

NOTICE OF PUBLIC MEETING
ARIZONA STATE BOARD OF EDUCATION

The Arizona State Board of Education held a regular meeting on March 25, 2013 at the Arizona Department of Education, 1535 West Jefferson Street, Room 417, Phoenix, Arizona. The meeting was called to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

ROLL CALL

Members Present:

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

Members Absent:

PERSON
PERSON
RESPONSIBLE

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

President Tyree

ROLL CALL

Ms. Gray

1. BUSINESS REPORTS

A. President's Report

President Tyree

Mr. Tyree talked about testifying in front of the Senate Education Committee regarding Common Core and PARCC Assessment. It went very well and it was a packed house.

B. Superintendent's Report

Supt. Huppenthal

Superintendent Huppenthal spoke about technology support and the issues and debates surrounding Common Core Standards. He spoke about his role in the Common Core Standards and how the role of the Board is holding schools accountability on a trajectory that results in success to students. These standards are Arizona standards and we are solidly behind these standards. We should be listening to all the comments that are being made. Many are nonsensical based on false premises to inject chaos into the education system. There are a few justified complaints and we can and will address.

1. Presentation of State finalists for the Presidential Award for Excellence in Mathematics and Science Teaching

Superintendent Huppenthal recognized a premier group of highly qualified teachers. Each year the President of the United States awards the Presidential Award for Excellence in Mathematics and Science Teaching to outstanding teachers. This award demonstrates the value and appreciation the nation has for the teaching profession. These awards winners have deep content knowledge on the subjects they teach and the ability to motivate and enable students to be successful. They demonstrate the expertise and dedication of the nation's teaching corp and the positive impact of excellence in teaching student achievement. Congratulations to the following teachers who received this prestigious award:

Mr. Michael R. Frank
Ms. Cindy Piano
Allison Davis
Cindy Inman
Beth Jurgensen

2. Other items as necessary

C. Board Member Reports

Mr. Molera spoke about the Common Core and spoke about why there is concern in the public regarding Common Core. He agrees with Superintendent Huppenthal's thorough analysis and believes he is spot on. Not having his position, Mr. Molera stated he can be a little more candid than the Superintendent. One of the things that I would hope the public understands is why there is angst about the Common Core Standards. Testimony was held in the House and Senate last week and for the last two years regarding Common Core and no question was asked save maybe one time about whether or not these are Federal Standards. He talked about policy makers that are trying to squelch common core and how some people believe this is some kind of United Nation takeover of our State called Agenda 21. He stated this is something that needs to be address because this is the most ridiculous notion that these standards are some sort of UN agenda to take over the state's education. Mr. Molera stated it is our duty to point out what is ridiculous. He hopes the public understands this and hopes the media does a better job of reporting what is behind these ridiculous notions. He spoke about how the Arizona Republic is writing about the vision on what we want to see in K-12 education. The editor of their editorial pages is looking at the pieces and visions that capture what we want to accomplish. I pointed him in some direction but I think the Board and Superintendent would be well served in getting additional information to the press. The tremendous efforts that are going on, all the very strong initiatives in our K-12 system led by the Superintendent would help to galvanize what we are doing and help the press accurately report the facts and help the public understand what is really going on. The members of the Board should continue to speak frankly with the press regarding what we are doing in Education and what is fact and what is nonsensical fiction.

D. Director's Report

The PPAC rules will have a public hearing and will be addressed at the April meeting. Director Yanez congratulated Dr. Hart on her confirmation hearing and welcomed her to the Board as a confirmed member. Legislative items will be addressed later in the meeting by Ms. Cannata.

Mr. Yanez

2. CONSENT AGENDA

A. Consideration to approve Arizona State Board of Education minutes for January 28, 2013 and February 25, 2013

Mr. Yanez

B. Consideration to approve the following Contract Abstracts:

Mr. Peterson

1. Arizona Charter School Program Awards, Round II, Project Years 2014-

- 2016
 2. Arizona Agricultural Youth Organization Special Plate Fund
 3. 2012-2013 Migrant Education Program Mini Grant for Preschool Migratory Children
 4. 2013 Migrant Education Summer School Program Allocate

- C. Consideration to accept funds for the 2013 Refugee School Impact grant and to authorize expenditures in accordance with the terms of the award pursuant to A.R.S. § 15-206 and 15-207 Mr. Romero

- D. Consideration to grant one year extensions for professional preparation programs currently approved pursuant to R7-2-604 and R7-2-604.01 Dr. Butterfield

- E. Consideration to grant professional preparation program approvals for the Master of Arts in Teaching in Spanish Education submitted by Northern Arizona University, pursuant to R7-2-604 and R7-2-604.01 Dr. Butterfield

- F. Consideration to accept the recommendations of the Career Ladder Advisory Committee and approve the following Career Ladder programs for FY 2013-2014: Dr. Butterfield
 - Payson Unified School District
 - Mesa Unified School District
 - Creighton Elementary School District
 - Peoria Unified School District
 - Santa Cruz Valley Union High School District
 - Flowing Wells Unified School District
 - Sunnyside Unified School District
 - Dysart Unified School District
 - Pendergast Elementary School District
 - Tolleson Elementary School District
 - Apache Junction Union High School District
 - Chandler Unified School District
 - Amphitheater Unified School District
 - Litchfield Elementary School District
 - Patagonia Union High School District
 - Ganado Unified School District
 - Cave Creek Elementary School District

- G. Consideration to approve additional monies for teacher compensation for Fiscal Year 2013-2014 to districts that have submitted Statements of Assurance, pursuant to A.R.S. §§ 15-952 and 15-537 Dr. Butterfield

- H. Consideration to approve proposed achievement levels for the following assessments related to Board Examination Systems and the Grand Canyon Diploma: Dr. Francis
Dr. Burke
 1. ACT Quality Core Chemistry
 2. Cambridge IGCSE Chemistry
 3. Cambridge IGCSE American History
 4. Cambridge IGCSE Coordinated Science
 5. Cambridge IGCSE Fine Arts

6. Local Fine Arts

- I. Consideration to approve trainers for the full Structured English Immersion Endorsement Ms. Hrabluk
- J. Consideration to approve 2013 capital transportation adjustments for school districts, pursuant to A.R.S. § 15-963 Mr. Friesen
- K. Consideration to accept the voluntary surrender of the teaching certificates held by Jaime A. Castellano Mr. Easaw
- L. Consideration to permanently revoke any and all teaching certificates held by Francisco Javier Hernandez, pursuant to A.R.S. § 15-550 Mr. Easaw

Mr. Molera recused himself from the Consent Agenda. Mr. Rottweiler moved to approve the consent agenda. Ms. Ortiz-Parsons seconded the motion. Consent agenda passed.

3. CALL TO THE PUBLIC
 None

4. GENERAL SESSION

- A. Presentation and discussion regarding legislative affairs. The Board may take action to support, oppose or remain neutral on specific legislative proposals Mr. Yanez
Ms. Cannata

Ms. Susie Cannata spoke about the following legislative bills that are moving throughout the House and Senate in the 11th week of session. There is not much to report on the Budget. Preliminary Budget discussions are still on going.

Bill	SBE Duty Imposed or Affected
HB 2047: PUPIL ASSESSMENTS; AIMS TRANSITION Sponsors: Rep. Goodale and Boyer. ARS Title 15.	Removes AIMS and NRT testing references and replaces most references with <i>competency test adopted by SBE</i> to allow for the transition from AIMS to PARCC. Allows SBE to incorporate PARCC test results in the minimum course of study and Competency requirements for high school graduation. Contains delayed effective dates. [2/5 Passed House 50-9; assigned to Senate Ed and Government; DEAD]
HB 2071: ADE OPERATIONS Sponsor: Rep. Coleman. ARS Title 15.	Removes reference to “general equivalency development test” and pleases it with “an equivalency test adopted by the state board of education.” [2/14 Passed House 58-0; 3/20 passed Senate 28 to 0]
HB 2318: SCHOOLS WITHOUT FEDERAL FUNDING; EXEMPTIONS Sponsor: Rep. Farnsworth. ARS Title 15.	Exempts charters and schools in a school district that do not accept federal funding from federal rules, regs and statutes and state rules, regs and statutes funded by federal appropriations, including assessments, teacher and principal evaluations etc. <i>Senate Ed amendment adopted that states that the bill does not prohibit SBE from adopting state testing standards or implementing state assessments.</i> [3/7 Passed House 36 to 23; passed Senate Ed]

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<p>HB 2322: RULE MAKING RESTRICTIONS Sponsor: Rep. Farnsworth. ARS Title 41.</p>	<p>Prohibits agencies from adopting or amending rules in a way that would restrain or burden the free exercise of vested rights; stipulates that an agency may only adopt or amend a rule if it is strictly ministerial and consistent with the statutory delegation of authority. More [3/4 Passed House 35 to 24; on Senate Government Agenda for 3/21]</p>
<p>HB 2425: ELL TASK FORCE REPLACEMENT Sponsor: Rep. Goodale. ARS Title 15.</p>	<p>Repeals the ELL Task Force and gives its duties to the State Board of Education. <i>Senate Floor amendment adopted addressing AIMS and NRT issues.</i> [2/25 Passed House 60 to 0; 3/21 Passed Senate 29 to 0]</p>
<p>HB 2488: 200-DAY SCHOOL CALENDAR Sponsor: Rep. Boyer. ARS Title 15.</p>	<p>Requires SBE to identify the components that must be included in a school improvement plan in order to offer two hundred days of instruction. [3/5 Passed House 43 to 14; FAILED in Senate Ed]</p>
<p>HB 2496: SCHOOLS; PETITIONS; REGULATORY EXEMPTIONS Sponsor: Rep. Mesnard ARS Title 15.</p>	<p>Adds charters to the statute allowing for petitions for regulatory exemptions. Changes the criteria for those who can petition from having a letter grade of A for last three years to having an A for two of the last three years, and not having a C, D or F for the same three years. Makes granting of exemptions discretionary [2/21 Passed House 36 to 23; 3/7 Passed Senate Ed; waiting for Senate floor action]</p>
<p>HB 2563: TEACHER PREP PROGRAMS; COMMON CORE Sponsor: Rep. Miranda ARS Title 15.</p>	<p>Requires SBE to ensure that postsecondary education programs that prepare students to teach in elementary schools are current and reflect a rigorous course of study that aligns with Common Core. [2/28 Passed House 36 to 21; DEAD or striker vehicle]</p>
<p>SB 1110: SCHOOLS; US HISTORY REQUIREMENT Sponsor: Rep. Shooter ARS Title 15.</p>	<p>Replaces references to social study standards to US history. [Assigned to Senate Education; DEAD]</p>
<p>SB 1213: SCHOOLS; SCIENCE INSTRUCTION; REQUIREMENTS Sponsor: Rep. Burges ARS Title 15.</p>	<p>Directs the SBE and others to create a school environment that encourages pupils to ask scientific questions etc., and to assist teachers regarding science curriculum. More. [Assigned to Senate Education; DEAD]</p>
<p>SB 1239: TECHNOLOGY BASED READING INTERVENTION Sponsor: Melvin ARS Title 15.</p>	<p>SBE is required to submit an RFP for providers of research-based technology-based reading intervention for K-3rd grade students falling far below. SBE shall annually report Gov and Legislature on intervention. \$30M appropriation. [Passed Senate Ed; ready for Appropriations; DEAD]</p>
<p>SB 1293: OUTCOME-BASED FUNDING Sponsor: Crandell ARS Title 15.</p>	<p>SBE shall establish a competitive application process for a pilot program for outcome based funding. "Simulated" pilot as amended. [3/6 Passed Senate 16 to 12; 3/18 passed House Ed; waiting for Rules]</p>
<p>SB 1320: SCHOOLS; CORRECTIONS; REPAYMENT PLANS Sponsor: Jackson ARS Title 15.</p>	<p>Amendment requires SBE to approve any request that budget correction be repaid over a period of years. [3/13 Passed Senate 20 to 9; passed House Ed; on House Approps agenda for 3/27]</p>
<p>SB 1386: MASSIVE OPEN ONLINE COURSES; CREDIT Sponsor: Worsley ARS Title 15.</p>	<p>SBE shall adopt rules to require schools to award credit to K-12 students enrolled in an Arizona university undergraduate program and receiving a certificate of completion from an instructor of a massive open online course. [Assigned to Ed; DEAD]</p>

SB 1421: SCHOOL PERSONNEL; EPIPENS Sponsor: Lopez ARS Title 15.	Requires SBE to adopt rules before January 1, 2014. [2/28 Passed Senate by a vote of 25-3; Passed House Health and waiting for House Rules]
SB 1434: SCHOOL TECHNOLOGY PROGRAM Sponsor: Worsley. ARS Title 15.	SBE shall appoint 2 members to an independent evaluation committee within ADE. [Assigned to Education and Appropriations; DEAD]
SB 1444: SCHOOLS; PERFORMANCE FUNDING Sponsor: Yee. ARS Title 15.	Implements performance funding plan based upon the 200 point accountability framework adopted by SBE. [Passed Senate Ed and Approp; retained on COW 3/6 and 3/11; appears to be DEAD]
SB 1446: SCHOOLS; STUDENT LEVEL DATA Sponsor: Yee ARS Title 15.	Transfers responsibility for review and approval of the Arizona Education Learning and Accountability System from SBE to JLBC. [3/4 Passed Senate 28 to 0; 3/18 passed House Ed; waiting for Rules]
SB 1449: SCHOOLS; GRADUATION; PERSONAL FINANCE Sponsor: Yee. ARS Title 15.	Requires SBE to adopt competency standards for “personal finance and entrepreneurship.” [3/4 Passed Senate 24 to 4; 3/18 passed House Ed; waiting for Rules]
SB 1450: SCHOOL DISTRICTS; FERPA VIOLATIONS Sponsor: Yee. ARS Title 15.	Requires SBE to adjudicate complaints about FERPA violations. <i>Amendment removes SBE from adjudication role, and only leaves SPI in that role.</i> [2/27 Passed Senate 29 to 0; 3/18 passed House Ed; waiting for Rules]
SB 1451: ALTERNATIVE TEACHER DEVELOPMENT PROGRAM Sponsor: Yee. ARS Title 15.	Appropriates \$5 Million for award to a provider of alternative teacher development program pursuant to 15-552. [2/14 Passed Senate Ed; also to Appropriations; DEAD]

Information only. No action required

- B. Consideration to approve the Move On When Reading (MOWR) LEA literacy plans which have been reviewed for release of K-3 Reading Base Support funds

Ms. Thompson

Deputy Director, Christine Thompson addressed the Board. She introduced the State Board of Education’s new K3 Reading Director, Cindy Daniels. Cindy has 23 years of classroom experience, taught mainly K-3 in the Paradise Valley School District and most recently was the Principal for the last 7 years for Echo Canyon. In 2010 she was the Principal of the Year and one of the Master Teacher’s appointed by the Governor’s office. We are very excited to have her on board.

We are nearly done with our review of the reading plans. There are only two outstanding plans left. There are approximately 32 plans listed in the materials for approval and those approved today will have funding released on April 1st.

Vice President Miller made a motion to approve the Move on When Reading literacy plans for the recommended LEAs and to authorize the release of K-3 Reading Base Support funds. Mr. Molera

seconded the motion. Motion passed unanimously. President Tyree thanked Ms. Thompson for all her hard work in getting these plans completed and expedited so quickly. Mr. Yanez stated the work Ms. Thompson has done has been remarkable. To complete all but two of these plans in the short amount of time that she has been here has been incredible and he thanked her and acknowledged the assistance of Ms. Hrablack's team in working with Ms. Thompson to complete this work so quickly.

- C. Presentation, discussion and consideration to accept proposed modifications to the 2013 A-F Letter Grade Accountability System regarding the following:

Dr. Giovannone

1. Small schools model revisions
2. Arizona Online Instruction – “Full Academic Year” policy
3. Additional points for “Falls Far Below” reduction

Ms. Giovannone spoke to the Board regarding the impact data and changes that may occur in the changes in the A-F Accountability System. She addressed the Pooling Method, New Arizona Online Instruction Full Academic Year (FAY) definition, Arizona Online Instruction Inclusion Policy and Falls Far Below Reduction Points. These will all be implemented this upcoming June and July if accepted by the Board. Starting with the revised pooling method, we would like to change the pooling method. Last year we wanted to just hold schools accountability with the FAY students of the current year. The old pooling method was not ideal mostly for high schools and some of the extremely small schools. This new pooling method will be more beneficial and the change method of pooling will include FAY students each year for three consecutive years. For current year and two years prior, we will pool FAY students in attendance each of those years. Bottom 25% will be calculated for FAY students current year and two years prior for pooling method. Mr. Yanez stated it was important to acknowledge the work of the task force and stated these recommendations have been reviewed through the Task Force that Mr. Miller chairs.

Ms. Giovannone spoke about the AOI schools accountability system. The definition of full academic year of FAY students. There are two criteria. One is that they are Full-time funded (FTF) students enroll in the current fiscal year and are only enrolled in an AOI school and no other, especially a brick and mortar school and that they accrue 75% of the hours/minutes of instruction per grade level up until the spring testing day. Our recommendation is to adopt an Arizona Online Instruction full academic year definition of enrolled students who are full-time funded in the current fiscal year and accrue at least 75% of the hours/minutes of instruction per grade level up until testing day.

The next item is the inclusion policy. There are a number of reasons why a student would attend an AOI school. We are trying to capture the students that are instructed full time with AOI. As we look at enrollment with the proposed FAY definition, the reasons why the AOI schools need a new FAY largely rest with the population they serve and how the nature of their instruction is very different from a bricks and mortar institution. AOIs provide a unique option in Arizona's public education system. However, of those students who choose to attend AOI schools exclusively, the new FAY definition attempts to distinguish these students from those who choose an AOI as a supplemental or temporary option. Student population at an AOI represents the different reasons Arizona students choose AOI schools. Students may enroll & withdraw throughout fiscal year. We aim to capture those with consistent enrollment for which the AOI can be held accountable and the school has had the opportunity to instruct. Schools must have 100 AOI FAY students to be included in the A-F Letter Grade calculations. AOI schools will only be eligible for the Traditional and Alternative A-F Letter Grade models. AOI schools with less than AOI FAY of 100 students will be listed as 'NR'. 100 plus students be included in the A-F Letter grade. Mr. Yanez spoke about the way AOI schools are run. The number of students that can be used for study is very small. There is a very small number on the district side and a very large number

on the charter side. Mr. Miller asked if student transcripts are being shown as an AOI class. It is possible but it is a district level choice. The recommendation is AOI Schools with 100+ FAY students will be included in A-F Letter Grade models (either Traditional or Alternative).

Ms. Giovannone spoke about the Falls Far Below reductions. About 12-15% of schools meet both mean and current year criteria for receiving points. In this case, schools can only receive 3 points. 492 schools serve both grade 3 and grade 8. They will have the opportunity to earn additional points for either grade but not both. 12 schools serve grades k-2 and another 15 schools serve neither grade 3 nor 8 nor high school population for DO points eligibility. These schools serve grades 4-5 (1), 4-6 (13), 4-7(1). For both grade 3 and 8, approximately 40% of schools are eligible to receive additional points using current year criteria, and 29% of schools are eligible to receive additional points using the 3-year average criterion. Approximately 27 schools would be ineligible for grade 3 FFB, grade 8 FFB, or dropout rate reduction points. These schools would be eligible for ELL reclassification points only. The addition of FFB points outside of the model raised the total score for about 70% of eligible schools using either math or reading criteria; however, FFB points only raised letter grades for about 10% of eligible schools and maintained the overall distribution of letter grades based on 2012 data. Because three points outside the model is nominal to total points used to calculate letter grades, letter grades increased by one unit only. About 12-15% of schools meet both mean and current year criteria for receiving points. In this case, schools can only receive 3 points.

Mr. Rottweiler spoke about the makeup of the letter grade model. Mr. Molera spoke that we are going to be using the PARCC test and will have a much better gauge. One recommendation for the Board. Get a better understanding of Online instruction. Look at creating an Online task force. Superintendent Huppenthal spoke about his concerns about the quality of online courses. There are huge issues involving online instruction that need to be addressed. Ms. Klein asked who Ms. Giovannone has been working with. Ms. Klein stated there are individuals involved with the Arizona Board of Regents who would like to be part of the involvement in this. Mr. Miller stated all pieces were approved by the subcommittee. Superintendent Huppenthal stated this is fully within the realm working with the students. Dr. Hart asked about the pooling systems and testing and is concerned that the testing is not done on the same student. If we don't keep the students data through completion, where do they go, are they dropping out. If you only measure the success of those that do complete, the 75%, then the question is, how you letter grade a program when you can't track completion. Superintendent Huppenthal stated what Research and Development is doing a great job in researching the value of the letter grading of small number of schools. They are really consuming a lot of data and manpower. They have tortured the data and squeezed the maximum information and data but there may be limitations on some of the letter grades. Ms. Giovannone stated the students that we find in the AOI schools are in and out for various reasons. She does not have an explanation why these students come and go and can only tell from their end if they are enrolled or withdrawn from the school. So unfortunately, they are only able to hold accountable the students that the school actually has enrolled. There is research that accounts for mobility. The schools are going to be accountable for 3 years. The inclusion policy that we are putting before the Board is that the schools must have at least 100 AOI FAY students. The AOI schools will only be eligible for the tradition and alternative schools in a sense that we do not want to pool these schools. The only exception is we do already have a pooling. Dr. Ildi-Laczko-Kerr spoke to support the AOI full academic distinction. The inclusion rules may be problematic given the small number of schools that pooling should be a consideration for online schools. They want their letter rating. Getting a none rating from the ADE does not help them. Mr. Molera asked her to talk about the funding formula because there is not a connection between the two. With the AOI schools, it is possibly that a large group of students fall short. What percentage of students do not get identified in any of the models. On the charter end, schools are saying hold us accountable to have a level playing field.

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Ms. Giovannone addressed the Board regarding the Falls Far Below. The reduction points were introduced to balance out the point systems for the schools that only had grades between K-8 that were not eligible for the graduation and dropout rate. We would like to offer two different ways to acquire this. We have K-3 schools that would not be eligible for the grade 8 and we have 4-8 schools and they would not be eligible for the grade 3. For both grade 3 and 8, approximately 40% of schools are eligible to receive additional points using current year criteria, and 29% of schools are eligible to receive additional points using the 3-year average criterion. Approximately 27 schools would be ineligible for grade 3 FFB, grade 8 FFB, or dropout rate reduction points. These schools would be eligible for ELL reclassification points only. The addition of FFB points outside of the model raised the total score for about 70% of eligible schools using either math or reading criteria; however, FFB points only raised letter grades for about 10% of eligible schools and maintained the overall distribution of letter grades based on 2012 data. Because three points outside the model is nominal to total points used to calculate letter grades, letter grades increased by one unit only. About 12-15% of schools meet both mean and current year criteria for receiving points. In this case, schools can only receive 3 points. 492 schools serve both grade 3 and grade 8. They will have the opportunity to earn additional points for either grade but not both. 12 schools serve grades k-2 and another 15 schools serve neither grade 3 nor 8 nor high school population for DO points eligibility. These schools serve grades 4-5 (1), 4-6 (13), 4-7(1). The recommendation is to add the opportunity for schools serving Grade 3 or Grade 8 to acquire 3 additional points by qualifying for a "Falls Far Below" reduction in Grade 3 Reading or Grade 8 Mathematics to balance out additional dropout points that are available to high schools. Mr. Rottweiler asked about the small school pooling. Is it comparable to large schools at all? Ms. Giovannone stated she could get that information to Mr. Rottweiler.

Mr. Molera stated we might want to create another task force to look at this in more detail in light of PARCC. It is very complex and is something any of us can explain to the general public as to how we are doing this. Ms. Klein asked who has been on the committees. Ms. Giovannone stated the Accountability Advisory Group houses a number of experts from Mesa School District Chandler and Tempe School District, Charter Schools, Leona Group, many of the members that were one the list that was submitted last year. The Superintendent has opened up his Hoop Groups where we have invited various folks and we have conducted live webinars to discuss all of these items as well as the AZLEARNS Subcommittee. Ms. Klein asked if anyone from the Universities has been involved. There is one member from ASU who is a founder of one of the Charter Schools. Ms. Klein offered to provide some individuals who would benefit and welcome the opportunity to be a part of this. Mr. Tyree agreed it would be worthwhile to have a standing Task Force. It is important to have credibility to carry this out with integrity. . He stated we should continue to watch and work on these issues and thanked Ms. Klein for suggesting bringing members from the colleges and higher education. The other point is that online courses are one that takes additional consideration. We need to look at the technology.

Mr. Molera move to approve the proposed modifications to the 2013 A-F Letter Grade Accountability System regarding the following:

- 1. Small schools model revisions*
- 2. Arizona Online Instruction – "Full Academic Year" policy*
- 3. Additional points for "Falls Far Below" reduction*

Vice President Miller seconded the motion. Motion passed with three Nays, eight Ayes.

Mr. Yanez stated the changes that we are looking at now are important but are not changes to the core of the A-F System. We are talking about improving some of the issues that are important but have a smaller impact on the system as a whole. We are holding any major revisions until after how we are going to transition after 14-15 and that will be a tremendous

challenge. Mr. Yanez stated there will be a major shift in A-F in two years. There are some important changes but not to the core of the A-F system. We are trying to improve some of the issues that are important but have a smaller impact. We have a major challenge and there is a lot of work ahead of us. Mr. Moore stated being a member of the subcommittee it is a balance for this board to tweak those formulas. We have to be thoughtful how we transition to the new standards and continue to look at this to the extent that we can.

- D. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the applications for certification for the following individuals:

Mr. Easaw

1. Scott Allen Gompert

Scott Allen Gompert 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:

- 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. On January 28, 2013, the State Board considered a

motion to adopt the PPAC's findings of facts, conclusions of law, and recommendation to grant Scott Allen Gompert's application for certification. No action was taken by the Board due to an insufficient number of votes. Members voting in favor of the motion: Dr. Rottweiler, Mr. Tyree, Mr. Molera, Mr. Moore, and Mr. Jacks. Ms. Ortiz-Parsons voted against the motion. On February 25, 2013, the State Board considered a motion to adopt the PPAC's findings of facts, conclusions of law, and recommendation to grant Scott Allen Gompert's application for certification. No action was taken by the Board due to an insufficient number of votes. Members voting in favor of the motion: Mr. Tyree, Mr. Moore, Mr. Miller, and Mr. Jacks. Members voting against the motion were Ms. Klein, Mr. Molera, Ms. Hamilton, and Ms. Ortiz-Parsons. Mr. Gompert is in attendance along with a friend of over 20 years, Mr. Larry Decristofaro. He spoke about Mr. Gompert, his regrets and how he self-reported the crimes he committed. Mr. Gompert addressed the Board stating he made terrible mistakes 7 years ago and has spent the last 7 years rebuilding his life. He spoke how he wants kids to be challenged and believes he has the ability to teach and reach students. Move to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the applications for certification for Scott Allen Gompert.

Vice President Miller made a motion to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the applications for certification for Scott Allen Gompert. Mr. Moore seconded the motion. A roll call vote was taken and vote was as follows:

*President Tyree no
Vice President Miller yes
Ms. Hamilton no
Dr. Hart yes
Superintendent Huppenthal no
Mr. Jacks yes
Ms. Klein no
Mr. Moore yes
Mr. Molera no
Ms. Ortiz-Parsons no
Dr. Rottweiler yes*

Motion failed to pass.

2. Mary Lowell

Mary Lowell applied for a Speech Language Pathologist Certificate on June 1, 2012. Ms. Lowell answered "yes" to having any professional certificate or license revoked or suspended. Her Speech Pathology License was revoked by the North Carolina Board of Examiners for Speech and Language Pathologists and Audiologists in 2005. Ms. Lowell was advised that her application required a review by the Professional Practices Advisory Committee ("PPAC") of the State Board of Education ("State Board"). On February 12, 2013, the PPAC conducted a review of Ms. Lowell's application. During her first week at school in North Carolina, Ms. Lowell introduced herself to the grandparent of one of the students. The grandparent was talking about "stranger danger" with the student. Ms. Lowell role-played with them to reinforce the training. She repeated the grandparent's statement to the student which was "You tell people to keep their damn hands off you."

The PPAC found that the following conduct occurred:

- Repeated a grandparent's directive to a student regarding stranger danger training, in the presence of

the grandparent and student, to the effect of telling people to “keep their damn hands off me.”

- Ms. Lowell’s North Carolina Speech Pathologist Certificate was subsequently revoked in 2007, by the North Carolina Board of Examiners for Speech and Language Pathologists and Audiologists for using the word “damn” in the presence of a student.

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

- The severity of the consequences relative to the conduct.
- Length of time since the conduct
- Successful employment as a Speech Pathologist working with children during the intervening period
- Length of successful career
- Letters of recommendation

By a vote of 4 to 0, the PPAC recommended that the State Board grant Mary Lowell’s application for certification. Ms. Lowell was present and spoke to the Board.

Mr. Rottweiler moved to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to grant the applications for certification for Mary Lowell.

Mr. Miller seconded the motion. Motion passed unanimously.

- E. Presentation, discussion and consideration to accept the recommendation of the Professional Practices Advisory Committee to accept the proposed settlement agreement to suspend with conditions the teaching certificate held by Ruthe J. Thursby

Mr. Easaw

Ruthe J. Thursby holds a Standard Elementary Education (K-8) Certificate, which expires on August 9, 2013. On May 5, 2011, Double Adobe Elementary School District (“District”) notified the Investigative Unit of the State Board of Education (“Board”) of an allegation that Ms. Thursby violated security for the AIMS testing. The District reported it obtained a notebook containing a handwritten copy of the questions and answers of the 2010 AIMS test, in its entirety, and a portion of the 2011 AIMS test. It is alleged that Ms. Thursby copied the questions and answers. Ms. Thursby did not help her students cheat by providing answers to them.

On December 26, 2012, the Investigative Unit notified Ms. Thursby of the intent of the State Board of Education to file a complaint seeking disciplinary action against her teaching certificate. After discussing the matter with Ms. Thursby and her legal counsel, a settlement agreement was proposed. The Professional Practices Advisory Committee (“PPAC”) reviewed the settlement agreement on February 12, 2013. The terms of the settlement agreement include the following:

- A suspension of certification through August 9, 2013.
- Successful completion of a course in ethics and professionalism, subject to Board-staff approval, prior to the completion of the suspension.
- PPAC review of any future applications for certification or renewal of certification.

The PPAC voted 4 to 0 to approve the Settlement Agreement for a Suspension with Conditions against any and all teaching certificates held by Ms. Thursby and that it be maintained as part of her permanent record. Ms. Thursby and her counsel were present. Ms. Thursby spoke to the board and gave her account and explanation of what transpired. Mr. Molera made a motion to deny the recommendation of the Professional Practices Advisory Committee and deny the proposed settlement agreement to suspend with conditions the teaching certificate held by Ruthe J. Thursby. Mr. Miller seconded the motion.

- F. Presentation and discussion to consider Respondent James M. Houston’s

Mr. Yanez

Motion for the disqualification or recusal of Board Members Jaime Molera and Jacob Moore

Ms. Klein asked why we are reviewing this or accepting this motion from someone outside the Board. Mr. Yanez stated it was reviewed by the Board's attorney and it was necessary to address the motion and this issue.

Mr. Miller moved to deny Respondent James M. Houston's motion for the disqualification or recusal of Board Members Jaime Molera and Jacob Moore. Ms. Ortiz-Parson's seconded the motion. Motion passed unanimously.

- G. Presentation, discussion and consideration to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee to revoke the certificate held by James M. Houston

Mr. Easaw

James M. Houston applied for a Special Education, K-12 teaching certificate on May 8, 2006. On May 18, 2008, the Arizona State Board of Education ("State Board") denied James M. Houston's application for certification upon a finding that the conduct of Dr. Houston, as delineated at the Professional Practices Advisory Committee ("PPAC") hearing on February 14, 2007, and as presented at the May 19, 2008, meeting of the State Board, constituted unprofessional conduct pursuant to A.R.S. § 15-534 (C). On August 6, 2007, the State of Oregon Teacher Standards and Practices Commission ("Commission") issued a "Stipulation of Facts, and Final Order of Reprimand" including findings that Dr. Houston sent (an) inappropriate email to school district administrators expressing his displeasure over a disagreement. Although Dr. Houston later apologized for the communication, the Commission found that Dr. Houston's conduct constituted a "Gross Neglect of Duty," as defined by Oregon law, and issued a "Public Reprimand" against Dr. Houston. On May 19, 2008, the State Board again considered Dr. Houston's application for certification. By a unanimous vote of 8 – 0, the State Board denied his application for certification. On December 8, 2008, the State Board denied Dr. Houston's Motion for Review or Rehearing of the State Board's denial of his application for a Special Education certificate. On October 12, 2010, the PPAC held a hearing on a complaint filed by the State Board seeking a revocation of Dr. Houston's Substitute certificate, issued on February 13, 1986 that expires July 1, 2099. Dr. Houston was not present for the hearing, though the PPAC made attempts to reach him by telephone (using the phone numbers that Dr. Houston provided) on the date of the hearing.

The PPAC found that the conduct of James M. Houston constitutes conduct which would discredit the teaching profession pursuant to Arizona Administrative Code R-7-1308(B)(15). By a vote of 5 to 0, the PPAC recommended that the State Board revoke any and all certifications held by James M. Houston. The State Board's consideration of the PPAC's recommendation to revoke Dr. Houston's substitute certificate was on the State Board's December 6, 2010, meeting agenda. Dr. Houston filed a motion to stay the State Board's proceedings with the State Board's staff, the Arizona Court of Appeals, and the Arizona Supreme Court, until Arizona's courts of appeals made final decisions on the appeals of the judicial review action challenging the State Board's denial of his application for certification. Out of deference to the proceedings in the appellate courts, the State Board's staff withdrew the agenda item regarding the revocation of Dr. Houston's substitute certificate.

The Arizona Court of Appeals issued its final decision; the Supreme Court of Arizona declined to review Dr. Houston's Petition for Review in the matter. Mr. Easaw spoke to the Board regarding the matter. Dr. Houston was in attendance. The PPACs recommendation is that this Board accept the findings of the PPAC to revoke the certificate held by Dr. James M. Houston. He spoke that the PPAC had originally recommended his license be approved but it was denied by this board previously. Back in June of 2009,

we were trying to settle all these issues. He mailed back the license indicated that he wanted it abrogated and did not need it or used it since 1986. He is currently licensed in Oregon and is working in good standing. He believes the hearing was conducted improperly and that through no fault of his own, he could not attend the hearing because his car broke down. He stated he has not done anything wrong. He has had 217 assignments and has an unblemished record as a substitute teacher. Attorney Jingu Park came in front of the board at the request of President Tyree. As the Board's attorney, Ms. Park responded by stating as the adjudicating body in this case the task before this Board is not any of the extraneous issues Dr. Houston may have presented but is to decide accept modify or reject the PPACs findings.

Mr. Molera made motion to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and revoke the teaching certificate held by James M. Houston. Vice President Miller seconded the motion. 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

President Tyree

I. ADJOURN

Ms. Ortiz-Parsons made a motion to adjourn. Vice President Miller seconded the motion Meeting adjourned 11:40.