAC's recommendation.

Recommendation of the Professional Practices Advisory Committee ("PPAC")

The PPAC, at its July 18, 2017 meeting, recommended by a vote of 5 to 0, that the Board grant Mr. Rodriguez's application for certification despite evidence showing that Mr. Rodriguez engaged in unprofessional conduct, **with the conditions that Mr. Rodriguez submit evidence of participation in an ongoing substance abuse aversion program, complete said program within one year of certification, provide documentation to Board offices on the completion of the program and any arrest and conviction for a DUI or drug-related charge will result in immediate revocation of all certificates. All aversion programs are at the cost of Mr. Rodriguez.**

Recommendation to the Board

That the State Board of Education accept the Findings of Fact, Conclusions of Law and Recommendation of the Professional Practices Advisory Committee and approve the application, with conditions, of Rene Rodriguez.

Contact Information:

Alicia Williams

Deputy Director- Policy and Initiatives, State Board of Education

EXECUTIVE SUMMARY

Issue:	Presentation, discussion and possible action regarding the Recommendation for Certificate Suspension, through the end of probation, of Rudolph King, Case No. C-2015-193
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Action/Discussion Item Information Item

Background and Discussion

Rudolph King holds a Substitute certificate which expires on April 16, 2019.

On September 16, 2015, Mr. King was involved in a domestic violence incident with his ex-girlfriend. Mr. King was arrested on the following charges: Aggravated Assault DV, a Class 6 Felony; Violation of a Lawful Court Order DV, a Class 1 Misdemeanor; Criminal Damage DV, a Class 1 Misdemeanor.

After a trial, Mr. King was found guilty on October 12, 2016, of one count of Assault-Domestic Violence, a Class 1 Misdemeanor, and one count of Criminal Damage-Domestic Violence, a Class 2 Misdemeanor. Mr. King was sentenced to 30 days in jail, with 10 of those days “postponed”. Of the remaining 20 days in the sentence, he was ordered to serve the first 48 hours in jail and then allowed to serve the remaining 18 days through work release. Additionally, Mr. King was sentenced to 24 months of probation and ordered to participate in domestic violence counselling.

On October 12, 2016, Mr. King signed a court document entitled “Information Form” which contained the following statements:

Pursuant to ARS § 13-3990, the Mesa Municipal Court is required to report convictions involving Title 13 violations if the defendant is certified to teach by the Arizona State Board of Education or is teaching in a Community College District or a Charter School.

Please answer each question below:

Are you certified to teach by the Arizona State Board of Education? Yes No

Are you currently teaching at a Community College in Arizona? Yes No

Are you currently teaching at a Charter School in Arizona? Yes No

Mr. King checked “No” to each of those three questions despite the fact that he was certified to teach by the Arizona State Board of Education at the time he checked the boxes and signed the court document.

Recommendation of the Professional Practices Advisory Committee (“PPAC”)

The PPAC, at its August 15, 2017 meeting, recommended, by a vote of 5 to 1, that the State Board of Education suspend, through the end of probation, any and all certificates held by Rudolph King.

Recommendation to the Board

It is recommended that the State Board of Education adopt the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC and suspend, through the end of probation, any and all certificates held by Rudolph King, and that all states and territories be so notified.

Contact Information:

*Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education*

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation for Certificate Revocation of Rebecca Dargan, Case No. C-2016-004

Action/Discussion Item

Information Item

Background and Discussion

Ms. Dargan held a Provisional Elementary Education (1-8) certificate which expired on October 10, 2015, and a Substitute certificate which expired on July 22, 2017.

On September 4, 2005, Ms. Dargan was arrested on suspicion of DUI after striking another vehicle and leaving the scene. A blood sample determined her BAC was 0.175. Ms. Dargan had her two children, ages 5 and 8, in the vehicle at the time of the incident. On November 28, 2006, Ms. Dargan was found guilty of one count of Aggravated DUI, With a Minor Under 15 Present, a Class 6 Undesignated Felony, and one count of Recklessly Endangered Other Persons, a Class 6 Undesignated Felony.

On July 20, 2013, Ms. Dargan was arrested on suspicion of DUI after rear-ending another vehicle. A blood sample showed that Ms. Dargan's BAC was 0.171. Ms. Dargan entered a plea agreement on November 25, 2013, and was convicted of Extreme DUI, BAC 0.15 or More, a Class 1 Misdemeanor.

On January 16, 2015, Ms. Dargan was arrested on suspicion of DUI after hitting a vehicle. A blood sample showed that Ms. Dargan's BAC was 0.290. On February 26, 2016, Ms. Dargan was found guilty of Extreme DUI .20 or More with Prior Conviction 5/7 Years, a Class 1 Misdemeanor.

On January 28, 2015, Ms. Dargan was arrested on suspicion of DUI after being found passed out in her vehicle while the vehicle was on the street and the motor was running. A blood sample showed that Ms. Dargan's BAC was 0.185. Ms. Dargan entered into a plea agreement and was found guilty of Extreme DUI, BAC 0.15 or More, a Class 1 Misdemeanor.

On July 28, 2015, Ms. Dargan was charged in a Direct Complaint in Pinal County Superior Court with one count of Burglary in the Second Degree, a Class 3 Felony, based on an incident on or about January 7, 2015. On March 2, 2016, Ms. Dargan was found guilty of one count of Criminal Trespass, a Class 6 Undesignated Felony. She was sentenced to 30 days in jail and 18 months of probation.

On August 13, 2016, Ms. Dargan was arrested on an outstanding warrant for violating the terms of her probation. On November 10, 2016, the Court revoked Ms. Dargan's probation and designated the crime of Criminal Trespass a Felony. Ms. Dargan was sentenced to .33 years of imprisonment.

Recommendation of the Professional Practices Advisory Committee ("PPAC")

The PPAC, at its August 15, 2017 meeting, recommended, by a vote of 6 to 0, that the State Board of Education revoke any and all certificates held by Rebecca Dargan.

Recommendation to the Board

It is recommended that the State Board of Education adopt the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC and revoke any and all certificates held by Rebecca Dargan, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue:	Presentation, discussion and possible action regarding the Recommendation for Certificate Revocation of Carli Hebert, Case No. C-2016-739
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Action/Discussion Item

Information Item

Background and Discussion

Carli Hebert holds a Standard Cross Categorical Special Education (K-12) certificate which expires on January 5, 2019.

On June 30, 2009, Ms. Hebert was arrested on suspicion of DUI. She subsequently entered into a plea agreement and was convicted of one count of DUI, a Class 1 Misdemeanor, on July 7, 2010.

On April 19, 2016, Ms. Hebert was arrested on suspicion of DUI-Drugs after she was observed weaving out of lane markers, running over traffic cones and finally rear-ending another vehicle. Ms. Hebert also displayed slurred speech and was not able to stand upright without assistance. A blood sample showed that Ms. Hebert did not consume alcohol. However, multiple drugs/metabolites were found in her system. Drugs found include: Morphine, Oxycodone, Meprobamate, Carisoprodol, Tetrahydrocannabinol, Carboxy-Tetrahydrocannabinol, Nordiazepam, Temazepam, Alprazolam, and Diazepam.

On August 18, 2016, Ms. Hebert was charged with two counts of Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs, a Class 1 Misdemeanor. Ms. Hebert subsequently failed to appear in court, and a warrant has been issued for her arrest.

On May 21, 2016, Ms. Hebert was arrested on suspicion of DUI-Drugs after striking a light pole and a parked car with her vehicle. She did not stop in either instance. A blood sample later showed that Ms. Hebert did not have any alcohol in her system, but multiple drugs/metabolites were found. Drugs found include: Opiates, Oxycodone 1, Oxycodone 2, Cannabinoids, Barbiturates, Benzodiazepines 1, and Meprobamate.

On June 7, 2016, Ms. Hebert was charged with one count of Leaving the Scene of Accident (Damage), a Class 2 Misdemeanor, and one count of Criminal Damage Greater Than \$250, a Class 1 Misdemeanor. On August 3, 2016, Ms. Hebert was charged with the following four counts: (1) Driving Under the Influence, a Class 1 Misdemeanor; (2) Driving Under the Influence of Drugs, a Class 1 Misdemeanor; (3) Leaving the Scene of Accident (Damage), a Class 2 Misdemeanor; and (4) Failure to Stop for Officer, a Class 2 Misdemeanor. Ms. Hebert subsequently failed to appear in court in both matters, and on or about November 23, 2016, a warrant was issued for her arrest.

On August 19, 2016, Ms. Hebert was arrested on suspicion of DUI after driving her vehicle over a curb into a large water fountain. A blood sample did not detect alcohol, but the blood sample did show a presence of multiple drugs/metabolites including: Oxycodone 1, Oxycodone 2, Cannabinoids, Benzodiazepines 1, Benzodiazepines 2, and Meprobamate. On December 6, 2016, Ms. Hebert was charged with one count of Driving Under the Influence, a Class 1 Misdemeanor, and one count of Driving Under the Influence of Drugs, a Class 1 Misdemeanor. This criminal case is still pending.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Recommendation of the Professional Practices Advisory Committee (“PPAC”)

The PPAC, at its August 15, 2017 meeting, recommended, by a vote of 6 to 0, that the State Board of Education revoke any and all certificates held by Carli Hebert.

Recommendation to the Board

It is recommended that the State Board of Education adopt the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC and revoke any and all certificates held by Carli Hebert, and that all states and territories be so notified.

Contact Information:

*Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education*

EXECUTIVE SUMMARY

Issue:	Presentation, discussion and possible action regarding the Recommendation for Certificate Revocation of Edward Kohl, Case No. C-2016-737
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Action/Discussion Item

Information Item

Background and Discussion

Edward Kohl holds a Substitute certificate which expires on August 28, 2018.

On August 28, 2014, Mr. Kohl was arrested on suspicion of DUI and was ultimately found guilty of one count of DUI, a Class 1 Misdemeanor, as a result.

On August 5, 2016, Mr. Kohl was arrested on a charge of Possession of Drug Paraphernalia after two syringes were found in his car. Lab testing determined that one of the syringes contained methamphetamine residue. No charges have been filed at this time.

On August 25, 2016, Mr. Kohl received a citation for Criminal Littering. On October 24, 2016, Mr. Kohl was found guilty of Criminal Littering, a Misdemeanor.

On September 16, 2016, Mr. Kohl received a citation for the charge of Criminal Littering. He was found guilty of Criminal Littering, a Class 3 Misdemeanor, on March 10, 2017.

On October 17, 2016, Mr. Kohl was arrested for trespassing. He pled guilty to Criminal Trespass in the Third Degree, a Class 3 Misdemeanor on October 21, 2016.

On February 10, 2017, Mr. Kohl was arrested for Criminal Littering and pled guilty to Criminal Littering, a Misdemeanor, on June 2, 2017.

On June 1, 2017, Mr. Kohl was arrested for False Reporting to Law Enforcement Agencies. He pled guilty to False Reporting to Law Enforcement Agencies, a Class 1 Misdemeanor, on June 5, 2017.

Recommendation of the Professional Practices Advisory Committee (“PPAC”)

The PPAC, at its August 15, 2017 meeting, recommended, by a vote of 6 to 0, that the State Board of Education revoke any and all certificates held by Edward Kohl.

Recommendation to the Board

It is recommended that the State Board of Education adopt the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC and revoke any and all certificates held by Edward Kohl, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation for Certificate Revocation of Annie Love, Case No. C-2016-582

Action/Discussion Item

Information Item

Background and Discussion

Annie Love holds a Substitute certificate which expires on May 25, 2021. Ms. Love also held a Standard Secondary Education (6-12) certificate, which expired on February 17, 2017.

On June 11, 2005, Ms. Love was arrested on suspicion of DUI. A breathalyzer test later determined that her BAC was 0.144 and 0.140, six minutes later. On January 4, 2006, Ms. Love was found guilty of one count of DUI, a Class 1 Misdemeanor.

On November 19, 2005, Ms. Love was arrested on suspicion of DUI and a blood sample later determined Ms. Love's BAC was 0.176. It is not known if criminal charges were filed regarding this arrest.

On June 30, 2016, Ms. Love was arrested on the charge of Disorderly Conduct, a Class 1 Misdemeanor, after she attempted to fight employees of a restaurant and exhibited signs of being under the influence of drugs or alcohol.

On August 9, 2016, Ms. Love was arrested on suspicion of DUI after police found her passed out in the driver's seat of her vehicle, with the motor running. A blood sample determined that Ms. Love's BAC was 0.288. Ms. Love was later charged with both the DUI from August 9, 2016, and the Disorderly Conduct from June 30, 2016, on February 28, 2017, the Disorderly Conduct was dismissed and Ms. Love was found guilty of one count of Reckless Driving, a Class 2 Misdemeanor.

On August 19, 2016, Ms. Love was arrested on suspicion of DUI and a blood test determined her BAC was 0.267. Ms. Love was charged with one count of Driving Under the Extreme Influence of Alcohol (BAC .15 or More, but Less Than .20), a Class 1 Misdemeanor, and one count of Driving Under the Extreme Influence of Alcohol (.20 BAC or Greater), a Class 1 Misdemeanor. On February 1, 2017, Ms. Love signed a plea agreement wherein she agreed to plead guilty to one count of Driving Under the Extreme Influence of Alcohol (.20 BAC or Greater), a Class 1 Misdemeanor, in exchange for all other charges being dismissed.

On March 28, 2017, Ms. Love failed to report to the court for sentencing. A warrant was issued for her arrest.

On July 17, 2017, Ms. Love was found guilty of one count of Driving Under the Extreme Influence of Alcohol (.20 BAC or Greater), a Class 1 Misdemeanor, in regard to her August 19, 2016 arrest.

On December 10, 2016, Ms. Love was arrested for Possession of Dangerous Drugs, after officers found a white, crystal-like substance at Ms. Love's home. While detained, officers also found ten white pills in a Ziploc bag in Ms. Love's purse. Tests showed that the white, crystal-like substance was Methamphetamine, a dangerous drug, and that the pills were Alprazolam

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education

EXECUTIVE SUMMARY

(Xanax), a dangerous drug. On May 26, 2017, Ms. Love was charged with one count of Possession or Use of Dangerous Drugs (Methamphetamine), a Class 4 Felony, and one count of Possession or Use of Dangerous Drugs (Aplrazolam/Xanax), a Class 4 Felony.

On July 20, 2017, Ms. Love consented to participate in a deferred prosecution program wherein the prosecution of the drug charges will be suspended for up to two years while she participates in a drug treatment program.

Recommendation of the Professional Practices Advisory Committee (“PPAC”)

The PPAC, at its August 15, 2017 meeting, recommended, by a vote of 6 to 0, that the State Board of Education revoke any and all certificates held by Annie Love.

Recommendation to the Board

It is recommended that the State Board of Education adopt the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC and revoke any and all certificates held by Annie Love, and that all states and territories be so notified.

Contact Information:

Alicia Williams
Deputy Director of Policy and Initiatives
State Board of Education