

NOTICE OF PUBLIC MEETING  
ARIZONA STATE BOARD OF EDUCATION

The Arizona State Board of Education held a regular meeting on January 28, 2013 at the Arizona Department of Education, 1535 West Jefferson Street, Room 417, Phoenix, Arizona. The meeting was called to order at 9:06 a.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

**Members Present:**

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

**Members Absent:**

Ms. Hamilton  
Dr. Hart  
Ms. Klein

1. PRESENTATION OF CANDIDATES AND ELECTION OF STATE BOARD OF EDUCATION OFFICERS FOR 2013

Mr. Yanez announced the election of officers for 2013. At the December meeting the nominating committee selected nominees for 2013, for President, Mr. Tom Tyree and for Vice President, Mr. Greg Miller. The Board voted unanimously to elect the nominees.

2. BUSINESS REPORTS

A. President's Report

President Tyree thanked former President Molera for his service to the State Board of Arizona and presented him with a plaque. Rebecca Gau, representing the Governor's office also presentation a Certificate of Appreciate from Governor Brewer's Office

President Tyree

B. Superintendent's Report

Superintendent Huppenthal thanked former President Molera for his leadership on the State Board as well as his service on the House and Senate Education Committee. He spoke about the state accounting issues that are causing small districts and small charter schools to devote too much time to accounting errors and issues.

Supt. Huppenthal

C. Board Member Reports

Mr. Moore attended the January WestEd Board Meeting and updated the Board on that meeting. There was a lot of time looking at technology and the meeting was interesting and very productive. He attended the Arizona Ready Council meeting at the Governor's office and highlighted briefly. Mr. Moore thanked Mr. Molera for all he has done over the last 4

C. Director's Report

Mr. Yanez

Mr. Yanez thanked Mr. Molera for his two years of service as President of the State Board of Education. Mr. Yanez spoke about the change in the ELL, the test time related to assessment and how that will potentially affect the 95% rule that applies to the A-F systems. That item will be discussed in February.

### 3. CONSENT AGENDA

- D. Consideration to approve Arizona State Board of Education minutes for December 3, 2012 and December 14, 2012. Mr. Yanez
- E. Consideration to approve the following Contract Abstracts: Mr. Peterson
1. Arizona Youth Farm Loan Fund
  2. Title 1 Distinguished School Recognition Grant
  3. Intel® Teach Affiliate Program 2013 Grant Approval
  4. AZ Charter School Program Awards for February 1, 2013 – January 31, 2016
  5. Increase Palo Verde Elementary School District FY2013 Migrant Education Program Allocation
  6. 2012-2013 Migrant Education Program Mini Grant for Preschool Migratory Children
  7. AZ ESA Professional Development Renewal Project
- F. Consideration to approve trainers for the full Structured English Immersion Endorsement Ms. Hrabluk
- B. Consideration to accept voluntary surrender of the certificates held by the following individuals:
1. Mary Khayesi Otenyo
  2. Jennifer Ann Wojtulewicz (Clausen)
  3. Travis Munroe Townsend
- C. Consideration to permanently revoke any and all teaching certificates held by Michael A Cox, pursuant to A.R.S. § 15-550
- D. Consideration to approve teacher preparation programs for the American Board for the Certification of Teacher Excellence.

*Ms. Ortiz –Parsons made a motion to approve the consent agenda. Mr. Rottweiler seconded the motion. Consent agenda passed unanimously.*

### 4. CALL TO THE PUBLIC

Dr. Ildi-Laczko-Kerr and Ms. Ilene Sigma spoke to the Board about the new nonprofit Center for Student Achievement. By 2020 Charter schools will have a quarter of all student attendance. Eighteen percent are in an alternative school population. A large number of students are attending an A Charter school. In some cases, 50% of students choose a school that is not their neighborhood school as it relates to open enrollment. Seventeen percent attend Charter School. Mr. Molera commented that Jake Logan gave a great presentation and spoke about the work of the Charter Association. Superintendent Huppenthal spoke about doing some long term visioning to understand the long term issues over the next decade.

## 5. GENERAL SESSION

### A. Presentation and discussion regarding 2013 legislative priorities:

#### 1. Arizona Department of Education

Ms. Morley will be unable to make the meeting and present

#### 2. Arizona Education Association

Joe Thomas, Vice President of the Arizona Education Association presented to the Board the 2013 AEA agenda and priorities. He spoke about the Teacher Evaluation System and how it needs to be implemented. He spoke about Common Core and how teachers want to be part of the process and maintain a voice in the development and delivery of Common Core.

#### 3. Arizona School Administrators Association

Ms. Sabrina Vasquez, Legislative Liaison with the Arizona School Administrators Association spoke to the Board about 2013 legislative priorities. There are over 1400 members state wide. It is separated in six separate divisions and ASA provides support to all divisions. ASA will not be presenting any legislative priorities this year but will strongly encourage the legislature to implement what they are currently working on.

#### 4. Arizona School Boards Association

Geoff Esposito, Governmental Relations Analyst for the ASBA spoke to the Board regarding legislation. The ASBA represents school governing board members and is a membership driven organization in which the membership annually determines the year's agenda. He spoke about legislation they are working on. They are working to make sure that Common Core is backed by the adequate resources needed to ensure success. The teacher and principle evaluation to ensure a successful implementation and HB2060 bill is the board sanction bill which will allow governing boards to censure a member that is not upholding their ethic duties or responsibilities.

Susan Cannata spoke regarding meeting with legislative leaders during the week of opening session sharing information pertaining to PARCC, Common Core and the direction the State Board is moving in. The House Education Committee and Senate Education Committee heard presentations from Mr. Yanez regarding PARCC transition and implementation. Governor Brewer proposes more spending in Education and Ms. Cannata touched on the this briefly. She proposes a forty million onetime funding to implement common core standards for districts and charters. One and a half million has been set aside for the Governor's Office of Education Innovation to fund three master teachers at each of the five regional centers to coordinate professional development at the local level. Twenty million has been allocated to School Facilities Boards to complete a technology needs assessment for PARCC implementation. Fifty four million allocated for new K-12 performance funding plan. This will be thirty six million new money and eighteen million allocated from the base level phased in over 5 years for Districts and Charters for achievement funding and improvement funding. 3.6 million has been allocated for school safety funding for one to one matching grants programs for one to one matching grants for those schools that are not receiving resource

safety funding programs. Seven million in 2014 longitudinal and two million to ADE for Microsoft IT. She wants to eliminate the requirements for building renewal formula and mandate school maintenance accountability program. The legislature is required to increase base level funding by 2%. This would be an addition eighty seven million and decision is likely to be appealed. Ms. Cannata highlighted the bills that are moving through the legislature. HB2047 student assessments. The bill eliminates statutory requirements for the competency board. The bill removes references and statutes references to AIMS. It was unanimously passed in Education Committee January 17<sup>th</sup>. HB2071 authorizes the department to charge a convenience fee when conducting a transaction when using of credit card. Mr. Yanez stated basically this bill allows teachers to apply for certification fees by credit care. This cannot be done now and this bill would allow credit cards to be used for certification fees. This bill has nothing to do with revenue. HB2425 repeals the Arizona English Learning Task Force and gives all their authority to this Board. HB2496 changes last year legislations that allows a school district to petition this board to be exempt from certain rules and statutes. This bill changes the criteria and allows Charter schools to apply for these exemptions. A tracking report was provided to each member of the Board.

Chris Kotterman spoke to the Board regarding ADE 2013 legislative priorities.

- B. Presentation and discussion regarding legislative affairs. The Board may take action to support, oppose or remain neutral on specific legislative proposals
- C. Presentation and discussion regarding the Arizona Education Learning and Accountability System. The Board may take action to approve the expenditure of funds, pursuant to A.R.S. § 15-249

Mr. Masterson spoke to the Board about the challenge of gathering all the data and putting it into one simple system and talked about the capability and the time and funding needed. The third quarter objectives were addressed. He addressed the increase budget line from 500,000 to 750,000. It will be necessary to bring additional staff in to write new code and spoke about this. ADE IT prepared a quarterly progress report the second quarter of FY 2013. The report was delivered as prescribed with a progress report from independent, third party that is not affiliated with state government (industry member of the Arizona Ready IT Work Group).

Project status updates

*Outline path to begin execution of long-term, cost-effective statewide data system*

Final market and technical research of vendor products, web-based product research and peer research work was completed on the **AELAS Business Case**, and the executive summary was delivered to the Data Governance Commission for review and comment. The AELAS Business Case includes summaries on the efforts of other states currently updating their data systems. These site visits identified essential components needed in the new data system:

- While SAIS has improved, it still requires significant resources and there is a need to eliminate redundant data collection.
- There is strong interest in enabling historical data to follow students

immediately and combining data from multiple sources in dashboards and other analytic tools.

The AELAS Business case also includes a rigorous analysis of the way in which SAIS data is used and collected. Through this exercise, it was discovered that while the SAIS system itself is the source of customer interface difficulties with the ADE, the culture that exists related to the collection and sharing of data must also be addressed if AELAS is going to create meaningful change.

*Begin to ensure accurate student payments*

The *SAIS Replacement* team continues its progress towards final design approach as a result of management input and feedback. The team's standards on how to build, test, deploy and manage development will be used in all future applications to ensure a consistent, quality outcome. Work continues on standards and documentation for IT development processes to avoid repeating SAIS "mess" in new design, and the team completed integrating statutes updates from last legislative session into new design documents.

*Create reliable, integrated technology services*

At the direction of the Data Governance Commission, the *Identity Management Solution* team is finalizing testing of the approved federated identity access approach. Work is near complete for the initial release set for January 2013. ADE contracted with Nancy Smith, cofounder of the Data Quality Campaign, to conduct a data governance needs assessment in October. Her recommendations were presented to the Data Governance Commission at its December 21, 2012 meeting. ADE has implemented the first recommendation of appointing a Data Officer and is working on an implementation plan for the remaining nine recommendations. This assessment will help ADE build the necessary framework needed to sustain the new data system in the future and prevent development of another obsolete system like the current one.

*Provide LEAs access to full picture view of ADE student data*

LEAs representing 90 percent of the state's student population have begun the *Student-Teacher-Course Connection (STC)* process. There are now 265 LEAs that have submitted final, certified files. This exceeded the team's 40<sup>th</sup> day goal of 179 certified files. ADE is now receiving data from LEAs serviced by Edupoint, a Student Information System vendor representing more than 40 percent of students statewide. It is anticipated that the number of certified submissions will increase now that schools using this vendor are able to submit their data to ADE.

The *SLDS/AzED<sup>3</sup>S* team successfully launched the Senita Elementary School (Vail Unified School District) dashboard pilot in November. With just a few clicks, this project provides teachers access important test scores and attendance information for incoming students in a user-friendly visual. ADE IT also held focus groups with elementary and middle schools and the team met with Kingman Unified School District to discuss a pilot initiative. Work has also started on incorporating certified STC data into teacher dashboards. An alternate version has been developed with masked data so it can be shown to other LEAs and interested parties.

Data Governance Commission: Pursuant to Arizona Revised Status A.R.S. §

15-249.01, the purpose of the commission is to (1) identify, examine, and evaluate the needs of public institutions who provide instruction to pupils in preschool, kindergarten, grades one through twelve and postsecondary programs in Arizona; (2) provide recommendations on technology spending; and (3) provide analyses and recommendations.

#### Status Update

At the December 21, 2012 Data Governance Commission meeting, ADE IT presented the final AELAS business case and requested approval to distribute the findings. An agency wide data governance assessment was completed, and the recommendations were presented to the Commission. The initial recommendation of appointing a Data Officer has been completed as work on developing an implementation plan for the other recommendations continues. The Commission was also presented technical guidelines for technology purchases to support Arizona Common Core Standards and PARCC. The Commission did not take action on these guidelines and requested ADE IT to ensure Agency guidelines mirrored those found in Version 2 developed by PARCC.

*Superintendent Huppenthal made a motion to approve the budget funding. Mr. Jacks seconded the motion. Motion passed unanimously.*

- D. Presentation, discussion and possible action to amend the Arizona Framework for Measuring Educator Effectiveness Teacher Performance Classifications

Mr. Yanez addressed the Board and updated the board of past issues concerning this matter. The group met and has come up with some proposed language. The group of stakeholders felt the language was a bit restrictive. If there was strict prohibition there would be very few schools using this. By having the two year requirement, there were some issues that came up in the task forces. Definitions of what a veteran teacher is, what a new teacher is, etc. were discussed President Tyree talked how the proposed language seems to address and support the folks in the field.

Mr. Molera asked if this took into consideration the bill that is currently going through the legislative process.

*Superintendent Huppenthal made a motion to adopt the proposed amendments to the Arizona Framework for Measuring Educator Effectiveness, related to Teacher Performance Classifications. Mr. Jacks seconded the motion. Motion passed unanimously.*

- E. Presentation and discussion regarding proposed amendments to the Arizona Framework for Measuring Educator Effectiveness to include academic growth.

ESEA Flexibility Request Karla Phillips and Dr. Karen Butterfield Arizona's Flexibility Request was granted through the 2012-2013 school year. Arizona may request an extension of these waivers through the end of the 2013–2014 school year by meeting the two conditions outlined. At that time, Arizona, like other States with approved requests, may request an additional extension of these

waivers through the 2014–2015 school year.

Requirements for ESEA Flexibility Request: Use multiple valid measures in determining performance levels, including as a significant factor data on student growth for all students (including English Learners and students with disabilities), and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys)?

#### Definition for ESEA Flex Request

Student Growth: “Student growth” is the change in student achievement for an individual student between two or more points in time. For the purpose of this definition, student achievement means—

For grades and subjects in which assessments are required under ESEA section 1111(b)(3): (1) a student’s score on such assessments and may include (2) other measures of student learning, such as those described in the second bullet, provided they are rigorous and comparable across schools within an LEA.

For grades and subjects in which assessments are not required under ESEA section 1111(b)(3): alternative measures of student learning and performance such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools within an LEA.

#### Current Definition

##### Academic Progress

A measurement of student academic performance. These measurements can be either: 1) the amount of academic growth a student experiences during one school year; or 2) a single measure of academic performance, including, but not limited to, formative assessments, summative assessments, and AZ LEARNS profiles.

#### Proposed *Definition*

##### Academic Progress

A measurement of student academic performance. These measurements can be either: 1) shall include the amount of academic growth a student’s experiences between two or more points in time during one school year; or 2) , and may also include a single measures of academic performance, including, but not limited to, formative assessments, summative assessments, and AZ LEARNS profiles.

#### Proposed *Definition*

LEAs shall ensure that the total measure of Academic Progress (classroom-level and/or school-level) includes a calculation of the amount of growth students experience between two or more points in time. The growth calculation shall comprise at least 20% of the total evaluation outcome.

- Following the conclusion of the 2012-2013 pilot, ADE will submit to USED for approval a final version of teacher and leader evaluation guidelines that proposes specific methods for incorporating student learning and growth as a significant measure of effectiveness that is consistent with the requirements of ESEA flexibility following State Board of Education review and approval.
- LEAs will be allowed to amend their systems during the 2013-

- 2014 school year.
- ADE will have a process in place to review and approve LEA evaluation systems for consistency with Arizona's approved guidelines prior to full implementation of evaluation systems statewide in 2014-2015.

Mr. Moore asked would it not be better to basically say, look at what we are doing, we are meeting all of these assessments which has been pushed on 46 states and go back to the federal government and say this is how we are going to have to live with it. Superintendent Huppenthal stated he is at ground zero and know that a teacher cannot control the level of which a student arrives academically but a teacher can control academic growth. Mr. Jacks stated as a District Superintendent his district has adopted the teacher evaluations and is utilizing it.

F. Update regarding Move On When Reading (MOWR) and consideration to approve funding for school literacy plans

Christine Thompson addressed the Board regarding the MOWR funding. Laws 2012, Chapter 300, Sec. 2., part of the Move on When Reading Initiative, required the Board to approve the literacy plans for specific LEAs to receive K-3 Reading Support funds. In June 2012, the Board approved the procedures by which reading plans would be submitted, reviewed and approved, thus allowing distribution of funds to those LEAs. A 9-member team is reviewing the LEA literacy plans. Each month, the reviewers submit a list of LEAs plans which have been evaluated and contain sufficient criteria for Board approval and release of K-3 Reading Support funds. The LEAs below have had their reading plans reviewed as of the mailing of these materials (February 14, 2013), and are recommended for State Board approval.

**Reading plans for the following LEAs have been reviewed as of January 25, 2013, and are recommended for State Board approval:**

LEA ID	LEA Name
4296	Academy Of Excellence, Inc.
4280	Alhambra Elementary District
4348	American Leadership Academy, Inc.
90915	Archway Classical Academy Trivium
4187	Ash Creek Elementary District
4272	Avondale Elementary District
79983	Bell Canyon Charter School, Inc
81097	Bradley Academy of Excellence, Inc.
4269	Buckeye Elementary District
90328	CAFA, Inc. dba Learning Foundation and Performing Arts Alta Mesa
4395	Cedar Unified District
4158	Chinle Unified District
81050	Choice Education & Development Corp - Sequoia School for the Deaf & Hard of Hearing
79216	Choice Education and Development Corporation - Learning Crossroads Basic Academy
6446	Choice Education and Development

	Corporation - Sequoia Charter School
79211	Choice Education and Development Corporation - Sequoia Village School
4229	Clifton Unified District
4177	Cochise Elementary District
4263	Creighton Elementary District
4179	Double Adobe Elementary District
4228	Duncan Unified District
81043	Edkey, Inc. - Redwood Academy
4185	Elfrida Elementary District
LEA ID	LEA Name
4157	Ganado Unified School District
4396	Kayenta Unified District
79598	Kingman Unified School District
79660	Legacy Schools
10968	Liberty Traditional Charter School
4374	Littlefield Unified District
79994	Midtown Primary School
4265	Murphy Elementary District

4176	Naco Elementary District
78882	New World Educational Center
4262	Osborn Elementary District
4510	Parker Unified School District
4369	Peach Springs Unified District
4338	Phoenix Advantage Charter School, Inc.
4256	Phoenix Elementary District
4390	Pinon Unified District
90275	Research Based Education Corporation
4279	Roosevelt Elementary District
89414	Sage Academy, Inc.

4514	Salome Consolidated Elementary District
79985	Sierra Vista Charter School, Inc.
90541	Sonoran Science Academy - Phoenix Metro
85807	StarShine Academy
79453	Success School
90287	The Odyssey Preparatory Academy, Inc.
4260	Washington Elementary School District
4394	Whiteriver Unified District
4154	Window Rock Unified District
4499	Yuma Elementary District

In future months this will be on the consent agenda. Mr. Molera suggested that this process be shared with some of the key members of the legislature. Because one of the things they are going to be considering is the legislative funding. Also, what is the ramification and what are we going to do in regard to some of the schools that don't respond and submit plans.

Mr. Jacks recused himself from the vote.

G. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to revoke certificates held by the following individuals:

Mr. Easaw

1. Michael Archer
2. Dean D. Desaulniers

Michael Archer received notice of the meeting but is not present for the meeting. He holds a Substitute Certificate valid from June 17, 2008, through September 1, 2014. During the 2010-2011 school year, Mr. Archer hugged and touched two female students (Student A and Student B) in a manner that made them feel uncomfortable; and used class roster information to "friend" Student A and Student B on Facebook. Mr. Archer provided test answers to select female students and engaged in conversations unrelated to the class subject matter with select female students. During one such conversation, Mr. Archer offered to email photos of Victoria's Secret underwear models to Student A. In December 2010, during a conversation with Student B on Facebook, Mr. Archer asked her if she had been doing "recreational anything." Student B asked Mr. Archer if he was referring to smoking. He responded that he had never done it and would buy if she would teach him how to do it. The student perceived that Mr. Archer was referring to smoking Marijuana. Mr. Archer was removed from the substitute list with Glendale Union High School District. A complaint was filed against Mr. Archer and a copy of the complaint and exhibits were mailed to Mr. Archer via certified mail. According to postal service records, Ms. Archer claimed the complaint and exhibits on June 28, 2012. A hearing was held before the PPAC on November 13, 2012. Mr. Archer was mailed timely notification of the hearing; however, he refused to accept mail from the Arizona State Board of Education. Therefore, Mr. Archer was not present for the hearing and did not participate. By a vote of 4 to 0, the PPAC recommended that the State Board of Education revoke any and all certificates held by Michael Archer.

*Mr. Moore made the motion to accept the findings of fact, conclusions of law and recommendation of the PPAC, and revoke the certificates held by Michael Archer. Mr. Rottweiller seconded the motion. Motion passed unanimously.*

Dean D. Desaulniers received notice of meeting but is not present. He holds a Standard Elementary Education K-8 certificate valid January 26, 2009 through December 27, 2015. On July 7, 2011, the Investigative Unit for the State Board of Education ("Board") received a report of unprofessional conduct from the Dysart Unified School District ("District"),

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on the part of Dean D. Desaulniers. The District reported that Mr. Desaulniers had been arrested by the Surprise Police Department for theft and trafficking of school property. During its investigation, the Investigative Unit learned that Mr. Desaulniers stole District property and sold the property at EZ Money Pawn on three separate occasions. More specifically, Mr. Desaulniers stole and sold two District-owned projectors and one District-owned desktop computer. Combined, the property was valued at approximately \$2845.25. On February 29, 2012, Mr. Desaulniers pled guilty to two separate class 6 felony counts of theft in the Superior Court of Arizona for Maricopa County. Subsequently, Mr. Desaulniers was sentenced to two years of supervised probation and ordered to pay court fees and to pay restitution. On September 7, 2012, the Investigative Unit attempted service of the complaint by certified mail. The delivery confirmation record shows that "Dean Desaulniers" claimed the complaint on September 13, 2012. In addition, the Investigative Unit was unsuccessful in its attempts to reach Mr. Desaulniers at his last known telephone number of record; to wit, Mr. Desaulniers was not present and did not participate in the hearing. On November 13, 2012, the Professional Practices Advisory Committee ("PPAC") held a hearing on the complaint and found that Mr. Desaulniers acted in an unprofessional manner by engaging in conduct which would discredit the teaching profession. The PPAC recommended revocation of Dean D. Desaulniers' certification by a vote of 5 to 0.

*Ms. Ortis-Parsons made motion to accept the findings of fact, conclusions of law and recommendation of the PPAC, and revoke the certificates held by Dean Desaulniers. Mr. Molera seconded the motion. Motion passed unanimously.*

H2. Move to accept the proposed settlement agreement and suspend the teaching certificates held by Scott Worden.

H. Presentation, discussion and consideration to accept the recommendation of the Professional Practices Advisory Committee to suspend the teaching certificates held by the following individuals:

Mr. Easaw

1. Laurette Cuda
2. Scott E. Worden

Ms. Laurette Cuda is present for the Board meeting. She holds a Standard Career and Technical Education Certificate, valid through December 16, 2013, and a Standard Secondary Education Certificate, valid through December 16, 2017. On January 24, 2012, Principal Kimberly Franz observed that Ms. Cuda's speech was slurred, her eyes were constricted, and she smelled of alcohol. Ms. Cuda admitted to Principal Franz that she had been drinking. At 10:36 a.m., Ms. Cuda submitted to a blood alcohol test which showed her blood alcohol level was at .225. Ms. Cuda submitted to a second test at 10:55 a.m. Her blood alcohol level was at .216. Ms. Cuda was placed on administrative leave and subsequently resigned, citing health reasons. A Negotiated Settlement Agreement was reviewed and discussed by the Professional Practices Advisory Committee ("PPAC") on November 13, 2012. The PPAC agreed that the terms of the agreement were reasonable and consistent with parameters of past cases with similar conduct. By a vote of 5 to 0, the PPAC recommended that the State Board of Education ("Board") accept the settlement agreement which includes a suspension through September 30, 2013, with the conditions that Ms. Cuda submit to an assessment by a qualified professional and successfully complete an alcohol treatment or rehabilitation program. Ms. Cuda stated she has been going to AA and is undertaking the treatment program. She is currently teaching at a Charter School.

*Mr. Rottweiler made a motion to accept the proposed settlement agreement and suspend the teaching certificates held by Laurette Cuda, with the condition that Ms. Cuda submit to an assessment by a qualified professional and successfully complete an alcohol treatment or rehabilitation program prior to her reinstatement. Ms. Ortiz-Parson seconded the motion. Motion passed unanimously.*

Mr. Scott E. Worden is present for the Board Meeting. He held a Substitute Teaching Certificate, which expired on May 17, 2012. On December 15, 2009, the Investigative Unit for the State Board of Education ("Board") was made aware of Mr. Worden's arrest by the Yavapai County Sheriff's Office for failing to report molestation of a child. Although Mr. Worden knew a child had been a victim of sexual abuse, he failed to report the offense for a period of approximately seven days. In or around January 2010, the District reassigned Mr. Worden to work exclusively in information

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technology. He has not been in a position supervising children since his reassignment. On September 28, 2010, Mr. Worden pled guilty to the criminal misdemeanor offense of failing to report that a minor had been the victim of sexual abuse as he was obligated to do pursuant to A.R.S. § 13-3620.

On June 7, 2012, the Investigative Unit notified Mr. Worden of the intent of the State Board of Education to file a complaint seeking disciplinary action against his teaching certificate. After discussing the matter with Mr. Worden, a settlement agreement was proposed. The Professional Practices Advisory Committee ("PPAC") reviewed the settlement agreement on November 13, 2012. The terms of the settlement agreement include a suspension of certification through May 31, 2013. The PPAC voted 4 to 1 to approve the Settlement Agreement for a Suspension against any and all teaching certificates held by Mr. Worden and that it be maintained as part of his permanent record. The PPAC's recommendation was based, in part, upon Mr. Worden's rehabilitation since the incident. The PPAC noted that Mr. Worden arranged for all district certified and classified employees to receive training on statutory reporting requirements; that he has been continuously employed by the district (though not in the classroom); and that the district intends to return him to the classroom after any disciplinary action is completed. The dissenting vote was cast because the committee member was concerned about the age of the student at thirteen years. Scott E. Worden held a Substitute Teaching Certificate, which expired on May 17, 2012. On December 15, 2009, the Investigative Unit for the State Board of Education ("Board") was made aware of Mr. Worden's arrest by the Yavapai County Sheriff's Office for failing to report molestation of a child. Although Mr. Worden knew a child had been a victim of sexual abuse, he failed to report the offense for a period of approximately seven days. In or around January 2010, the District reassigned Mr. Worden to work exclusively in information technology. He has not been in a position supervising children since his reassignment. On September 28, 2010, Mr. Worden pled guilty to the criminal misdemeanor offense of failing to report that a minor had been the victim of sexual abuse as he was obligated to do pursuant to A.R.S. § 13-3620. On June 7, 2012, the Investigative Unit notified Mr. Worden of the intent of the State Board of Education to file a complaint seeking disciplinary action against his teaching certificate. After discussing the matter with Mr. Worden, a settlement agreement was proposed. The Professional Practices Advisory Committee ("PPAC") reviewed the settlement agreement on November 13, 2012. The terms of the settlement agreement include the following a suspension of certification through May 31, 2013.

The PPAC voted 4 to 1 approve the Settlement Agreement for a Suspension against any and all teaching certificates held by Mr. Worden and that it be maintained as part of his permanent record. The PPAC's recommendation was based, in part, upon Mr. Worden's rehabilitation since the incident. The PPAC noted that Mr. Worden arranged for all district certified and classified employees to receive training on statutory reporting requirements; that he has been continuously employed by the district (though not in the classroom); and that the district intends to return him to the classroom after any disciplinary action is completed. The dissenting vote was cast because the committee member was concerned about the age of the student at thirteen years. Mr. Worden spoke to the Board and thanked the Board for their consideration. Ms. Karen DuFresne, President of the Beaver Creek School Governing Board and spoke on behalf of the District and on behalf of Mr. Worden. They recommend Mr. Worden be allowed to teach again and stated the Board accept the PPAC recommendations and suspend the teaching certificate.

*Ms. Ortis-Parson moved to accept the proposed settlement agreement and suspend the teaching certificates held by Scott Worden. Mr. Moore seconded the motion. Motion passed unanimously.*

- I. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the application for certification for the following individuals:
  1. Sherece Tobias
  2. Millicent Anne Archer
  3. Scott Allen Gompert

Mr. Easaw

Mr. Sherece Tobias is present for the Board meeting. She applied for a Hearing Impaired Special Education teaching certificate on July 2, 2012. On her Arizona application for certification, she answered "yes" to the following question: Have you ever had any professional certificate or license, revoked or suspended? The Investigative Unit received a

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NASDTEC disciplinary action report from the state of Oregon on July 1, 2011. Ms. Tobias' license to teach was suspended for 30 days beginning on May 16, 2011 by the Oregon Teacher Standards and Practices Commission, ("the Commission"). The Commission's stipulation of facts and final order of suspension showed:

- Ms. Tobias hugged students despite warnings to the contrary from her administrators.
- When another teacher at the school where she was employed was directed to have no contact with a student, Ms. Tobias passed correspondence between that teacher and a student. She then failed to immediately report this to the administration.
- Ms. Tobias did not follow directives regarding computer security which allowed a student to gain access to a student computer to view internet pornography.
- Allowed some students to call her by first name or "mommy" and changed the name sign of some students.

Sherece Tobias was notified that her application required a review by the Professional Practices Advisory Committee ("PPAC") of the State Board of Education ("State Board"). On November 13, 2012, the PPAC conducted a review of Sherece Tobias's application. During the review Ms. Tobias disclosed that she was dismissed from the Oregon School for the Deaf in 2007 and that her teaching license was suspended for 6 months. Her Oregon license has since been restored and in addition, she holds a New Mexico teaching certificate.

The PPAC found the following mitigating factors:

- Holds a valid New Mexico teacher certification
- Length of time that has elapsed since the incidents occurred in Oregon
- Oregon certification has been reinstated
- The suspension was relatively brief
- Currently employed with an employer who is aware of her past and has provided a positive teaching evaluation.
- Candor in acknowledging past conduct

Sherece Tobias spoke to the Board and thanked them for their consideration.

*Mr. Jacks made a motion to accept the findings of fact, conclusions of law, and recommendation of the PPAC, and grant the application for certification for Sherece Tobias. Mr. Rottweiler seconded the motion. Motion passed unanimously.*

Ms. Millicent Anne Archer applied for a Standard Cross-Categorical Special Education, K-12 certificate and Standard Early Childhood Special Education, 0-5 certificate on August 20, 2012. Ms. Archer answered "yes" to having received disciplinary action involving a professional license and "yes" to having been arrested for any offense for which she was fingerprinted. Ms. Archer entered into two separate consent agreements with the Ohio State Board of Education. In addition, Ms. Archer disclosed an arrest in June 2009 for a misdemeanor 2 (criminal damaging) in Fairborn, Ohio. Ms. Archer was advised that her application required a review by the Professional Practices Advisory Committee ("PPAC") of the State Board of Education ("State Board").

On November 13, 2012, the PPAC conducted a review of Ms. Archer's application. Ms. Archer's Ohio teaching certificate was disciplined on two separate occasions and currently has a limitation in place. The second disciplinary action resulted from Ms. Archer signing the names of the secretaries responsible for signing her teaching time log. The time log accurately reflected the number of hours Ms. Archer worked; however, the time log did not represent the true signatures of the secretaries. The limitation confines Ms. Archer to a designated school district in Ohio until June 30, 2014. The PPAC found that the following conduct occurred:

- Arrest in June 2009 for a misdemeanor 2 (criminal damaging) in Fairborn, Ohio.
- Disciplinary action imposed on Ohio teaching certificate in September 2009 based upon Ms. Archer's criminal conviction for one misdemeanor count of criminal damaging.

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- Disciplinary action imposed on Ohio teaching certificate in September 2010 based upon Ms. Archer falsifying signatures on her teaching time log.

The PPAC found no aggravating factors. The PPAC found the following mitigating factors:

- Letters of recommendation
- Candor
- Current employment with Arizona Department of Education, which is aware of her prior history.
- While her certificate allows her to work in only one school district in Ohio, she was laid off due to budget cuts and not to any misconduct on her part.
- Applicant understands the importance of re-applying for her (Ohio) certificate in 2014 when she is permitted to do so.

By a vote of 4 to 1, the PPAC recommended that the State Board grant Millicent Anne Archer's application for certification. The dissenting member was concerned with the limitation currently imposed on Ms. Archer's Ohio teaching certificate.

President Tyree asked if these limitations restrict her from teaching in other states. Mr. Easaw answered no, she is not restricted from teaching in other states.

*Mr. Moore made a motion to accept the findings of fact, conclusions of law, and recommendation of the PPAC, and grant the application for certification for Millicent Anne Archer. Mr. Rottweiller seconded the motion. Motion passed unanimously.*

Mr. Scott Allen Gompert is present for the Board meeting. He applied for a Substitute certificate on September 6, 2012. Mr. Gompert answered "yes" to having been arrested for any offense for which he was fingerprinted. Mr. Gompert disclosed an arrest on October 30, 2007 for: 1) Forging Signature of Judge or Court Officer and 2) Bank Fraud, in Phoenix, Arizona. Mr. Gompert was advised that his application required a review by the Professional Practices Advisory Committee ("PPAC") of the State Board of Education ("State Board"). On December 11, 2012, the PPAC conducted a review of Mr. Gompert's application. Mr. Gompert explained that prior to committing the offenses, he approached judges and political committee members in an effort to reduce the financial losses perpetuated against the Medicare insurance program. He stated that he became frustrated that his efforts were to no avail.

The PPAC found that the following conduct occurred:

- While employed as an investigator for the U.S. Department of Health and Human Services, in the spring of 2005, Mr. Gompert created a fraudulent seizure warrant, forged the judge's signature and presented the false document to a bank he regularly worked with in the past. Mr. Gompert did the same in the fall of 2005 and in the spring of 2006.
- According to an F.B.I. Investigative report, Mr. Gompert admitted to taking approximately \$250,000 in May of 2005, \$588,000 in the fall of 2005, and \$160,000 in the spring of 2006. Of this money taken, Mr. Gompert paid the balance of the loan of his house, worth between \$160,000 and \$170,000, bought a \$35,000 Toyota Avalon for his wife, and paid approximately \$450,000 for a piece of land in a gated community in Peoria, AZ.
- In or about October 2006, Mr. Gompert self-reported his misconduct to authorities, which culminated in his pleading guilty to Forging Signature of Judge or Court Officer, a Class D Felony offense and Bank Fraud, a class B Felony offense. Subsequently, Mr. Gompert was sentenced to twenty six (26) months prison; thirty six (36) months supervised release, \$5,000 fine, and returned any financial gain from his misconduct.

The PPAC found no aggravating factors. The PPAC found the following mitigating factors:

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- Mr. Gompert self-reported his misconduct.
- The prison sentence was reduced, as was his probation term.
- Letters of reference by individuals aware of the prior misconduct. Including one from a supervising teacher and a professor able to evaluate his content knowledge.
- Candor in application and before the PPAC.

By a vote of 4 to 0, the PPAC recommended that the State Board grant Scott Allen Gompert's application for certification. The members were impressed with the fact that Mr. Gompert self-reported a crime that likely would have gone undetected.

Scott Allen Gompert spoke on his behalf. Mr. Moore asked if his probation period completed and if he returned any financial gain. Mr. Gompert stated that the probation period has been completed and all monies have been returned.

*Mr. Molera moved to accept the findings of fact, conclusions of law, and recommendation of the PPAC, and grant the application for certification for Scott Allen Gompert. Mr. Jacks seconded the motion. Ms. Ortiz-Parson voted no. Motion failed due to lack of vote. Will be reheard at February meeting.*

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

President Tyree

Mr. Huppenthal spoke about performance pay initiatives.

6. ADJOURN

*Ms. Ortiz-Parsons made a motion to adjourn. Mr. Miller seconded the motion. Meeting adjourned 12:00.*