

**Minutes
State Board of Education
Monday, May 19, 2008**

The Arizona State Board of Education held a regular meeting at the Arizona Department of Education, 1535 West Jefferson, Room 417, Phoenix, Arizona. The meeting was called to order at 9:02 AM.

Members Present:

Dr. Vicki Balentine, President
Mr. Jacob Moore, Vice President
Superintendent Tom Horne
Mr. Jesse Ary
Dr. John Haeger
Dr. Karen Nicodemus
Ms. Anita Mendoza
Mr. Jaime Molera
Ms. Cecilia Owen

Members Absent:

Mr. Lucero

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Dr. Balentine

ROLL CALL

Mr. Yanez

1. BUSINESS REPORTS

A. President's Report

Dr. Balentine congratulated Vice President Mr. Moore for the completion of his Masters in Business Administration from ASU.

B. Superintendent's Report

Superintendent Horne added his congratulations to Mr. Moore on the completion of a very tough program.

The Academic Achievement Division under the leadership of Associate Supt. Karen Butterfield; Deputy Associate Supt. Jan Amator for Highly Qualified Professionals and staff hosted a workshop for College/University Academic Advisors with 119 Advisors in attendance. They also hosted a two day workshop entitled "Marketing Your District" in March with 108 educators in attendance. Twelve school teams worked with experts to develop marketing plans for their districts.

Superintendent Horne also shared that the Arizona Department of Education was named as a partner with ASU West and Teach for America when ASU President Crow awarded the medal for Social Embeddedness. Supt. Horne recognized Dr. Karen Butterfield and Ms. Jan Amator for this achievement.

The Education Services and Resources Division under the leadership of Associate Supt. Lillie Sly; Milt Erickson Deputy Associate Supt. for Career and Technical Education and his staff put on the 46th Annual Arizona FBLA State Leadership Conference in April. There were over 1000 attendees from across Arizona. Students competed in over 70 different types of competitions related to business, management, accounting, computer

programming, and entrepreneurship. The top winners will advance to the FBLA National Leadership Conference.

Arizona Skills U.S.A completed it's most successful state conference also in held in April; Supt. Horne was present. Skills U.S.A with the assistance of over 400 businesses and industry partners hosted 68 competitive events for over 1700 secondary and post-secondary students under the guidance of 250 advisors from over 125 schools statewide. Each competition was sponsored by a business; the events were highly intergraded with the businesses that will be hiring these students in the future. Supt. Horne recognized Ms. Lillie Sly and Mr. Milt Erickson.

C. Board Member Reports

Mr. Moore shared that he and Supt. Horne attended the American Indian Education Parent Conference held at ASU West. Supt. Horne did the opening comments and Mr. Moore was the keynote speaker for the Statewide Parent Conference. Mr. Moore talked specifically about the higher standards for mathematics and science and the need for parents to understand what the expectations will be for 2009-2013.

Mr. Moore also mentioned he has been asked to attend the NASBE Meeting on National Policy on June 5th and will be attending as a representative of not just the state but also for the region. Mr. Moore asked if Board Members or others had any specific concerns or comments regarding NCLB that would be useful to please let me know prior to his meeting on June 5th.

Mr. Ary stated that he and Mr. Horne would be attending the meeting of the Arizona Skills Standards Commission during the lunch break. The Skills Standards Commission was commissioned about a year ago in conjunction with ASU to look at all of the skills that are being taught by the career and technical education courses and to try to find a way to amend similar to the National Skills Standards process.

D. Director's Report

Mr. Vince Yanez, Executive Director, State Board of Education, updated the Board Members on the quarterly report of the receiver for Peach Springs U.S.D. This is the receiver's first quarterly report. Veriti Consulting is the appointed receiver and the Board Members were provided with a copy of the report. This report was submitted in April and it was not on the agenda for the regular State Board meeting because the HB 2469 had not been passed at that time.

In FY 07-08 the District had accumulated over expenditures of over 1.5 million dollars; in perspective the District's operating budget for this school year is of about 1.6 million dollars. When a district accumulates over expenditures pursuant to existing law they have to pay that money back over the next two years. HB 2469 provides relief for Peach Springs U.S.D. This bill allows the district to pay back the overexpenditure over a 9 year period. Due to passing of HB 2469 the school district was able to maintain operations for this school year. If the bill had not passed the it would have become necessary to close schools and shuttle students to the Kingman U.S.D. or other schools in that area.

Other issues noted on the report for Peach Springs U.S.D. are:

- o At least in two subsequent years failed to pay at about \$50,000. in payroll taxes.
- o Compliance with education laws, primarily due to staffing. Receivers are working on finding a school psychologist to assist with IEP's .

- The outstanding financial responsibilities for the charter schools that were chartered under Peach Springs U.S.D. but are now closed.

Mr. Yanez stated that he would be providing quarterly reports and it is important for the receivers to provide a more in depth report on a six month basis.

2. CONSENT AGENDA

- A. Consideration to Approve Minutes
 - 1. February 25, 2008
- B. Consideration to Approve Contract Abstract Relating to Migrant Education Summer School Programs
- C. Consideration to Approve Structured English Immersion Training for the 45 Clock Hour Provisional and Full Endorsements
- D. Consideration to Approve the Acceptance of Funds from Arizona Department of Health Services for Influenza Pandemic Preparedness
- E. Consideration to Approve Academic Contest Funds
- F. Consideration to Approve Additional Monies for Teacher Compensation for Fiscal Year 2008-2009, Pursuant to A.R.S. §§ 15-952 and 15-537
- G. Consideration to Appoint Betty Craig to the Career Ladder Advisory Committee

Dr. Balentine recused herself from voting due to the funding issues that are related to her district. *Motion by Moore and seconded by Dr. Nicodemus to approve the consent agenda. Motion passes.*

3. CALL TO THE PUBLIC

Dr. Baletine stated that there are two requests to speak and that comments would be limited to three minutes:

Scott Glover:

- Teacher in Gilbert
- Excited to see Mr. Molera as a LAY Member and thanked him for the support on proposition 301.
- Proposition 301 has done more to retain and create good teachers than anything in Mr. Glovers 13 years of teaching in Arizona.
- In Gilbert 301 was implemented with integrity and there has been a great collaboration on school campus. Has helped increase unity and a sense of team work.
- With regard to the Math Standard it has been difficult to find information on the web site.
- It would be helpful if the information was a little clearer to know what is going on and therefore people can make the appropriate plans to attend and participate in the process.
- Mr. Glover thanked the Board Members and Dr. Balentine thanked Mr. Glover.

Dr. Balentine introduces the second speaker; Mr. Pacek.

Jim Pacek:

- Thanked the Board for the opportunity to speak and thanked the committee who worked so hard on the Math Standards.
- Urged the committee not to adopt the Math Standards when the time comes.
- First reason is that many of the performance objectives use language that is unclear or undefined. At one of the public forums they were told there was a glossary or

other guide that will be provided to schools later. It is unacceptable to adopt the standard without knowing fully what it means. It would be like signing a contract without reading it first.

- Second, the National Mathematics Advisory Panel advocates for a streamline standard made up of a well defined set of the most critical topics. The standard has many performance objectives. PO's are not well defined, are not streamlined and they bring up the question of how to reliably assess a PO that is that broad.
- In addition the Math Standard still contains concepts that are non-critical such as vertex edge graphs.

Mr. Patek showed the Board Members his college text book; and chapter 7 contains material that is now expected for 5th and 6th graders to learn. Isn't it more important that for students to master fractions rather than waste time on mathematics with extremely limited applications such as vertex edge graphs. Mr. Patek thanked the Board Members.

4. GENERAL SESSION

- A. Presentation and Discussion Regarding the Arizona Department of Education's Adjunct Teacher Initiative. Dr. Balentine introduces Dr. Karen Butterfield.

Dr. Karen Butterfield, Associate Superintendent of the Academic Achievement Division introduced herself and Jan Amator, Deputy Associate Superintendent for the Highly Qualified Professionals Section. Co-Presenting with Dr. Butterfield, Carlos Contreras who is the AZ Education Manager for Intel and also Karlin Ludlow, who had been a consultant and has helped with the teacher training curriculum design team for the Adjunct Teacher Initiative. Dr. Butterfield asked the Board Members to refer to the packets they had received and pointed out that the right side of the packet included a copy of the power point presentation, a copy of the frame work overview, and also a copy of the pre-service training out-line that has been developed as a team. On the left side of the packet is the ATI brochure, and a copy of the fact sheet which has been split into 3 sections.

1. General Fact Sheet about the Initiative
2. Information for the business leader who is interested in participating
3. Information for Schools and Educators

Dr. Butterfield states she is pleased to present an initiative that fosters business and education partnerships helping to strengthen our educational system. The model emphasizes in the mentoring of an adjunct teacher with a strong master teacher in the school and that provides on going support for both the mentor teacher and the adjunct teacher long after the pre-service training. Dr. Butterfield gave a brief overview of how this initiative began. It was Intel that approached Supt. Horne in December regarding this idea of releasing business employees to partner with schools and after some training become an adjunct teacher. The dialogue was expanded between ADE and other key business leaders particularly focused in the Maricopa County.

Dr. Butterfield emphasized that ATI is not the silver bullet; it is a small but very powerful step to help close the mathematic and science teacher shortage in the state one classroom at a time. One major piece of advice from business was to make the program easy and simple for business employees to be able to do this or there would not be much participation. ATI took that advice and tried to balance what would be the minimum amount of hours required for training as well as providing ongoing support which ADE is ready to do in terms of helping both the mentor teacher and the adjunct teacher.

Dr. Butterfield introduced Mr. Carlos Contreras to begin the power point presentation.

Mr. Contreras noted that the main message was that the amount of resources needed for this program are staggering and that the business community is there in support of the initiative. ATI knows it is important to have content relevance in the classroom and that is one of the advantages of this program - bringing people who use math and science skills on a day to day basis in their jobs and can that content knowledge to the partner schools. Intel has four volunteers that have made arrangements with their managers to be released 10 to 15 hours per week to teach one of two classes.

Dr. Butterfield continued the power point presentation and highlighted the following points:

- Overall orientation of the adjunct with the mentor teachers
- Importance of the screening process through the ATI profile in order to find an adequate match.
- The Pre-service training
- Application feedback group which consist of observation and small group instruction

Observation training feedback will be ongoing, which is critical to the success of the program. After volunteers have become teacher of record after the mentoring an extensive evaluation which will be both qualitative and quantitative with the assistance of Jane Dowling, another consultant who has been part of this plan since December. Focus groups will also include district administrators, charter leaders and the students so that they can to have a voice in that evaluation. Existing partnerships will be identified and this summer orientations will begin and pre-service trainings are also ready to begin. Some educators have expressed interest in getting this training before school starts; therefore, the pre-service training will begin in June or August. In the fall of 2008 will begin the application feed back process. In addition, special concentration training will be provided for adjunct teachers who will be working with special needs students or English Language Learner students. Becoming Teacher of Record will be up to the comfort zone of the adjunct teacher and the mentor teacher and it cannot be predicted when that will be. In December of 2008 the evaluation process will be begin to see how the fall semester went. Dr. Butterfield introduced Ms. Jan Amator.

Ms. Amator stated that Supt. Horne brought educators to the department and he has them at all levels, from top management to education specialists. In the 27 years Ms. Amator has been a teacher in Arizona she doesn't remember that many educators being at the department running education. As a National Certified teacher Ms. Amator left the classroom four years ago and was the former local Vice-President of the local Teachers Association. Ms. Amator emphasized that she absolutely understands the complexity of teaching and the importance of having skilled people before our students. Ms. Amator also shared that she had the experience with having business people in her classroom when she was teaching a business marketing class. With that mindset a think tank was convened that consisted of three National Board Certified teachers, math and science teachers, and mentors to design the pre-service framework that they want to put the adjunct teachers through. These teachers did a stellar job of identifying the topics necessary to have the background to enter the classroom in a practicum setting. The adjunct teachers would bring practical knowledge to the experience. Karlin Ludlow was also part of the think tank and she was asked to develop the curriculum units for the pre-services training. Ms. Amator gives background information on Ms. Ludlow and introduces her.

Ms. Ludlow explains that when they sat down with the members there were a lot of teachers who had reservations on what needed to be done to be able to train people who are in the dark on how to educate children in a very short time frame and have them ready to walk into a classroom in the fall. The goal was to develop a program that would not teach these adjuncts

how to be master teachers but rather help them identify what makes a good teacher. Help them identify what makes good classroom management; what makes good instructional strategies. The pre-service training developed consists of a total of 36 hours that will go over a three week period of time – 12 hours a week. The mentor teachers will be involved the entire first week and the again the last week. The first week will focus on relationship building between the mentor teacher and the adjunct teacher. They will do some correspondence about the education world and the business world and talk about how to bridge the gap and work together. Talk about personalities and work ethics so that in the first few weeks of school these topics don't have to be discovered and therefore be able to understand each others world and develop strategies that are in the best interest of the students. The main goal is to develop an understanding of the role that educators play in the cognitive, emotional, intellectual and social development of their students. During the pre-service training several sessions have been developed in which it is described to the business people what students of the 21st century look like. Most of the business people have come from a background where they were very good students but their school experience is very different than what high schools look like today. There are 7 modules and Ms. Ludlow explained each (see power point).

Dr. Butterfield thanked Ms. Ludlow and asked the Board Members to refer to their packets and the pointed out the fact sheets that are provided and let the members know that they would be glad to answer any questions. Dr. Butterfield concluded her presentation letting the Board know that the goal is to have up to 8 adjunct teachers in classrooms for the fall of 2008 and that again much discussion and thought and feedback has been received before bringing this initiative before the State Board.

Dr. Butterfield asked if the Board Members had any questions. Ms. Mendoza asked to speak and said she thinks it is very exciting and that their will be people that will have great concerns but I think that there are some programs out there that can be used as models. Ms. Mendoza shared that her high school has been able to participate with the University of Arizona in a program where they had a practicing researcher on campus doing cancer research in the classrooms.

Dr. Nicodemus thanked the presenters and the business community members that were supportive of increasing graduation requirements. She was pleased to see that they had now become involved in efforts to assist with the implementation of those requirements. Dr. Nicodemus thanked Dr. Butterfield and Ms. Amator for their work and she thinks it is a wonderful opportunity. Dr. Nicodemus asked to share her observations for moving forward with the program. In the presentation it was clear that individuals were primarily interested in calculus and upper level math courses which still does not address the issue of the algebra II and the impact to the students therefore Dr. Nicodemus would have an interest in knowing at some point if the program has been able to better assess the impact in school districts in terms of the success in each course level. Another observation would be that we have made this about being responsive to the math and science teacher shortage but given the numbers that are involved it should be just as important to prepare our teachers out in the field the importance of teaching the application of math in everyday life.

Dr. Nicodemus said she was very please to hear assessment as part of what was indicated because she thinks being able to assess student learning in an immediate way is critically important as well. It is a wonderful program she commends Supt. Horne and the business community for coming together and also the initiative of the P-20 Council and she thinks that fully appreciating what will be achieved by this and what the goal will have some long term benefit because she does not think this will necessarily solve the math and science teacher shortage and certainly teaching the upper levels is not getting into the heart of where the short

fall will transpire but certainly applauds the effort and looks forward to receiving the report.

Dr. Haeger asked to speak and said he was interested in the program in the notion that it is a pilot and gave his complements to Intel, Honeywell, and others who have stepped up to participate in this initiative. Dr. Haeger asked if there are other populations in rural areas that could be enticed to become Adjunct Teachers?

Dr. Butterfield expressed that Dr. Haeger's had a very good point and they definitely want to expand into other parts of the state but first they want to make sure that the adjuncts and the mentors feel success before they expand.

Ms. Owen expressed that she shares Dr. Butterfield's enthusiasm and the thoroughness of the planning is exciting but she is terribly disappointed in the centralized program. She finds it unfair because there are serious shortages in rural Arizona and not one of them is going to be address outside of the Maricopa County. Ms. Owen understands that this is a pilot but she has to say that she is a strong advocate for students across the state in northern Arizona who live in rural areas and may never have the advantage of this kind of program before they graduate if they graduate at all. Ms. Owen also said that she is concern with the structure of the mentoring program. She said that there was nothing specific enough for her to be convinced that the mentorship would be effective. As a County Superintendent Ms. Owen said there are 14 other counties that have educational service agencies and she would have wished for a broader collaboration - not just for Coconino County but the other counties and how they could have supported the next steps for the program's development.

Supt. Horne thanked Ms. Owens input and he thinks they are good suggestions and they are going to try to do something right away in the other areas.

Dr. Haeger asked Dr. Butterfield what the reaction has been from the teaching profession its self; the math and science teachers and the also the AEA?

Dr. Butterfield said she believed the representative from the AEA were present to express their opinions. However she would like the Board Members to know that ATI Think Tank Team has educators who are National Board Certified and teachers who are currently master teachers and mentoring teachers. There are also other teachers in the field that have expressed strong support and their interest in becoming mentor teachers. Dr. Butterfield also wanted to let Ms. Owen and Dr. Haeger that she would love to work with them to bring ATI to Flagstaff. She is still not certain if Tucson will be on board therefore they did not want to over extend because they want to make sure to do a good job with the training in one geographical region but Flagstaff would be welcome to participate.

Mr. Molera congratulated Dr. Butterfield and the Supt. Horne and asked what the plan was to allocate teachers to schools?

Dr. Butterfield explained that they are seeking assistance of business leaders to find out the expertise and strengths of their employees and who they consider would make good adjunct teachers.

Mr. Molera explained that his question was more in relation to the geographical location?

Mr. Contreras addressed Mr. Molera's question and said they are working with the school districts to establish parameters on the time and location to facilitate the adjunct teachers.

Mr. Molera responded, no and commented to Ms. Butterfield that if she could get people to go to areas where they truly need the support to fill the gap and to help the current teachers make the lesson more relevant. Mr. Molera also suggested streamlining the process as much as possible with out lowering to quality but making the process as simple as possible.

Ms. Mendoza complemented Intel and mentioned that she has gone through the Intel Teach to the Future training and other people who have also gone through this training understand the intensity level and feels confident that the amount of training for the adjunct teachers will be at a level that will help them be proficient in the classroom.

Public Comment:

Mark Francis:

- Charter liaison for the Charter School Association and he is speaking on behalf of the association.
- The association is expressing strong support for the ADE Adjunct Teacher Initiative based on the experience of many charter schools that have developed professional cadres of educators which have raised student achievement significantly.
- Certification in it's self not a key indicator to student success; among the common attributes for a successful school are stringent hiring practices and intensive faculty trainings by the school it's self.
- ADE has presented an extensive plan to support the Boards decision increase the math and science graduation requirements.
- Strongly urges the Board to support approve the Adjunct Teacher Initiative.

Jenie Hydrick:

- 5th grade teacher in the Mesa Public Schools District; has a Phd. from ASU and has several degrees including one in Air Science.
- This initiative will bring irreversible damage to the teaching of science and math in Arizona.
- The math and science teacher shortage due to low pay, poor working conditions, and lack of planning time.
- The field needs teachers of math and science not folks who are looking for something that is simple and easy. This is perhaps the most direct in which this initiative threatens to deskill the profession of teaching and further devalue public education.
- Teaching is more than expanding on content; teachers need to connect with the students and other actions are made to ensure the students are learning.

Nidia Lias:

- 6th Grade math teacher from Tempe, is speaking against the initiative.
- Teaching takes being present, involved, and committed and learning and this profession goes beyond the 36 hours of training this initiative offers.
- This initiative can be devastating if the participants don't go through the necessary course work in educational foundation, methods, and pedagogy.
- Constant communication and consistency is essential for teaching.

Chris Maza:

- High school French teacher for the past 17 years and is against the ATI.

- Does not think that passion, profession, or art are the core of the profession of learning but more those terms are immeasurable and tangible.
- As an elected member of the Washington Elementary School District Board he is keenly aware of the importance of accountability and credibility which this initiative lacks.
- No other profession would consider a quick solution for shortage in personnel.
- The words used to market this initiative are irrelevant to the teaching profession.

Andrew F. Morrill:

- Vice-President of the Arizona Educators Association.
- There are obvious shortcomings to the program because it was built by a very centralized group there for there was not real thought to rural participation.
- The definition used for the experience required to become an Adjunct Teacher is inaccurate and insulting. (See Handouts)
- The 36 hours of training are no where equivalent to the extensive experience and learning need to the area of pedagogy.
- This initiative is not the way to address the teacher shortage issue.

Rae Anne Rumery:

- National Certified Teacher and Master Teacher Mentor.
- Based on her perspective and experience as a mentor teacher this initiative is unrealistic due to the minimal training and mentoring provided.
- Hopes the Board would look at the data on the impact of student achievement.
- The education field does not need a one year quick fix; what is needed is for people to commit and stay in the profession in order to impact students and the economy.
- Please take serious consideration of the information received.

Jason Schnee:

- Technology teacher at Excelencia School and is speaking as a teacher who has spent many hours in the classroom and many hours learning how to best serve our students.
- Participants have extensive knowledge in the areas of math and science but do not have the teaching certification set forth by the State Board of Education.
- The standard set for those who wish to teach must not deviate because of the notion that this would be a quick solution.
- Teaching is a profession not a hobby and requires extensive knowledge in teaching.

Christopher Smith:

- Manager of Government and Regulatory Affairs for Cox Communications. Former civil engineer and scientist.
- Cox Communications engages in an extraordinary amount of community service and world changing actions.
- Youth and education involvement are very important to the company and the ATI aligns with the efforts of Cox Communication to support the community in which the company employees live and work.
- 3300 employees through out the state including many of the rural areas. These employees have also great expertise in math and science.
- There is a shared interest with education leaders to highly educate students so that they can become highly qualified employees.

Suzanne Taylor:

- Sr. Vice President of Public Policy for the Arizona Chamber of Commerce Industry.
- The AZ Chamber of Commerce strongly supported the increased math and science graduation requirements that were adopted last year.
- ATI is the type of innovative solution oriented program that students need.
- This program is not a threat to the teaching profession; every business has expressed their respect and that is the reason they have allowed their highly qualified employees to participate in the program.
- Adjunct teachers complement rather than compete with what classroom teachers offer through their real world experience and knowledge in math and science. Businesses want to develop an open partnership with education through open minds and willingness to cooperate.

Herbert Weil:

- Deer Valley Unified School District; high school math teacher for 14 years and also retired from the Air Force. Experience as an adjunct faculty teacher for a community college.
- Extensive training and time is required to successfully become teacher; background experience is not sufficient for classroom management and other factors.
- Has tried implement technological pieces from previous jobs into what he teaches now and has also worked with engineers from Honeywell to bring some of that technology into the classroom.
- It was very hard to bring information to the level of high school students who are just learning the fundamentals of upper level mathematics.
- Time in the classroom is essential because students need help before school and after school and that extra support needs to be available. Adjunct teachers would not be able to meet that commitment.

Dr. Nicodemus clarified that this initiative was not being brought to the Board for action but rather as an initiative from the ADE.

Supt. Horne confirmed this was an informational presentation to the Board.

Dr. Nicodemus said she had found the comments from both perspectives very meaningful and there are very good observations. There is no greater influence on learning than the teacher in the classroom; as policy makers and educational leaders there is a great responsibility in making the connection between teachers and their students.

Dr. Haeger said this is an important debate and important issue and is concerned on how to move to the next step. The fact of the matter is that the business community in this state has been a powerful ally to education and their support is what helped raise the math and science standards. On the other hand a program that does not have the support of teachers is a difficult program to make successful and he agrees with Dr. Nicodemus that there needs to be a way to bring those two elements together.

Ms. Mendoza believes the program should be looked into and considered as a way to help with the challenges education currently faces. As a certified teacher she understands what teachers need to go through to be certified but this program does not challenge that time and effort. This program needs to be looked at as one part of the solution. She hopes that the doors are not closed on the program before it is looked at more in depth.

Supt. Horne stated that his responsibility is to ensure that the decisions made by the Board are

implemented successfully. The math and science teacher shortage is very serious and it will take very vigorous actions to address this problem. This issue is serious enough that it can wreck the decision to raise the math and science standards. There are many teachers who are working hard with the ADE to make this program successful and the business community is recognizing and willing to take responsibility to help education and that is a very hopeful sign.

Ms. Owen after listening to the teachers' perspective she would encourage Dr. Butterfield to work with the teachers to go forward with the program. She feels the program has potential but the only way it will work is if it has the support of teachers. She urges the ADE to include the camaraderie, expertise, and leadership from teachers.

Dr. Balentine thanked Dr. Butterfield, Intel and Cox Communications.

- B. Presentation and discussion of procedures related to the implementation of House Bill 2711. The Board may take action to address procedural matters in response to the Arizona Department of Education's notice relating to the Roosevelt Elementary School District. The Board may convene in executive session, pursuant to A.R.S. §38-431.03 A(3), for consultation for legal advice.

Dr. Balentine also reminded the Board that the purpose of this item was strictly to address procedural matters relating to implementation of HB 2711.

Supt. Horne recused from himself from the item.

Dr. Balentine calls on Mr. Yanez;

Mr. Yanez informs the Board that legal council for this matter is Christopher Munns. The purpose of the discussion is to provide the Board with an overview of the legislation passed. It is important that the members understand in depth what the statute requires. HB 2711 provides the Board with additional authority to intervene in academically troubled schools. The law requires that the ADE investigates a school district for "Systemic Educational Mismanagement" if two conditions exist: 1) 50% of the schools in the district are failing or underperforming pursuant to Arizona Learns; and 2) at least one school is failing. If ADE determines that a school district meets these criteria they are required to provide the Board with written notice. After receiving the notice the Board will have to make two determinations: 1) does the district have Systemic Educational Mismanagement; and 2) should a new superintendent be appointed for the district. If the Board determines that a new superintendent will be appointed the ADE is required to immediately submit three recommended candidates. Once a superintendent has been appointed that person is required to provide the Board with an extensive report of the district's educational affairs. This is similar to the 120 day report that receiver districts have done in schools that are in financial receivership. Once the report is completed it is presented and upon approval of the Board the appointed superintendent can exercise authorities very much like a receiver; authorities such as potentially overriding the decisions of the local Governing Board and to initiate decisions that have not necessarily gone through the local Governing Board. It is important to understand that the statute requires an initial appointment of three years with continual monitoring by the ADE and Board. When the Board determines that the school district is no longer suffering from Systemic Educational Mismanagement that intervention can be terminated. On April 30, 2008 a day after the legislation passed the ADE provided written notice to the Board that the Roosevelt School District met the two criteria of Systemic Educational Mismanagement and this initiated the process. Mrs. Yanez stated that he has

since discussed with Mr. Munns and Dr. Balentine how to approach this in a fair and efficient manner. Mr. Yanez explained the timeline for the process and that a pre-hearing conference has been approved by Dr. Balentine to be held at the beginning of June. The goal of the pre-hearing conference is to have a two day hearing in late June and Dr. would be the only Board Member required to be part of the pre-hearing conference. The tentative date for the hearing would be June 23rd and on the 24th. The Board would have time to discuss the appointment of a new superintendent if that was the case.

Ms. Mendoza asked if it would be possible to receive any information fairly quickly before the hearing. Mr. Yanez said all of the information required would be provided to all the Board Members in an acceptable fashion.

Mr. Molera asked what the procedure of the hearing would be like.

Mr. Yanez said this would be a full administrative hearing and that perhaps Mr. Munns could explain what that would entail.

Mr. Munns stated that this is very similar to a mini-trial; Mr. Molera asked if the data would be considered and if so what data will be provided from the department.

Dr. Balentine informed that she has asked the department for all of the data that is completed including this schools data and past years.

Dr. Nicodemus asked if once the Board receives the evidence from both parties and if they feel there is a gap in the information provided, are they allowed to request additional information.

Mr. Munns said the Board can ask for any additional information they feel is necessary. The information must be submitted through the formal hearing process in order to allow both parties to make any cross examinations or respond to information submitted.

Mr. Munns explained that the notice of hearing requires that the notice needs to be sent out at least 30 days before the hearing with a list of all of the factual allegations and this document is also to include the State Board's authority to take action and date, time, and place of the hearing. There is an option to hold the hearing before the 30 day but the Board would have to make a finding of extra ordinary circumstances or irreparable harm.

Dr. Balentine asked if Mr. Yanez had any other final points; she would like to call for an Executive Session for legal advice but she would like for the call to the public to have the opportunity to speak.

Mr. Yanez asked to address one procedural point: in the event that the State Board decides to appoint a new Superintendent it has been discussed with Dr. Balentine that a subcommittee of the Board would be review the information for the three candidates the ADE recommends.

Mr. Ary asked for clarification of what defines Systemic Educational Mismanagement?

Mr. Yanez responded that the Systemic Education Mismanagement means that the district has failed to see that its schools' improvement plans have been properly implemented.

Dr. Nicodemus asked what the role of Mr. Munns in terms of advising the Board?

Mr. Munns explained his role is to be the procedural advisor. He will assist with any questions the Board may have on the interpretation of the statutes but will he could not have the final word.

Dr. Nicodemus asked if the Board does not decide to appoint a new Superintendent if there would still be any oversight by the Board?

Mr. Yanez answered that the statute is silent on what happens if the Board decides not to appoint a new superintendent. He stated that the School Improvement Plans and IGA's in place will not be affected.

Ms. Mendoza asked when was it determined that the district was in Systematic Educational Mismanagement? Mr. Yanez responded that the only thing that has been determined is that the school district meets the two elements: the district has 11 of it's 21 schools either failing or underperforming and this particular district has 4 school in failing status. Right now the district meets the criteria for the review and after the information is reviewed the Board will decide if the district truly does have Systemic Educational Mismanagement.

Mr. Moore motions to move into Executive Session for legal advise. Second by Mr. Molera.

Dr. Balentine would the opportunity for call to the audience before going into Executive Session. She calls Ms. Edna L. Doty.

Edna L. Doty:

- Kindergarten teacher in the Roosevelt School District and is also president of the Roosevelt Education Association.
- Presented petitions to ask the Board to defer any decisions on whether the RSD meets the criteria of HB 2711 until the student test scores for 2007-08 academic year are available because it can make a big difference for all of the RSD schools.

Motion to go into Executive Session passes at 11:43 am

Dr. Haeger did not return.

Session resumes at 12:42 pm

Mr. Yanez will hold June 23rd hearing date and make sure that the parties receive the 30 day notice. In lieu of Dr. Balentine holding a pre-hearing conference Mr. Yanez will meet with the parties jointly to discuss the details that each party plans to discuss.

Dr. Nicodemus asked that current academic performance scores are made available to the Board. Mr. Yanez let the Board Members know he has anticipated this request and has asked the ADE to provided that information.

Dr. Balentine also requested information on the contract liability for the current superintendent of RSD. Mr. Yanez said that information would be provided. Dr. Balentine informs that the Board will be moving forward with the hearing date of June 23rd and the regular Board meeting June 24th with the understanding that Mr. Yanez will be providing the Board with all the needed data for the hearing.

- C. Presentation, discussion and consideration to initiate rulemaking procedures for proposed rules R7-2-302.06 and R7-2-302.07, relating to AIMS Augmentation.

Mr. Yanez stated that the Legislature passed HB2008 which extends AIMS Augmentation indefinitely and would restructure how the calculation is made in the coming years. He stated that for the 2008 and 2009 graduates the threshold calculation would remain at 25%. Mr. Yanez refers to the handout of proposed rules and explained that the proposed rules are almost identical to the rules originally approved in 2006. Due lack of an emergency clause on HB2008, the proposed rules would go into effect 90 days after the close of the legislative session. The rule packet proposed is to accommodate the 2008 and 2009 graduates.

Dr. Nicodemus asked if consideration was given to the changes in the credit requirements for the 2009 graduating class since the core credits will have changes?

Mr. Yanez informed that yes those changes have been considered and the Board will receive a subsequent rule package. Changes will first impact the graduating class of 2012.

The next change is under VII in the same sub-section; strike out 8 and ½ credits of additional courses. These were the elective courses that were initially part of the calculation and the statute has now removed these credits. Sub-section B, C, and E and all the same technical changes to move to the 11 credits. Most of the modifications to the rule are technical; augmentation is calculated in the same way it was previously approved.

Mr. Moore motioned to initiate the rule making procedures for proposed rules R-7-2-302.06 and R7-2-307.07 relating to AIMS Augmentation; motioned second by Ms. Owen. Motion Passes.

- D. Presentation, discussion and consideration to accept the recommendation of the Professional Practices Advisory Committee and approve the application for certification for James M. Houston.

Mr. Charles Easaw asks to give a brief procedural review on the case of James. M. Houston. On February 14, 2007 Dr. Houston appeared before the PPAC and this committee recommended the approval of the application for certification by a vote of 4 to 1. The individual with the dissenting vote expressed concerned with the length of time since the most recent event which at the time was a DUI in 2003. The Board reviewed the recommendation of the PPAC on March 26, 2007; a motion to approve the recommendation of the PPAC failed by a vote of 4 to 6. No motion to deny certification was made at that time. Dr. Houston asked for a continuance that would allow him to seek counsel and that is the matter on the agenda today. Dr. Houston is representing himself. There are two additional documents presented to the Board since the last hearing. The first document is a stipulation of facts, conclusions of law and final order of reprimand dated August 6, 2007 from the Oregon Teacher Standards and Practices Commission. The second document was prepared by Dr. Houston, titled Sworn Statement Regarding Allegation of Unprofessionalism made to the Oregon Teacher Standards and Practices Commission. Neither of the two documents have been reviewed by the PPAC given that they were received by the State Board after the March 26, 2007.

The Board may wish to review the documents and make a decision. Additionally, the Board may also review certain correspondence from Dr. Houston to the Executive Director and the Investigative Unit before reaching a decision. The Board does not have a copy of the correspondence. If the Board decides to review this information then the matter would have to be remanded to the PPAC or have Dr. Houston come back next month and participate telephonically. Mr. Easaw introduces Dr. Houston to address the matters mentioned.

Dr. Houston asked to make corrections on what was just stated to the Board; first there was no 2003 DUI arrest or conviction. That matter was reviewed by a prosecuting attorney and the proceedings were expunged with an apology from the court. It would be an inadequacy for the Board to consider that allegation; in regards to the sworn statement to the TSPC the PPAC did have that document.

Dr. Balentine ask Mr. Yanez for clarification on the information the PPAC may or may not have and the additional information the Board does has received. Would this be a situation that would require a re-hearing?

Mr. Yanez stated he believes and asks Mr. Easaw and Dr. Houston to correct him if he is wrong; there was a reprimand of Dr. Houston's license that occurred in Oregon subsequent to the review by the PPAC. Mr. Yanez was not aware of the sworn statement provided to the PPAC but the action from the Oregon Department of Education was not considered by the PPAC or by this Board. Dr. Balentine refers to Mr. Easaw and he stands corrected to the sworn statement presented by Dr. Houston. On page 295 of the documents provided to the Board the PPAC did in fact review the sworn statement provided by Dr. Houston in February of 2007, Mr. Yanez is correct and the disciplinary action imposed by the Oregon Teacher Practices and Standards Committee occurred after the PPAC made the recommendation in March of 2007. Dr. Balentine asked Mr. Yanez if there was still information that the Board did not have? Mr. Yanez said that the information that the Board Members did not have a copy of were 3 or 4 e-mails addressed to staff and Mr. Yanez. Dr. Houston responds that the e-mails are in reference to the mistakes and misinformation. Dr. Houston expressed his frustrations with staff and the review process. Dr. Houston clarifies that the 2003 dismissal has been misdated and that the Board does not have a copy of the expungement or apology from the court and prosecuting attorney for that incident. The Board only has a copy of the dismissal. Mr. Houston stated that because this incident was not expunged from his history he had to report it but now under the law he is not required to report it.

Supt. Horne asked if there is something in the e-mails from Dr. Houston that the Board needs to know about in order to make a decision. Mr. Yanez stated that the emails drew metaphors in terms of today's proceeding that Mr. Yanez found disturbing and were reported to Capitol Police. Dr. Houston said he made reference of the hearing as a gun fight and it was a metaphor and that a lot of the animosity that has been created in the last 14 months is do to how he has been treated by Mr. Yanez and his staff. Dr. Balentine recommended that the case be referred back to the PPAC for their consideration and understands the Dr. Houston's concerns of the process. The Board would be better served once they have all of the information including the e-mails from Dr. Houston. Mr. Yanez asked to add that Dr. Houston has some travel difficulties and traveled a great distance to be at the hearing and if it is the request of the Board to refer the case back to the PPAC they be instructed to hold that review telephonically. If Dr. Houston is unable to travel perhaps that

would be a way to expedite the consideration.

Dr. Houston addresses Dr. Balentine and informs that he has traveled 1200 miles and he feels he was faced with a coercive letter stating that this case would be heard that day. He has repeatedly tried to find a win-win solution to this and has reached out with all matters of propositions on how they could resolve the dispute and has been ignored repeatedly the only person that has shown any decency is Mrs. Pollock; she has responded to e-mails. Dr. Houston asked for the opportunity to read his statement. He informed the Board that he has spent a lot of time and money to be present. Dr. Houston asked to be allowed to read his speech because he has told he either had to withdraw his application on face this Board and the innuendo was quite strong.

Supt. Horne addressed Dr. Houston letting him know that the Board has a huge quantity of first hand knowledge about their staff which is very positive and for Dr. Houston the attack them reflects badly on him. Dr. Houston responds that he understands that and he does not want to get into that; would like to avoid that, he is sharing his point of view since he believes that is what is allowed to do. Dr. Balentine tells Dr. Houston he is allowed to share his point of view and he may read his statement. Dr. Houston asked to take 10 minutes and Dr. Balentine said it was fine.

Dr. Houston proceeds to read his speech. Dr. Houston provided description of his review by the PPAC and the supporting evidence he submitted. Dr. Houston stated that he did not feel that he could receive a fair hearing before the PPAC because one of the members was a retired law enforcement officer from Flagstaff. Dr. Houston continued describing his proceeding before the Board in March of 007. Dr. Houston claimed that the claim provided to the Board contained inaccuracies.

Dr. Houston claimed that member Haeger has a conflict of interest with his case due to member Haeger's affiliation with NAU. Dr. Houston stated that Dr. Haeger should not have participated in the hearing of March 2007.

Dr. Houston indicated that he recently declined a job with Shonto Preparatory Academy. Dr. Houston explained his work with the student population at Shonto and the challenges the students faced. Dr. Houston continued and recounted his work with a particular Navajo student and his family. He described the Navajo people as highly superstitious.

Dr. Balentine thanks Dr. Houston. Supt. Horne turns to legal counsel and feels that the statement read by Dr. Houston gives sufficient grounds to deny the application. Supt. Horne stated that among other things the reference to the Navajo people as superstitious people reflected the kind of stereotype thinking a teacher should not have. If legally the Board can deny now he feels prepared to do so. Ms. Pollock refers to the packet of information provided from the PPAC including the findings and recommended conclusions. She stated that the Board may supplement or modify the PPAC's findings based upon the information presented today. Ms. Pollock informs the Board that they do have two options they may take an action today based on all of the information that was presented, or the Board may refer the case back to the PPAC for review of the additional information.

Ms. Mendoza asked to clarify if the case is remanded back to the PPAC would Dr.

Houston be able to withdraw his application. Ms. Pollock responds that it could be an option and the Board could vote to do so if Dr. Houston was to choose to withdraw his application.

Dr. Nicodemus asked Dr. Houston and Mr. Yanez why there is such a gap in time from when the Board initially heard this case and now. Mr. Yanez addresses the Board and stated that typically when a person makes an application for certification, and it requires review by the PPAC, the Investigative Unit will collect all of the information from the applicant. Once the necessary information is collected it goes before the PPAC within a month. Generally, cases move from the PPAC to the Board within a month. Mr. Yanez does not know the specific time frames for this case. Mr. Yanez is aware that it has been almost a year since Dr. Houston requested that the Board postpone action which the Board did. The case comes before the Board again at staff's request because time has lapsed. The letter Dr. Houston is referring to is the letter sent by the Investigative Unit to take action.

Mr. Molera stated he believes the Board considered sufficient evidence and testimony and he is prepared to make a final decision.

Mr. Molera moved that the Board deny the PPAC's recommendation and deny Dr. Houston's application for certification. Second by Supt. Horne.

Ms. Pollock stated that the Board is required to adopt findings of fact and conclusions of law in addition to its final decision. Ms. Pollock recommended that the members review the PPAC's finding of fact and either approve or modify those findings.

The Supt. Horne made the following recommendations:

- That the Board accept the PPAC finding of unprofessional conduct
- The Board accept the PPAC's findings regarding aggravation factors
- That the Board reject the PPAC's mitigating factors. Specifically their finding that Dr. Houston displayed candor before the committee and offered a well polished presentation. Supt Horne explained that this was not his experience with Dr. Houston's presentation to the Board.
- Supt. Horne stated that Dr. Houston displayed a number of factors not appropriate for a professional teacher. This includes stereotype statements about certain racial groups.

Mr. Molera agrees to modify his motion to deny certification to incorporate the proposed findings as recommended by Supt. Horne. Second by Ms. Mendoza

Motion passes unanimously.

The Board modified the agenda and considered item O.

- O. Update Regarding *Flores v. The State of Arizona*. The Board may Convene in Executive Session, Pursuant to A.R.S. §38-431.03 A(3) and (4), to Receive Legal Advice and/or Consult with and Instruct Counsel on Board's Position on Matters Relating to *Flores v. The State of Arizona*. The Board may, in General B Session, Take Action to Authorize Board Counsel to Act on the Board's Behalf in this Matter in Accordance with Instruction Given in Executive Session.

Mr. Moore motioned to move to convene in Executive Session, Pursuant to A.R.S. §38-431.03 A(3) and (4), to Receive Legal Advice with and Instruct Counsel on Board's Position on Matters Relating to Flores v. The State of Arizona.

Motioned second by Ms. Mendoza.

Motion to move into Executive Session passes at 1:41 pm

General session resumes at 2:30 pm.

Dr. Balentine apologizes for to staff members and states that board agenda items F, H, and L will be postponed in order to maintain a quorum.

- E. Presentation and discussion of the report and recommendations of the National Mathematics Advisory Panel and the proposed Arizona Mathematics Academic Standards.

Ms. Cheryl Lebo, Associate Supt. for Standards and Assessment introduces report on National Math Panel Findings, recommendations in preparation for the Board to approve the Mathematic Standards that will be discussed at the next Board Meeting. A summary of the Foundations for Success report was given to the Board and a final report from the National Mathematics Advisory Panel. Ms. Lebo made reference to the handouts and power point provided. Ms. Lebo, Ms. Knuck, and Ms. Konitzer attended a meeting in Baltimore, MA for State Teens. At the meeting Deputy Assistant, Ray Simon was in attendance as well as a number of other people who were involved in the creation of the report.

The National Math Panel Report came from a presidential executive order in April of 2006. The executive order was very specific and narrow in focusing the best use of scientifically based research to advance the teaching and learning of mathematics with a specific focus on preparation in algebra. Valuable information was provided such as the 45 recommendations (hard copy provided to Board Members) and what was repeated was that more research is needed and attendees were encouraged to allow that research and to look for way to be available for researchers, mathematicians and educators to do the research necessary and move forward with the findings and what is needed to best help students in mathematics. This study focuses on strengthening and streamlining mathematics curriculum in grades k-8 following a coherent progression of key topics.

Ms. Lebo introduced Deputy Associate Supt. Mary Knuck.

Mary Knuck stated that focus of her presentation would be curriculum recommendations. Ms. Knuck indicated that the Revision Committee followed the recommendation of the National Math Panel. Ms. Knuck cited specific recommendations of the National Math Panel and explained how the work of the revisions committee complemented those recommendations.

- F. Presentation, discussion and consideration to initiate rulemaking procedures for proposed rules R-72-613(E) and (F), relating to mathematics and reading specialist endorsements.

Item Tabled.

- G. Presentation, discussion and consideration to close the rulemaking record and adopt proposed Rule R7-2-612(K), relating to provisional Foreign Teacher Teaching Certificates.

Ms. Amator explains that ARS 15-132 requires the State Board of Education to develop a certificate for foreign exchange teachers. Ms. Amator stated that currently the Certification Unit issues emergency certificates to these individuals which is not consistent with the statute. Ms. Amator state that the language before the Board was approved by the Certification Advisory Committee. Mr. Yanez stated that a public hearing was held May 13, 2008 and no comment was received. Ms. Amator requested that the rule be passed with an effective date of October 1, 2008.

Mr. Moore moved to close the rulemaking record and adopt proposed rules R7-2-612(K), relating to provisional Foreign Teacher Teaching Certificate.

Second by Dr. Nicodemus

Dr. Balentine clarified that rule would be effective as of October 2008.

Motion passes.

- H. Presentation and Discussion Regarding the Reading Comprehension and Mathematics Arizona Educator Proficiency Assessment (AEPA) Basic Skills Subtests.

Item tabled.

- I. Presentation, Discussion and Consideration to Approve Recommendations from the Career Ladder Advisory Committee Regarding Program Approvals for, 2007-2008 and 2008-2009.

Ms. Amator introduces the item and indicates that the Career Ladder Advisory Committee recommends action on two programs; Peoria Unified School District and East Valley Institute of Technology.

The CLAC recommends that the Peoria Unified School District receive full funding at 5.5%.

Ms. Amator explained that the Department of Education has completed an audit of EVIT's Career Ladder program. The results of that audit including recommendations have been presented to the CLAC.

Ms. Amator stated that upon review of the audit findings the CLAC recommends that EVIT be granted conditional approval for their FY 07-08 funds application. Ms. Amator stated that there are 15 conditions related to their application approval, and that the Board Members should have received documentation outlining these conditions. Ms. Amator highlighted one particular condition which stated: "Release of 07-08 funds is contingent upon the submission of a corrective plan by June 16, 2008 with subsequent approval by the ADE Highly Qualified Unit. The ADE Highly Qualified Unit will monitor the completion of the plan and report

regularly to the CLAC.

Mr. Ary moved to accept the recommendation of the CLAC and grant conditional approval for the EVIT's Career Ladder program for the 2007-2008 school year, as presented.

Motion second by Ms. Mendoza

Motion passes.

Dr. Balentine asked if there are any other motions.

Ms. Mendoza moved to accept the recommendation of the CLAC and approve the Peoria Unified School District's Career Ladder Program for the 2008-2009 school year.

Motion seconded by Mr. Molera.

Motion Passes.

- J. Presentation, discussion and consideration to close the rulemaking record and adopt proposed rules R-7-2-401, 402 and 405, relating to special education.

Ms. Chapman introduced the item and explained that the proposed rule changes would conform State Board policy to the re-authorized IDEA. Mr. Yanez stated that a public hearing was held and comment was received.

Mr. Moore moved to close the rule making record and adopt proposed rules R-7-2-401, 402, and 405 relating to special education.

Motion second by Dr. Nicodemus

Motion Passes.

- K. Presentation, discussion and consideration to approve the proposal for the formation of a Mohave County Joint Technological Education District.

Ms. Judy Reed from Colorado River Union High School District summarized the proposal to create a new Joint Technological Educational District for school districts located in Mohave and La Paz Counties. Ms. Reed addressed each of the elements required in the relevant statute.

Mr. Ary moved to approve the plan for the formation of a Joint Technological Education District as submitted by the Mohave and La Paz Count JTED planning committee.

Motion second by Dr. Nicodemus

Mr. Yanez requested that a representative from the proposed JTED clarify the election and governance structures. Ms. Reed explained the election process would consistent with the statutory requirements and that the District would be divided

into 5 areas of equal population.

Motion passes.

- L. Presentation and Discussion Regarding the NAEP 2007 Reading and Writing Results

Item tabled.

- M Presentation and discussion regarding the standards setting procedures for AIMS Science.

Ms. Alley introduced the item and explained that this year for the first time the state administered an AIMS Science test for grades 4, 7, and High School. Ms. Alley presented to the Board the standard setting procedures that would be followed for the AIMS Science tests.

Ms. Alley's presentation was outlined in a PowerPoint presentation. This presentation is available upon request.

Dr. Balentine stated that the Board failed to make a motion regarding the Executive Session for Item O. Dr. Balentine indicated that she would entertain a motion at this time.

Motion made Mr. Moore to authorize legal counsel to proceed in accordance with instructions given in Executive Session.

Motion second by Dr. Nicodemus

Motion passes. Supt. Horne abstained.

- N. Presentation and Discussion Regarding the Standards Setting Procedures for AIMS-A Science, Mathematics, and Reading

Staff presented the procedures that would be used to set proposed standards for AIMS-A Science, Mathematics and Reading assessments. Staff described that the procedures for setting these standards would be very similar to the "bookmark" method used on previous AIMS assessments.

- O. Update Regarding *Flores v. The State of Arizona*. The Board may Convene in Executive Session, Pursuant to A.R.S. §38-431.03 A(3) and (4), to Receive Legal Advice and/or Consult with and Instruct Counsel on Board's Position on Matters Relating to *Flores v. The State of Arizona*. The Board may, in General B Session, Take Action to Authorize Board Counsel to Act on the Board's Behalf in this Matter in Accordance with Instruction Given in Executive Session

Notes regarding this item are incorporated above.

5. ADJOURNMENT AT 4:17