

**Minutes  
State Board of Education  
Monday, January 22, 2007**

The Arizona State Board of Education held its regular meeting at the Arizona Department of Education, 1535 West Jefferson, Room 417, Phoenix, Arizona. The meeting was called to order at 9:04AM.

**Members Present**

Mr. Jesse Ary  
Dr. Vicki Balentine  
Ms. JoAnne Hilde  
Superintendent Tom Horne  
Ms. Joanne Kramer  
Mr. Larry Lucero  
Ms. Anita Mendoza  
Dr. Karen Nicodemus  
Ms. Cecilia Owen

**Members Absent**

Mr. Bill Estes  
Dr. John Haeger

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

**1. PRESENTATION OF CANDIDATES AND ELECTION OF STATE BOARD OF EDUCATION OFFICERS FOR 2007**

Mr. Yanez stated that pursuant to Board rule, officers are to be elected at the first regular meeting of each calendar year and that the nominations for President and Vice President are Dr. Nicodemus and Dr. Balentine, respectively. Mr. Yanez asked members to complete the written ballot, collected the ballots and announced that by unanimous vote the Board accepted the nominations of the committee and elected Drs. Nicodemus and Balentine as President and Vice President. Dr. Nicodemus and Dr. Balentine stated that they are honored to serve the Board.

**2. BUSINESS REPORTS**

**A. President's Report**

Dr. Karen Nicodemus noted the Board's appreciation for Dr. Michael Crow's service and presented a token of appreciation to Dr. Crow's assistant, Ms. Amanda Burke. In addition, Dr. Nicodemus spoke about Ms. Hilde's many years of service to the education community and presented her with a gift of appreciation for her service as State Board President.

Ms. Hilde stated that this work is not done alone and is not done with the attitude that the work is finally done, but rather with the attitude of having made the right decision at the time. Ms. Hilde thanked various leaders in the community and the Board members and staff.

**B. Superintendent's Report**

Superintendent Horne gave recognition to the following ADE Divisions:

- Standards & Assessment which provided workshops for test coordinators
- Accountability for an ELL Conference for administrators, coordinators and teachers

**C. Board Member Reports**

Dr. Balentine reported that she is participating in a study group with NASBE focusing on Models of Success, Policies and Strategies for Reconstitution and Schools in Need of Improvement. She noted that this study group will meet for 12 days over the next year with a focus of the moment in year 4, 5, or 6 when a school has options of restructuring, reconstitution or open-ended "other". She reported that 9% of Arizona schools are in need of improvement and 11% of districts

are in the same category. Dr. Balentine added that there is not particular national evidence of a model of success in terms of what happens when these years of restructuring/reconstitution are required and that further information from ADE regarding turn-around leaders and how this is progressing in Arizona will be helpful.

Ms. Hilde reported that she attended two meetings recently on behalf of the SBE:

- In Washington, D.C. regarding sustaining high school re-design in a post-election era. Ms. Hilde noted that 13 states were invited, with 12 active in the project. Arizona is very new to the process. Ms. Hilde listened, learned and began helping develop a baseline of knowledge. Ms. Hilde added these key thoughts gathered from the conference:
  - Arizona is not behind other states, but we are approaching things differently
    - Doing it the right way for Arizona students
  - Lack of consistency from state-to-state is not as serious as non-alignment within a state's P-16 system
  - Delaware reported the importance to develop a vision and theirs is based on year 2015 with Rodel
    - Arizona has a Rodel model
  - We must maintain stability in the development process
  - Shouldn't talk about high school, but rather secondary within a 7-12 plan
    - Can catch middle school students and remediate
    - Grades of 9<sup>th</sup> graders will identify 80% of drop-outs
    - Absentee rate in the first month of 9<sup>th</sup> grade is parallel to who will drop out
      - Students who have 9 absences in the first month of school are likely to be drop-outs
  - Utilize multiple pathways
  - Teachers are part of the solutions/issues
  - Streamline in grades 11 and 12 so a student is able to earn AA by end of 5<sup>th</sup> year
    - For students who need to find relevance
  - Dual enrollment to establish relevance
  - Need for K-12 to work with higher education on process of math instruction at the college level
    - How to teach content are not models that can be used with all 7-12 students
- WestEd meeting regarding developing framework team for science
  - Linda Darling-Hammond spoke regarding teacher education and teacher empowerment
  - WestEd team developed the framework team for Science, led international studies and was instrumental in the development and now refinement of Science standards
  - Co-directed the project to develop framework for 2009 NAEP science assessments

Ms. Hilde asked Dr. Wade McLean to introduce visitors from WestEd. Dr. McLean noted that the WestEd Board is comprised of representatives appointed from California, Arizona, Utah and Nevada who work together to expand their educational awareness of priorities that are being targeted throughout the country. Dr. McLean added that WestEd staff has a wonderful reputation for the resources they are able to provide.

Ms. Catherine Walcott, Director of Strategic Initiatives, WestEd, introduced Ms. Erica Brodie, Research Associate, WestEd, and stated that they work across programs but most of their time is spent on the regional education lab contract which has a line of funding that can be used for short-term studies, to help Boards like the SBE to understand what research has to say about a particular issue. In addition, Ms. Walcott noted that they can analyze existing state data sets to help clarify an issue in a state, do research reviews for a better understanding of what the research says and make

the base more transparent. Ms. Walcott added that they are now engaged in work around secondary school reform, ELL projects, connections between communities and schools and that they hope to be of more service to Arizona's SBE as needed.

Ms. Hilde noted that she has requested assistance from WestEd in gathering information around the high school graduation issue, and that WestEd has now begun to do this and will be available for study sessions to assist in framing deliberations around all P-20 issues as well as high school graduation.

Ms. Hilde noted that WestEd can help the SBE be thoughtful in its work and organized and linear in its thinking around the following issues:

- Vision
- Defining goals and objectives of a high school education
- Standards and assessment and data centers
- Teacher capacity; distribution of highly qualified teachers
- Student supports
- Role of CTE and multiple pathways

Ms Hilde noted that this assistance will allow the SBE to move forward progressively and avoid pitfalls along the way.

#### D. Director's Report

##### 1. Colorado City Second Quarterly Report

Mr. Vince Yanez, Executive Director, State Board of Education, noted that the quarterly report has been received but that an acknowledgement has not yet been received from the Auditor General's Office as to whether the district is in compliance. Mr. Yanez noted that the debt level is still a concern and the district/receiver have put a plan together, which is moving forward as anticipated, to take care of these debts. Mr. Yanez added that he has discussed with Mr. Davis as to whether or not to accelerate termination of the receivership, which was initially a 5-year plan, but that certain benchmarks in statute have to be met prior to considering acceleration:

- Auditor General must certify that the district has been financially solvent for one fiscal year
- The Auditor General must certify that the district's financial records are in compliance with the USFR
- The receiver must certify that the district is no longer engaged in gross mismanagement
- SBE must determine that the district is able to pay its debts as they come due

Mr. Yanez added that in his conversations with Mr. Davis, they have discussed the possibility of terminating the receivership as soon as the middle of this year; however, given these requirements, this may not be possible. Mr. Yanez noted that they are doing their best to make sure the district is truly solvent and whether the district is ready to come out of receivership. Mr. Yanez also pointed out that the expenses of receivership and the oversight operations are a huge cost to the district and the SBE, which is part of the concern related to keeping the receivership in place for the full 5 years.

Mr. Yanez added that if these criteria are met and the receivership is terminated the SBE still has a two-year obligation to continue monitoring. Ms. Kramer asked how many students and teachers are in this district and Mr. Yanez responded that he will provide this information.

Ms. Owen asked about the district's ability to service debt and Mr. Yanez clarified that further action is not requested at this time. Mr. Davis would need to answer further questions at a subsequent meeting.

##### 2. Update Regarding Calculator as Test Accommodation

Mr. Vince Yanez, Executive Director, State Board of Education, reported that, as directed at the last meeting, ADE staff has made arrangements to have a validity study conducted on the current test, asking whether calculator use invalidates the test results if the test is used for AYP. The study has two parts: 1) Item review by content experts who look at the test itself, the objectives and determine whether or not they feel that a calculator would enhance a student's ability to respond to those questions, and 2) Validity study being conducted by Dr. Jerry D'Agostino, University of Arizona.

Mr. Yanez added that California found that they had a similar situation and that they have followed the steps outlined below:

- Designed a test without the use of calculators and determined that the use of calculators would invalidate the test results through a study
  - California study was designed to determine the impact of calculator use on their state assessment and when they determined that impact in scale score points, they developed a conversion for students to use which was approved by the USDOE
- Students with appropriate IEPs who use a calculator on the test apply this conversion and those scores can be reported to the feds
  - These students can count as taking the test for the purposes of AYP calculations

Mr. Yanez noted that this was not discussed at the last meeting but given the direction of the SBE and its desire to move as quickly as possible, he contacted Dr. David Garcia, AEPI, to see if AEPI would be able to replicate the California study here in Arizona and noted that Dr. Garcia will respond as to whether or not this is possible. Mr. Yanez added that because the request would be coming from the SBE it could fall under the expedited procedures within the agreement with AEPI and the SBE would be required to approve any proposals. Mr. Yanez noted that this is a possible suggestion if the study done by Dr. D'Agostino suggests that calculator use does in fact invalidate the scores. Mr. Yanez asked for input and direction from SBE members.

Superintendent Horne suggested that perhaps Dr. D'Agostino could do both studies simultaneously and make a total recommendation. Mr. Yanez stated that he thought it was appropriate to use AEPI given the expedited process included in the agreement and that there would be no costs involved. In response to further questions, Mr. Yanez noted that the California study was done by the testing company for their assessment, ETS, and that he didn't know how long it took for the study to be completed; however, in his conversations with Dr. Garcia, he stated that he didn't feel it would take very long to complete, possibly within 2-3 months.

Ms. Mendoza stated that it is exciting to see that we are moving forward expeditiously and asked if this happens in a 2-3 month period, what ADE would do to submit the plan to the feds.

Superintendent Horne responded that they first need to know if additional costs are involved and that Dr. Franciosi submits the requests to the feds at which time he can ask how long this would take. He added that this year's requests are due in early February and that possibly this request could be added to this year's submission.

Dr. Balentine asked about the specificity to Arizona's stature in the calculator issue. Mr. Yanez responded that he obtained a copy of the California study and that he spoke to their liaison to the Federal Government requesting a copy of their federally approved plan. Mr. Yanez noted that the California study did a survey of calculator use in all states in terms of their high school exit exams and stated, "California is one of the states that allows students with disabilities to use calculators and Arizona is the only state that does not permit calculator use." Mr. Yanez pointed out that the study referenced was completed in 2003.

Dr. Balentine added that this also may be a time that the SBE can formally initiate a relationship with the group referred to in this study which may serve a dual purpose.

In response to Mr. Ary, Mr. Yanez noted that a request has been made of Dr. David Garcia to explore whether AEPI has the resources to do this study and whether AEPI will submit a proposal to the SBE by the next meeting. Mr. Yanez also stated that if the proposal is ready sooner, a special session may be scheduled to review and possibly approve the proposal.

Ms. Hilde noted that she supports using AEPI for this study and that there is probably representation within AEPI from the UofA that would guarantee a cross-over in terms of the work.. Mr. Yanez clarified that the study requested last month was a validity study to simply look at whether the test will yield valid results. He added that the California study was not truly a validity study but was designed to determine the actual impact that calculator use had on the test and then a conversion was developed after the impact had been determined.

Dr. Nicodemus asked what the timeframe for Dr. D'Agostino's study was and Ms. Cheryl Lebo, Associate Superintendent of Standards & Assessment, Arizona Department of Education, noted that Ms. Roberta Alley, Deputy Associate Superintendent, Assessment Division, Arizona Department of Education, is out of state so this information is not readily available. Ms. Lebo responded that:

- they are aware of a number of the points mentioned by Mr. Yanez
- they are not sure whether they agree with all of the information
- there are many other states that don't use calculators
- calculators are allowed in Arizona if stated in the student's IEP

Ms. Lebo noted that there are a lot of different issues to be discussed after Dr. D'Agostino's information is received and that they are working on this at the present time.

Mr. Yanez added that he spoke with Ms. Alley late last week and noted the following:

- The study referenced last month is being completed in two parts
  - The first part is the content item review done by the content experts and will be completed very soon
  - This part of the study is integral to the type of study done by California
- If we want to replicate this, this portion of the study would be very useful to representatives from AEPI
- According to Ms. Alley, ADE has not yet received a research proposal from Dr. D'Agostino

Ms. Mendoza noted that this study doesn't seem as dissimilar from other requests but rather seems like a standard process beginning with a content review.

Superintendent Horne reiterated to Dr. Nicodemus that the ADE will move forward with the request to the feds and indicate in the report that the SBE is seeking resolution.

In response to Ms. Owen's question regarding the costs of receivership, Mr. Yanez responded that further discussion is not requested at this time but that a special session may be scheduled to consider further information from the receiver.

### 3. GENERAL SESSION

#### A. Presentation, Discussion and Consideration to Adopt the Governor's P-20 Council Vision Statement. Discussion May Include Proposed Framework for Consideration of the Council's Recommendations

Dr. Karen Nicodemus referred to her memo included in the materials packet and noted that this is framed as a work plan with priorities for the SBE in light of the P-20 discussions. She added that there is value to having individuals from the SBE, ADE and other outside stakeholders assisting in developing and framing the work plan. Dr. Nicodemus asked Ms. Hilde to take the lead in suggesting those who can serve in this capacity and to assist in drafting the work plan.

Dr. Balentine added her appreciation for the work plan structure that will help members and the public understand the work of the SBE. Dr. Balentine encouraged members to move forward in the project. Ms. Mendoza voiced her appreciation for the work plan and suggested that this would allow continuity between SBE, the ADE and the public. Ms. Owen added her support for the work plan.

Motion by Ms. Hilde and seconded by Mr. Ary to adopt the P-20 vision statement as presented.

*Motion passes.*

B. Presentation and Discussion of Policy Recommendations from the Governor's P-20 Council

Ms. Lauren Keilsmeier, Education Policy Advisor, Office of the Governor, presented the Governor's P-20 Council Recommendations via PowerPoint presentation included in the materials packet. Ms. Keilsmeier explained that the P-20 Council was created by Executive Order and its vision is to convene stakeholders across the state to shape a common vision for education reform in Arizona. Ms. Keilsmeier presented the Council's recommendations by Committee and stated the expectations of support from the State Board of Education.

Superintendent Horne welcomed Ms. Keilsmeier and stated that he looked forward to working with the Governor's Office. Mr. Horne also addressed the personalized learning plans that are one of the seven concepts of Breaking Ranks II, adopted four years ago in the high school reform effort, noting that the current step being urged is that Legislature appropriate funding for a statewide web-based system for students, teachers and counselors.

Ms. Mendoza complimented the ADE for its efforts in these areas and noted her concerns that charter schools receive support in alternative pathways, as well.

Ms. Hilde noted that this is a good start for students to begin to think about what they need to study in order to be prepared for their chosen vocation. Ms. Keilsmeier confirmed that the Council's recommendations begin with 6<sup>th</sup> grade.

Dr. Nicodemus noted that shared goals and resources are key to bringing success in this area, adding that the P-20 Council, SBE and ADE will each continue to work on their respective issues.

C. Update Regarding Legislative Affairs. The Board May Take Action to Support, Oppose or Remain Neutral on Specific Legislative Proposals

Mr. Vince Yanez, Executive Director, State Board of Education, talked about the procedures that have been put into place for informing the SBE of current legislation:

- Mr. Yanez is in constant contact with Mr. LaSota and Ms. Susan Cannata as bills are introduced
- As the bills are reviewed, Mr. Yanez is looking at how they coincide with the SBE's belief statements
- If Mr. Yanez feels the SBE should take action or a position on a bill, he will work with SBE leadership and the Superintendent to determine what type of action should be taken
- At regular meetings Mr. LaSota or Ms. Cannata will present general updates and specifics regarding what is being advocated
- Members can provide direction to staff regarding any actions
- It is hoped that the SBE will be nimble enough to be responsive to new legislation while insuring that the SBE is engaged as much as possible in the process

Mr. Jack LaSota, Miller LaSota & Peters, State Board Legislative Liaison, presented an update of the significant 2007 Arizona Legislation, which included the bills' subject, status and comments. This information is included in the materials packet. Mr. LaSota noted that since both House and Senate Education Committees meet at the same time each week they have engaged another person to assist them in attending all hearings.

Mr. Yanez explained that he added Board action recommendations to some bills for consideration.

Superintendent Horne addressed the receivership bill stating that the cost of a receivership is paid by the district involved and to the extent that there are expenses involved in a receivership hearing which the SBE cannot comfortably absorb, the ADE will carry the ball on that. Mr. Horne also pointed out:

- If the SBE takes any action on this bill, he would request that the SBE consider supporting the bill
- Currently we have engaged in receiverships of schools, a SBE function, and the SBE approves the terms on which the schools are taken over and the consequences
- In some situations the problems are so systemic in the districts that it is difficult to affect the desired change dealing with the school only and there may be a need to have the change occur at the district level rather than at the school level
- The proposal is that if it can be proved that the school is grossly dysfunctional in areas other than financial, i.e. academic, and if the case can be made to the Board that there are needs in other areas, the Board should have the ability to do this
- Need to make sure there are no schools where students cannot learn

Dr. Balentine asked about the increased civil penalty in the fingerprinting bill and 2036, in terms of unintended consequences, and whether people who might have been teaching for a number of years may be affected adversely for something that may have occurred years ago. Dr. Balentine noted her support for knowing those who work with our students but that these grandfather situations should be focused to provide that a person's certification remain valid until an appeal is heard.

Mr. Yanez responded regarding SB 1045 stating that he has not recommended that the SBE take a position on this bill.

Mr. Ary asked if the SBE supports the P-20 Council's goals whether or not there would be opportunity for the SBE to see if any of the current legislative bills align to these goals. Mr. Ary noted his concern regarding receiving timely updates and Mr. LaSota responded that this information will be made available via a weekly report to members.

Ms. Hilde noted that expenses associated with take-overs/receiverships have been time consuming for Mr. Yanez so Board resources other than monetary have been utilized in these efforts. Ms. Hilde noted that resources to cover staff time are essential for these efforts as well as the fingerprinting issue. She stated that if the number of offenses for which people's records are to be reviewed and then are appealable offenses, then the Investigative Unit's resources will have to be expanded, as well.

Ms. Mendoza asked to have the ADE's supported legislative issues added to the weekly report form.

Dr. Nicodemus recommended adding a field to the weekly report form that would include the position taken by groups on various bills. In addition, Dr. Nicodemus suggested that the SBE remain neutral at this time until the SBE has further discussion in a future special session as it is critical for the SBE to be one voice.

Mr. Yanez reminded members that as legislation moves and as bills arrive, at times the SBE will need to respond very quickly, possibly within hours, and if the SBE wants to proceed in this vein and simply adopt a formal position on each piece of legislation it can certainly be done but members should be aware that we will not be able to be as responsive. Dr. Nicodemus noted that this will be put before the SBE for discussion.

Mr. Lucero noted that Mr. Yanez raised some reality to the process and stated that at this point it is still early enough to vet out what is going on with the bills. Mr. Lucero added that each member

should also monitor the legislative process electronically. Mr. Lucero urged members to stay focused on specific issues and reminded members that a sub-committee was previously formed to look at these issues, as well. Mr. Yanez added that further discussion may be in order regarding the sub-committee and the proposals before the Board at this time. Mr. LaSota reminded members that amendments to bills are also possible and will be sent to members as soon as possible. Dr. Balentine suggested that when time permits the SBE can take time to consider an item and when time is of the essence, Mr. Yanez should be allowed to make decisions based on the SBE's belief statements and input from SBE leadership. Dr. Nicodemus again suggested that this be discussed at an upcoming special session as well as any other bills that members may like to bring for discussion and the merit of monthly updates or a committee and/or SBE leadership that might receive weekly updates.

Ms. Owen discussed HR 17 introduced by the Congressman from Oregon regarding forest fees and asked the SBE to consider weighing in on this issue and whether the SBE might write a letter of support to Congress. Ms. Pollock clarified that the SBE may take action regarding any legislative item if it chooses. Superintendent Horne noted that Mr. Doug Nick, Federal Liaison for the Arizona Department of Education, will start working on this request right away. Dr. Nicodemus suggested that members may want to authorize the SBE leadership with the ADE to look into this issue and make a decision regarding an appropriate response.

Motion by Mr. Ary and seconded by Ms. Kramer to authorize the SBE leadership with the ADE to look into this issue and make a decision regarding an appropriate response. *Motion passes.*

D. Presentation, Discussion and Consideration to Accept the Recommendations of the Professional Practices Advisory Committee and Deny the Applications for Certification for the Following Individuals:

1. William M. Ballesteros, Case No. 2005-037

Mr. Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education, presented the item and Mr. William Holder, Legal Counsel for Mr. Ballesteros presented further information requesting that the SBE remand the case back to the PPAC for re-consideration, based on new evidence brought today which is included in the materials packet.

Ms. Pollock clarified that Mr. Ballesteros is represented through counsel at today's meeting, which satisfies due process, and that the SBE has the discretion to call Mr. Ballesteros and get his statement via telephone. Ms. Pollock also addressed the new items brought forward today by Mr. Holder and stated that according to Board rule R7-2-718C the SBE has the ability to:

- consider these documents today and incorporate them into the underlying findings from the PPAC, or
- supplement findings to consider the additional information presented today, or
- modify findings, if necessary, or
- remand the matter back to the PPAC if it is determined that a decision cannot be made based on the new evidence

Ms. Hilde asked for clarification as to whether the additional evidence presented today were seen by the PPAC and Mr. Easaw responded that any reports provided by Mr. Holder after December would not have been seen by the PPAC as they were not available. Mr. Holder noted that the cutoff date was November 15 and the documents presented today are dated November 17.

Dr. Nicodemus noted that the information was received after the PPAC hearing and noted her concern regarding the case and the information presented noting that the officer did not indicate that there was any mistake in the police report.

Dr. Balentine asked if Mr. Ballesteros had been notified of the hearing date and Mr. Easaw responded that Mr. Ballesteros had been notified of the hearing and instructed as to all the



materials he should provide for consideration by the PPAC. Mr. Easaw added that it is not uncommon for applicants to provide additional information past the cutoff date. Mr. Holder added that Mr. Ballesteros contacted the officer in October and the officer did not get the letter done in time. Dr. Balentine stated her concern regarding the PPAC's resources and its backlog which is substantial. Mr. Ary noted that the facts as stated and/or a verbal expression from Mr. Ballesteros would not alter one of the serious concerns already implied, which is that Mr. Ballesteros was inclined not to indicate that he had any prior professional discipline but he did this only after assistance from staff, even after having gone through the review process. Mr. Ary noted this is a clear indication that Mr. Ballesteros did not want to disclose this information, which weighs very seriously in terms of whether or not this should be moved forward. Ms. Owen noted that she shared these concerns, especially two incidences of striking students, and that there is no evidence that he has attempted to re-instate his Texas certificate. Mr. Holder stated that Mr. Ballesteros had testified that he was qualified to teach in Texas, although he did not produce a copy of a certificate from Texas.

Mr. Holder reminded members that if they were going to make a decision they ought to call Mr. Ballesteros and hear from him. Superintendent Horne noted that the initial decision regarding credibility is made by the PPAC and they did talk with Mr. Ballesteros personally. Dr. Nicodemus clarified that the Texas license was suspended for one year; however Mr. Yanez noted that not all states allow a certificate to be automatically reinstated after a suspension.

Ms. Hilde clarified that if this case is denied, the applicant will have an opportunity to request a full hearing before the PPAC. Ms. Pollock reiterated the State Board's options:

- remand the matter back to the PPAC, or
- make a final determination today and supplement findings to indicate that the SBE has reviewed the specific documents presented today which are and include the memo from Officer Lemke, dated November 17, 2006, and the January 9, 2007, memo from Mr. William Ballesteros regarding his conversation with Clifford Gilbert and to state for the record whether the SBE believes this additional information should change the recommended findings for the PPAC

Motion by Ms. Hilde and seconded by Ms. Mendoza to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee, noting that the State Board has read and acknowledged the existence of the January 9 meeting from Mr. Ballesteros and the memo of November 17 from Officer Lemke and continue to make this understanding with their content and deny William A. Ballesteros' application for certification. *Motion passes.*

## 2. Cynthia Cooks, Case No. C-2005-155 R

Mr. Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education, presented the information provided in the materials packet.

Motion by Ms. Hilde and seconded by Ms. Kramer to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and deny Cynthia Cooks' application for certification pursuant to A.R. S. § 15-534.01. *Motion passes.*

*The Board moved to Item 3G at this time.*

## E. Presentation Discussion and Consideration to Accept the Recommendation of the Professional Practices Advisory Committee and Grant the Application for Teacher Certification for Russell Earl Kendall, Case # C-2006-067 R

Mr. Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education, presented the information provided in the materials packet.

Motion by Ms. Hilde and seconded by Dr. Balentine to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and grant Russell Earl Kendall's application for certification. *Motion passes.*

F. Presentation, Discussion and Consideration to Determine Non-Compliance with the USFR for Failing to Correct Deficiencies and to Withhold State Funds Pursuant to A.R.S. §15-272(B) for the Following Districts:

1. Maricopa County Regional School District #509

Mr. Vince Yanez, Executive Director, State Board of Education, reported that Maricopa County Regional School District #509 has been removed from the agenda as the district has submitted its audits to the Auditor General's Office.

Ms. Hilde asked if this district is now in compliance with financial management or whether this is just a receipt of the audit and the determination as to the completeness and thoroughness of the audit has not been made. Mr. Chad Sampson, Assistant Attorney General, stated that to the best of their knowledge this is simply that the audit that was due in March 2006 has now been submitted.

2. Quartzsite Elementary School District #4

Mr. Chad Sampson, Assistant Attorney General, Attorney General's Office, presented the information included in the materials packet.

Mr. William Blong, Principal and Superintendent, Quartzsite Elementary School District #4, addressed the SBE stating that he takes full responsibility of the non-compliance issues as the accounting firm that he hired didn't come on board until March of the school year. Mr. Blong assured the SBE that measures have now been taken to rectify the problems and that they expect to be in compliance.

Dr. Balentine asked for examples of the measures taken related to expenditures, etc., and Mr. Blong responded that the business manager is getting an AA in Business Management and procedures have been drawn up to account for and deposit into the various student fund accounts. A representative from the Auditor General's Office clarified the process of notification:

- The Auditor General's Office approves the contract for an audit
- When the due date for an audit report is approaching, approximately 3 – 4 months in advance, the Auditor General's Office contacts the district if there is not a contract in place
- If no contract and report are received by the deadline, a 90-day letter is issued and copied to the County School Superintendent's Office
- If reports are not received within 90 days of the letter, notification is sent to the State Board of Education

Mr. Blong acknowledged receipt of the 90-day letter and stated that the district tried to comply with that letter. He added that the County School Superintendent's Office has a staff of three, but one had resigned and one was new and the county office had not reconciled funds to that point making compliance very difficult. Mr. Blong emphasized that these problems led to his desire to change auditing firms and that change caused problems, as well.

Mr. Lucero noted that there is a bigger issue with respect to the cost aspect, especially for smaller districts, and suggested that perhaps superintendents could band together. Ms. Owen added that she will bring this to the attention of the other County School Superintendents.

Mr. Sampson noted, in response to Dr. Nicodemus' question, that there is not a requirement in Arizona for districts to change auditing firms after a given period of time. He added that there is one auditing firm in Arizona that has pretty much cornered the market and does almost all auditing and also some consulting for districts.

Dr. Nicodemus commended Mr. Blong on the district's using an auditing firm that found the non-compliance issues and clarified that the district is now before the SBE as the reports submitted did

not meet the expectations/requirements of the Auditor General's Office. Mr. Blong reiterated the practices that have now been put into place to meet the compliance issues and stated that the follow-up visit with the auditing firm is scheduled for the end of March. Mr. Sampson added that the Auditor General will then do the testing to determine compliance, looking at procurement, oral and written quotes, etc.

Ms. Hilde explained that there have been three significantly different cases today and this district seems to be in the middle of the completion of this process. Therefore, motion by Ms. Hilde and seconded by Dr. Balentine to determine that Quartzsite Elementary School District #4 is out of compliance with the USFR and to direct the Superintendent of Public Instruction to withhold 5% of state funds from the district until the Auditor General reports that the district has achieved compliance. *Motion passes.*

3. Seligman Unified School District #40

Mr. Vince Yanez, Executive Director, State Board of Education, reported that Maricopa County Regional School District #509 has been removed from the agenda as the district has submitted its audits to the Auditor General's Office.

4. Sonoita Elementary School District #25

Mr. Vince Yanez, Executive Director, State Board of Education, noted that a letter from Ms. Marjorie Simmons, Business Manager, Sonoita ESD #25, was received and has been distributed to members.

Mr. Chad Sampson, Assistant Attorney General, Attorney General's Office, presented the information included in the materials packet regarding the district's non-compliance issue. Mr. Sampson clarified that small school districts only are required to submit an audit every two years, so this does not indicate that the district is out of compliance for two years, but that the two-year audit has not been submitted.

Mr. Yanez reported that he spoke to Ms. Marjorie Simmons, who confirmed that there would not be a representative from the district at today's meeting. Ms. Simmons noted that they feel that their audit company will have the audits completed in March and will submit them soon after that to the Auditor General's Office. Mr. Yanez noted that the district requested that this item be removed from the agenda. Mr. Yanez clarified that the oldest notices received from the Auditor General's Office are processed first and the notice regarding Sonoita ESD is next in line for consideration by the SBE and therefore it was not removed from the agenda. Mr. Yanez stated that the district's reports were due in March 2006 and there is not evidence at this time to suggest that their audit is near completion. He added that after the audit is submitted the Auditor General's Office will verify the district's compliance.

In response to Dr. Nicodemus, Mr. Sampson noted that there is not an indication as to why the district finds itself out of compliance at this time.

Ms. Hilde clarified that in the past she has worked with this district on two occasions doing searches for superintendents, one about six years ago and another by her partner about one year ago. Ms. Hilde noted that these activities would not infringe on her ability to judge this financial matter and that she can vote fairly on this issue.

In response to a comment from Ms. Hilde, Mr. Sampson clarified that the two-year audit is relatively new for these districts but the districts have been given at least two years' notice that it would be due.

Motion by Ms. Kramer and seconded by Mr. Lucero to determine that Sonoita Elementary District #25 is out of compliance with the USFR and to direct the Superintendent of Public Instruction to withhold 10% of state funds from the district until the Auditor General reports that the district has achieved compliance. *Motion passes. Dr. Nicodemus voted no.*

5. Topock Elementary School District No. 12

Mr. Chad Sampson, Assistant Attorney General, Attorney General's Office, presented the information provided in the materials packet.

Mr. John Warren, Principal, Topock ESD, stated that the district retained its business manager as a consultant who retired last year, as Mr. Warren and the current business manager were first-year employees last year. Mr. Warren noted that the previous business manager argued that the required bi-annual audit was simply an audit of the AFR and Mr. Warren stated that he was unable to find out from other districts and other sources what a bi-annual audit was. Ms. Owen reminded Mr. Warren that these services are available through the County School Superintendent's Office. Mr. Warren stated that the final audit visit will occur next week and they expect to have the audit work completed by March 1. Mr. Warren pleaded ignorance and noted that by March they should be in compliance with the USFR regulations.

Motion by Mr. Lucero and seconded by Dr. Balentine to take no action until the March 2007 State Board meeting. *Motion passes. Ms. Mendoza voted no.*

G. Presentation, Discussion and Consideration to Close the Rulemaking Record and Adopt Proposed Rule R7-2-1109, R7-2-1110 and R7-2-1116 Regarding Alternative Project Delivery Methods

Mr. Vince Yanez, Executive Director, State Board of Education, presented the item stating that pursuant to Arizona law, the State Board of Education is required to develop rules for Alternative Project Delivery Methods, procurement rules for school construction, in cooperation with the Auditor General's Office. Mr. Yanez noted that the rules have undergone significant revisions and that public comment was received at a well-attended public hearing and is being considered as well. Mr. Yanez added that there are two specific matters that require more review from both the Attorney General's Office and the Auditor General's Office and therefore he asked that this item be tabled until the February 26, 2007, State Board meeting.

Mr. Bill Munch, Purchasing Administrator, Tolleson UHSD, addressed the State Board regarding this item. Mr. Munch's comments are included in the materials packet. He pointed out some recommendations to be considered in the rulemaking process:

- Strike R7-2-1116-A regarding "Factors" from the rules
- Strike R7-2-1116-B from the rules
- Strike R7-2-1116-D-1.a and 1.b from the rules
- Revise R7-2-1116-F-6 regarding the requirement for an independent architect/engineer to review the GMP
- Strike R7-2-1116-G-7 regarding a "good faith effort" to obtain a 10% small, disadvantaged women-owned business goal from the rules
- Reflect the reporting requirement to the Secretary of State but reference this statute rather than repeating it in the rules

Motion by Dr. Balentine and seconded by Mr. Lucero to table this item until the February 26, 2007 meeting. *Motion passes.*

*The Board broke for lunch at noon and reconvened at 1:00PM with Item 3E*

H. Presentation, Discussion and Consideration to Initiate Rulemaking Procedures for R7-2-613, Relating to the Structured English Immersion Endorsement

Mr. Vince Yanez, Executive Director, State Board of Education, presented the information provided in the materials packet, noting that this item was addressed last month when he presented the SE requirement and how it impacts teachers either from out of state or teachers who have graduated from a non-approved teacher preparation program. Mr. Yanez clarified that if a teacher

did not graduate from a SBE-approved teacher preparation program they did not receive the Structured English Immersion (SEI) requirements in the normal course of study. Therefore, a student coming from out of state would not be eligible for teacher certification as they would not have received the necessary 45-hours of SEI training. Mr. Yanez stated that the rule package presented today would provide those individuals with a one-year waiver so they can receive Arizona certification when they apply and then be given one year to complete the necessary training for a provisional SEI endorsement which is 3 semester hours or 45 clock hours of instruction. Mr. Yanez directed members to the one change in the rule package, J6, that reads:

6. The requirements relating to the SEI endorsement may be waived for a period not to exceed one year for individuals that graduate from administrator or teacher preparation programs that are not approved by the State Board of Education and meet all other applicable certification requirements.

Mr. Yanez reported that the Certification Advisory Committee met last week and discussed this item at that time. He added that the committee will again reconvene and look at this rule to make sure it addresses all the necessary issues and any recommended changes will be addressed at a public hearing and then brought back to the SBE as soon as possible.

Superintendent Horne noted that he received a communication from a Spanish teacher saying that it was absurd for the SBE to impose 60 or 90 hours requirements to take courses in English Language Learners for teachers that are teaching kids how to speak Spanish or French or whatever language. Mr. Horne noted that this person is correct and stated that the ADE will be making a proposal to include in the approved coursework, the coursework that foreign language teachers normally get.

Ms. Mendoza stated that the SEI is a separate requirement, even with ESL training/endorsement, the teacher is still required to take SEI as it had a different focus. Mr. Yanez clarified that if a teacher has an ESL or bilingual endorsement they do not have to obtain either a provisional or full SEI endorsement, but are exempt. Ms. Kramer noted that if there is a shortage of substitutes teachers are pulled from every subject area so perhaps a Spanish teacher would be substituting in an English, Reading or Math class and would need to have the endorsement. Ms. Kramer also added that a teacher could tutor students after school which would also require the endorsement.

Mr. Horne stated that perhaps the person who wrote the letter should make his case to the SBE at the next meeting. Mr. Horne noted that this is a very severe burden to teachers which must be weighed against how useful it's going to be to them. Mr. Horne acknowledged that the SBE chose the less-burdensome of the options given as some wanted the SBE to require 272 hours of training.

Dr. Nicodemus asked if under this rule a teacher whose coursework included the required training could be accepted and Mr. Yanez noted that the training must be completed through an approved provider and reminded members that providers are being approved each month. Mr. Yanez added that he will look at statute to determine whether elements of SEI training could be accepted but statute may state that all trainers have to be SBE approved. Dr. Balentine noted that legislation might be required and down the road it might become somewhat ridiculous in the sense that a teacher would be required to take a chemistry content strand that had been only provided by a SBE-approved provider. Dr. Balentine added that a movement in this direction is the natural path as this becomes less of an immediate implementation and more of a systemic reality to the state.

Ms. Hilde referenced the SIOP program, used in Arizona and in California, that has students who have taken their classes in SIOP's university setting and whether or not to tell these students that they have to take another course should be considered.

Ms. Pollock noted that A.R.S. § 15-756.09 requires the SBE to review the curricula textbooks for any procedures and attendance policies of the training program, determine that the training meets the professional standards adopted by the SBE and in addition, and more specifically, the SBE has to review the qualifications of the instructor and determine that the instructor has sufficient experience to effectively conduct the trainings.

Motion by Dr. Balentine and seconded by Ms. Kramer to initiate rulemaking procedures for proposed rules R7-2-613, relating to the Structured English Immersion Endorsement. *Motion passes.*

I. Presentation and Discussion of the 21<sup>st</sup> Century Community Learning Center Grant  
Mr. Yanez stated that Superintendent Horne requested that the ADE periodically present program updates and introduced Ms. Cindy Trejo, Director, 21<sup>st</sup> Century Community Learning Center, School Effectiveness Division, Arizona Department of Education, who presented the information provided in the materials packet. Ms. Trejo noted that teachers are continuously asking for more academic times with students who need it and additional resources for those students. Ms. Trejo stated that this grant provides both as it creates comprehensive learning centers that provide high quality, Arizona state standards-based academic learning opportunities leading to increased achievement. She emphasized that this program goes beyond after school, but includes Saturday school, before school and summer school and can include professional development days. Superintendent Horne noted the good work being done by this group and stated that they are strong where they have to be regarding the schools meeting the necessary requirements.

Ms. Hilde asked who provides the professional development for the staff so that the program isn't just an extension of the school day but rather done in a different after-school refreshing way and Ms. Trejo responded that this is a relatively new emerging field with trainings nationally and locally in progress to support best practices in after school as it relates to achievement outcomes. She noted that trainings are done in various ways and are allowed to be part of the school's budget:

- Two-day mandatory professional development where principals must attend in the Fall
- Regional trainings around the state
- Partnering with best practice academies using technical assistance monies to pay for 21<sup>st</sup> Century staff who want to attend some of the academies that are relative to after school

Mr. Lucero asked about the reduction in funding in the second year and Ms. Trejo noted that programs must be of the highest quality and once programs are established, districts sometimes collaborate funding streams with other districts. Mr. Trejo noted that the hope is that districts will sustain and find partnerships whether it is from other districts or outside entities.

#### J. Presentation and Discussion Regarding Proposed Modifications to the SEI Curricular Framework

Mr. Yanez noted that this is a carry-over item from last month and introduced Ms. Irene Moreno, Deputy Associate Superintendent, Academic Achievement Division, English Acquisition Services Unit, Arizona Department of Education, who explained the proposed 45-clock hour provisional SEI endorsement, per the information provided in the materials packet.

Ms. Moreno noted that the curricular framework for the endorsement has not changed; the integrity of the original document has been maintained and added the following updates:

- Changes made to the curriculum of the Provisional SEI Endorsement that was recommended by the task force and approved by the SBE on January 24, 2005, have been maintained
- Approved 15-hour SEI Provisional Endorsement Curricular Framework has been enhanced by three to equal the now-required 45-hours for the Provisional Endorsement

- The 15-hour SEI Provisional Curricular Framework was primarily for teachers with teaching experience
- The 45-hour SEI Provisional Curricular Framework is a more thorough, engaged, in-depth instructional experience as it was primarily intended for the teachers who had never taught
- The 45-hour SEI Provisional Curricular Framework was also intended for the institutions of higher learning that wanted to offer a three credit hour course as opposed to a one credit hour course
- The EAS Office offered guidance so that the objectives did not change and colleges could offer more of what was required
- Given the additional hours provided in this framework professionals will be expected to be engaged to a greater extent in each one of the four areas required in the training sessions
- The minimum number of contact hours in each section of the curricular framework has increased
- In the ELL Proficiency Standards Objectives frame, the recommendation is an hour in each objective of the standards for a total of three clock hours
- In the Assessment Objectives frame, the recommendation is an hour in each of the objectives for a total of three clock hours
- In the Foundations of SEI Objectives frame, the recommendation is an hour in each of the objectives for a total of three clock hours
- In the SEI Strategies Objectives frame, 24 clock hours for implementation is the recommendation which allows for lesson development, lesson presentation, discussion, identification, application of these strategies, and an evaluation and/or synthesis of the lesson to be included in the contact hours
- Finally, the framework allows for 12 flex hours to be used at the instructor's discretion to augment any combination of the four areas

In response to Ms. Hilde, Ms. Moreno stated that there is no other change from the original 15-hour provisional other than an expectation that things are covered in more depth. Ms. Hilde asked how a university assists its students who may not have been in a situation with a non-English speaking student and Ms. Moreno responded that each university or college program varies. Dr. Janet Johnson, Chair of Education, Rio Salado Community College, stated that their students have to complete 20-30 clock hours in regular classrooms with ELL students, a practicum hands-on experience.

Dr. Larry Gallagher, Chair of Education Specialties, College of Education, Northern Arizona University, stated that they have SEI courses at both graduate and undergraduate levels. He noted that the undergraduate level courses are embedded into the bachelor's and elementary degrees which require a number of practicum hours in addition to student teaching. Dr. Gallagher noted that as they teach the course, they teach the concepts which are expected to be amplified in the student teaching evaluation. He stated that at the graduate level most of the students are actually teachers in the classroom so they have projects as part of the SEI coursework that they then report back to the faculty. He added that if the students are not working with a classroom the instructor will work with a local practicum site to get them into some student contact.

Margaret Goode-Savage, Assistant Dean, University of Phoenix, stated that their programs have a field experience built into each course and the SEI courses have a field experience where the students do course-related projects and assignments in their field experience.

Dr. Elaine Surbeck, ASU, noted that they are very similar to NAU both at the undergraduate and graduate levels, where the requirements are embedded into the coursework and in the field experience each semester. She noted that they also require students to do a case study.

Ms. Patty Hardy, Director, Title IIA, Arizona Department of Education, outlined the process as follows:

- The state institutions, private institutions and community colleges began developing their coursework for the provisional SEI about 18 months ago as this was written into the teacher preparation approval process
- Each institution submitted their coursework to English Acquisition Services and their courses were approved for issuance of the three hours for the Provisional SEI Endorsement
- In the approval process, they have to have the three semester hours embedded in their program to be presented for approval to the SBE

Dr. Nicodemus asked if there will be some assessment around what may emerge as a best practice, whether it is a practicum, case study or field study to determine what the teachers find most valuable once they are out in the teaching field. Ms. Moreno responded that they will take this into consideration and try to draw up something like this.

Ms. Hilde noted that at the last meeting regarding SEI, Ms. Moreno spoke about additional expectations around SEI for bilingual and ESL endorsed teachers, a recommendation that was to be clarified as to where that recommendation stands. Ms. Moreno responded that they met and discussed this recommendation that came from the task force when this was put together. Ms. Moreno stated that this has been the general recommendation in the field to look into the assessment so they are familiar and also to look at the standards as it is the guidance used for the teachers. Ms. Moreno reiterated that it was just a recommendation that most of them are happy to do in addition to their ESL and bilingual endorsements. Ms. Hilde asked if there was an expectation that they would take a class to get this recommendation and be held responsible or whether it was suggested that they do this but didn't have to and Ms. Moreno noted that they were asked to join the rest of their peers when they went through the training specifically to those two areas. Ms. Moreno added that they could easily do a follow-up survey to see how it is going to be handled. Ms. Moreno noted that they were grandfathered in but the task force thought it would be beneficial for them to have these two pieces, and therefore it was recommended.

Ms. Kramer asked how many people have this endorsement in Arizona and Ms. Moreno stated that she could provide this information from certification.

Ms. Hilde asked about the logistics of the students taking this training and Ms. Moreno responded that it would have been the training done within the district and that a majority of districts did their own training, especially the provisional. In addition, Ms. Hilde stated she was interested in knowing how many districts provided the training and how many teachers took the training outside their district and paid the costs themselves. Mr. Horne noted that the ADE has funds to reimburse this cost to teachers. Ms. Moreno stated that they have contacted the districts that did not respond with this information and that she will forward this information to the SBE as well.

Ms. Mendoza asked if those applying for a substitute certificate are required to get the SEI endorsement and Ms. Moreno responded that this is not their understanding. Mr. Yanez clarified that they are not required to have an SEI endorsement.

#### 4. CALL TO THE PUBLIC

Mr. Chris Stewart, a concerned citizen, and Mr. Paul Roetto, district resident and past school board member, addressed the SBE regarding Saddle Mountain USD #90 and provided information included in the materials packet. Mr. Stewart alleged that Saddle Mountain USD #90 is insolvent under A.R.S. § 15-103.B.6 and referred to the provided information to substantiate this allegation. Mr. Stewart referred to the district's over-spending in FY 05 and FY 06 and made five points:

- Statutory condition for insolvency has been shattered
- Financial condition is now dire



- Financial condition is not the result of an anomaly
- They have tried to rectify the situation at the local level for 18 months
- School finance is always problematic for small growing districts

Ms. Pollock clarified that Mr. Horne did not have to recuse himself from this item and could participate in listening to the Call to Public as nothing has been directed as yet.

Dr. Nicodemus asked Mr. Yanez to look into these allegations and bring the item back when it is appropriate for discussion by the SBE. Mr. Yanez responded that he will follow the same procedures as those utilized in the Red Mesa situation which is to conduct an initial investigation of the allegation and report back as to whether a full-scale investigation for the purposes of receivership are appropriate.

Mr. Roetto clarified that this district is in Tonopah, west of Phoenix about 40 miles and includes a little of Verrado.

## 5. CONSENT AGENDA

- A. Consideration to Approve State Board Minutes
  1. December 4, 2006
  2. December 5, 2006
- B. Consideration to Approve Contract Abstracts
  1. 2007 Superintendent Challenge Mini-Grants With the U.S. Department of Agriculture
  2. *No Child Left Behind Act of 2001*, P.L. 107-110, under Title II, Part B
- C. Consideration to Accept the Recommendation of the Professional Practices Advisory Committee and Grant the Applications for Teacher Certification for the Following Individuals:
  1. Lena Felder, Case No. C-2006-095 R
  2. Cynthia Fredette, Case No. C-2006-036 R
  3. Larry Moore, Case No. C-2006-098 R
  4. Kristina Taylor, Case No. C-2006-093 R
  5. Daniel Torrez, Case No. C-2006-022 R
- D. Consideration to Approve Qualified Providers for the Full Structured English Immersion Endorsement
- E. Consideration to Approve a Request to Budget and Accumulate in the Unrestricted Capital Section for FY 06-07 for Fort Huachuca Accommodation Schools
- F. Consideration to Accept the Voluntary Surrender and Termination of Dragonfleye Science Charter Contract
- G. Presentation, Discussion and Consideration to Approve the Intergovernmental Agreement with the Tohono O'odham Indian Nation

The following items were requested to be removed from the Consent Agenda for further discussion and/or clarification:

- Item 5B2
- Item 5C1
- Item 5C4

Motion by Ms. Owen and seconded by Ms. Kramer to approve the Consent Agenda with the exception of Items 5B2, 5C1 and 5C4. *Motion passes.*

### Item 5B2

Dr. Nicodemus asked for clarification and Ms. Mary Knuck, Standards/Mathematics Program Director, Academic Standards Unit, Arizona Department of Education, explained that Coconino County applied for two separate grants, one in Math and one in Science, and the others applied for

either one or the other. Ms. Knuck delineated whether each applicant applied for a Math or Science grant as well as which applicants/LEAs were new grants.

Motion by Ms. Hilde and seconded by Mr. Lucero to approve the Contract Abstract *No Child Left Behind Act of 2001*, P.L. 108-110, under title II, Part B. as provided. *Motion passes. Ms. Owen recused herself from this item.*

#### **Item 5C1**

Mr. Charles Easaw, Chief Investigator, Investigative Unit, Arizona State Board of Education, stated that Ms. Felder was arrested in November 1993 on a charge dealing with marijuana but that she was not charged by a prosecuting agency and that the Investigative Unit has no indication that anything further happened beyond the arrest after which she was released. Mr. Easaw stated that the conviction for the misdemeanor charge was in 1998 which is the charge addressed by the PPAC. Mr. Easaw clarified that all this information was considered by the PPAC and their recommendation is as presented.

Motion by Ms. Hilde and seconded by Ms. Mendoza to accept the recommendation of the Professional Practices Advisory Committee and approve Ms. Felder's application for certification despite evidence showing that Ms. Felder engaged in unprofessional conduct as sufficient evidence exists that mitigates her conduct. *Motion passes. Mr. Ary voted no.*

#### **Item 5C4**

Ms. Kramer explained that she pulled this item because the background information states that Ms. Kristina Taylor did not fully disclose her arrest record as well as showing conflicting dates of DUI arrests. Mr. Kramer noted that she was uncomfortable about Ms. Taylor not disclosing two other arrests but rather she stated that she didn't lie but that she just wasn't comfortable about bringing things up that were far behind her.

Mr. Charles Easaw, Chief Investigator, Investigative Unit, Arizona State Board of Education, clarified that there are three convictions and in a letter signed by Ms. Taylor, dated September 28, 2006, Ms. Taylor indicates that she is unclear as to the actual dates of the convictions. Mr. Easaw noted that they show three dates for conviction, 2003 or 2004 (the exact date is unclear), 1990 and 1997.

Ms. Kristina Taylor addressed the SBE stating the following:

- She didn't disclose the other arrests because they are off her record in Michigan
  - One was 17 years ago and one was 10 years ago
- She was able to obtain records needed for Arizona via archived records
- She is in her second year of teaching in White River, coaches girls' basketball, leads student council, chairs grade level meetings, has been referred by the principal to be a chaperone on a China trip, serves on a leadership committee and home school chairperson
- This is a totally, completely different life for her here
- Didn't feel that her excellent references were addressed by the PPAC
- Participated in the court-appointed classes but that she is not an alcoholic
- Three incidences do not look good on paper but in the span of time between incidences she was not drinking and just not getting caught
- Learned lessons from her mistakes and tells students that today's choices will impact their lives for years to come
- Her career is what she hangs on to now
- Most recent incident was 2-3 years ago
  - She is worried that people who don't know her are picturing her as a drunk that goes into a bar, drinks and gets in a car, which is not the case

Motion by Dr. Balentine and seconded by Mr. Lucero to accept the findings of fact, conclusions of law and recommendation of the Professional Practices Advisory Committee and grant Kristina Taylor's application for certification. *Motion passes. Ms. Kramer and Ms. Mendoza voted no.*

6. ADJOURN AS THE STATE BOARD OF EDUCATION AND RECONVENE AS THE STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION

Motion by Ms. Hilde and seconded by Dr. Balentine to adjourn as the State Board of Education and reconvene as the State Board for Vocational and Technical Education. *Motion passes.*

A. Presentation and Discussion Regarding State Plan for the Carl D. Perkins Career and Technical Education Act of 2006

Ms. Barbara Border, Interim Deputy Associate Superintendent and State Director of Career and Technical Education, Arizona Department of Education, presented the information provided in the materials packet. Ms. Border discussed the core indicators of performance and the beginnings of the plan to be submitted to the federal government for Career and Technical Education for the Carl D. Perkins Funds monies. Ms. Border noted that this is a new act that was effective in 2006 and that tentative guidelines have been provided for this grant. Ms. Border noted that the final plan is due April 16, 2007, but the final guidelines may not be received from the feds until mid-February, so today's presentation adheres to the tentative guidelines received to date. Ms. Border listed the measures and other issues that will be followed:

- Secondary – 10 measures
- Postsecondary – 6 measures
- Transition plan is being proposed beginning with a one-year plan and then a five-year plan after that
- Program includes matriculation to the postsecondary level, military and employment

Ms. Border noted that a great deal of information will be requested from districts, more than in the past.

Ms. Border noted the activities done to date:

- Looked at what had to be included in the state plan
- Asked the 16 stakeholder groups to come together in dialogue sessions across the state
  - Gained a great deal of perspective from various areas of the state
- Formed a writing/working group for the state plan that has met two times for two days each
  - Included heavy involvement from secondary and post-secondary
- Took recommendations to the committee which has met twice

Ms. Border noted the key decisions to be made:

- One-year transition plan versus the final plan
- Separate plan for education versus a unified plan with the workforce investment system
  - Difficult to bring about at this time as the workforce investment act is just now being reconsidered for legislation at the federal level
- Funding separate for tech-prep for Title I and II versus tech-prep being merged in Title II
  - Secondary/post-secondary split of funds
    - Historically in Arizona it has been 85/15 and if it goes above 15% to community colleges it goes to a basis of population so virtually most of the money would go to Maricopa and Pima with very little going to the other districts
- Tentative budget based on current amount of monies being received
- Recommend methods for determining criteria for state performance levels

- Will be discussed after clarification is received regarding which ones are going to be required and what the feds decide the state should have

Mr. Ary noted his satisfaction in working with the Career and Technical Education Division and that his experience has been very rewarding. Mr. Ary added that the level of awareness of career and technical education needs to be raised particularly as it relates to the overall goals that the P-20 Council and other levels of government will be addressing.

Superintendent Horne spoke about the positive, high-energy atmosphere in the Career and Technical Education Division and commended Ms. Border on her outstanding work.

Dr. Nicodemus asked about the implications of not hitting the targets of the performance indicators and Ms. Border responded that if 90% are not met, the monies can be taken away. Dr. Nicodemus commented regarding the student retention and student placement items noting that it is estimated that 50% would transition and therefore not be completers and of those that would not be in a program that is geared toward transfer, 55% would find a high skill occupation, apprenticeship or military services. Dr. Nicodemus noted that if there is more expectation around Math there are also ways in which students can achieve or how Math is delivered. She noted that perhaps more Math should be embedded into the CTE curriculum so students will start to realize the role they will play around greater rigor and expectations in high school.

Ms. Border responded that the Math level has to do with the fact that around 38%-39% of students across the state in general education meet this standard and the CTE standards will be a couple of notches above that as the CTE standard is 40% but will continue to move in this direction. Ms. Border added that they are working on a project with ASU to look at credit within CTE for applied Math and perhaps some other courses.

Ms. Border stated, in response to Ms. Hilde, that the group will add “aligned with the Arizona State Academic Standards” in the description to tie the coursework to the rigor of every other classroom.

## 7. ADJOURN

Motion by Mr. Lucero and seconded by Mr. Ary to adjourn. *Motion passes.*

*The Board adjourned at 3:43PM*