



Arizona State Board of Education

NOTICE OF PUBLIC MEETING

Pursuant to Arizona Revised Statutes (A.R.S.) 38-431.02, notice is hereby given to the members of the Arizona State Board of Education and to the general public that the Boards will hold a meeting, open to the public, on **Monday, October 26, 2015, at 9:00 AM at the Arizona Department of Education, Room 122**, 1535 W. Jefferson, Phoenix, AZ 85007. A copy of the agenda for the meeting is attached. The Board reserves the right to change the order of items on the agenda, with the exception of public hearings. One or more members of the Board may participate telephonically. Agenda materials can be reviewed online at <http://azsbe.az.gov>

Pursuant to A.R.S. §38-431.02 (H), the Board may discuss and take action concerning any matter listed on the agenda.

Pursuant to A.R.S. § 38-431.03(A)(1), (2), (3) and (4), the Board may vote to convene in executive session, which will not be open to the public, for discussion or consultation of employment matters, provisional staffing of the Board; for discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law; for discussion or consultation for legal advice from the Board's attorneys concerning any items on this agenda; and/or for discussion or consultation with the Board's attorneys in order to consider its position and instruct its attorneys in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting the State Board Office at (602) 542-5057. Requests should be made as early as possible to allow time to arrange the accommodation.

DATED AND POSTED this 22nd day of October, 2015.

Arizona State Board of Education

By: _____

A handwritten signature in black ink, appearing to read "Christine Thompson", written over a horizontal line.

Christine Thompson
Executive Director
(602) 542-5057

AGENDA
ARIZONA STATE BOARD OF EDUCATION
Monday, October 26, 2015, 9:00 AM
Arizona Department of Education, Room 122
1535 W. Jefferson, Phoenix, AZ 85007

9:00 a.m. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE,
AND ROLL CALL

1. EXECUTIVE SESSION

- A. Pursuant to A.R.S. § 38-431.03(A)(3) and (4), the Board may vote to convene in executive session, which will not be open to the public, regarding legal advice and direction to counsel about current litigation and legal disputes between the State Board of Education and Superintendent of Public Instruction, including pending or authorized litigation between the State Board of Education (LC2015-000403-001DT) and issues in Superintendent v. State Board of Education (CV2015-00671/CV15-0597).
- B. Pursuant to A.R.S. § 38-431.03(A)(1), (2), and (3) the Board may vote to convene in executive session, which will not be open to the public, for discussion or consultation of employment matters, provisional staffing of the Board; for discussion or consideration of records exempt by law from public inspection; and/or for legal advice, regarding the vacancies in the positions of Executive Director, Deputy Director and K-3 Reading Director, including the recommendations made by the Superintendent in her October 8, 2015 letter to President Miller and Vice President Ballantyne.

2. BUSINESS REPORTS

- A. President's Report
 - 1. A-F School Accountability Committee
 - 2. Executive Director Hiring Committee
- B. Superintendent's Report
- C. Board Member Reports
 - 1. Member Hamilton re: Teacher & Principal Evaluation Task Force
- D. Executive Director's Report
 - 1. Introduction of new SBE staff, and announcement of staff vacancies

2. Procurements related issues regarding:
 - a) Qualified school receivers
 - b) Move on When Ready
 - c) Board Lobbyist
3. Outstanding requests from Board member for future items:
 - a) Vice President Ballantyne: Vision screening
 - b) President Miller: Alternate pathways for high school completion
 - c) Member Jacks, Vice President Ballantyne: Educator retention and recruitment, and contract breaks
 - d) Member Carter: Engagement of the field & students in meetings
 - e) Member Schmidt: Department of Education administration of character education grants
4. Math/ELA Standards Development Process
5. Move On When Reading Performance Audit

3. CONSENT AGENDA

- A. Consideration to permanently revoke any and all educator certificates, pursuant to A.R.S. § 15-550, held by the following individuals:
 1. Joseph J. Pagel
 2. Werner Alcid Girard
 3. Gabriel N. Macias
- B. Consideration to accept voluntary surrender of the educator certificates held by Heather Rebecca Keck.
- C. Consideration to approve that, effective Monday, November 2, 2015, the official physical location of postings for meetings of the State Board of Education and any of its committees, task forces, subcommittees, advisory committees, and public hearings will be posted virtually on the Board's website at azsbe.az.gov, and posted physically in the lobby of the State Board of Education Office located at 1700 West Washington, Executive Tower Suite 300, Phoenix, Arizona.
- D. Consideration to appoint or reappoint individuals to the Certification Advisory Committee (CAC).
- E. Consideration to appoint or reappoint members of the Special Education Advisory Panel (SEAP).

- F. Consideration to approve the following contract abstracts:
 - 1. Migrant Education Program -Portable Assisted Study Sequence for Yuma Union High School District.
 - 2. Migrant Education Program for 2015-16 for Hyderabad Elementary School District.

 - G. Consideration to approve additional Moines for teacher compensation for Fiscal Year 2015-16 to districts that have submitted Statements of Assurance, pursuant to A.R.S. §15-537 and §15-952.

 - H. Consideration to accept grant monies related to the Migrant Education Program Consortium Incentive Grant in the amount of \$66,666.

 - I. Consideration to accept grant monies related to the American Express and the National Association of Secondary School Principals (NASSP) Principals Path to Leadership Grant in the amount of \$465,000 over three years.

 - J. Consideration to approve the Department as the fiscal agent for the Enhanced Assessment Instrument Grant for the Alternative English Language Learning Assessment (ATELLA), and accept grant monies related to EAIG ATELLA project.

 - K. Consideration to accept grant monies related to the Charter Schools Program (CSP) State Education Agency (SEA) grant in the amount of \$23.6 million over five years.

 - L. Consideration to appoint individuals to the Professional Practices Advisory Committees (PPACs).
4. CALL TO THE PUBLIC. This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

5. GENERAL SESSION

- A. Presentation, discussion and possible action to accept the recommendation of the Professional Practices Advisory Committee to approve the settlement agreements for the following individuals:
 - 1. Jacqueline Lake
 - 2. John Leslie Prather
 - 3. Cathleen Smith

- B. Presentation, discussion and possible action to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to revoke the certification of the following individuals:
 - 1. David A. Bonsky
 - 2. Raenelle Gollihar

- C. Presentation, discussion and possible action regarding proposed amendments to the Investigative Unit Policy Handbook.

- D. Presentation, discussion and possible action to approve the Move on When Reading (MOWR) LEA literacy plans which have been reviewed for release of K-3 Reading Base Support funds, and to direct the Department to take all steps necessary to administer the program and report to the Board LEAs which provide literacy plans ready for approval for release of K-3 Reading Base Support funds.

- E. Presentation, discussion and possible action to close the rulemaking record and adopt the proposed amendments to rule R7-2-302 and repeal of rule R7-2-302.10, regarding high school graduation requirements.

- F. Presentation, discussion and possible action regarding the Request for Information (RFI) to determine the status and qualifications of current vendors for High School Equivalency (HSE) assessments.

- G. Presentation, discussion and possible action concerning the Department's procedures related to the issuance of authenticated copies of educator certificates.

- H. Presentation, discussion and possible action regarding the Alternative Teacher Development Program Grant, pursuant to A.R.S. §15-552 and appropriations to the Department for the program in Laws 2015, Chapter 8, Section 34.

- I. Presentation, discussion and possible action regarding local education agency (LEA) declarations of curricular and instructional alignment.
 - J. Presentation, discussion and possible action regarding Board's duties as chief educational authority for administration and supervision of grants.
 - K. Presentation, discussion and possible action regarding the Superintendent's recommendation regarding the State Board adopted academic content standards in Mathematics and English Language Arts (ELA).
 - L. Presentation, discussion and possible action regarding the Superintendent's recommendations regarding staff of the State Board of Education, position titles, salaries, and candidates for the proposed position of assistant executive officer.
6. SUMMARY OF CURRENT EVENTS, FUTURE MEETING DATES AND ITEMS FOR FUTURE AGENDAS. The executive director, presiding officer or a member of the Board may present a brief summary of current events pursuant to A.R.S. § 38-431.02(K), and may discuss future meeting dates and direct staff to place matters on a future agenda. The Board will not discuss or take action on any current event summary.

ADJOURN

EXECUTIVE SUMMARY

Issue: Consideration for permanent revocation of educator certificates for Joseph J. Pagel, Case No., C-2015-072, Pursuant A.R.S. §15-550
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Action/Discussion Item

Information Item

Background and Discussion

Joseph J. Pagel holds a Provisional Secondary Education 6-12 certificate which expires January 29, 2017.

On or about August 12, 2015, in the Bullhead City Justice Court, Joseph J. Page was convicted of Luring a Minor for Sexual Exploitation. This conviction constitutes unprofessional conduct pursuant to A.R.S. § 15-550 and warrants the immediate and permanent revocation of his Arizona Teaching Certificate.

Recommendation to the Board

It is recommended that pursuant A.R.S. § 15-550 the Board permanently revoke any and all educator certificates held by Joseph J. Pagel and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator, State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Permanent Revocation of Educator Certificate for Werner Alcid Girard, Case no. C-2014-073, Pursuant to A.R.S. § 15-550

Action/Discussion Item

Information Item

Background and Discussion

Werner Alcid Girard holds a Standard Secondary Education, 6-12 certificate which expired on February 4, 2015.

On June 4, 2014, Mr. Girard was arrested by Avondale Police and charged with two counts of felony sexual exploitation of a minor, five counts of felony sexual conduct with a minor and felony sexual assault.

On June 16, 2015, in Maricopa County Superior Court, Mr. Girard was convicted of four felonies, including two counts of Sexual Assault, Attempted Sexual Assault, and one count of Sexual Exploitation of a Minor.

Pursuant to A.R.S. § 15-550, these convictions constitute unprofessional conduct and warrant the immediate permanent revocation of any and all certificates held by Mr. Girard.

Recommendation to the Board

It is recommended that, pursuant to A.R.S. § 15-550, the Board permanently revoke any and all educator certificates held by Werner Alcid Girard, and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration of Permanent Revocation of Certificate for Gabriel N. Macias, Case no. C-2013-127, Pursuant to A.R.S. § 15-550
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Action/Discussion Item

Information Item

Background and Discussion

Gabriel N. Macias holds a Standard Elementary Education, 1-8 Certificate valid until October 30, 2018.

On July 17, 2015, in Yuma County Superior Court, Mr. Gabriel N. Macias was found guilty of Sexual Assault, a class two felony; Sexual Abuse, a class five felony; four counts of Molestation of a child, a class two felony; seven counts of Furnishing Obscene Material to a Minor, a class four felony; Child Prostitution, a class two felony; Sexual Conduct with a Minor, a class two felony; Sexual Exploitation of a Minor, a class two felony; and, Aggravated Assault with Sexual Motivation, a class six felony. These convictions constitute unprofessional conduct pursuant to Arizona Revised Statutes ("A.R.S") § 15-550 and warrant the immediate and permanent revocation of his Arizona teaching certificate.

Recommendation to the Board

It is recommended that, pursuant to A.R.S. § 15-550, the Board permanently revoke any and all educator certificates held by Gabriel N. Macias, and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration to accept the voluntary surrender of certificates held by Heather Rebecca Keck, Case no. C-2015-012

Action/Discussion Item

Information Item

Background and Discussion

Heather R. Keck holds a Standard Career and Technical Education Certificate valid from June 25, 2009, through October 20, 2015.

On May 4, 2015, Ms. Keck was offered a renewal teaching contract for the 2015/2016 school year. On June 9, 2015, she submitted her letter of resignation from the Paradise Valley Unified School District citing personal reasons.

On August 6, 2015, the Investigative Unit was notified by the Paradise Valley Unified School District that it had discovered that Ms. Keck had inappropriate sexual conduct with an eighteen-year-old student in May, 2015. The incident was video recorded via a cellular phone camera.

On September 2, 2015, Ms. Keck was notified that the State Board of Education intended to file a complaint against her certificate, alleging unprofessional conduct.

On September 15, 2014, the Investigative Unit received Ms. Keck's notarized affidavit surrendering her teaching certificate.

Recommendation to the Board

It is recommended that the Board accept the voluntary surrender of Heather Rebecca Keck's teaching certificate and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Consideration to approve that, effective Monday, November 2, 2015, the official physical location of postings for meetings of the State Board of Education and any of its committees, task forces, subcommittees, advisory committees, and public hearings will be posted virtually on the Board's website at azsbe.az.gov, and posted physically in the lobby of the State Board of Education Office located at 1700 West Washington, Executive Tower Suite 300, Phoenix, Arizona.

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. 38-431.02(A)(1)(a), requires public bodies of the State to “[c]onspicuously post a statement on their website stating where all public notices of their meetings will be posted, including the physical and electronic locations, and shall give additional public notice as is reasonable and practicable as to all meetings.”

To date, the Board has posted all public notices on its website, and has posted physical copies of the notice at the Arizona Department of Education.

The Executive Director recommends that effective Monday, November 2, 2015, the official physical location of postings for meetings of the State Board of Education and any of its committees, task forces, subcommittees, advisory committees, and public hearings will be posted virtually on the Board's website at azsbe.az.gov, and posted physically in the lobby of the State Board of Education Office located at 1700 West Washington, Executive Tower Suite 300, Phoenix, Arizona. This location is open to the public Monday through Friday from 8:00 a.m. to 5:00 p.m. except legal holidays. Such notices will indicate the date, time, and place of the meeting and will include an agenda or information concerning the manner in which the public may obtain an agenda for the meeting.

Further, in order to “give additional public notice as reasonable and practicable,” the Board will continue to post a courtesy copy of the agenda in the lobby near the Board Room (Room 122) of the Arizona Department of Education, 1535 W. Jefferson, Phoenix, Arizona.

Recommendation to the Board

It is recommended that the Board approve that, effective Monday, November 2, 2015, the official physical location of postings for meetings of the State Board of Education and any of its committees, task forces, subcommittees, advisory committees, and public hearings will be posted virtually on the Board's website at azsbe.az.gov, and posted physically in the lobby of the State Board of Education Office located at 1700 West Washington, Executive Tower Suite 300, Phoenix, Arizona.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

Issue: Consideration to approve proposed appointments and re-appointments to the Certification Advisory Committee.

Action/Discussion Item Information Item

Background and Discussion

On April 24, 2006 the State Board of Education approved the creation of the Certification Advisory Committee (the “CAC”) under Board rule R7-2-201. This committee is charged with making recommendations to the Board pertaining to the certification of Arizona’s education professionals. The committee consists of the following:

Member	Role	Term
Anne Thiebeau	Elementary Teacher	1/1/13-12/31/17
Sasha Glassman	Local Governing Board Member	10/2/13-10/1/17
Betsy Fera	Charter School Representative	2/24/14-2/23/18
Kimberly Peaslee	Special Education Teacher	1/27/14-1/26/18
Janet Crow	Public Member (not certified)	3/1/12-2/29/16
Matt Weber	Career and Technical Education Teacher	4/28/14-4/27/18
Frank Garcia	Principal	1/1/13-12/31/17
Lynn DeMuth	Higher Education Representative	1/1/13 -12/31/17
Brian Nelson	Higher Education Representative	10/27/14-12/31/15
Carolyn Dumler	Human Resources Director	10/27/14 - 12/31/15
Joe Thomas	Secondary Teacher	10/27/14 - 12/31/15
Manuel Valenzuela	Superintendent	10/27/14 - 12/31/15
Jill Broussard	County Superintendent	4/27/2015 -12/31/17

The Department recommends the following members be re-appointed to the CAC (application is attached):

Proposed Member	Role	New Term
Joe Thomas	Secondary Teacher	1/1/2016-12/31/2019
Carolyn Dumler	Human Resources Director	1/1/2016-12/31/2019

Contact Information:

Mark McCall, Deputy Associate Superintendent, Highly Effective Teachers and Leaders

EXECUTIVE SUMMARY

The Department recommends the following individuals be appointed to the CAC (application is attached):

Proposed Member	Role	New Term
Robbie Koerperich	Superintendent	1/1/2016-12/31/2019
Dr. Patty Horn	Higher Education Representative	1/1/2016-12/31/2019

Recommendation to the Board

It is recommended that the Board re-appoint Joe Thomas and Carolyn Dumler, and appoint Robbie Koerperich and Dr. Patty Horn as members to the Certification Advisory Committee

The applications and resumes for the four individuals being appointed will be submitted by October 7, 2015.

Contact Information:

Mark McCall, Deputy Associate Superintendent, Highly Effective Teachers and Leaders

EXECUTIVE SUMMARY

Issue: Special Education Advisory Panel – Panel applications for consideration

Action/Discussion Item Information Item

Background and Discussion

The Individuals with Disabilities Education Act (IDEA) and Arizona Revised Statute requires states to maintain an advisory panel to provide the SEA with policy guidance relating to special education for children with a disability (34 CFR 300.167 – 300.169 & ARS 15-235F&G). Membership on the Special Education Advisory Panel (SEAP) is composed of individuals involved in or concerned with the education of children with disabilities and enumerates individuals who can fulfill the required roles (34 CFR 300.168). Additionally, IDEA specifically requires that a majority of the members of the panel must be individuals with disabilities or parents of children with disabilities. Several of our members fulfill a specific role on the panel and are a parent of a child with a disability to meet the majority requirement. The duties of the panel include advising the SEA about the unmet educational needs of children with a disability, commenting on rules and regulations, advising the SEA on evaluations and reporting data to the US Department of Education (34 CFR 300.169).

Review and Recommendation of State Board Committee

The SEAP Co-Chairs, Vice Chair and State Director of Special Education, Angela Denning have reviewed all submitted applications from individuals who are interested in serving a term on SEAP.

The Special Education Advisory Panel recommends to the State Board of Education that the following individuals be appointed to the Special Education Advisory Panel for the designated term.

Candidate Name	Required Role for SEAP	Appointment Date	Appointment Expiration Date
Cathy Humphrey	Parent of a child with a disability who is eligible under IDEA 2004 (ages birth through 26)	10/26/15	06/30/18
Patrice Robinson	Parent of a child with a disability who is eligible under IDEA 2004 (ages birth through 26)	10/26/15	06/30/18
Robert Gilmore	Representative of a non-profit private school	10/26/15	06/30/16

Contact Information: *Angela M. Denning, Deputy Associate Superintendent/ESS
 Carol Lippert, Associate Superintendent*

EXECUTIVE SUMMARY

The Special Education Advisory Panel recommends to the State Board of Education that the following individuals be reappointed to the Special Education Advisory Panel for the designated term.

Candidate Name	Required Role for SEAP	Appointment Date	Appointment Expiration Date
Christopher Tiffany	Parent of a child with a disability who is eligible under IDEA 2004 (ages birth through 26)	10/26/15	6/30/18
Diane Bruening	State and local education officials, including officials who carry out activities under subtitle B of Title VII of The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 ET.SEQ.)	10/26/15	6/30/18
Nancy Williams	Parent of a child with a disability who is eligible under IDEA 2004 (ages birth through 26)	10/26/15	6/30/18

Recommendation to the Board

It is recommended that the State Board approve the members as discussed in these materials.

EXECUTIVE SUMMARY

*STATE OF ARIZONA
 SPECIAL EDUCATION ADVISORY PANEL TO THE STATE BOARD OF EDUCATION
 School Year 2015/2016*

PARENTS OF CHILDREN WITH DISABILITIES	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Kristina Blackledge	9/01/13	6/30/16
Amanda Heyser	6/30/14	6/30/17
Wendi Howe	9/01/14	6/30/17
Cathy Humphrey	10/26/15	6/30/18
Sophia Lenny	9/01/14	6/30/17
Patrice Robinson	10/26/15	6/30/18
Lisa Soeby	9/01/13	6/30/16
Christopher Tiffany	10/26/15	6/30/18
Nancy K. Williams*	10/26/15	6/30/18
INDIVIDUALS WITH DISABILITIES	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Ron Denne Jr.	9/01/14	6/30/17
Leanne Murrillo	9/01/14	6/30/17
TEACHERS	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Lara Bruner	9/01/13	6/30/16
Judith Shideler	9/01/14	6/30/17
REPRESENTATIVES OF INSTITUTIONS OF HIGHER LEARNING THAT PREPARE SPECIAL EDUCATION AND RELATED SERVICES PERSONNEL	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Kathleen Puckett	9/01/14	6/30/16
STATE AND LOCAL EDUCATION OFFICIALS, INCLUDING OFFICIALS WHO CARRY OUT ACTIVITIES UNDER SUBTITLE B OF TITLE VII OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT (42 U.S.C. 11431 ET.SEQ.)	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
M. Diane Bruening, Ed.D.	10/26/15	6/30/18
ADMINISTRATORS OF PROGRAMS FOR CHILDREN WITH DISABILITIES	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Vacant		6/30/17
REPRESENTATIVES OF STATE AGENCIES INVOLVED IN THE FINANCING OR DELIVERY OF RELATED SERVICES TO CHILDREN WITH DISABILITIES	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Edward O'Neill	9/01/14	6/30/17

EXECUTIVE SUMMARY

REPRESENTATIVE OF PUBLIC CHARTER SCHOOLS	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Susan Douglas	6/30/14	6/30/17
REPRESENTATIVE OF PRIVATE SCHOOLS	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Robert Gilmore	10/26/15	6/30/16
REPRESENTATIVES OF A VOCATIONAL, COMMUNITY, OR BUSINESS ORGANIZATION CONCERNED WITH THE PROVISION OF TRANSITION SERVICES TO CHILDREN WITH DISABILITIES	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Vacant		6/30/16
REPRESENTATIVE FROM THE STATE CHILD WELFARE AGENCY RESPONSIBLE FOR FOSTER CARE	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Vacant		06/30/15
REPRESENTATIVE FROM THE STATE JUVENILE DETENTION AGENCY	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Vacant	9/01/14	6/30/16
REPRESENTATIVE FROM THE STATE ADULT CORRECTIONS AGENCY	APPOINTMENT/ REAPPOINTMENT DATE	APPOINTMENT EXPIRATION DATE
Gena Garland	7/01/14	6/30/17

Total Membership - 20

Parents or Individuals with a Disability - 10

* Also fulfills "Parents of Children with Disabilities" or "Individuals with Disability" category requirement.

** Also fulfills "Teacher" category requirement.

EXECUTIVE SUMMARY

Issue: Consideration to approve the contract between the State Board and Yuma Union High School District for the 2015-2016 Migrant Education Program-Portable Assisted Study Sequence (PASS). Pursuant to Arizona revised Statutes (A.R.S.) 15.207.
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Action/Discussion Item

CONTRACT ABSTRACT

Background and Brief Explanation of Contract

The Migrant Education Program (MEP) is a federally funded, state-operated program under the No Child Left Behind Act (NCLB) that provides supplemental program services to the children, ages 3 through 21, of seasonal or temporary agricultural workers. In Arizona, the program delivers services primarily through local educational agencies (LEAs) that design programs to meet the unserved needs of children residing in their area. To facilitate broader services, some provisions are delivered through statewide models which, in particular, are designed to meet the credit accrual and informational needs for students. This is a continuation grant to fund Yuma Union High School for the administration of the migrant student credit accrual program Portable Assisted Study Sequence (PASS).

Name of Contracting Party(ies)

Proposed contract between the State Board of Education, acting for and on behalf of the Department of Education, and the following:
Yuma Union High School District

Contract Amount

\$115,000.00

Source of Funds

Function Code.: MIGRANT500FAY14

Authorizing Legislation/Statute

Title I, Part C, Section 1304 of the No Child Left Behind Act of 2001 (20 USC 6394)

Contact Information:

(Christopher Dickinson, Education Program Specialist)

(Mary Haluska, State Migrant Director)

EXECUTIVE SUMMARY

Responsible Unit at the Department of Education

Associate Superintendent:	Leah Landrum Taylor
State Migrant Director:	Mary Frances Haluska
Program Contact:	Christopher Dickinson

Dates of Contract

The agreement shall take effect when approved by the Board and shall terminate on September 30, 2016.

Previous Contract History

Yuma Union High School District, Migrant Education Program has operated the PASS Program for the last fourteen years of the current authorization of the Elementary and Secondary Education Act.

Number Affected (Students, Teachers, Public, as appropriate)

It is estimated that over 8,500 students are served by the Migrant Program statewide. An estimated 1,000 migrant students will benefit from the Migrant Education PASS Program.

Method of Determining Contract Amount(s)

Funds provide staff to operate the program and for the updating of the curriculum.

Evaluation Plan

The Arizona Department of Education staff keeps close communication with the LEA staff and program administrator. Department staff receives PASS program service information which is used to evaluate the production and efficiency of the program. An on-site visit will be conducted as necessary to ensure that the program is meeting the needs of the population being served. A written annual report of the number of students served is submitted at the end of September.

Recommendation to the Board

It is recommended that the Board approve the contract between the State Board and Yuma Union High School District for 2015-2016 Migrant Education Program-Portable Assisted Study Sequence (PASS) as described in these materials.

EXECUTIVE SUMMARY

Issue: Consideration to approve the contract with Hyder Elementary School District for funding additional identification and recruitment activities related to migrant students. Pursuant to Arizona revised Statutes (A.R.S.) 15.207.

Action/Discussion Item

CONTRACT ABSTRACT

Background and Brief Explanation of Contract

Background: The Migrant Education Program (MEP) is a federally funded, state-operated program under the No Child Left Behind Act (NCLB) that provides supplemental program services to the children, ages 3 through 21, of seasonal or temporary agricultural workers. In Arizona, the program delivers services primarily through local educational agencies (LEAS) that design programs to meet the unserved needs of children residing in their area. To facilitate broader services, some provisions are delivered through statewide models which, in particular, are designed to meet the credit accrual and informational needs for students.

Purpose of the Contract: To increase funding to the LEA to provide for additional, above and beyond, identification and recruitment activities in the southeastern Arizona region. These funds will be used to support a Migrant Consortia School District which includes Wellton Elementary District, Mohawk Valley Elementary District, Antelope Union High School District and Hyder Elementary School District.

Name of Contracting Party(ies)

Proposed contract between the State Board of Education, acting for and on behalf of the Department of Education, and the following: Hyder Elementary School District

Contract Amount

\$45,576.60

Source of Funds

Function Code: MIGRANT500FAY14

Authorizing Legislation/Statute

Title I, Part C, Section 1304 of the No Child Left Behind Act of 2001 (20 USC 6394)

Contact Information:

(Christopher Dickinson, Education Program Specialist)
(Mary Haluska, State Migrant Director)

EXECUTIVE SUMMARY

Responsible Unit at the Department of Education

Associate Superintendent:	Leah Landrum Taylor
State Migrant Director:	Mary Frances Haluska
Program Contact:	Christopher Dickinson

Dates of Contract

The agreement shall take effect when approved by the Board and shall terminate on September 30, 2016.

Previous Contract History

Number Affected (Students, Teachers, Public, as appropriate)

It is estimated that over 8,500 students are served by the Migrant Program statewide. Increasing funding to the LEAs to provide for additional Identification and Recruitment activities to identify eligible pre-school migrant students and increase migrant student count by approximately 50 students.

Method of Determining Contract Amount(s)

Funding for Hyder Elementary School District was determined on the need identified by the district in their Mini-Grant application. The LEA provided a detailed description on how they will use their funds, how it supports the LEA's Service Delivery Plan, and how the program will be measured and evaluated.

Evaluation Plan

School districts are subject to monitoring visits by staff of the ADE Migrant Education Program Office. During these monitoring visits, the district Migrant program is reviewed to determine if program goals and objectives are being met.

Recommendation to the Board

It is recommended that the Board approve the contract with Hyder Elementary School District as described in these materials.

EXECUTIVE SUMMARY

Issue: Consideration to Approve Additional Monies for Teacher Compensation for the Fiscal Year 2015-2016 Relating to A.R.S. § 15-952 and 15-537

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. §15-952.A specifies that if granted State Board approval, a local school district governing board may calculate its revenue control limit and district support level for the budget year using the base level prescribed in A.R.S. §15-952.B.2 and increased by 1.25 percent.

A.R.S. §15-952.A.3. (a) & (b) specifies that if a local governing board is requesting continuing approval, the local governing board shall: 1) provide evidence that “the school district’s teacher performance evaluation system meets the standards recommended by the state board”, and 2) the persons evaluating teachers for retention decisions meet the minimum qualifications for evaluators recommended by the state board as prescribed in A.R.S. §15-537”.

To provide this evidence to the State Board, the ADE asked districts requesting continuing approval to submit Statements of Assurance attesting the conditions of A.R.S. §15.952 and A.R.S. §15.537.

The district listed below has submitted the Statement of Assurance as required evidence.

Recommendation to the Board

It is recommended that the Board approve additional monies for teacher compensation for the fiscal year 2015-2016 relating to A.R.S. § 15-952 and 15-537 grant approval to the local governing board seeking continuous approval for 2015-2016 as listed below.

ID	CTDS	Name
79379	13-01-99-000	Yavapai Accommodation School District

Contact Information:

Dr. Cecilia Johnson, Associate Superintendent, Highly Effective Teachers and Leaders

EXECUTIVE SUMMARY

Issue: Consideration to receive \$66,666.00 award. This is a first-year Migrant Education Program (MEP) Consortium Incentive Grant (CIG) award. Pursuant to Arizona revised Statutes (A.R.S.) 15.206 and 15.207.

Action/Discussion Item

Information Item

Background and Discussion

The Migrant Education Program (MEP) is a federally funded, state-operated program under the No Child Left Behind Act (NCLB) that provides supplemental program services to the children, ages 3 through 21, of seasonal or temporary agricultural workers.

Identification and Recruitment Rapid Response Consortium (IRRC)

The IRRC consortium will provide services designed to improve the proper and timely identification and recruitment (ID&R) of eligible migratory children whose education is interrupted. In response to the identified need for greater consistency and quality of ID&R—especially due to the high turnover in MEP state directors, local administrators, and recruiters, throughout the IRRC, states will expand and improve infrastructures for interstate coordination. This grant is renewable annually for up to three years. IRRC's Goals are:

- 1) Design and develop systems, materials, strategies, and resources for the consistent and reliable ID&R of eligible migrant children and youth that can be adapted to small and large states, summer and regular year programs, and diverse state and local contexts
- 2) Expand states' capacity through the sharing of resources, mentoring, and the deployment of a Rapid Response Team of veteran ID& R specialists;
- 3) Disseminate effective evidence-based ID&R practices throughout the MEP community.

Consortium States Include: Nebraska (Lead State), Arizona, Colorado, Delaware, Georgia, Illinois, Iowa, Kansas, Maine, New Mexico, New York, Oklahoma, South Carolina, and Tennessee.

Recommendation to the Board

It is recommended that the Board approve receipt of an award of \$66,666.00 for the Migrant Education Program Consortium Incentive Grant as authorized under Section 1308(d) of the Elementary and Secondary Education Act and pursuant to §15-206, and ARS 15-207.

Contact Information:

Mary Frances Haluska, State Migrant Director

Leah Landrum Taylor, Associate Superintendent of Special Projects

EXECUTIVE SUMMARY

Issue: Consideration to approve the American Express and the National Association of Secondary Principals (NASSP) Principals Path to Leadership grant in the amount of \$465,000 over three years. Pursuant to Arizona revised Statutes (ARS) 15-204

Action/Discussion Item

Information Item

Background and Discussion

American Express and the National Association of Secondary School Principals named Learning Forward, in partnership with the Arizona Department of Education, one of five recipients of nearly \$2.5 million in the Principals Path to Leadership grant program, which is designed to expand effective principal preparation programs and share their best practices broadly to impact education reform.

Learning Forward, in partnership with the Arizona Department of Education was awarded a \$465,000 three-year grant. The Arizona Department of Education will play a lead role in bringing the Principals Path to Leadership project, "Learning Leaders for Learning Schools", to a targeted cohort of 80 aspiring and first year principals in the Phoenix area.

American Express Principals Path to Leadership in partnership with NASSP Grant Program Background information for Partners:

- In partnership with NASSP, American Express has created Principals Path to Leadership, a grant program created to expand effective principal and emerging principal preparation programs and share their best practices broadly to impact education reform.
- The program aims to address the leadership training needs of principals by giving them better access to programs that help develop their leadership skills, in turn helping students and schools thrive.
- American Express recognizes there is a need for leadership training in the education sector and feels this private/public collaboration with NASSP is a wonderful opportunity to leverage each partner's strengths to make a difference in this area.
- The grant program launches at a time of heightened awareness of the principal's crucial role in school improvement. More than a decade of research from the

Contact Information:

Dr. James Buchanan, Deputy Associate Superintendent of ECAP and Leadership Development
Dr. Cecilia Johnson, Associate Superintendent for Highly Effective Teachers and Leaders

EXECUTIVE SUMMARY

Wallace Foundation identifies quality principal leadership as second only to the quality of instruction in school-based factors that affect student achievement.

Recommendation to the Board

It is recommended that the Board approve receipt of \$465,000 three-year grant for the American Express and National Association of Secondary Principals (NASSP) Principals Path to Leadership grant.

EXECUTIVE SUMMARY

Issue: ADE's role in the Alternate English Language Learning Assessment (ALTELLA) pursuant to Arizona Revised Statute (ARS) 15-207.

Action/Discussion Item

Information Item

Background and Discussion

The Arizona Department of Education (ADE) was selected for funding (\$1,977,086.00) for an Enhanced Assessment Instruments Grant (CFDA No. 84.368A) following the U.S. Department of Education's (USDE) fiscal year 2015 competition. These grants, which are part of the Elementary and Secondary Education Act, help States build more effective approaches and procedures for the meaningful assessment of students.

This project is a collaboration of states including Arizona (lead), Michigan, Minnesota, South Carolina, and West Virginia, to complete the foundational work needed for an evidence-centered design approach to develop the Alternate English Language Learning Assessment (ALTELLA). This project will apply the lessons learned from the past decade of research on assessing English language learners (ELLs) and students with significant cognitive disabilities (SCD), as separate groups, to develop an English Language Proficiency (ELP) assessment based on alternate performance standards for ELLs with SCD. ALTELLA will be based on current ELP standards and allow ELLs with SCDs to demonstrate both receptive and expressive English language development.

One of the goals of the project is to use existing English language development standards, prioritized in relation to the learning needs of ELLs with SCDs. The project aims to develop innovative item templates/types that can be used with students' existing assistive technology (AT) devices.

Leveraging technology to support personalized learning and to improve assessment tools will help educators gather information about the personalized learning and AT use of ELLs with SCDs in order to develop innovative item types that are compatible with students' existing AT devices and also with students' standards-based Individual Education Plan objectives.

The key activities of this project include the following:

1. Developing an Individual Characteristics Questionnaire (ICQ) that will be administered in participating states. The ICQ will be used to gather key

Contact Information:

Marlene Johnston, Director of English Language Learner Assessment, Assessment Section
Leila Williams, Associate Superintendent Quality Assessment and Adult Education

EXECUTIVE SUMMARY

information about the characteristics of ELLs with SCDs, including the technology-based tools that they may use to access everyday instruction.

2. Observing classrooms that include ELLs with SCDs to learn more about instructional and assessment strategies for this population of students.
3. Interviewing educators who teach ELLs with significant cognitive disabilities to learn more about the instructional and assessment strategies they find most successful.
4. Conducting a consensus-building process to prioritize which of many existing ELP standards will be included in the assessment blueprint for item template development purposes.
5. Developing templates for innovative items based on exiting ELP standards. The innovative items will be designed to be compatible with students' AT devices, as well as with other technology tools students may use in the classroom.
6. Creating a template for a Request for Proposals (RFP) that states can use at the completion of the project to continue the work of developing the ALTELLA.

The project will establish a technical advisory committee made up of experts in the fields of assessment design, psychometrics, alternate assessments, and English language development. By the end of the project, participating states will have an evidence-centered design validity argument for the ALTELLA as well as item templates to use in the next phases of the alternate assessment development

Recommendation to the Board

It is recommended that the Board approve ADE, the fiscal agent for the EAG (CFDA No. 84.368A) for ALTELLA project, to receive funds from USDE.

EXECUTIVE SUMMARY

Issue: Consideration for approval of the Charter Schools Program, State Educating Agency grant in the amount of \$23.6 million. Pursuant to Arizona Revised Statutes (ARS) §15-207

 Action/Discussion Item Information Item**Background and Discussion**

The US Department of Education announced on Monday, September 28, 2015, that the Arizona Charter Schools Program (AZCSP) received a Charter Schools Program (CSP), State Educating Agency (SEA) grant in the amount of \$23.6 million. The purpose of this competitive grant is to continue AZCSP's work for the next five years. The goal of the program is to fund highly qualified leaders to create or replicate 30 charter schools for disadvantaged students across Arizona and to significantly increase student academic outcomes aligned with Arizona State Standards.

The Secretary awards grants to State Educational Agencies (SEAs) on a competitive basis to enable them to conduct charter school programs in their States. SEA's use their CSP funds to award subgrants to non-SEA eligible applicants in their State. These subgrants are used for two primary purposes: (1) planning, program design, and initial implementation of new charter schools; and (2) dissemination of information, including best practices, by charter schools open at least three consecutive years with demonstrated success in specific areas.

The Arizona Charter Schools Program will conduct regional information meeting about the grant to insure statewide dissemination and provide specific training for the grant application in October 2015. Evaluation of submitted applications by a panel of highly-qualified peer reviewers will be completed for State Board of Education approval at its January 2016 meeting.

Recommendation to the Board

It is recommended that the Board accept the Charter Schools Program (CSP), State Educating Agency (SEA) grant in the amount of \$23.6 million in order to continue AZCSP's work for the next five years.

Contact Information:

Cecilia Johnson, Associate Superintendent for Highly Effective Teachers and Leaders

EXECUTIVE SUMMARY

Issue: Consideration to appoint individuals to the Professional Practices Advisory Committees

Action/Discussion Item Information Item

Background and Discussion

The Arizona State Board of Education (Board) is responsible for the supervision and control of educators in Arizona’s public school districts. The Board appoints the Professional Practices Advisory Committee (PPAC), which advise the Board on certification matters related to immoral or unprofessional conduct; unfitness to teach; revocation, suspension, or surrender of certificates; and formal letters of censure. In May 2013, the Board amended its rules to allow for the establishment of multiple PPACs.

The Board has established two PPAC. Each PPAC consists of seven members that serve staggered 4-year terms – one elementary classroom teacher, one secondary classroom teacher, one principal, one superintendent or assistant/associate superintendent, one local governing board member, and two lay members (one lay member must be the parent of a student currently attending public school).

The appointments proposed herein fill vacancies as follows:

PPAC #1

Name of Proposed Member	Membership Category	Existing or New Member	Term Expiration
Susan Williams	<i>Elementary Classroom Teacher</i>	N	7/31/16
Jonathon Parker	Secondary Classroom Teacher	E	7/31/19
Michelle Berg	Principal	E	7/31/18
Denise Birdwell	Superintendent	E	7/31/17
Randy Schiller	Governing Board Member	E	7/31/17
Paula Wilk	Lay Member	E	7/31/19
Ezekiel (Zeke) Zesiger	Lay Member	E	7/31/16

PPAC #2

Name of Proposed Member	Membership Category	Existing or New Member	Term Expiration
Aaron Harris, Sr.	<i>Elementary Classroom Teacher</i>	N	7/31/17
Jay Cryder	Secondary Classroom Teacher	E	7/31/18
Claudio Coria	Principal	E	7/31/16
<i>Vacant</i>	<i>Superintendent</i>		7/31/19
Bonnie Sneed	Governing Board Member	E	7/31/16
Trish McCarty	<i>Lay Member</i>	N	7/31/17
Chad Sampson	Lay Member	E	7/31/18

Recommendation to the State Board

It is recommended that the Board appoint members to the PPAC as listed in the material.

Contact Information: Charles Easaw, Chief Investigator

EXECUTIVE SUMMARY

Issue: Presentation, Discussion and possible action regarding the recommendation to approve the Negotiated Settlement Agreement for Jacqueline Lake, Case No., C-2015-043

Action/Discussion Item

Information Item

Background and Discussion

Jacqueline Lake holds a Standard Elementary Education K-8 certificate, which expires December 1, 2016.

In August, 2014, a kindergarten student with a severe peanut allergy was assigned to Ms. Lake's classroom, and Ms. Lake's classroom was required to be "Peanut Free".

In February 2015, Ms. Lake requested the parents donate snacks and allowed peanuts and peanut products in her classroom.

In May 2015, she allowed a student of whom she had knowledge was allergic to peanuts and peanut products, to consume such product.

On May 20, 2015, Ms. Lake resigned from her position with the Litchfield Elementary School District effective at the end of the school year.

On June 23, 2015, in lieu of a formal complaint, the Investigative Unit of the State Board of Education ("Board") offered Ms. Lake a settlement agreement for a Letter of Censure.

Recommendation of the Professional Practices Advisory Committee (PPAC)

The PPAC, at its September 9, 2015, meeting, recommended by a vote of 4 to 0 that the State Board approve the settlement agreement.

Recommendation to the Board

It is recommended that the Board accept the recommendation of the Professional Practices Advisory Committee and approve the settlement agreement for a Letter of Censure for Jacqueline Lake and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion, and possible action regarding the Recommendation to Approve the Settlement Agreement for John Leslie Prather, Case no. C-2015-026

Action/Discussion Item

Information Item

Background and Discussion

John Leslie Prather holds a Standard Secondary Education, 6-12 valid through December 23, 2020, and a Substitute Certification valid through July 1, 2099.

On November 10, 2014, Mr. Prather was using his school computer to load a school-related video to show to his 8th grade students. The video was to be projected onto the classroom's Smart Board. While waiting for the video to load, Mr. Prather used his school computer to engage in an online Facebook messaging conversation with a 56-year-old female friend, and that typed conversation was inadvertently projected onto the Smart Board where the students could see the conversation. While viewing the conversation, Mr. Prather's students observed the female friend asking him if he would take off her bra, and the students witnessed Mr. Prather responding in the affirmative and commenting "skin to skin".

On November 18, 2014, Mr. Prather submitted a letter of resignation resigning from his teaching position with the Scottsdale Unified School District.

Recommendation of the Professional Practices Advisory Committee (PPAC)

The PPAC, at its September 9, 2015, meeting, recommended by a vote of 4 to 0 that the State Board approve the settlement agreement requiring the suspension of Mr. Prather's teaching certificates for a period of three months, and that his Substitute Certificate will expire on December 23, 2020, rather than on July 1, 2099.

Recommendation to the Board

It is recommended that the Board accept the recommendation of the PPAC to approve the settlement agreement, modify the expiration of the substitute certificate held by Mr. Prather to December 23, 2020, and issue a three-month suspension of the certificates of John Leslie Prather, and that all states and territories be so notified.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the consideration of Negotiated Settlement Agreement of Cathleen Smith, Case No., C-2010-011.

Action/Discussion Item

Information Item

Background and Discussion

Cathleen Smith held a Standard Secondary Education 7-12 Certificate which expired on July 14, 2014.

On or about December 11, 2009, the mother of Student A, one of Ms. Smith's 8th grade students, notified the principal at Richard B. Wilson K-8 school ("Wilson") in the Amphitheater Unified School District ("AUSD"), that she had discovered inappropriate text messages between Ms. Smith and Student A on Student A's cell phone. Ms. Smith was immediately placed on administrative leave.

Oro Valley Police Department ("OVPD") investigated the matter and found that there were numerous text messages of a romantic nature, including repeated messages from Ms. Smith telling Student A that she loved him and using profanity in some of the messages.

On December 17, 2009, Ms. Smith resigned from her teaching position with AUSD.

On or about January 4, 2010, the OVPD designated the case as: "Disposition: Non-chargeable."

On September 1, 2015, In lieu of a formal complaint, the Investigative Unit of the State Board of Education ("Board") offered Ms. Smith a settlement agreement for a 2-year suspension of her teaching certificate, with conditions.

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

The PPAC, at its September 8, 2015, meeting, recommended by a vote of 3 to 1 that the Board approve the settlement agreement.

Recommendation to the Board

It is recommended that the Board accept the recommendation of the PPAC and approve the settlement agreement for 2-year suspension, with conditions, of certification of **Cathleen Smith** and that all states and territories be so notified.

Contact Information:
Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Revoke Certification of David A. Bonsky, Case No. C-2013-044

Action/Discussion Item

Information Item

Background and Discussion

David A. Bonsky holds a Standard Elementary Education certificate, 7-12, which expires on September 8, 2016.

Mr. Bonsky was a teacher at Utterback Middle School (“Utterback”) in the Tucson Unified School District (“TUSD”) located in Tucson, Arizona, from July, 2008, through November 30, 2012.

On November 13, 2012, a staff member reported to Utterback Assistant Principal Brian Lambert that Mr. Bonsky smelled of alcohol. Principal Cindy Mady and Assistant Principal Lambert immediately went to Mr. Bonsky’s classroom. Both confirmed that he smelled of alcohol.

Principal Mady and Assistant Principal Lambert drove Mr. Bonsky to Concentra Laboratory for a blood alcohol content (“BAC”) test. Mr. Bonsky’s BAC test showed his blood alcohol level was .047 at 9:04 a.m. and .046 at 9:22 a.m. After the BAC testing, Principal Mady and Assistant Principal Lambert drove Mr. Bonsky home. During the drive to Mr. Bonsky’s home, he told Assistant Principal Lambert that he had a problem and he was “sorry.” On November 19, 2012, Mr. Bonsky resigned from his position with TUSD, effective November 30, 2012.

On or about May 10, 2013, the Investigative Unit advised Mr. Bonsky of the intent to file a complaint against his certificate.

On or about August 13, 2015, the Arizona State Board of Education (the “Board”) filed a complaint against Mr. Bonsky’s certificate alleging that his conduct constituted unprofessional conduct.

Recommendation of the Professional Practices Advisory Committee (PPAC)

On September 9, 2015, the PPAC held a hearing on the complaint. After hearing the testimonial evidence and reviewing the exhibits presented, the PPAC found that Mr. Bonsky was under the influence of alcohol while in the classroom and on school premises.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

The PPAC recommended, by a vote of 4 to 0, that the Board revoke the certification of Mr. Bonsky.

Recommendation to the Board

That the Board accepts the Findings of Fact, Conclusions of Law and the Recommendation of the PPAC to revoke David A. Bonsky's certification, and that all states and territories be so notified.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Recommendation to Revoke Certification of Raenelle Gollihar, Case No. C-2014-081

Action/Discussion Item

Information Item

Background and Discussion

Raenelle Gollihar holds a Provisional Elementary Endorsement and a Provisional Cross Categorical Special Education K-12 certificate, all of which expired March 16, 2015. She also holds a Substitute certificate which expires on December 29, 2017.

During the 2014 school year, Ms. Gollihar was a teacher at Dos Rios Elementary School (“Dos Rios”) in the Union Elementary School District (“UESD”) located in Tolleson, AZ.

On August 5, 2014, the administrative offices of Dos Rios received an anonymous call reporting that Ms. Gollihar was using illegal drugs and reporting to work under the influence of drugs and alcohol.

On August 5, 2014, Ms. Gollihar was interviewed by UESD administration members. During the interview, Ms. Gollihar admitted to consuming large amounts of vodka at home after work on a frequent basis and admitted to using a little “weed” every once in a while. Ms. Gollihar denied using cocaine or methamphetamine. Ms. Gollihar was taken to a medical clinic for drug testing where she produced a urine sample. She was reassigned to home during the investigation.

On August 12, 2014, Ms. Gollihar’s urine drug test results came back “positive” for marijuana, amphetamines, methamphetamines and D-methamphetamines.

On August 12, 2014, Ms. Gollihar submitted a letter to UESD requesting release from her contract. UESD released Ms. Gollihar from her teaching contract effective August 13, 2015.

On June 15, 2015, the Board filed a complaint against Ms. Gollihar’s certificate alleging that her conduct constituted unprofessional conduct.

On September 8, 2015, the Professional Practices Advisory Committee (“PPAC”) found that Ms. Gollihar illegally possessed marijuana, methamphetamine, amphetamines, and D-methamphetamine. It also found that Ms. Gollihar was under the influence of marijuana, methamphetamine, amphetamines and D-methamphetamine while on school grounds on August 5, 2014.

Contact Information:

Charles Easaw, Chief Investigator
State Board of Education

EXECUTIVE SUMMARY

Recommendation of Professional Practices Advisory Committee

The PPAC recommended, by a vote of 4 to 0, that the State Board revoke the certification of Ms. Gollihar.

Recommendation to the Board

That the Board accepts the recommendation of the PPAC to revoke Raenelle Gollihar certifications and that all states and territories be so notified.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action to adopt amendments to the Investigative Unit Policy Handbook

Action/Discussion Item

Information Item

Background and Discussion

Pursuant to Arizona Revised Statutes (A.R.S.) § 15-203, the State Board of Education (the Board) is responsible for the supervision and control of individuals engaged in instructional work in Arizona public educational institutions below the community college, college, or university level. The Board rules in A.A.C. Title 7, Chapter 2, Articles 7 and 13, provide for adjudication of disciplinary issues and regulate the conduct of educators.

Educator Oversight and the Board’s Investigative Unit

The Board is responsible for imposing “such disciplinary action, including the issuance of a letter of censure, suspension, suspension with conditions or revocation of a certificate, upon a finding of immoral or unprofessional conduct” pursuant to A.R.S. § 15-203(A)(14) and (20). The Board’s rules provide that certificate holders who violate any provision of A.A.C. R7-2-1308 are deemed to have engaged in immoral or unprofessional conduct and may be disciplined by the Board.

Reports of unprofessional conduct are received by the Investigative Unit of the Board. Investigations are opened for allegations that would constitute unprofessional and immoral conduct. At the completion of an investigation, a decision will be made as to whether to file a formal complaint against the person’s certification. If a formal complaint—prepared by the Office of the Attorney General—is filed, the certificate holder is accorded due process as provided by law. The Professional Practices Advisory Committee (PPAC) conducts hearings related to certification matters in which they adopt findings of fact, conclusions of law, and recommendations for Board action.

Investigative Unit Policy Handbook

Last reviewed and adopted by the Board in January 2007, the Investigative Unit Policy Handbook outlines policies related to the Unit’s work, including the processing of allegations, applications, investigations, and imposed discipline. The attached amendments proposed to the Handbook are intended to clarify policies, allow the unit to deal with some issues through procedures rather than Board adopted policy, and to align policy with current rules, statutes, and best practices. The proposal has been vetted by the Investigative Unit and the Office of the Attorney General.

Recommendation to the Board

It is recommended that the Board adopt the revised Investigative Unit Policy Handbook as presented in this item.

Contact Information: Christine M. Thompson, Executive Director
Charles Easaw, Chief Investigator

EXECUTIVE SUMMARY

ARIZONA STATE BOARD OF EDUCATION
INVESTIGATIVE UNIT
POLICY HANDBOOK

ADOPTED JANUARY 2007
[REVISED OCTOBER 26, 2015](#)

I. Applications for Certification

A. General Application Procedures

1. Receipt of applications for certification

- a. All applications for certification shall be received by the Certification Unit. If [the application is administratively complete and the an](#) applicant answers affirmatively to any of the questions on the “Criminal/Professional History” portion of the application, the Certification Unit shall forward the application to the Investigative Unit. The Chief Investigator shall determine procedures for assigning all applications to Investigators.
- b. Upon receipt of an application the Investigator shall determine whether the application may be [issued-approved](#) or if further inquiry by the Investigative Unit is required.

2. Staff level reviews of applications for certification

- a. Investigators shall the have authority to approve [the issuance-of](#) applications for certification provided that the applicant meets appropriate criteria.
- b. When reviewing an application for certification the Investigator shall:
 - i. Verify appropriate fingerprint clearance.
 - ii. Consider whether the State Board of Education (SBE) has previously taken disciplinary action against the applicant or received prior allegations of unprofessional conduct.
 - iii. Consider the extent to which the conduct or alleged conduct may have a bearing on the applicant’s fitness

EXECUTIVE SUMMARY

- to teach, referencing the requirements. ~~The Investigator shall refer to~~ of A.A.C. R7-2-1308 ~~(Appendix A)~~ to assist in this determination.
- iv. Verify, ~~through the National Association of State Directors for Teacher Education and Certification (NASDTEC)~~, that there is no record of disciplinary action taken by another teacher or professional licensing agency in any other state or territory.
- v. Verify that the applicant has not been convicted of a “non-reviewable” offense as prescribed in A.A.C. R7-2-1307 ~~(Appendix B)~~.
- vi. Verify that the applicant answered all relevant Criminal/Professional History questions on the application for certification and provided a written statement for all “yes” answers that describes the circumstances surrounding the conduct or alleged conduct. The Investigator may ask for a supplementary statement from the applicant if the original statement is unclear, vague, or if additional information is required.
- vii. Determine whether all the conduct or alleged conduct currently reported has ~~already~~ been reviewed and considered by ~~approved by the Arizona Department of Education (ADE)~~, the SBE or the Investigative Unit in the issuance of a previous certificate. If there is evidence that all of the reported conduct was previously considered and a certificate was approved, of prior approval the Investigator shall authorize issuance of the certificate.
- c. If an Investigator determines that an application for certification should be ~~issued~~ approved, the Investigator shall:
- i. Make the appropriate notations in both the Teacher Certification and Investigative Unit databases.

EXECUTIVE SUMMARY

- ii. Return the application to the Certification Unit as soon as reasonably practicable.

 - d. If an Investigator is unable to determine whether an application should be approved, ~~at a staff level~~ the Investigator shall bring the application to the Chief Investigator or to the next available staff scheduled Investigative Unit meeting for discussion with the other Investigatorsto determine the need for a review. ~~The Executive Director and legal~~ Legal counsel shall be consulted as determined by the Chief Investigator.

 - e. If the Chief ~~an~~ Investigator determines that an application should not be approved ~~at a staff level~~ and should be reviewed-requires review by the SBE, the procedures outlined in subsection B of this section apply. All decisions to review applications for certification are subject to the approval of the Chief Investigator.
- B. Application ~~Reviews~~ A.R.S. § 15-534 (Appendix C)
- 1. ~~Prior to initiating review procedures the Investigator assigned to an application shall verify that the applicant qualifies for the certificate(s) requested. This shall be accomplished by requesting that the Certification Unit complete an evaluation of the application.~~
 - a. ~~If it is determined that the individual does not qualify due to his/her failure to meet the necessary requirements the application shall be turned over to the Certification Unit. The Certification Unit shall follow its standard procedures for those individuals that do not meet the necessary qualifications.~~
 - b. ~~If it is determined that the individual qualifies for the certificate(s) requested the Investigator assigned to the application shall initiate the review procedures described in this section.~~

 - 2. ~~Notification to applicants of review procedures~~
 - a. If it has been determined that an application for certification requires review and approval by the SBE pursuant to § 15-534(C), the Investigator assigned to the application shall provide written notice to the applicant ~~on a standard form~~

EXECUTIVE SUMMARY

- ~~approved by legal counsel.~~ This ~~form notice~~ shall be sent as soon as possible to ensure compliance with the certification time ~~lines frames~~ as articulated in A.A.C. R7-2-~~618 620~~(Appendix C).
- b. The ~~notification form notice~~ shall list any specific items necessary to assist the SBE in making the ultimate determination regarding ~~issuance approval~~ or denial of the application. At a minimum, the form shall require the applicant to submit:
- i. A comprehensive, notarized written statement describing the circumstances of each alleged incident of immoral/unprofessional conduct.
 - ii. A minimum of four letters of reference, two of which must be professional letters of reference. This requirement may be waived at the applicant's request.
 - iii. Any relevant police or investigative reports, court documents or records, and administrative records related to any disciplinary action by a licensing authority.
- c. The notice shall inform the applicant that the applicant has 60 days to provide the requested information and that the applicant may submit within the 60 days a written request for an extension of time to submit the requested information.
32. Review by and Recommendations of the Professional Practices Advisory Committee (PPAC)
- a. Upon receipt of all requested information, or upon confirmation that the requested information has not been provided within the required time frame, the Investigator assigned to the application shall ensure that written notice is sent to the applicant specifying the date, time and place when the application will be considered by the PPAC. Consistent with the notice requirements of A.A.C. R7-2-703, the ~~This~~ notice shall be sent via certified mail at least 25-20 days prior to the date of the scheduled proceeding to the applicant's last known address of record with ADE or the applicant's legal counsel if the applicant is represented by legal counsel in the matter. ~~Review cases shall not be~~

EXECUTIVE SUMMARY

~~considered by the PPAC until the Investigative Unit receives confirmation that the applicant has received proper notification of the proceeding.~~ This notification requirement may be waived upon receipt of a written request from the applicant. All materials that will be considered by the PPAC shall be sent with the notice.

- b. ~~If an applicant fails to submit all required documentation within the timeframes established in A.R.S. § 15-534.01, the Investigator assigned to the application shall provide written notice to the applicant that the application is substantively incomplete. This notice shall be sent via certified mail and shall specify the date, time and place when the application will be considered by the PPAC. This notice shall be sent at least 25 days prior to the date of the scheduled proceeding. Applications that are substantively incomplete shall not be considered by the PPAC until the Investigative Unit receives confirmation that the applicant has received proper notification of the proceeding, or that all necessary noticing requirements have been met as determined by legal counsel.~~
- e. Prior to the date of the review proceeding, the Investigator assigned to the application, in cooperation with the Chief Investigator, shall ensure that each member of the PPAC is provided with all documentation submitted by the applicant, as well as any additional relevant information obtained by the Investigative Unit. ~~Staff shall also ensure that the applicant has all materials provide to the PPAC.~~
- d. Following the review proceeding, the Investigator assigned to an application shall:
 - i. Draft the Findings of Fact, Conclusions of Law, and Recommendation of the PPAC. This document shall be completed in a format approved by legal counsel and shall accurately reflect the decisions of the PPAC. This document shall be provided to the Chief Investigator for review. The Chief Investigator shall present the document to the Chairperson of the PPAC for final approval and signature.
 - ii. Draft minutes of the committee's discussion and deliberation. Upon completion the minutes shall be

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provided to the Chief Investigator for review. All minutes shall be presented to the PPAC at a public meeting for final approval.

ed. Once all required documentation is complete, the Investigator assigned to an application shall provide written notice to the applicant specifying the date, time and place when the PPAC's recommendation will be considered by the SBE. Consistent with the notice requirements of A.A.C. R7-2-703, This the notice shall be sent via certified mail at least 25-20 days prior to the date of the scheduled proceeding to the applicant's last known address of record with ADE or the applicant's legal counsel if the applicant is represented by legal counsel in the matter. This notification requirement may be waived upon receipt of a written request from the applicant. All materials that will be considered by the SBE shall be sent with the notice.

fe. The Chief Investigator may delegate the duties prescribed in this subsection as deemed appropriate.

4. Consideration and Final Determination by the State Board of Education

a. The Investigator assigned to the application and the Chief Investigator shall ensure that all recommendations of the PPAC are forwarded to the SBE in accordance with required time frames as articulated in A.A.C. R7-2-~~618-620~~(Appendix C). ~~They shall also ensure, and~~ that the SBE is provided with all documentation considered by the PPAC, the PPAC's Findings of Fact, Conclusions of Law and Recommendation, and the approved draft minutes.

b. The Chief Investigator shall present all reviews to the SBE.

c. If the SBE denies an application for certification ~~to an applicant,~~ the Investigator assigned to the application shall:

i. Make the necessary notations in the relevant databases regarding the BoardSBE's decisionaction.

ii. Provide the applicant with written notice regarding the BoardSBE's decision. This notice shall be in a format approved by legal counsel and shall contain

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information regarding the applicant's the procedures the applicant must follow to right to request a hearing, pursuant to A.R.S. § 41-1065, regarding the SBE's decision. appeal the Board's decision. This notice shall be sent via certified mail within five-fifteen business days of the SBE's action to the applicant's last known address of record with ADE or the applicant's legal counsel if the applicant is represented by legal counsel in the matter.

- iii. If the applicant fails to follow the procedures to request a hearing regarding the SBE's denial of the application -appeal the decision-within the time frame required timeframe by A.R.S. § 41-1065, the Chief Investigator or a designee shall notify the National Association of State Directors for Teacher Education and Certification (NASDTEC) of the denial, pursuant to established practices.

d. If the SBE approves the application for certification, the Investigator assigned to the application shall notify the Certification Unit.

C. Conditional Certification / "Early Release of Certificate"

- 1. No application for certification made under the provisions of "conditional certification", as prescribed in A.R.S. § 15-534(E) (Appendix D), shall be approved by staff if there is evidence that the applicant has prior criminal history or engaged in any type of professional misconduct that resulted in disciplinary action against any certification or license, unless:
 - a. The applicant has disclosed a singular DUI arrest or conviction and there is no evidence of additional misconduct; or
 - b. The applicant has disclosed prior professional misconduct that evidences no clear nexus to the educational setting.

D. Fingerprint Reciprocity

- 1. Pursuant to A.R.S. § 15-203(A)(27) (Appendix E) and SBE policy the Investigative Unit shall determine which states qualify for fingerprint reciprocity. The Chief Investigator shall ensure that the list of approves states is audited every two years and make

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~~recommendations to the SBE for appropriate modifications. The criteria for determining which states qualify for fingerprint reciprocity are as follows:~~

~~a. The state requires both state and federal criminal history checks for all teachers and administrators~~

~~b. The criminal history check is completed as a condition of certification and not exclusively for employment pur~~

II. Disciplinary Investigations

A. Reports of Unprofessional Conduct

1. Verbal reports of unprofessional conduct

a. All staff in the Investigative Unit may take a verbal report of unprofessional conduct. When taking a verbal report, staff shall attempt to obtain all of the following information:

i. The full name and telephone number of the individual making the report of unprofessional conduct;

ii. The full name of the individual who allegedly committed an unprofessional act and his/her ~~certificate~~ educator identification number, if available;

iii. The name of the school and school district where the individual is employed, if applicable;

iv. A detailed account of the alleged incident(s). ~~This that~~ should include the date(s) and location(s) of the alleged incident(s); ~~and~~;

v. Whether law enforcement has been notified. If it is determined that the allegations falls within the reporting requirements of A.R.S. § 13-3620 (~~Appendix F~~) and a report to law enforcement has not been made, the person taking the report shall report the incident to appropriate authorities.

b. Upon receipt of a verbal report, the individual who took the information shall make note of the report in the appropriate

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databases and provide the report to the Chief Investigator. The Chief Investigator shall assign these reports to Investigators for follow up as deemed necessary.

2. Written reports of unprofessional conduct

a. The Investigative Unit shall accept all written reports of unprofessional conduct. Upon receipt of a written report the Investigative Unit's administrative assistant shall make note of the report in the appropriate databases and provide the report to the Chief Investigator. The Chief Investigator shall assign these reports to Investigators for follow up as deemed necessary.

b. School district officials may report allegations of unprofessional conduct via the [Department's online certification "Certification Search"](#) website. These reports shall be emailed to the Investigative Unit's [email inbox](#). The Investigative Unit's administrative assistant shall check for any reports in this inbox on, at least, a daily basis. Upon receipt of an emailed report, the administrative assistant shall make note of the report in the appropriate databases and provide the report to the Chief Investigator. The Chief Investigator shall assign these reports to Investigators for follow-up as deemed necessary.

3. [Anonymous reports of unprofessional conduct](#)

a. The Investigative Unit may accept anonymous reports of unprofessional conduct. Upon receipt of an anonymous report the individual that received the information shall make note of the report in the appropriate databases and provide the report to the Chief Investigator. The Chief Investigator shall assign these reports to Investigators for follow-up as deemed necessary. The Chief Investigator may determine that an anonymous report is not credible and requires no further action.

B. Investigations of Unprofessional Conduct

1. Opening an official investigation

a. When considering whether to open an official investigation, Investigators shall:

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- i. Determine whether the individual holds, or has ever held, a valid certificate issued by the SBE;
 - ii. Consider the extent to which the alleged conduct may have a bearing on the individual's fitness to teach. ~~The Investigator shall refer to, referencing~~ A.A.C. R7-2-1308 ~~(Appendix A)~~ to assist in making this determination; ~~and~~
 - iii. Verify with the Chief Investigator that an official investigation should be opened.
 - b. If it is determined that an official investigation should be opened, the Investigator shall:
 - i. Create a case file in accordance with established procedures.
 - ii. Classify the case as: ~~"Priority One", "Priority Two" or "Priority Three." The investigator shall refer to established definitions to assist in classifying cases (Appendix G).~~
 - (a) Class 1 – Sexual Offense;
 - (b) Class 2 – Assault (Non-Sexual);
 - (c) Class 3 – Substance Abuse;
 - (d) Class 4 – Fraud;
 - (e) Class 5 – Breach of Contract Pursuant to A.R.S. §15-545; or
 - (f) Class 0 – Applications Requiring Review and Miscellaneous Offense.
 - iii. Make the necessary notations in the appropriate databases.
2. Investigative Procedures
 - a. Each Investigator shall be responsible for those cases assigned to her/him by the Chief Investigator.
 - b. Investigators shall concentrate their efforts on those cases involving the most serious allegations, as determined by case classifications ~~("Priority One" cases representing those~~

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~~cases involving the most serious allegations and “Priority Three” cases representing those involving the least serious allegations).~~

- c. Investigators shall attempt to complete as much investigative work as possible via telephone interviews and written correspondence. The Chief Investigator may authorize travel and lodging expenses as appropriate.
- d. Upon conclusion of an investigation, the Investigator shall complete a written summary of the case findings in a format approved by the Chief Investigator. This summary shall include an investigative recommendation regarding whether sufficient evidence exists (preponderance of the evidence) to prove that the individual committed an act of unprofessional conduct. This summary and recommendation shall be presented at the first available staff meeting for discussion with legal counsel. The purpose of this discussion shall be to determine whether a ~~complaint~~Complaint seeking disciplinary action against the certified individual should be filed.

3. Closing an Investigation

- a. If it is determined that a ~~complaint~~Complaint seeking disciplinary action will not be filed, the case shall be deemed closed.
- b. The Investigator assigned to the case shall make the necessary notations in the appropriate databases and ensure that there is no public indication that the case remains under investigation.
- c. The Investigator assigned to the case shall ensure that written notices indicating that the case has been closed are sent to appropriate interested parties.

4-C. Complaints Seeking Disciplinary Action

- 1. If it is determined that a ~~complaint~~Complaint seeking disciplinary action will be filed, the case file shall be provided to legal counsel to draft the official ~~complaint~~Complaint.

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~~5-2.~~ The Upon receipt of an official Complaint from legal counsel the investigator assigned to the case shall be presented to the SBE's Executive Director for final review and signature.

3. Upon receipt of the signed Complaint, the Investigator assigned to the case shall assemble the additional documents necessary to accompany the Complaint. This includes, but is not limited to:

- a. The Notice of Complaint and Notice of Right to Respond;
- b. Standard forms to assist the certified individual in responding to the ~~complaint~~Complaint;
- c. A list of witnesses that may be called by the SBE at the hearing, and a brief description of the substance of their expected testimony;
- d. A list and brief description of any exhibits that may be used by the SBE at the hearing;
- e. Copies of all exhibits; and
- f. A copy of the relevant SBE rules that govern the hearing process.

~~64.~~ Once the Complaint and the aforementioned documents shall be assembled and the entire packet shall be presented to the ~~SBE's Executive Director~~Chief Investigator for final review ~~and signature.~~

C. Hearing Preparation

15. Upon approval by the Chief Investigator, receipt of a signed Complaint, the Investigator assigned to the case shall make a copy of the Complaint and all accompanying documents. The original signed Complaint and accompanying documents shall be retained by the Investigator, and a copy of the Complaint and ~~copies of all~~ attachments shall be sent via certified mail to either the Respondent's last known address of record with ADE or the Respondent's legal counsel if. ~~If the Respondent is represented by legal counsel in the matter these documents shall be sent via certified mail to that individual.~~

26. ___ The Respondent shall have fifteen days to respond to the Complaint from the date it is received. This time shall be calculated from the date indicated on the return receipt. If the Complaint is not claimed by the Respondent, or if it is not received for any other reason, the Investigator assigned to the case shall alert the Chief Investigator. The Chief Investigator shall work with legal counsel to ensure the proper steps are taken to afford the Respondent proper notice of the Complaint.

D. Preparation for Disciplinary Hearing by the PPAC

31. ___ Once a response is received, or the necessary amount of time has lapsed without a response, the Chief Investigator shall schedule the matter for a hearing before the PPAC. The Chief Investigator shall ensure that written notice of the hearing is sent via certified mail to the Respondent at least 25-20 days prior to the date of the hearing, pursuant to the requirements of A.A.C. R7-2-703, to the Respondent's last known address of record with ADE or the Respondent's legal counsel if the Respondent is represented by legal counsel in the matter. All materials that will be considered by the PPAC shall be sent with the notice. The notice shall include:

- a. ___ A statement of the time, place and nature of the hearing;
- b. ___ A statement of the legal authority and jurisdiction under which the hearing is to be held;
- c. ___ A reference to the particular sections of the statutes and rules involved; and
- d. ___ A short and plain statement of the matters asserted.

42. ___ The Chief Investigator shall ensure that all PPAC members, the Solicitor General's Section of the Attorney General's Office representing the PPAC, and Legal Counsel representing the State are provided with the Complaint, its attachments and all documents and materials submitted by the Respondent as soon as practicable at least 10 days prior to the hearing. No document(s), relevant to the specific case, shall be provided to any member of the PPAC that has not been provided to the Respondent.

53. ___ Prior to the date of the hearing, the Chief Investigator shall make arrangements with the appropriate individual in the Solicitor

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General's Section of the Attorney General's Office to ensure the PPAC is provided with legal counsel at the hearing.

64. ___ The Chief Investigator shall ensure that arrangements have been made to have a certified court reporter present at all disciplinary hearings. The proceeding shall also be audio recorded.

75. ___ The Chief Investigator shall prepare a public posting for all agendas of the PPAC and provide it to the SBE's Executive Director at least seven days prior to the date of the meeting. The Executive Director shall ensure that the notice is properly posted.

86. ___ All staff in the Investigative Unit shall make the necessary preparations to the hearing room.

97. ___ The Investigative Unit shall staff the PPAC during all proceedings. The Chief Investigator shall determine which staff members are required to attend.

DE. Recommendations of the [Professional Practices Advisory Committee PPAC and Consideration by the SBE](#)

1. ___ At the conclusion of a disciplinary hearing the PPAC will establish, on the record, its Findings of Fact, Conclusions of Law and Recommendation. The Chief Investigator shall work cooperatively with [the Solicitor General's Section of the Attorney General's Office representing the PPAC appropriate legal counsel](#) to draft the PPAC's Findings of Fact, Conclusions of Law and Recommendation in proper form. Once this is completed the draft shall be provided to the PPAC's presiding officer for final approval and signature.

2. ___ The Chief Investigator shall ensure that a fully executed copy of the PPAC's Findings of Fact, Conclusions of Law and Recommendation is sent [via certified mail](#) to the Respondent [at the Respondent's last known address of record with ADE](#), or the Respondent's attorney, as soon as reasonably practicable, [but no less than seven days prior to the SBE meeting](#).

3. ___ [After the Respondent has received a signed copy of the PPAC's Findings of Fact, Conclusions of Law and Recommendation, the](#) The Chief Investigator shall schedule the matter for final consideration by the SBE. Notice of the date, time and place when the [BoardSBE](#) will consider the PPAC's recommendation shall be

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sent to the Respondent at the Respondent's last known address of record with ADE, or the Respondent's attorney, via certified mail at least 25-20 days prior to the meeting, consistent with the requirements of AAC R7-2-703. ~~No disciplinary case shall be considered by the SBE until the Investigative Unit receives confirmation that the Respondent has received proper notification of the proceeding.~~ This notification requirement may be waived upon receipt of a written request from the Respondent. All materials that will be considered by the SBE shall be sent with the notice.

F. Consideration and Final Determination by the State Board of Education

41. The Investigator assigned to the case and the Chief Investigator shall ensure that all recommendations of the PPAC are forwarded to the SBE in accordance with required time frames. They shall also ensure that the SBE is provided with exclusively those documents that comprise the official record of the hearing before the PPAC.
52. ~~The Chief Investigator~~ Legal Counsel shall present all recommendations of the PPAC to the SBE.
63. The Investigator responsible for the case shall provide the Respondent with written notice, in a format approved by legal counsel, of the SBE's final determination. In cases in which discipline has been imposed, ~~¶~~ this notice shall include the Respondent's right to request a rehearing pursuant R7-2-709, and the right to appeal request a judicial review of the SBE's the decision of the SBE pursuant to A.R.S. § 12-904.
74. The Chief Investigator and the Investigator assigned to the case shall ensure that the decision of the SBE is properly implemented as follows:
 - a. If the SBE determines that no disciplinary action be taken:
 - i. Remove all public notations in the relevant databases referring to the investigation. The certified individual shall be considered in good standing.
 - ii. Close the case file in accordance with standard procedures.
 - b. If the SBE censures a certified individual certificate:

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- i. A letter stating the reason for the ~~reprimand-censure~~ shall be prepared for signature by the ~~Board~~SBE President. ~~The original signed letter shall be retained by the Investigator, and a copy of Once signed,~~ the letter ~~should-shall~~ be sent to the certified individual, ~~and a copy retained in the investigative file.~~
 - ii. Make the necessary notations in the relevant databases regarding the ~~Board~~SBE's decision.
 - iii. Close the case file in accordance with standard procedures.
- c. If the SBE suspends a ~~certified individual~~certificate:
- i. Make the necessary notations in the relevant databases regarding the SBE's action. ~~This shall include-including~~ a notation that the individual is not eligible for any ~~certification service~~certificate until the suspension is lifted.
 - ii. Clearly delineate any conditions placed on a suspension in the case file and in the relevant databases. The Chief Investigator shall be responsible for monitoring compliance with these conditions as appropriate.
 - iii. The Chief Investigator or a designee shall notify NASDTEC of the suspension, pursuant to established practices.
 - iv. Close the case file in accordance with standard procedures.
- d. If the SBE revokes a ~~certified individual~~certificate:
- i. Make the necessary notations in the relevant databases regarding the SBE's action.
 - ii. ~~Delete-Note the revocation of~~ all certificates held by the individual from the Certification Unit's master database.

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- iii. The Chief Investigator or a designee shall notify NASDTEC of the revocation, pursuant to established practices.
- iv. Close the case file in accordance with standard procedures.

EG. Negotiated Settlement Agreements

1. The Investigative Unit may attempt to resolve disciplinary matters through negotiated settlement agreements. In these cases the following procedures apply:
 - a. During the investigative process, staff an Investigator may engage in discussions with a Respondent or Respondent's legal counsel regarding proposed negotiated settlement agreements, upon. ~~Any such discussions shall be held only after~~ consultation with the Chief Investigator, the SBE's Executive Director and legal counsel.
 - b. Negotiated settlement agreements shall only be pursued when they are in the best interest of the education community. Negotiated settlement agreements involving educators who break contracts shall stipulate to the suspension of the teacher's certificate(s).
 - c. All settlement agreements shall be drafted and reviewed by legal counsel.
 - d. The draft settlement agreement shall be presented to the Executive Director for review and approval. Upon approval by the Executive Director, the Investigator shall retain a copy of the settlement agreement, and the settlement agreement shall be sent via certified mail to either the Respondent's last known address of record with ADE or the Respondent's legal counsel if the Respondent is represented by legal counsel in the matter.
 - e. The Respondent shall have fifteen days to sign the settlement agreement from the date it is received. This time shall be calculated from the date indicated on the return receipt. If the settlement agreement is not signed and returned within the required time frame, the Investigator may move forward with a Complaint.

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f. ~~Upon receipt of a settlement agreement that has been signed by the Respondent, the Investigator shall present the settlement agreement to the Executive Director for signature. Upon receipt of a settlement agreement that has been signed by the Executive Director and Respondent, After a settlement agreement has been drafted~~ the Chief Investigator shall schedule the matter for review by the PPAC. The PPAC shall consider whether to recommend to the Board SBE that the agreement be approved or denied. If the PPAC recommends that the agreement be denied, the Chief Investigator and legal counsel shall consider whether the agreement should be withdrawn prior to consideration by the SBE. ~~The settlement agreement shall contain language to this effect.~~

fg. The Investigator assigned to the case and the Chief Investigator shall ensure that all recommendations of the PPAC are forwarded to the SBE in accordance with required time frames.

2. ~~Negotiated settlement agreements involving breaches of contracts shall adhere to the following requirements:~~

~~a. In cases involving teachers who break contracts and staff and legal counsel determine that there are insufficient factors mitigating the resignation, staff shall attempt to resolve the matter through a negotiated settlement agreement. The terms of such an agreement shall stipulate to the suspension of the teacher's certificate(s). If a settlement agreement cannot be reached the matter shall be forwarded to the Attorney General's office to draft a complaint seeking disciplinary action.~~

~~b. In cases involving teachers who break contracts and staff and legal counsel determine that there are substantial factors mitigating the resignation, staff shall not proceed with disciplinary action. Mitigating factors may include, but are not limited to, family emergencies, unavoidable and unforeseen obligations or illness. All mitigating factors shall be verified by the Investigator assigned to the case.~~

3. ~~Legal Counsel~~ The Chief Investigator shall present all negotiated settlement agreements to the PPAC and the SBE.

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43. If the SBE approves a negotiated settlement agreement, the Chief Investigator shall provide the original signed document for signature by the ~~Board~~SBE President. The Investigator assigned to the case shall ensure that a copy of the fully executed agreement is provided to the Respondent as soon as reasonably practicable.

54. ~~Subsequent to final action by the SBE all~~ All cases resolved through negotiated settlement agreements which have been approved by the SBE shall be closed in ~~accordance with the procedures described in subsection D of this section~~ the same manner in which cases resolved through disciplinary proceedings are closed.

FH. Surrenders and Automatic Revocations

1. Voluntary Surrenders of Certificates

a. Any certified individual, whether under investigation or not, may choose to voluntarily surrender his/her teaching credentials. All individuals surrendering their credentials shall be required to submit a signed and notarized form, developed by the SBE, indicating that the individual is voluntarily relinquishing his/her credentials and waiving his/her due process rights.

b. Upon receipt of a completed surrender form, the Chief Investigator shall schedule the matter for consideration by the SBE and ensure that the ~~license certificate~~ holder is provided ~~with proper~~ notice, sent via certified mail, to either the certificate holder's last known address of record with ADE or the certificate holder's legal counsel if the certificate holder is represented by legal counsel in the matter, at least 20 days prior to the date of the scheduled proceeding.

c. Upon acceptance of the surrendered certificate(s) by the SBE, the Chief Investigator and the Investigator assigned to the case shall:

i. Make the necessary notations in the relevant databases regarding the SBE's action.

ii. ~~Delete-Note~~ all surrendered certificates ~~from-in~~ the Certification Unit's master database.

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- iii. Notify NASDTEC of the surrender, pursuant to established practices.
 - iv. Close the case file in accordance with standard procedures.
2. Automatic Permanent Revocations Pursuant to —A.R.S. § 15-550 (Appendix H)
- a. Upon receipt of information that a certified individual has been convicted of any offense listed in A.R.S. § 15-550, the Investigator assigned to the case shall:
 - i. Obtain certified court records verifying the conviction;
 - ii. Complete the approved form captioned “Notice of Permanent Revocation of Teaching Certificate(s)” and provide it to the Chief Investigator for approval; and
 - iii. Send the “Notice of Permanent Revocation of Teaching Certificate(s)” and the required attachments to the license certificate holder via certified mail to either the certificate holder’s last known address of record with ADE or the certificate holder’s legal counsel if the certificate holder is represented by legal counsel in the matter.
 - b. The Chief Investigator shall schedule the matter for consideration by the SBE and ensure that the license certificate holder is provided with proper notice, sent via certified mail, to either the certificate holder’s last known address of record with ADE or the certificate holder’s legal counsel if the certificate holder is represented by legal counsel in the matter, at least 20 days prior to the date of the scheduled proceeding. The SBE shall be provided with the “Notice of Permanent Revocation of Teaching Certificate(s)” and the required attachments.
 - c. Upon final action to permanently revoke the individual’s certificate(s) by the SBE, the Chief Investigator and the Investigator assigned to the case shall:
 - i. Present the “Notice of Permanent Revocation of Teaching Certificate(s)” to the SBE President for

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signature. The original signed documents shall be retained by the Investigator, and a copy of the signed documents shall be sent via certified mail to the certificate holder at the certificate holder's last known address of record with ADE or the certificate holder's legal counsel if the certificate holder is represented by legal counsel in the matter.

- ii. Make the necessary notations in the relevant databases regarding the SBE's action.
- iii. ~~Delete-Note~~ all permanently revoked certificates ~~from~~ in the Certification Unit's master database.
- ~~iii~~iv. Notify NASDTEC of the permanent revocation, pursuant to established practices.
- ~~iv~~v. Close the case file in accordance with standard procedures.

III. Professional Practices Advisory Committee (PPAC)

A. Authority and Membership

- 1. The PPAC is created pursuant to A.R.S. § 15-203(B)(4) and A.A.C. R7-2-205 ~~(Appendix I)~~.
- 2. The PPAC shall conduct disciplinary proceedings and reviews of applications for certification ~~to determine whether grounds exist to approve or deny.~~ The PPAC shall provide recommendations to the SBE regarding all disciplinary matters and reviewed reviews of applications for teacher-educator certification ~~and disciplinary proceedings.~~
- 3. As prescribed in A.A.C. R7-2-205, all members of the PPAC shall serve four year terms. It shall be the responsibility of the Chief Investigator to provide timely notice to the SBE's Executive Director regarding the need for future appointments.

B. Scheduling

- 1. The Chief Investigator shall be responsible for developing and setting all agendas of the PPAC.

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- ~~2. The Chief Investigator shall prepare a posting for all meetings of the PPAC and provide it to the Board's Executive Director at least three days prior to the scheduled meeting.~~
3. The Board's Executive Director shall ensure that all meetings of the PPAC are publicly posted in accordance with all legal requirements.

~~C. Membership~~

~~As prescribed in Board rule, all members of the PPAC shall serve four year terms. It shall be the responsibility of the Chief Investigator to provide timely notice to the Board's Executive Director regarding the need for future appointments.~~

IV. Fingerprint Clearance Cards

A. Fingerprint Clearance Card Data Management

1. It shall be the responsibility of the Investigative Unit to manage all fingerprint clearance card data received from the Department of Public Safety.
2. Upon receipt of fingerprint clearance card notices from the Department of Public Safety, the Investigative Unit's Administrative Assistant shall enter the relevant data in the appropriate databases.

B. Notice to School Districts and Charter Schools

1. Upon receipt of fingerprint clearance card notices of change in status from the Department of Public Safety, the Investigative Unit's Administrative Assistant shall determine – via the information supplied from the Department of Public Safety or by accessing the Certification Unit's database – whether the individuals referenced in the notices are employed in any Arizona public school. If employment information is available, the Administrative Assistant shall provide notice to the appropriate school district or charter school administrator regarding the status of the individual fingerprint clearance cards.
- ~~2. The Investigative Unit shall provide notices to school districts of certified individuals that are currently out of compliance with fingerprint clearance card requirements. The Chief Investigator shall determine a schedule for providing these notices.~~

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C. Prior Agency Clearance

1. If any Investigator receives information that an individual has been denied a fingerprint clearance card due to a conviction for an offense that ~~has was~~ previously ~~been reviewed as part of an application for certification that was~~ approved by the SBE ~~prior to 1999, and there is no evidence of any arrest or conviction subsequent to the prior SBE action,~~ the Investigator shall provide written notice ~~if of~~ this fact to the Department of Public Safety. This notice shall include a description of all convictions and arrests reviewed by the SBE.
2. ~~The Investigative Unit shall not provide notice of prior agency clearance to the Department of Public safety if:~~
 - a. ~~There is evidence of any arrest or conviction(s) subsequent to SBE approval.~~
 - b. ~~The applicant was approved at a staff level and never formally reviewed by the SBE.~~

V. National Association of State Directors for Teacher Education and Certification (NASDTEC) NOTIFICATIONS

A. NASDTEC Membership

1. The Department of Education shall maintain membership in NASDTEC on behalf of the Certification Unit and the SBE Investigative Unit, in a manner which ensures the Investigative Unit has access to view, administer, and maintain information in the NASDTEC Clearinghouse of disciplinary information.

A.B. NASDTEC Data Management

1. The Investigative Unit shall be responsible for managing all teacher certification data received from NASDTEC.
- B-2. On at least a monthly basis, the ~~The Chief Investigator~~ Administrative Assistant for the Investigative Unit shall compile a report from the Certification Unit database ensure that electronic NASDTEC files containing containing Arizona certificate holders for whom information regarding disciplinary actions from other states have been reported in the NASDTEC Clearinghouse and is

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downloaded to the Certification Unit's database ~~on, at least, a monthly basis.~~

VI. Records Maintenance

A. Public Records Requests

1. All public records requests shall adhere to the requirements as articulated in A.R.S. § 15-350 ~~(Appendix J)~~.
2. Prior to the release of any records, the Investigative Unit shall ensure that all appropriate information has been redacted. This includes, but is not necessarily limited to, social security numbers, dates of birth, addresses, phone numbers and other personal identifying information. The Investigative Unit shall also ensure that student information is not released.
3. If the Investigative Unit receives a subpoena for records that would not otherwise be released, the request shall be reviewed by legal counsel prior to disclosing any records.

B. Media Requests/Interviews

1. All media requests received by the Investigative Unit shall be forwarded to the Chief Investigator. The Chief Investigator shall brief the SBE's Executive Director prior to providing any written information ~~of or~~ verbal statements to any media outlet.
2. Unless specifically authorized by the SBE's Executive Director, only the Chief Investigator may provide statements to media outlets.

C. Archives

1. All files of the Investigative Unit shall be maintained in accordance with the SBE Records Retention Schedule on file with the Arizona State Library, Archives and Public Records established in the Office of the Secretary of State.

VII. Arizona Criminal Justice Information System (ACJIS)

- A. If an Investigator has reasonable suspicion that a certificated person engaged in conduct that would be a criminal violation of the laws of this state or was involved in immoral or unprofessional conduct, or that the applicant engaged in conduct that would warrant disciplinary action if an

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applicant were certificated at the time of the alleged conduct, the Investigator may request criminal history records and criminal history record information from law enforcement agencies for the purpose of evaluating the fitness of a certificated teacher or administrator or an applicant for a teaching or an administrative certificate.

- B. In addition to the Investigators, the Executive Director, Deputy Director, the Administrative Assistant to the Investigative Unit, and Attorney General's Office personnel representing the State in certification matters are the only individuals authorized to have access to ACJIS information appropriately obtained by an Investigator in the course of an investigation. Authorized individuals shall comply with all legal requirements of the Department of Public Safety pertaining to ACJIS.

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Issue: Presentation, discussion and possible consideration to approve the Move on When Reading (MOWR) LEA literacy plans for release of K-3 Reading Base Support funds; and, pursuant A.R.S. §§15-203(A)(1), (4) and (7), 15-231(B)(1), and 15-251(5), to adopt a policy requiring the Department to provide technical assistance and state level administration of the Move On When Reading Program, including, at a minimum, administration of school and LEA submittal of literacy plans and literacy data, and regular reports to the Board regarding LEA plans deemed to contain sufficient criteria for the Board to fulfill obligations under A.R.S. §15-211 to approve plans for release of K-3 Reading Base Support funds.

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. § 15-701 prohibits a student from being promoted from the third grade if the student obtains a score on the reading portion of the statewide assessment that demonstrates the student's reading falls far below (FFB) the third grade level. The law requires school districts and charter schools to offer 3rd grade students who score FFB on the statewide assessment at least one of the intervention and remediation strategies listed in statute and adopted by the State Board of Education (Board).

The legislature appropriates \$40 million annually for K-3 reading base support funding to provide per student funding to schools for students in grades K-3, and prescribed requirements for the receipt of the funds. A.R.S. §15-211, requires school districts and charter schools that serve any K-3 grades to annually submit a literacy plan to the Board. The law further requires school districts and charter schools which either received C/D/F letter grades or had more than 10% of their 3rd grade students labeled as "Falls Far Below" (FFB) on the statewide reading assessment to have their reading plans approved by the Board before the Arizona Department of Education School Finance Division may release reading base support funds.

The General Appropriations Act for fiscal years (FY) 2013, 2014 and 2015 included a budget footnote which allowed the Board to use up to \$1,500,000 of the \$40 million appropriated for K-3 reading base support on "technical assistance and state level administration" of the MOWR program. The FY2016 General Appropriations Act (Laws 2015, Chapter 8) created the Board as a separate budget unit and appropriated \$39.9 million to the K-3 Reading base support level, while it removed the footnote that provided the Board with the authority to use a portion of the funds to provide technical support and administer the program. HB 2479 (Laws 2015, Chapter 310) included session law that allowed the Department to use up to \$500,000 of the K-3 Reading base support funding on "technical assistance and state level administration" of the program.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

MOWR Policy and Administration

The Board retains authority to set policy for the MOWR program pursuant to A.R.S. §15-701 and A.R.S. §15-211. In June 2012, the Board considered recommendations developed in partnership with the Department, and approved the content of the literacy plans and determined procedures by which the plans would be submitted, reviewed and approved. These procedures allow the distribution of funds to those districts and charters which statutorily require review of literacy plans before release of funds.

Since FY2014, local education agencies (LEAs) have submitted literacy plans and data through an online portal. The portal was built by the Department through administrative agreements with the Board, with the funds appropriated to the Board for state level administration of the program.

Board staff access to this portal was severed by the Department in May when the Board staff moved to new offices in the executive tower. On August 12, 2015, the Department opened the portal to allow LEAs to submit literacy plans and data. On September 18, 2015, the Board's K-3 Reading Director was granted access to the portal. As of October 9, the Board's K-3 Reading Director position is vacant.

Pursuant A.R.S. §§15-203(A)(1), (4) and (7); 15-231(B)(1); and 15-251(5), the Board's Executive Director recommends that the Board adopt a policy requiring the Department to provide technical assistance and state level administration of the Move On When Reading Program, including, at a minimum, administration of school and LEA submittal of literacy plans and literacy data, and regular reports to the Board regarding LEA plans deemed to contain sufficient criteria for the Board to fulfill their obligations under A.R.S. §15-211 to approve plans for release of K-3 Reading Base Support funds.

2015-16 School Submissions

Arizona Revised Statute § 15-211(A), requires roughly LEAs that provide instruction in grades K-3 to annually submit a comprehensive literacy plan on October 1. LEAs with a letter grade of "C" or lower and any LEA with more than 10% of their students which score FFB on the statewide assessment are required to have their literacy plans approved by the Board in order to receive K-3 reading base support funding.

As of October 9, 2015, 373 of 460 (81%) of LEA Literacy Plans have been submitted:

234 - A & B schools

41 - C, D, F & more than 10% FFB previously approved by the Board

98 - C, D, F & more than 10% FFB ready for Board consideration

EXECUTIVE SUMMARY

The following list of LEA plans are deemed to contain sufficient criteria for Board approval:

Entity Id	District Name
4296	Academy Of Excellence, Inc.
4280	Alhambra Elementary District
79215	American Basic Schools LLC
79426	Aprender Tucson
92312	Archway Arete
92314	Archway Cicero
90916	Archway Classic Veritas
92656	Archway Classical Academy
90915	Archway Trivium
91958	Arizona Autism
79947	Arizona Community Development Corporation
92566	Arizona Language Preparatory
4187	Ash Creek Elementary District
4272	Avondale Elementary District
92349	BASIS School, Inc
92863	BASIS Schools, Inc
92865	BASIS Schools, Inc
92320	BASIS Schools, Inc
92736	BASIS Schools, Inc
4513	Bouse Elementary District
4171	Bowie Unified District
90328	CAFA, Inc. dba Learning Foundation and Performing Arts Alta Mesa
90327	CAFA, Inc. dba Learning Foundation and Performing Arts Gilbert
91330	Camino Montessori
91330	Camino Montessori
91934	Casa Academy
4395	Cedar Unified District
4158	Chinle Unified District
5186	Cholla Academy
4370	Colorado City Unified District

Entity Id	District Name
89556	Concordia Charter School, Inc.
4416	Continental Elementary District
4442	Coolidge Unified District
4263	Creighton Elementary District
88308	Desert Sky Community School, Inc.
10969	Desert Springs Academy
4174	Douglas Unified District
4228	Duncan Unified District
90506	Ed Ahead
6446	Edkey, Inc. - Sequoia Charter School
92226	Edkey, Inc. - Sequoia Pathway Academy
81052	Edkey, Inc. - Sequoia Ranch School
81050	Edkey, Inc. - Sequoia School for the Deaf and Hard of Hearing
81123	Educational Impact, Inc.
4341	EduPreneurship, Inc.
4448	Eloy Elementary District
4221	Fort Thomas Unified District
4303	Friendly House, Inc.
6372	Gem Charter School, Inc.
4271	Glendale Elementary District
4208	Globe Unified District
90894	Graysmark Schools Corporation
79500	Griffin Foundation, Inc. The
4371	Hackberry
4212	Hayden-Winkelman Unified District
91275	Hirsch Academy A Challenge Foundation
89786	Imagine Coolidge Elementary, Inc.
5174	Integrity Education Incorporated
4259	Isaac Elementary District
79233	Kaizen Education Foundation dba South Pointe Elementary School

EXECUTIVE SUMMARY

Entity Id	District Name
90330	Kaizen Education Foundation dba Vista Grove Preparatory Academy Elementary
4396	Kayenta Unified District
90900	La Tierra Community School, Inc
79660	Legacy Schools
92610	Legacy Traditional Charter
92879	Legacy Traditional Charter - Surprise
4439	Mammoth-San Manuel Unified District
90192	Morrison Education Group, Inc.
4265	Murphy Elementary District
4176	Naco Elementary District
4252	Nadaburg Unified School District
4366	New Horizon School for the Performing Arts
78882	New World Educational Center
4444	Oracle Elementary District
4373	Owens School District
6235	P.L.C. Charter Schools
79086	Painted Desert Demonstration Projects, Inc.
4510	Parker Unified School District
4390	Pinon Unified District

Entity Id	District Name
87405	Portable Practical Education Program
89414	Sage Academy, Inc.
4414	San Fernando Elementary District
4156	Sanders Unified District
4500	Somerton Elementary District
79085	Southgate Academy, Inc.
4313	STEP UP Schools, Inc.
4407	Sunnyside Unified District
90287	The Odyssey Preparatory Academy, Inc.
91250	The Paideia Academies, Inc
4450	Toltec School District
4197	Tuba City Unified School District #15
4403	Tucson Unified District
4277	Union Elementary District
79957	Valley of the Sun Waldorf Education Association, dba Desert Marigold School
91948	Vista College Preparatory, Inc.
4504	Wellton Elementary District
4154	Window Rock Unified District
4387	Winslow Unified District

Recommendation to the Board

It is recommended that the Board:

- 1) Pursuant A.R.S. §§15-203(A)(1), (4) and (7), 15-231(B)(1), and 15-251(5), adopt a policy requiring the Department to provide technical assistance and state level administration of the Move On When Reading Program, including, at a minimum, administration of school and LEA submittal of literacy plans and literacy data, and regular reports to the Board regarding LEA plans deemed to contain sufficient criteria for the Board to fulfill obligations under A.R.S. §15-211 to approve plans for release of K-3 Reading Base Support funds; and

- 2) Approve the Move On When Reading LEA literacy plans for release of K-3 Reading Base Support funds, as listed in the item.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and consideration to close the rulemaking record and adopt the proposed amendments to rule R7-2-302 and the repeal of R7-2-302.10, regarding high school graduation requirements.

Action/Discussion Item

Information Item

Background and Discussion

A.R.S. §15-701.01 requires the Board to prescribe a minimum course of study and competency requirements for the graduation of students from high school. Two pieces of legislation enacted in 2015 require conforming changes to the high school minimum course of study.

Laws 2015, Chapters 1, requires students, beginning with the class of 2017, to correctly answer at least sixty 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 in order to graduate.

Laws 2015, Chapters 5, specifically states that students are not required to pass the statewide assessment in order to graduate through school year 2018. This law conflicts with the Board policy and rules adopted in 2013-14 that required students through the class of 2017 to pass the previous statewide assessment (AIMS) in reading, mathematics and writing in order to graduate from high school.

Pursuant to the Board's rulemaking procedures, a public hearing will be held on October 23, 2015, to collect public input on the proposed rule changes.

Recommendation to the Board

It is recommended that the Board close the rulemaking record and adopt the proposed amendments to rule R7-2-302 and repeal R7-2-302.10, regarding high school graduation requirements.

EXECUTIVE SUMMARY

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)~~on the reading, mathematics, and writing portions of the AIMS (Arizona's Instrument to Measure Standards) assessment for the graduation of pupils from high school or issuance of a high school diploma, effective for the graduation class of 2013.~~

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,

EXECUTIVE SUMMARY

composition, American literature, advanced composition, research methods and skills and literature. 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 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 of economics.

c. Four credits of mathematics to minimally include:

i. Two credits containing course content covering the following areas in preparation for proficiency at the high school level on the ~~AIMS test~~ statewide assessment: Number Sense and Operations; Data Analysis, Probability and Discrete Mathematics; Patterns, Algebra and Functions; Geometry and Measurement; and Structure and Logic. These 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. One credit covering Algebra II or course content equivalent to Algebra II. Courses meeting this requirement may include, but 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. One credit that includes significant mathematics content as determined by the local school district governing board or charter school.

EXECUTIVE SUMMARY

- iv. Courses successfully completed prior to the ninth grade that meet the high school mathematics credit requirements may be applied toward satisfying those requirements.
 - v. The mathematics requirements may be modified for students using a personal curriculum pursuant to R7-2-302.03.
 - d. Three credits of science in preparation for proficiency at the high school level on the ~~AIMS test~~ 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 ARS §15-808.

EXECUTIVE SUMMARY

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 1/2 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 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

EXECUTIVE SUMMARY

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.

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.

R7-2-302.10. REPEALED AIMS, Substitute Passing Scores or Additional Credit; Beginning with the Graduation Class of 2013

EXECUTIVE SUMMARY

Issue: Update to State Board regarding the Request for Information (RFI) to determine the status and qualifications of current vendors for High School Equivalency (HSE) assessments.

Action/Discussion Item

Information Item

Background and Discussion

According to the U.S. Census American Community Survey (2009-2013), in Arizona there are currently almost 725,000 adults 18 and older who lack a high school diploma. The need for both an education system and a testing system to help these adults earn a secondary diploma and become more productive citizens is critically important for Arizona's economic recovery and growth.

In January 2014, the Arizona State Board of Education awarded the contract for the Arizona High School Equivalency Assessment to GED Testing Services, LLC. As a result, the new, computer-based 2014 GED Test was implemented as the only assessment used to award high school equivalency diplomas in Arizona, replacing the 2002 GED version of the test used prior to 2014.

As it awarded the contract in January 2014, the Board reiterated its commitment to providing choice to those seeking an Arizona High School Equivalency Diploma. The Board requested that the Arizona Department of Education issue a new Request for Proposal (RFP) to identify any additional rigorous tests aligned to Arizona's adult education academic standards, with the intention of providing options for Arizona adults as they seek to obtain an Arizona High School Equivalency Diploma.

In March 2015, the Board requested that a Request for Information (RFI) process be conducted prior to issuing a new RFP for HSE assessments to determine the status and qualifications of current vendors and the parity of rigor of their assessments.

Between April and August, Adult Education Services staff worked with Procurement to develop the RFI document. The timeline for the RFI process is below:

September 10, 2015	Release RFI
October 1, 2015	Responses due from vendors
October 2-12, 2015	ADE Staff review submissions
October 13, 2015	Consensus Evaluation
October 26, 2015	Report RFI results to SBE

RFI Results: Three vendors responded to the RFI. Evaluation results indicate that the three vendors demonstrate the ability to align with Arizona Adult Education Standards

Contact Information:

Sheryl Hart, Deputy Associate Superintendent
Leila Williams, Associate Superintendent

EXECUTIVE SUMMARY

and/or the Office of Career, Technical and Adult Education (OCTAE) College and Career Ready Standards. In addition, all three vendors indicate the ability to incorporate an already developed, 100 question multiple choice civics test as an additional assessment component to address Arizona's civics test graduation requirement (A.R.S. 15-701.01) beginning in 2017.

Please see attached Procurement Memo, *Executive Summary of RFI ADED16-0001, High School Equivalency Diplomas*.

Recommendation to the Board

It is recommended that the Board allow the Adult Education Services Unit to work with ADE Procurement to develop a timeline and implement a Request for Proposal (RFP) process for the consideration of adding one or more additional assessments to use for awarding Arizona High School Equivalency Diplomas.

EXECUTIVE SUMMARY

Page 1 of 1



State of Arizona
Department of Education

To: Solicitation File
From: Kimberly Grantham
Date: October 14, 2015
Subject: Executive Summary of RFI ADED16-0001, High School Equivalency Diplomas

This Request for Information (RFI) commenced under the Revised Arizona Procurement Code, Revised Arizona Statute 41-2555, Request for Information followed, including R2-7-G302 (Request for Information).

Background

ASRS 15-702 establishes the standard for the issuance of a High School Equivalency diploma in Arizona. Currently the GED® test is the primary method to achieve an Arizona High School Equivalency diploma. The Arizona State Board of Education is exploring alternative pathways to the Arizona State High School Equivalency diploma which may include assessments which are currently available, those which could be adapted or those under development for this purpose. Assessments must be able to demonstrate how they are aligned to the Arizona Adult Education College and Career Ready standards. ASRS 15-701.01 establishes passage of a civics test as another requirement for receipt of an Arizona High School Equivalency diploma. Vendor must address its ability to incorporate an already developed, 100 question, multiple choice civics test as an additional assessment component.

Timeline

- The RFI was released September 10, 2015
- The RFI was e-mailed through ProcureAZ on September 10, 2015 to three hundred fifty-two (352) suppliers obtained from the ProcureAZ bid list
- The RFI closed on October 1, 2015 and 3 responses were received.

Evaluation Process

- The evaluation team consisted of 2 evaluators
- The evaluation meetings were complete October 13, 2015

Based on the information provided, and consensus from the Evaluation Committee, the responses from the 3 vendors demonstrate the ability to align with the Arizona Adult Education College and Career Ready Standards or the OCTAE Adult Education Standards and the ability to incorporate an already developed, 100 question, multiple choice civics test as an additional assessment component.

Submitted by: Kimberly Grantham, Senior Procurement Specialist

October 14, 2015


Kimberly Grantham, Senior Procurement Specialist

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible consideration of the Department's procedures related to the issuance of authenticated copies of educator certificates.

Action/Discussion Item

Information Item

Background and Discussion

Pursuant to Arizona Revised Statutes ("A.R.S.") § 15-203(A)(14) and (20), the State Board of Education is the duly constituted authority that supervises and controls the certification of persons engaged in instructional work in Arizona public educational institutions below the community college, college, or university level.

At the June 2015 meeting, Board members discussed the past process by which the Department issued duplicate certificates to individuals. At the conclusion of the June 2015 Board meeting, members requested that the Department provide an update to the Board regarding any new procedures regarding issuance of duplicate certificates.

On July 27, 2015, the Department's Certification Unit issued a memorandum to local education agency personnel directors regarding a new certificate format (see attached), which stated that duplicate certificates will reflect the superintendent in office at the time the certificate was issued.

On September 28, 2015, the Board passed a motion requiring "the Department to present on the issue of issuance of authenticated copies of certificates and answer questions of the Board at the Board's next regular meeting, and that Board staff bring forward requested information regarding this item at the next regular meeting of the Board."

At the publication of these materials, Board staff had not received any materials regarding this item from the Department. On October 20, 2015, Department staff requested that this item be removed from the agenda.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY



State of Arizona
Department of
Education

To: Arizona's School District and Charter School Personnel Directors From:

Arizona Department of Education, Certification Unit

Date: July 27, 2015

Subject: Educator Certificate Format

The Certification Unit is implementing a new policy for printing duplicate or modified certificates. Certificates will now accurately reflect the superintendent in office at the time the certificate was issued. Effective July 20, 2015, duplicate or modified certificates issued **before January 5, 2015** will be printed on off-white security paper and display the signature of the superintendent in office at the time the certificate was issued. Certificates issued or renewed **on or after January 5, 2015** will be printed on beige security paper and display the signature of Superintendent Diane Douglas.

As we transition into this new process, you may see two types of certificate security paper. Certificates printed on off-white security paper may have a "Void" watermark. In the future all certificates will have a watermark of "Copy". Educator certificates may also be verified through Common Logon access, the HQT website, or the OACIS public portal.

If you have any questions, please contact the Certification Unit at 602-542-4000. Thank you for all you do to support educators across our state.



1535 West Jefferson Street, Phoenix, Arizona 85007 • (602) 542-4361 • www.azed.gov 4-16-2015

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Alternative Teacher Development Program Grant, pursuant to A.R.S. §15-552 and appropriations to the Department for the program in Laws 2015, Chapter 8, Section 34.

Action/Discussion Item

Information Item

Background and Discussion

Pursuant to Arizona Revised Statutes § 15-552, the State Board of Education has previously established the “alternative teacher development program for the purpose of accelerating the process of identifying, training and placing highly qualified individuals into low income schools through the use of teaching intern certification and the identification of a qualified service provider.” Statute requires the Department of Education to administer the program. Further, the statute requires the Board to award any grants for the program.

The FY2016 state budget (Laws 2015, Chapter 8, Section 34), signed by the Governor on March 12, 2015, included a \$500,000 appropriation to the Department for the program. The Board seeks information from the Department regarding the timeline for the FY16 grant process.

On September 28, 2015, the Board passed a motion requiring “the Department to provide the Board with information, implementation and potential recommendations towards the granting of the \$500,000 that was appropriated in FY16 for Alternative Teacher Development Program for the purpose of accelerating the process of identifying, training and placing highly qualified individuals into low income schools through the use of teaching intern certification and the identification of a qualified service provider.”

At the publication of these materials, Board staff has not received any materials regarding this item from the Department.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding local education agency (LEAs) declaration of curricular and instructional alignment.

Action/Discussion Item

Information Item

Background and Discussion

Arizona Revised Statutes (A.R.S.) §15-203 requires that the State Board of Education (the Board) define college and career readiness. A.R.S. §§15-701 and 15-701.01 specifically authorize and mandate that the Board adopt academic standards and minimum competency requirements for grades K-12, and A.R.S. §15-741 requires the Board to adopt and implement an assessment to measure pupil achievement of the standards in reading, writing and mathematics.

The minimum courses of study are adopted by the State Board in the Arizona Administrative Code (A.A.C.) R7-2-301 (grades K-8) and R7-2-302 (high school). The Board adopts academic standards addressing *what* a student is ultimately expected to learn (i.e., multiplication, grammar, understand expressions in a foreign language). Local curriculum (i.e., textbooks, math problems, reading material) serve as the tool for *how* students are taught the standards. Neither the Board nor the Arizona Department of Education (ADE) has authority to adopt or mandate school curriculum. Under A.R.S. §§15-721 and 15-722, local governing boards (both district and charter) retain *exclusive authority* to adopt curriculum via public meetings, allowing for community input regarding what instructional materials are used in classrooms.

On March 25, 2002, the Board took the following action to require all public schools to annually submit the Declarations:

Dr. Likins made the motion that the Board adopt the Declarations and require all Arizona public school districts and charter schools to annually affirm that the central components of standards-based education are in effect at every level in their school district/charter school. The Declarations consist of three documents to be signed separately by the local governing board as a body, the district superintendent and every school principal including equivalent charter school officials. A complete Declaration requires all three documents to be signed and returned to the ADE. Any school district/charter school that fails to sign and return the complete Declaration will, upon the recommendation of the Department of Education, be required to appear before the Board for a hearing. Ms. Hoover seconded the motion. Motion carried 8-0”

Further, at the October 22, 2002 meeting, the Board adopted the following policies, proposed by the Department, regarding public schools that failed to submit:

1. The ADE and the State Board consider the lack of alignment to the Standards as evidence in determining whether the district and/or charter school has

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

- been negligent in the implementation of a school improvement plan for a failing schools.
2. The ADE circulate the list of non-compliant districts and holders to programs and units within the Department as negative consideration in the evaluation of competitive grants or any other awards that require the implementation of the Standards as a selection criterion.
 3. The ADE inform all units that track compliance with state academic requirements and encourage strengthening monitoring of these districts and charter holders.
 4. The ADE will inform the sponsoring entity and encourage strengthening monitoring of the academic standing of these districts and charter holders.

Since the adoption of the policy, districts and charter schools have been required to annually submit a Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards. The signed Declarations are required to be uploaded in the monitoring section of the Department's ALEAT system. As noted in previous versions of the Declaration (see the 2013-2014 version attached):

Pursuant to State Board of Education Policy, all public schools (including charter schools) must submit annually to the Arizona Department of Education (ADE) a Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards.... The Declaration requires affirmations from the Governing Board, Superintendent, and Principal (or equivalent charter school officials), regarding the alignment or curriculum and the evaluation of instruction to the Standards.

The most recent State of Arizona Elementary and Secondary Education Act (ESEA) Flexibility Request, submitted to the U.S. Department of Education by the ADE on July 31, 2015, and approved by USDOE in a letter dated August 6, 2015, states at page 17:

To provide evidence and accountability regarding the implementation of the state standards in ELA and mathematics, a Declaration of Curricular and Instructional Alignment (Attachment 1E Declaration of Curricular and Instructional Alignment webpage) must be signed by Principals, Superintendents and individual School Board Presidents. 99% of LEAs completed a "Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards" for the 2013-2014 academic year. These standards include Arizona's College and Career Ready Standards for ELA and Mathematics, as adopted by the State Board of Education in 2010.

In addition to a notation in ALEAT that the Declaration for the 2015-2016 school year is not required, the Department has informed at least one school district that "The signing of the declarations is no longer required per Superintendent Diane Douglas."

EXECUTIVE SUMMARY

On September 28, 2015, the Board passed a motion requiring “the Department to present on the issue of the Declaration of Curricular and Instructional Alignment and answer questions of the Board at the Board’s next regular meeting.”

The Department provided the attached memorandum regarding the matter.

EXECUTIVE SUMMARY



State of Arizona
Department of Education

John Huppenthal
Superintendent of
Public Instruction

**DECLARATION OF CURRICULAR & INSTRUCTIONAL ALIGNMENT
TO THE ARIZONA ACADEMIC STANDARDS**

Pursuant to State Board of Education Policy, all public schools (including charter schools) must submit annually to the Arizona Department of Education (ADE) a Declaration of Curricular and Instructional Alignment to the Arizona Academic Standards, referred to in this document collectively as the "Standards," that include:

- English Language Arts (Arizona's Common Core Standards for English Language Arts, Reading Standard 2003 and Writing Standard 2004).
- Mathematics (Arizona's Common Core Standards for Mathematics and Mathematics Standard 2008).
- Science (Science Standard 2004 and Arizona's Common Core Standards for Literacy in Science and Technical Subjects).
- Social Studies (Social Studies Standard 2005 and Arizona's Common Core Standards for Literacy in Social Studies & History).

The Declaration requires affirmations from the Governing Board, Superintendent, and Principal (or equivalent charter school officials), regarding the alignment of curriculum and the evaluation of instruction to the Standards.

Governing Board

The Governing Board of the _____ School District /Charter affirms that it has adopted a curriculum that is aligned with the Arizona Academic Standards, *including Arizona's Common Core Standards*, and adopted an evaluation system that assesses whether teachers are integrating the Standards into their instructional practices. These policies are in effect for the 2013-2014 school year.

The deadline for submitting the Governing Board Declaration is **October 15, 2013**. The Declaration may be submitted at any time prior to the deadline. **Please submit by uploading this signed document into the ALEAT Filing Cabinet.**

My signature below affirms the foregoing is accurate and complete:

_____	_____
Name of Governing Board Member (print or type)	Title
_____	_____
Signature	Date

Arizona Department of Education
High Academic Standards for Students Division
Kathryn Hrabluk, Associate Superintendent

EXECUTIVE SUMMARY

October 8, 2015

**Department Report
Declaration of Curricular Alignment**

Background and Discussion

Pursuant to Arizona Revised Statute §15-701. Common school; promotions; requirements; certificate; supervision of eighth grades by superintendent of high school district; high school admissions; academic credit; definition

A. The state board of education shall:

1. Prescribe a minimum course of study, as defined in section 15-101 and incorporating the academic standards adopted by the state board of education, to be taught in the common schools.
2. Prescribe competency requirements for the promotion of pupils from the eighth grade and competency requirements for the promotion of pupils from the third grade incorporating the academic standards in at least the areas of reading, writing, mathematics, science and social studies...

ARS §15-701.01 subsections A and B further define the roles of both the State Board of Education and Governing Boards regarding the use of academic standards.

A. The state board of education shall:

1. Prescribe a minimum course of study, as defined in section 15-101 and incorporating the academic standards adopted by the state board of education, for the graduation of pupils from high school.
2. Prescribe competency requirements for the graduation of pupils from high school incorporating the academic standards in at least the areas of reading, writing, mathematics, science and social studies. The academic standards prescribed by the state board of education in social studies shall include personal finance. This paragraph does not allow the state board of education to establish a required separate personal finance course for the purpose of the graduation of pupils from high school. Beginning in the 2016-2017 school year, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil must correctly answer at least sixty of the one hundred questions listed on a test that is identical to the civics portion of the naturalization test used by the United States citizenship and immigration services. A district school or charter school shall document on the pupil's transcript that the pupil has passed a test that is identical to the civics portion of the naturalization test used by the United States citizenship and immigration services as required by this section...

B. The governing board of a school district shall:

1. Prescribe curricula that include the academic standards in the required subject areas pursuant to subsection A, paragraph 1 of this section.
2. Prescribe criteria for the graduation of pupils from the high schools in the school district. These criteria shall include accomplishment of the academic

EXECUTIVE SUMMARY

standards in at least reading, writing, mathematics, science and social studies, as determined by district assessment...

Additionally, A.R.S. §15-341 subsection A paragraph 5 reemphasizes the requirement of the Governing Board by stating:

A. The governing board shall:

5. Prescribe the curricula and criteria for the promotion and graduation of pupils as provided in sections 15-701 and 15-701.01.

Finally, Arizona Administrative Code for Education delineates in multiple ways the professional expectation of teachers and administrators. In each of these cases, it is clear that professional educators must appropriately incorporate Board approved academic standards in all courses for which academic standards have been adopted by the State Board of Education.

Historically, this documentation requirement was put into place because of the high stakes nature of the Arizona Instrument to Measure Standards (AIMS) assessment. This declaration acted as an assurance for parents that districts were aligning their curriculum to the standards in order to provide students, especially at the high school level, with the best opportunities to gain the knowledge needed to pass the tests and graduate high school. This documentation was also referenced in the Arizona ESEA flexibility waiver as an assurance that Arizona districts had aligned their curriculum to our college and career ready standards. The 2015-2016 flexibility waiver continues to include this as an informational item for Principal 1 and reported to the USED that 99% of our school districts, superintendents and principals declared alignment to the current standards evidencing the fact that districts have completed their transition to the Arizona College and Career Ready Standards for English Language Arts, Mathematics and Literacy in History/Social Studies, Science, and Technical Subjects.

The additional requirement placed on districts requiring Governing Board members, superintendents and principals to sign an annual declaration of curricular and instructional alignment is unnecessary for the following reasons:

- The Department expects that all districts will adhere to the laws which govern them thus making the necessity of an additional piece of documentation redundant to the purpose and expectations of all public educators and public school systems.
- In the 2015 legislative session, Senate Bill 1191 was signed into law and banned the use of a Statewide Assessment as a graduation requirement.
- The Department was not given any authority to enact disciplinary measures upon any district that refuses to comply with the declaration's submission. Even without this explicit authority, 99% of school districts have self-reported alignment to the standards providing evidence that the transition to the Arizona College and Career Ready Standards is complete.

As a result, this annual declaration is no longer required by the Department.

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding Board's duties as chief educational authority for administration and supervision of grants.

Action/Discussion Item

Information Item

Background and Discussion

This item was placed on the agenda at the request of Member Schmidt.

Arizona Revised Statutes (A.R.S.) §15-204 allows the Board to accept gifts or grants from public or private entities. A.R.S. §15-206 allows the Board, on behalf of the state, to accept monies which have been appropriated by Congress for educational purposes, and establishes the Board as the chief educational authority for administration and supervision of the expenditure of such federal appropriations. A.R.S. §15-207 requires the Board to apportion to LEAs federal grants it has accepted on behalf of the state.

The Department of Education (ADE) staff bring forward to the Board requests to both accept grants and federal appropriations, and requests to apportion grants via contract abstracts. These items generally appear on the Board's consent agenda.

Other state appropriated grant programs, like the Character Education Matching Grant Program, are overseen and administered by ADE rather than the Board. The Board may, from time to time, see issues related to such programs if ADE solicits federal funds for the programs – which would require Board acceptance and apportionment.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Superintendent's recommendation regarding the State Board adopted academic content standards in mathematics and English language arts (ELA).

Action/Discussion Item

Information Item

Background and Discussion

This item was placed on the agenda at the request of Superintendent Douglas.

Arizona Revised Statutes (A.R.S.) §15-203 requires that the Board define college and career readiness. A.R.S. §§15-701 and 15-701.01 specifically authorize and mandate that the Board adopt academic standards and minimum competency requirements for grades K-12. The Board adopts academic standards addressing what a student is ultimately expected to learn (i.e., multiplication, grammar, understand simple words and expressions in a foreign language). Arizona retains authority to approve and modify academic standards; there is no federal law requiring the adoption of specific standards.

At the April 2015 meeting, The Board adopted its policy regarding the development of the Arizona Mathematics Standards and English Language Arts Standards at the April 2015 meeting, and subsequently modified the policy in September 2015 to clarify the Department's role in the Standards Development Process to ensure the involvement of the Department. Specifically, the policy states:

Continuing to ensure that Arizona academic content standards are vetted, approved and controlled by Arizonans, the Board creates the Arizona Academic Standards Development Committee (Committee) to advise the Board on the development and improvement of the Arizona K-12 Mathematics Standards (Math Standards) and the Arizona K-12 English Language Arts Standards (ELA Standards). The current Arizona Math Standards and ELA Standards will be the starting point for the process, and initial comments shall be sought to inform the scope of revisions to the standards, in order to ensure Arizona's academic standards are excellent and rigorous.

As noted in a letter dated October 20, 2015, Superintendent Douglas has requested that the Board hold a "[d]iscussion and vote to remove Common Core as the basis of Arizona standards for language arts and mathematics"

Superintendent's Recommendation to the Board

The Superintendent proposes the following motion: "It is hereby moved that the actions of the State Board of Education (SBE) on June 28, 2010 to adopt Common Core, now referred to as the Arizona College and Career Ready Standards, as the standards for language arts and mathematics be reversed and that all links to Common Core be severed. Current language arts and mathematics standards will remain in place subject to modification by the SBE which will have the power to add, delete or modify those standards."

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY



State of Arizona
Department of Education
Office of Diane M. Douglas
Superintendent of Public Instruction



October 20, 2015

Dear President Miller,

This is a formal request that three items be placed on the next agenda for discussion by the full Board.

1. Discussion and vote to remove Common Core as the basis of Arizona standards for language arts and mathematics. I would propose the following motion or something similar be voted on.

"It is hereby moved that the actions of the State Board of Education (SBE) on June 28, 2010 to adopt Common Core, now referred to as the Arizona College and Career Ready Standards, as the standards for language arts and mathematics be reversed and that all links to Common Core be severed. Current language arts and mathematics standards will remain in place subject to modification by the SBE which will have the power to add, delete or modify those standards."

The net effect is to sever the tie between Arizona and the Common Core Standards created by the Council of Chief State School Officers (CCSSO) and the state. It will return Arizona to developing its own standards for approval by the SBE. Standards currently in effect will not be changed, including those provided through Common Core. CCSSO has indicated they do not intend to update Common Core nor to provide a Common Core 2. These standards will become increasingly out-of-date and with five years of experience can be significantly approved.

2. Discussion of the need for SBE Employees, the scope of any SBE employee's duties, and the salary range that ought to be associated with various SBE employee positions. In particular, I would ask that my request that the position of executive director be renamed and that the pay scale for the position be lowered to between \$70,000 - \$100,000 be placed on the agenda.

3. Discussion and possible vote on my recommendations for hiring by the SBE of Mr. Aiden Flemming or in the alternative Ms. Nickie Kelly be placed on the Agenda.

As a member of the State Board of Education (SBE) I am entitled by regulation to have my requests placed on the agenda. (See R7-2-101(C)(1)).

Sincerely,

A handwritten signature in blue ink that reads "Diane M Douglas".

Diane M. Douglas
Superintendent of Public Instruction

EXECUTIVE SUMMARY

Issue: Presentation, discussion and possible action regarding the Superintendent's recommendations regarding staff of the State Board of Education, position titles, salaries, and candidates for the proposed position of assistant executive officer.

Action/Discussion Item

Information Item

Background and Discussion

This item was placed on the agenda at the request of Superintendent Douglas.

At the May 2015 regular meeting, the Board approved the operating budget, which included 11 FTE and expenditure authority of \$1.7 million.

At a special meeting in August 2015, the Board authorized the Executive Director to take the steps necessary to fill vacancies in the positions of Deputy Director and Administrative Assistant for the Investigative Unit.

At a special meeting in September 2015, the Board authorized the Executive Director to take the steps necessary to fill a vacancy in the position of Executive Assistant to the Board. Additionally considered at the special meeting in September 2015, the Board took steps to fill the vacancy in the position of Executive Director, including approval of a revised job description and appointment of the Executive Director Hiring Committee.

At the regular meeting of the Board in September 2015, the Board approved the hiring of two employees in the positions of Administrative Assistant for the Investigative Unit and Executive Assistant to the Board – both of which started their positions in October 2015.

Superintendent's Recommendation to the Board

As noted in the attached letters dated October 8, 2015 and October 20, 2015, Superintendent Douglas recommends the following:

- 1) The position of Executive Director should be renamed Assistant Executive Officer
- 2) The pay scale for the position be lowered to between \$70,000 - \$100,000.
- 3) The Board not fill the position of Deputy Director
- 4) The duties of the Assistant Executive Officer need to be revised to conform to Arizona law and cannot continue to grant the position duties statutorily granted to the Superintendent of Public Instruction.
- 5) Pending Board approval of the pay scale, new job title, and to revisions to the existing directions given regarding the duties of the position, consideration of Aiden Flemming or Nickie Kelley for the position of Assistant Executive Officer, as recommended by the Superintendent.

Contact Information: Christine M. Thompson, Executive Director

EXECUTIVE SUMMARY



State of Arizona
Department of Education
Office of Diane Douglas
Superintendent of Public Instruction



October 8th, 2015

Dear President Miller and Vice President Ballantyne,

This letter is sent to the Board in my role as Executive Officer of the Board (See ARS 15-231(2)) and as the Superintendent of Public Instruction, the purpose of the letter is to make a hiring recommendation to you pursuant to ARS 15-203(A)(5).

First, I believe that the position of Executive Director should be renamed Assistant Executive Officer to avoid any confusion with my statutory role as the Executive Officer of the Board and to reinforce the statutory requirement that all employees of the Board work for the Department of Education under my direction.

Second, after reviewing the level of work and responsibility of the current executive director position vis-à-vis other positions with similar responsibility and pay in the Arizona Department of Education (ADE), I believe the pay scale for the top board position should be reduced to \$70,000 from \$100,000.

Third, I recommend that the Board not fill the position formerly held by Sabrina Vasquez. That position was created pursuant to a grant for the Move on While Reading (MOWR) program to establish the program when the administration cost of the program was \$1.5 million. That amount has been significantly reduced to about one third, and the position is no longer needed.

Fourth, I believe the duties of the Assistant Executive Officer need to be revised to conform to Arizona law and cannot continue to grant the position duties statutorily granted to the Superintendent of Public Instruction. I prefer to withhold a recommendation for a secretary for the Assistant Executive Officer prior to the selection of someone for the position. The new employee may have a preferred candidate for that position and I prefer to consult them prior to making a recommendation.

If the Board is agreeable to the pay scale, new job title, and to revisions to the existing directions given regarding the duties of the position, I am prepared to recommend two names for the new position. I recommend the Board hire one of them for Assistant Executive Officer to SBE to assist us in Board activities. The first is Aiden Fleming. He currently serves at a similar level in ADE as a Deputy Associate Superintendent in Government Relations. Formerly, as Director of the Empowerment Scholarship Accounts program he did an outstanding job and he is intimately familiar with SBE and its operations. The other person I recommend you consider is Nickie Kelley. Nickie currently fills a similar role at the Phoenix City Council for Councilman Sal

EXECUTIVE SUMMARY

DiCiccio and has held similar positions for a U.S. Congressman, the National Center for Public Research and for the National Federation of Independent Business (NFIB). She too is an outstanding talent and has the experience to serve the Board well.

I would ask that my recommendations be placed immediately on the next agenda of SBE and that one of my recommended candidates be selected. If, at that meeting, neither is able to gain majority approval, I remain willing to forward additional names to you, my fellow SBE members, as a recommendation so the business of our Board is not interrupted.

Attached please find the resumes for these two outstanding candidates. If either of you would like to discuss my recommendations, I remain available.

Sincerely,

Alison M Douglas

EXECUTIVE SUMMARY



State of Arizona
Department of Education
Office of Diane M. Douglas
Superintendent of Public Instruction



October 20, 2015

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1. Discussion and vote to remove Common Core as the basis of Arizona standards for language arts and mathematics. I would propose the following motion or something similar be voted on.

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Diane M. Douglas
Superintendent of Public Instruction