

Minutes
State Board of Education
Monday, September 26, 2011

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

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

Members Present:

Mr. Jaime Molera
Mr. Thomas Tyree
Supt. Huppenthal (9:10 AM)
Dr. Vicki Balentine
Dr. J.D. Rottweiler
Ms. Amy Hamilton
Ms. Eileen Klein (9:15 AM)
Mr. Gregory Miller
Mr. Jacob Moore
Ms. Ortiz-Parsons

Members Absent:

1. **BUSINESS REPORTS**

A. **President's Report**

Mr. Molera shared an article from the Economist and shared that he thought it was consistent with the issues the Board is currently

Has met with representatives from the various education organizations, the Chamber of Commerce and staff in both the House of Representatives and the Senate. He shared that there appears to be a desire by these groups to work cooperatively on many of the reform areas identified by the Board as priorities.

Mr. Molera requested that members consider participating in the advisory group that will be preparing recommendations regarding the transition between the AIMS and PARCC assessments. He asked that any member that is interested contact Mr. Yanez directly.

B. **Superintendent's Report**

C. **Board Member Reports**

Member Moore thanked the Superintendent for convening his first Native American advisory committee meeting. He appreciated the Superintendent's approach to this first meeting.

D. Director's Report

Request that item 2A be tabled until the October meeting

1. Update regarding the Clifton Unified School District

Mr. Yanez stated that he provided the Board with a copy of a letter from Tom Powers, Greenlee County Superintendent of Schools. Mr. Yanez stated that according to the letter the Clifton School District is currently insolvent. Mr. Yanez summarized the various issues that led to the district's insolvency and stated that in the past districts that have found themselves in this type of situation have been able secure relief from the legislature. He stated that this is not a possibility for Clifton since the legislature is not currently in session. Mr. Yanez stated that he has had conversations with the district's attorneys regarding the possibility of receivership. He explained that he does not believe receivership is a viable option in this case because the district does not have sufficient budget capacity to pay a receiver. Mr. Yanez further explained that even if receivership were an option that it is unlikely that the Board could take action quickly enough given the timeframes associated with the district's due process rights.

Mr. Yanez stated that he thought that the district's best option for this year was to simply close its campus and send its students to nearby school districts.

2. Other items as necessary

2. CONSENT AGENDA

A. Consideration to approve State Board of Education minutes for August 22, 2011

B. Consideration to Approve Contract Abstracts:

1. 2011-2012 Migrant Education Program
2. 2012-2014 McKinney-Vento Homeless Education Grants
3. 2011-2012 Migrant Education Program for identification and recruitment of migrant students
4. Adult Education Civics Standards Pilot
5. Adult Education College and Career Pathways Pilot
6. Adult Education Integrated Basic Education and Skills Training (I-BEST) Pilot
7. Mathematics and Science Partnerships

C. Consideration to appoint the following individuals to the Special Education Advisory Panel (SEAP):

1. Valerie A. VanAuker
2. Amanda Heyser
3. Leanne Murrillo
4. Kim Skrentny
5. Susan Douglas
6. Ralph Tillapaugh

D. Consideration to accept the voluntary surrender of the teaching

credentials for Paul Heartquist

- E. Consideration to revoke the teaching credentials held by Michael A. LaMonica, pursuant to A.R.S. § 15-550
- F. Consideration to accept funds for the 2012 Refugee School Impact Grant and to authorize expenditures in accordance with the terms of the award

*Mr. Tyree moved to approve the consent agenda with the exception of item 2A.
Second by Mr. Miller
Motion passed unanimously*

3. CALL TO THE PUBLIC

4. GENERAL SESSION

- A. Presentation and discussion regarding the Arizona Education Learning and Accountability System (AELAS)

Mr. Masterson provided a brief update on the work surrounding the Arizona Education Learning and Accountability System.

He stated that the 40-day aggregation will commence as scheduled, on October 5th. He pointed out that for schools this could vary depending on which day classes began. This will be the first time this has occurred since 2001.

Mr. Masterson stated that based upon his staff's efforts they have identified 260 business rules that impact integrity. He explained that all of these rules are currently being analyzed to determine whether they can be simplified. This is being done in an effort to speed up the integrity process. He further commented on how the architecture of the system will be changed to allow these types of rules to be added or removed more efficiently.

Mr. Masterson addressed several other technical matters that were included in the presentation materials he provided to the Board.

- B. Presentation and discussion regarding the Arizona High Performing Schools Recognition Project Ms. Carlson

This item was removed from the agenda

- C. Presentation and discussion regarding A – F school profile calculations, pursuant to A.R.S. § 15-241 Mr. Yanez

Mr. Molera indicated that he asked Mr. Yanez to provide the Board with a brief overview of some significant issues pertaining to the AZ LEARNS calculations for the A-F school labels.

Mr. Yanez stated that there have been concerns from the field regarding how the A-F calculations were

made. He shared that he believed most of these questions stemmed from the field's inability to replicate the calculations.

The first issue Mr. Yanez addressed was how the bottom quartile is identified for the purpose of the growth calculation. He explained that the Department has identified these students on a school-wide basis, rather than identified the bottom quartile in each grade. The Department has agreed to identify these students for each school in the states so that they know which students are included in the bottom quartile calculation.

The second issue pertains to the inclusion of non-FAY (full academic year) students. Mr. Yanez explained that when the growth percentile have been calculated in the past by the State Board for Charter Schools all students are used to set the baseline growth percentiles, but at the school level they only look at FAY students. He explained that in calculating the A-F labels the Department excluded non-FAY students from both the statewide growth percentile calculation, as well as from the school-level calculations. Mr. Yanez stated that concerns have been raised that in the Department's calculation schools will not have access to non-FAY students growth data because they were excluded from the calculation. He stated that the Department has agreed to provide these data to schools, although those non-FAY students would still not be incorporated into the school accountability formula.

The third issue concerns the availability of the statewide achievement data that is necessary to calculate the growth percentiles so that the labels can be replicated. Mr. Yanez stated that the Department has agreed to redact all identifying information and make the achievement data available to all schools.

Mr. Yanez said that the final issue concerns small schools and whether they should be included in the labeling system. He explained that the Department has informed him that the staff has noticed some anomalies for schools with student populations under 127. He said the Department is recommending that these schools not receive labels this year. This would allow the Department to analyze the data to ensure that the formula is treating these schools fairly.

Ms. Klein asked what became of students that took AIMS-A.

Dr. Giovannone stated that they were not included in the formula. She noted that these students have not historically been included in the formula. She explained that the Department is working to develop a process to include these students in the formula.

Dr. Giovannone addressed a series of technical questions from members regarding the 2011 A-F calculations.

Dr. Ildi Lazcko-Kerr, Arizona Charter Schools Association, addressed the Board and thanked the Department for their willingness to answer questions from the field and for keeping the process as transparent as possible. Dr. Lazcko-Kerr stated that she had concerns with the comparability of the growth calculations with other states that use the Colorado growth model. She noted that other states treat FAY students consistent with how the Charter Board has calculated student growth over the last several years.

Ms. Klein stated suggested that the Board wait a week or two before releasing the A-F labels. This would allow more time for analysis and consideration of the issues that have been raised.

Superintendent Huppenthal stated that the core issue is the treatment of FAY students. He stated that this is a philosophical issue and that the Department is confident with how it has chosen to make these calculations. He stated that the Department feels comfortable moving forward with the work to date.

After further discussion Superintendent Huppenthal agreed to withhold the public release of the labels for two weeks.

Eileen Sigmund, Arizona Charter School Association, raised two points regarding the consistency of the Arizona growth model with the Colorado growth model. She stated that when her association began using the growth model there was a contract with the growth model developer to ensure it was applied consistently. She also asked for clarification regarding the small school calculation.

- D. Presentation, discussion and consideration to accept the proposed settlement agreement to suspend the teaching credentials held by Timothy Newton-Pender

Mr. Easaw provided an overview of the case. He explained that Mr. Newton-Pender was initially certified in 1996. He stated that as a result of a number of injuries he developed a dependence on pain pills. He said that as principal he had access to the schools medicinal supplies and that he began to take some of those medicines without authorization. Some of these medicines were set aside for students.

Ultimately, Mr. Newton-Pender admitted to taking the medicine and accepted responsibility for his actions. Criminal charges were filed.

After discussions with staff a proposed settlement agreement that provides for a three year suspension, partly retroactive from April 2010 to April 2013. Mr. Easaw stated that this matter was reviewed by the PPAC and the committee recommends that it be accepted.

*Motion by Mr. Miller to accept proposed settlement agreement to accept the proposed settlement agreement.
Second by Superintendent Huppenthal
Motion passed unanimously*

- E. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the teaching credentials held by the following individuals:
 - 1. Adam Douglas Warcken

Mr. Easaw provided a brief overview of the case. He explained that Mr. Warcken sent a text message to a student requesting sex. He stated that Mr. Warcken claimed that he was intoxicated when the message was sent. Mr. Easaw

*Motion by Dr. Balentine to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the teaching credentials held by Adam Douglas Warcken.
Second by Dr. Rottweiler
Motion passed unanimously*

- 2. Oscar Rosero

Mr. Easaw provided a brief overview of the case. Mr. Easaw stated that in April 2010 Mr. Rosero developed

a close relationship with a student and that at some point it was alleged that he touched the student inappropriately. He explained that he was terminated.

Motion by Mr. Miller to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the teaching credentials held by Oscar Rosero.

Second by Ms. Ortiz-Parsons

Motion passed unanimously

- F. Presentation, discussion and consideration to open rulemaking procedures for proposed rules R7-2-602 and R7-2-603 regarding professional teaching standards and professional administrative standards

Ms. Amator provided a summary of the proposed rules. He explained that this matter was on the August agenda and that the Board had requested some changes to the rules as originally proposed. She stated that the materials provided to the Board identifies each of the amended items.

Ms. Klein thanked staff for making the changes she had requested.

Motion by Dr. Balentine to initiate rulemaking procedures for proposed rules R7-2-602 and R7-2-603 regarding professional teaching standards and professional administrative standards.

Second by Mr. Miller

Motion passed unanimously

- G. Presentation, discussion and consideration to adopt proposed passing score for the Earth Science subject knowledge portion of the Arizona Educator Proficiency Assessment (AEPA)

Ms. Amator explained that the AEPA is required for issuance of a teaching certificate in Arizona. She stated that the field had requested the development of the Earth Science exam and that the item before the Board is a request to set the passing score for this new test.

Motion by Dr. Balentine to adopt the passing score for the Earth Science subject knowledge portion of the Arizona Educator Proficiency Assessment, as presented.

Second by Ms. Ortiz-Parsons

Motion passed unanimously

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

Mr. Molera asked that the Board members consider participating in the committee work surrounding the AIMS/PARCC transition.

Ms. Klein reminded the Board of the Arizona Ready launch and requested that staff work to place a review of the website on a future agenda.

Ms. Hamilton requested an update on teacher evaluation roll-out.

Mr. Molera requested an update on legislative affairs from Ms. Cannata.

5. ADJOURN

Motion by Mr. Tyree to adjourn

Second by Mr. Miller

Motion passed unanimously.