

**ARIZONA STATE BOARD OF EDUCATION**  
**Regular Board Meeting, December 21, 2015**  
**1535 W. Jefferson, Conference Room 122, Phoenix, Arizona 85007**  
**SUMMARY OF BOARD ACTION**

<p><b>MEMBERS PRESENT:</b>  President Miller  Vice President Ballantyne  Ms. Hamilton  Mr. Jacks  Mr. Carter  Mr. Taylor  Dr. Rottweiler  Superintendent Douglas  Mr. Schmidt</p>	<p><b>MEMBERS ABSENT:</b>  Dr. Crow</p>
<p><b>CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE, AND ROLL CALL</b></p>	<p>Meeting called to order at 9:00 am  Pledge of Allegiance, Moment of Silence and Roll Call; confirmed a quorum</p>
<p><b>1. BUSINESS REPORTS</b></p> <p><b>A. President’s report</b></p> <ol style="list-style-type: none"> <li><b>1. Appointment of Nominating Committee pursuant to AAC R7-2-101(A)(5).</b></li> <li><b>2. <u>A-F School Accountability Committee update</u></b></li> </ol>	<p>Recorded comments are available (Part I/00:01:24)</p> <p>President Miller announced the appointment of next year’s Nominating Committee and provided an A-F School Accountability update.</p>
<p><b>B. Superintendent’s report</b></p> <ol style="list-style-type: none"> <li><b>1. Updates on Department of Education activities</b></li> </ol>	<p>Recorded comments are available (Part I/00:03:00)</p> <p>Superintendent Douglas reported ESSA has been approved by Congress. ADE is looking at how it will impact the Department and the State of Arizona.</p>
<p><b>C. Board Members Reports</b></p> <ol style="list-style-type: none"> <li><b>1. Member Amy Hamilton – Teacher and Principal Evaluation Task Force update</b></li> <li><b>2. Member Jared Taylor – AZ Standards Development Committee update</b></li> </ol>	<p>Recorded comments are available (Part I/00:04:45)</p> <ol style="list-style-type: none"> <li>1. Member Amy Hamilton provided a Teacher and Principal Evaluation Task Force update. They finalized the new framework and will present to the Board in January for approval.</li> <li>2. Member Jared Taylor provided an AZ Standards Development Committee update. Previously submitted comments are being compiled and reviewed, more updates will follow throughout January and February. The committee will reconvene in January and Dr. Schmidt will need to be replaced. A call for candidates will be made.</li> </ol>

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<p><b>D. Executive Director's report</b></p> <p><b>1. Update on studies regarding the feasibility of multiple assessment options</b></p> <p><b>2. Investigative Unit update and the resolution and reporting of State Board disciplinary actions</b></p>	<p>Recorded comments are available (Part I/00:07:16)</p> <p>Executive Director Schmidt provided an update on studies regarding the feasibility of multiple assessments. She provided a response to Board directives from the 12-09-15 Special Board meeting, an update on the Investigative unit and the status of the corrections of disciplinary actions in the reporting systems and presented a current and future plan to assure no further issues.</p> <p>Recorded comments are available (Part I/00:21:15)</p> <p>Superintendent Douglas requested that the Remedial Action Plan be submitted in writing so the Board can have a hard copy of the plan.</p>
<p><b>2. CONSENT AGENDA</b></p> <p><b>A. Approval of the following contract abstracts:</b></p> <p><b>1. Migrant Education Grant</b></p> <p><b>2. Math and Science Partnership Grants</b></p> <p><b>3. School Safety Grants</b></p> <p><b>B. Approval of the permanent revocation of any and all educator certificates, pursuant to A.R.S. § 15-550, held by Russell Arlos Williams.</b></p> <p><b>C. Approval of the voluntary surrender of the educator certificates held by Juan F. Gatica.</b></p> <p><b>D. Approval to accept grant monies related to the Johnson-O'Malley grant in the amount of \$345,246.00.</b></p> <p><b>E. Approval of Move On When Reading LEA Literacy Plans for release of K-3 Reading Base Support Funds.</b></p> <p><b>F. Approval of additional monies for Teacher Compensation for the Fiscal Year 2015-2016 – Snowflake Unified School District.</b></p>	<p>Recorded comments are available (Part I/00:25:26)</p> <p>Member Schmidt requested the Board consider removing Items 2A, D and G off of the Consent agenda and requested an update from the Department of Education on grant disbursements.</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><b><i>Vice President Ballantyne made a motion, seconded by Dr. Rottweiler to approve the Consent Agenda with the exception of items 2A, D and G.</i></b></p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>

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<p><b>G. Approval of the award for 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.</b></p> <p><b>H. Approval of the Move On When Ready World History Qualifying Scores for Fall 2015.</b></p>	<p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Schmidt made a motion, seconded by Vice President Ballantyne to approve agenda items 2A, D and G.</i></p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>3. CALL TO THE PUBLIC</b></p>	<p>Recorded comments are available (Part I/00:35:10)</p> <p>There were no members of the public who spoke during Call to the Public.</p>
<p><b>4. GENERAL SESSION</b></p> <p><b>B. Presentation, discussion and possible action regarding criteria to identify alternative schools with “below average level of performance” during the 2014-2015 and 2015-2016 school years.</b></p>	<p>Recorded comments are available (Part I/00:35:55)</p> <p>Associate Superintendent Dr. Leila Williams and Chief Accountability Officer Dr. Yovhane Metcalf for the Department of Education presented information and a recommendation that the Board adopt the “Priority” label criteria approved in Arizona’s request for ESEA flexibility and adopted by the State Board in May 2015 to identify alternative schools which “demonstrate a below average level of performance” in the 2014-2015 and 2015-2016 school years.</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Vice President Ballantyne made a motion, seconded by Dr. Rottweiler, to adopt the recommendation as presented.</i></p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>C. Presentation, discussion and possible action to initiate rulemaking procedures for proposed amendments to rules R7-2-607 regarding General Certification Provisions and R7-2-619 regarding Certification Renewal Requirements.</b></p>	<p>Recorded comments are available (Part I/00:51:49)</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Carter made a motion, seconded by Vice President Ballantyne, to approve items 4C, 4D and 4E stipulating the rules as outlined by ADE [to initial rulemaking procedures for proposed amendments to rules].</i></p> <p>Director Schmidt notes that a rulemaking hearing will be set for Thursday January 14<sup>th</sup> at 1:30 pm.</p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>

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<p><b>D. Presentation, discussion and possible action to initiate rulemaking procedures for proposed amendments to Board rule R7-2-614(E) regarding the Teaching Intern certificate.</b></p>	<p>Recorded comments are available (Part I/00:51:49)</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>See Motion made on agenda item 4C.</i></p> <p>Director Schmidt notes that a rulemaking hearing will be set for Thursday January 14<sup>th</sup> at 1:30 pm.</p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>E. Presentation, discussion and possible action to initiate rulemaking procedures for proposed amendments to Board rule R7-2-615 regarding Special Subject Area Endorsements, Gifted Endorsements, and Library-Media Specialist endorsements.</b></p>	<p>Recorded comments are available (Part I/00:51:49)</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>See Motion made on agenda item 4C.</i></p> <p>Director Schmidt notes that a rulemaking hearing will be set for Thursday January 14<sup>th</sup> at 1:30 pm.</p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>F. Presentation and discussion regarding NAEP 2015 Mathematics and Reading Results for Grade 4 and Grade 8.</b></p>	<p>Recorded comments are available (Part I/00:53:50)</p> <p>Arizona NAEP Director Dr. Shelly Pollnow presented an update to the Board.</p>
<p><b>G. Presentation, discussion and possible action concerning the Department's procedures related to the issuance of copies of educator certificates.</b></p>	<p>Recorded comments are available (Part I/01:25:51)</p> <p>Dr. Cecilia Johnson presented information about educator certificates to the Board.</p>

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<p><b>H. Presentation, discussion and possible action to accept the recommendation of the Professional Practices Advisory Committee to approve the settlement agreement for Ninfa Blanco.</b></p>	<p>Recorded comments are available (Part I/01:48:09)</p> <p><i>Eric Schwarz, Assistant Attorney General, presented this item to the Board.</i></p> <p><i>Ms. Blanco did not appear before the Board.</i></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><b><i>Vice President Ballantyne made a motion, seconded by Member Taylor to accept the recommendation of the Professional Practices Advisory Committee to approve the settlement agreement for Ninfa Blanco (which provided for suspension of any and all certificates for a 3 month period).</i></b></p> <p><b>Motion Passed with a vote of 8-1, Member Jacks voted no. Superintendent Douglas, Vice President Ballantyne and Member Carter explained their votes.</b></p>
<p><b>I. Presentation, discussion and possible action to accept the recommendation of the Professional Practices Advisory Committee to approve the settlement agreement for Tammy Lee McGuire.</b></p>	<p>Recorded comments are available (Part I/01:57:46)</p> <p><i>Eric Schwarz, Assistant Attorney General, presented this item to the Board.</i></p> <p><i>Ms. McGuire appeared before the Board via telephone.</i></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><b><i>Dr. Rottweiler made a motion, seconded by Vice President Ballantyne, to accept the recommendation of the Professional Practices Advisory Committee to approve the settlement agreement for Tammy Lee McGuire (which provided for suspension with conditions, of any and all certificates, from July 1, 2014 through June 30, 2016 as follows:</i></b></p> <p><b><i>Respondent shall participate in counseling, therapy, or a treatment program which addresses substance abuse issues;</i></b></p> <p><b><i>Respondent shall furnish a letter of proof of successful completion to the Board certifying that Respondent has successfully completed sufficient treatment or counseling;</i></b></p> <p><b><i>All conditions are at Respondents' own expenses)</i></b></p> <p style="text-align: center;"><b>Motion Passed with a vote of 8-1. Superintendent Douglas voted no and explained her vote.</b></p>



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<p><b>1. Tara L. Andrews</b></p>	<p><i>Ms. Andrews did not appear before the Board.</i></p> <p style="text-align:center"><b><u>MOTION</u></b></p> <p><b><i>Member Hamilton made a motion, seconded by Vice President Ballantyne, to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to suspend the certification of Tara L. Andrews (which provided for suspension of any and all certificates for a 2 year period).</i></b></p> <p style="text-align:center"><b>Motion passed 6-3, Member Taylor, Superintendent Douglas and President Miller voted no. Member Taylor and Superintendent Douglas explained their no vote.</b></p> <hr style="width:10%; margin:auto;"/> <p>Recorded comments are available (Part 1/02:21:00)</p>
<p><b>2. Darrell L. Foster</b></p>	<p><i>Eric Schwarz, Assistant Attorney General, presented these items to the Board.</i></p> <p><i>Mr. Foster did not appear before the Board.</i></p> <p style="text-align:center"><b><u>MOTION</u></b></p> <p><b><i>Member Carter made a motion, seconded by Member Taylor, to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to suspend the certification of Darrell L. Foster (which provided for suspension of any and all certificates for a 1 year period).</i></b></p> <p style="text-align:center"><b>Motion passes 8-1. Vice President Ballantyne voted no.</b></p> <hr style="width:10%; margin:auto;"/> <p>Recorded comments are available (Part 1/02:25:32)</p>
<p><b>3. James A. Sykes</b></p>	<p><i>Eric Schwarz, Assistant Attorney General, presented these items to the Board.</i></p> <p><i>Mr. Sykes did not appear before the Board.</i></p>

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	<p style="text-align: center;"><b>MOTION</b></p> <p><i>Member Schmidt made a motion, seconded by Superintendent Douglas, to accept the findings of fact and conclusions of law of the Professional Practices Advisory Committee but to revoke the certification of James A. Sykes.</i></p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>L. Presentation, discussion and possible action to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the application for certification for Allan R. Smith.</b></p>	<p>Recorded comments are available (Part 1/02:38:05)</p> <p>Acting Chief Investigator, Garnett Winders, presented the case to the Board.</p> <p>Mr. Smith was present at the meeting.</p> <p style="text-align: center;"><b><u>NO MOTION-NO ACTION</u></b></p> <p><i>There was no initial motion to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the application for Principal certification for Allan R. Smith.</i></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Schmidt made a motion, seconded by Member Jacks, to adopt the findings of fact and conclusions of law of the Professional Practices Advisory Committee but to deny the application for Principal certification for Allan R. Smith.</i></p> <p style="text-align: center;"><b>Motion passed unanimously.</b></p>
<p><b>M. Presentation, discussion and possible action regarding local education agency (LEA) declarations of curricular and instructional alignment.</b></p>	<p>Recorded comments are available (Part 1/02:51:36)</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Taylor made a motion, seconded by Vice President Ballantyne, to discontinue the practice of collecting the declarations of curricular alignment from the principals, governing boards and superintendents as of this school year.</i></p> <p style="text-align: center;"><b><u>AMENDMENT</u></b></p> <p><i>Member Carter made offered an amendment, seconded by Vice President Ballantyne, to ask the Arizona DOE to seek, in writing, clarification from the USDOE that they have no problem taking the proposed action to rescind collection of LEA declarations.</i></p>



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	<p>Roll call was taken. The amendment passed 7-1. Superintendent Douglas voted no. Superintendent Douglas explained her vote.</p> <p style="text-align: center;"><b><u>APPROVAL OF MOTION AS AMENDED</u></b></p> <p><i>Roll call was taken to approve the motion as amended that the Arizona DOE seek, in writing, clarification from the USDOE that the USDOE does not have a problem with the proposed action to rescind collection of LEA declarations.</i></p> <p>Roll call was taken. Amended motion passed 7-1. Superintendent Douglas voted no. Superintendent Douglas and Member Schmidt explained their vote.</p>
<p><b>N. Presentation, discussion and possible action regarding approval of ADE’s recommendation regarding the Request for Proposals (RFP) for the Multi-State Alternative Assessment to A.R.S. § 15-741(A)(7).</b></p> <p>Pursuant to A.R.S. § 38-431.03(A)(2) and (3), the Board may vote to convene in executive session to consider records exempt by law from public inspection, including the receipt of information that is required to be maintained as confidential by state or federal law, and/or for discussion or consultation for legal advice on this agenda item.</p>	<p>Recorded comments are available (Part I/03:27:00)</p> <p>Associate Superintendent Dr. Leila Williams introduced State Procurement Officer, Steve Paulson, to the Board. Mr. Paulson presented to the Board.</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Taylor made a motion, seconded by Member Schmidt, to adjourn into Executive Session to review the procurement process and recommendations, 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.</i></p> <p><b><u>Meeting recessed and convened to Executive Session at Part I/03:30:49</u></b></p> <p><b><u>Meeting of the State Board of Education reconvened at Part I/03:30:51.</u></b></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Jacks made a motion, seconded by Vice President Ballantyne to approval of ADE’s recommendation regarding the selected vendor for the Multi-State Alternative Assessment to A.R.S. § 15-741(A)(7).</i></p>

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	<b>Motion passed unanimously.</b>
<p><b>O. Presentation, discussion and possible action regarding approval of the ADOA procurement official's recommendation regarding the Request for Quotes (RFQ) for a legislative liaison for the State Board of Education.</b></p> <p>Pursuant to A.R.S. § 38-431.03(A)(2) and (3), the Board may vote to convene in executive session to consider records exempt by law from public inspection, including the receipt of information that is required to be maintained as confidential by state or federal law, and/or for discussion or consultation for legal advice on this agenda item.</p>	<p>Recorded comments are available (Part I/03:32:18)</p> <p>Cathie Rodman presented this item to the Board.</p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Member Taylor made a motion, seconded by Member Jacks, to adjourn into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) and (3), the Board may vote to convene in executive session to consider records exempt by law from public inspection, including the receipt of information that is required to be maintained as confidential by state or federal law, and/or for discussion or consultation for legal advice on this agenda item.</i></p> <p style="text-align: center;">Motion passed unanimously.</p> <p><b><u>Meeting recessed and convened to Executive Session at Part I/03:35:47</u></b></p> <p><b><u>Meeting of the State Board of Education reconvened at Part I/03:35:48</u></b></p> <p style="text-align: center;"><b><u>MOTION</u></b></p> <p><i>Vice President Ballantyne made a motion, seconded by Member Carter, to approve ADOA's procurement official's recommendation of a selected vendor as the legislative liaison for the State Board of Education, subject to review of references.</i></p> <p style="text-align: center;">Motion passed 7-1. Superintendent Douglas voted no and explained her vote.</p>
<p><b>5. SUMMARY OF CURRENT EVENTS, FUTURE MEETING DATES AND ITEMS FOR FUTURE AGENDAS.</b> 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.</p>	<p>Recorded comments are available (Part I/03:36:33)</p> <p>The following members offered items for future Board agendas:</p> <ul style="list-style-type: none"> <li>• Member Carter</li> <li>• Member Taylor</li> <li>• Vice President Ballantyne</li> <li>• Superintendent Douglas</li> <li>• Member Schmidt</li> </ul>

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<b>ADJOURN</b>	<b>Meeting adjourned at 1:02 p.m.</b>
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