

**Minutes**  
**State Board of Education**  
**Monday, May 24, 2010**

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 9:09 AM.

**Members Present:**

Dr. Vicki Balentine  
Mr. Jacob Moore  
Supt. Tom Horne  
Mr. Gregory Miller  
Mr. Jaime Molera  
Ms. Diane Ortiz-Parsons  
Mr. Thomas Tyree  
Dr. James Horton  
Ms. Amy Hamilton

**Members Absent:**

Ms. Eileen Klein  
Dr. John Haeger

Pledge of allegiance and moment of silence  
Roll call

1. BUSINESS REPORTS

A. President's Report

Dr. Balentine welcomed the new Board members, Ms. Amy Hamilton and Dr. James Horton and asked the all of the members to introduce themselves.

B. Superintendent's Report

Supt. Horne recognized the Education Services and Resources Division for coordinating Arizona DECA High School travel to Louisville, Kentucky. Over 300 teachers and students attended the Annual International DECA Career Development Conference held April 24<sup>th</sup> - 28<sup>th</sup>. The conference featured over 15,000 high school business student and teachers from all 50 states, Canada, Germany, Guam and Puerto Rico making this the largest thigh school business completion in the world. Students competed in 40 different business related competitions. Arizona students from 52 different high schools attended.

The Policy and Communications Division and the Standards and Assessment Division were recognized for the biannual Education Information Management Advisory Consortium. EIMAC represents and advises state education agency chiefs and staff on national data and assessment issues. Supt. Horne said EIMAC representatives collaborate in the planning of national federal program offices; representatives review an provide feedback on national data collections and reports, national assessments, and related research studies. Supt. Horne stated Donald Houde, ADE's Chief Information Officer was voted EIMAC chair-elect.

C. Board Member Reports

None

D. Director's Report

Mr. Yanez provided an update on the Race to the Top Phase II application. Mr. Yanez stated WestEd and Ed. Counsel have worked diligently to finalize the application. Dr. Paul Koehler provided Mr. Yanez with draft application which was forward to the Board members and the Attorney General's office for legal review.

Mr. Yanez requested to pull item 2A3, the minutes from the May 6, 2010 Special Board meeting.

Mr. Molera asked what the time-line would be from the time the application is submitted and when a response is anticipated for the application. Mr. Yanez said he did not have an exact date but it could be September.

2. CONSENT AGENDA

A. Consideration to approve State Board of Education minutes for:

1. April 26, 2010
2. April 26, 2010 Special Session
3. May 6, 2010 Special Session

B. Consideration to Approve Contract Abstracts

1. 2011 IDEA AT Tech for Learning Communities Grants
2. 2011 IDEA Paraprofessional Tuition Assistance Grants
3. 2010 Migrant Mini-Grants
4. Arizona Adult Education Integrated Basic Educational Skills Training Incentive Grant Initiative

C. Consideration to approve the Interagency Service Agreement between the Arizona Department of Education and Early Childhood Development and Health Board

D. Consideration to approve additional monies for teacher compensation for fiscal year 2010-2011, pursuant to A.R.S. §§ 15-952 and 15-537

E. Consideration to appoint the following individuals to the Certification Advisory Committee:

1. Duane Noggle
2. Carolyn Dumler

F. Consideration to appoint Mark Joraanstad to the Professional Practices Advisory Committee

- G. Consideration to accept the proposed settlement agreement to suspend the teaching certificates held by Kari Lagos
- H. Consideration to accept the voluntary surrender of the teaching credentials for the following individuals:
  - 1. Jan Wheeler
  - 2. Grant R. Decker
- I. Consideration to accept the proposed settlement agreement and issue a professional letter of censure to the following individuals:
  - 1. John A. Dallabetta
  - 2. Sladjana Laschober
- J. Consideration to revoke the teaching certificates held by George Hicks, pursuant to A.R.S. § 15-550
- K. Consideration to approve request from Bullhead City Elementary School District to participate in the accounting responsibility program, pursuant to A.R.S. § 15-914.01

Mr. Molera stated his request to table item 2E was have a discussion as to the members that will be advising the CAC meeting keeping in mind the certification process.

*Mr. Miller moved to consent agenda with the exception of item 2A3 and 2E*  
*Motion Second by Ms. Ortiz-Parsons*  
*Motion passes*

### 3. CALL TO THE PUBLIC

- Ms. Susan Carlson from the Arizona Business and Education Coalition (ABEC) stated ABEC is still in the process of the school finance re-design project. Ms. Carlson said 8 of 9 community forums have been held to discuss the school finance system would look like if the way Arizona schools funding was to change. Ms. Carlson offered to provide further information on the project at the Boards request.

Ms. Carlson also provided information on the meeting ABEC had with Ms. Margaret Dugan to discuss the initiative for school recognition. The recognition would be for schools that are closing the achievement gap and top performers on the AIMS assessment.

Ms. Carlson invited the members to the ABEC Conference June 7<sup>th</sup>.

- Ms. Bonnie Betts, Chief Financial Officer for the Tucson Unified School District. Ms. Betts stated the absence approval process policy will have a negative effect on school districts. With the new policy additional funding would be reduced. Ms. Betts stated the prior absence approval memo received last year from the ADE indicated any wide spread illness generally would be forgiven as well as chronic illnesses. This year a new memo was received in April that indicated wide spread illness had to be more than 10%. This last memo was received after the district had

submitted the absence approvals to the TUSD governing board. Ms. Betts stated she is working with ADE's school finance personnel to address these concerns but also wanted to make the Board aware of the issue and impact of the new policy requirements.

#### 4. GENERAL SESSION

##### A. Program update regarding HEALTHOLOGY

Dr. Karen Butterfield stated the Health and Nutrition section would be providing an update about the HEALTHOLOGY website. Dr. Butterfield said this program is funded by a Center for Disease Control grant. The website has 8 components which are all interactive, it is collaborative with families, schools, communities and it is also aligned with the recently adopted health and physical education standards.

Ms. Mary Szafranski said the Health and Nutrition Section has over 12 programs that assist schools improve the health and well being of students. In 2008 the ADE received the Improving Health and Educational Outcomes of Young People. Ms. Szafranski stated the grant has facilitated the assistance to schools needed to keep students healthy over time, reinforcing health behaviors throughout the school day an emphasizing that good health and learning go hand in hand.

The program name and website was launched in January 2010. Healthology embodies school health in action as the tag line reads and incorporates all 8 components of the Coordinated School Health model. The highly interactive website is designed for a multitude of audiences; each component has its own resource page with both local and national resources.

Ms. Szafranski logged onto the Healthology website and presented various sections of the 8 components. A unique feature to the site is the media center which offers a hybrid learning atmosphere. Ms. Szafranski said there is a list serve which will lead to a wide range of partners being reached and a greater data set being collected for Arizona demographic information around health disparities.

##### B. Presentation and discussion regarding the Common Core State Standards Initiative and Assessment Consortia

Ms. Mary Knuck provided an update on the Common Core State Standards Initiative and stated the communication plan created at the request of the Board ensures the public and teachers are receiving the necessary information for the initiative. Constituents now have access to a website which includes a survey and will include the standards to be released June 2, 2010. In July 4 public webinars will be posted and the purpose of the webinars is to go through the process of the common core state standards initiative and ask for public comments. After the survey and public comment information is collected recommendations will be made to the Board in August.

Ms. Knuck stated a press release from Tom Horne Reports to Educators provided further information to the field. As suggested by County representatives Facebook and Twitter will be used to keep constituents informed.

Ms. Roberta Alley provided information on the assessment consortium. Arizona is working with several other states to write a grant that will be due June 23<sup>rd</sup>. The proposed assessment would replace AIMS and it is expected to be in place 2014-2015. Mr. Molera asked if the assessment would replace AIMS completely. Ms. Alley stated language arts and mathematics.

Dr. Balentine asked who coordinates the writing; Ms. Alley stated ACHIVE is coordinating the writing for this particular grant and the lead states have been Florida, Massachusetts and New York. Ms. Alley said it also depends on the section of the grant.

- C. Presentation and discussion regarding legislative affairs.  
The Board may take action to support, oppose or remain neutral  
on specific legislative proposals

Ms. Susie Cannata provided an overview of the following bills which will become effective July 29<sup>th</sup> and have significant action or implicate duties by the Board:

**HB2281 – SCHOOLS; PROHIBITED COURSES; DISCIPLINE (Chapter 311)** If the Superintendent of Public Instruction (SPI) or SBE find a violation the school district or charter school shall be notified and if the violation is not remedied in 60 days, the SPI or SBE may direct the Department of Education (ADE) to withhold up to 10% of the monthly apportionment of the state aid. When SPI or SBE determines that the district or school is back in compliance, ADE shall restore funding. ADE shall bear all costs of any hearing held pursuant to this law. This bill will become effective January 1, 2011.

**HB2298 – PREPARATION PROGRAMS; TEACHER CERTIFICATION (Chapter 49)** This law mandates that SBE allow a variety of alternative teacher and administrator preparation programs to apply for program approval. SBE must evaluate each program provider based on the program's ability to prepare teachers and administrators and to recruit teachers and administrators with a variety of experiences and talents. SBE must create application procedures that are less restrictive than those for traditional teacher preparation programs. Ms. Cannata stated the Board has complied with the provisions of HB2298 through the recent adoption of rules.

**HB2401 – TEACHER LEAN PROGRAM; GEOGRAPHIC SHORTAGES (Chapter 257)** This bill expands options for the service commitment of a loan recipient under the Mathematics, Science and Special Education teacher Student Loan Program to now include elementary education in a public school located in a geographic area with a shortage of teachers. SBE must determine the geographic area that is experiencing a shortage of teachers. SBE must also determine if a chosen geographic area is no longer experiencing a teacher shortage. SBE may allocate up to 25% of the annual amount appropriated for loans to applicants who agree to provide instruction in elementary education.

Mr. Yanez stated the Title II report will be used to determine which geographic areas are experiencing shortages of teachers.

**HB2725 – EDUCATION; OMINBUS (Chapter 332)** Ms. Cannata stated that sections of this bill make changes to teacher certification and the proficiency exam. The bill also states an applicant is not required to take the professional knowledge portion of the proficiency exam if he or she has been a full-time teacher for at least three years in that same area of certification in which the person is seeking certification in Arizona. An applicant is not required to take the subject knowledge exam if he or she has a master's degree from an accredited institution in that subject area. Statutory language requiring applicants to pass the proficiency exam more than once under specified circumstances is deleted. An applicant who has not taught in the 10 years preceding his or her application submission must pass the proficiency examination again. SBE may adopt rules modifying the exam requirements for applicants who taught, received certification or a master's degree in another country.

The bill also repeals the career and college readiness task force that SBE was to appoint and convene pursuant to the recent third special session.

The career and college readiness task force that SBE was supposed to appoint and convene pursuant to the recent third special session law is repealed.

HB2731 – HIGH SCHOOLS; GRADUATION; BOARD EXAMINATIONS (Chapter 333) SBE is required to enter into a five-year agreement with a private organization that meets specified requirements to operate and administer a board examination system designed to improve college readiness. The organization shall exercise general supervision over implementation of the SBE approved exam system. The exam system must have common passing scores prescribed by an interstate compact. SBE must adopt rules to carry out the new law and select college readiness examinations.

Mr. Yanez stated the Board can expect language related to this bill in August after the effective date of the law. After the Board selects the private organization to administer the program the Board will have to look at rules to operate the process. Mr. Yanez said he would be working with Ms. Jennie Pollock and Ms. Roberta Alley on the assessment piece in order to create the rules for the program.

The private organization must also develop the Grand Canyon Diploma (GCD) as an alternative to a high school diploma, as approved by SBE. The GCD may be awarded at the end of grades 10, 11 or 12 to students demonstrating a mastery of academic material at a college readiness level. School districts and charter schools may choose to offer a GCD beginning in the 2012-2013 school year. Students earning a GCD may enroll in community college, remain in high school, or enroll in career and technical education programs. Students who earn a GCD are exempt from SBE graduation requirements, including passing scores on the AIMS test.

HB2732 – SCHOOLS; THIRD GRADE RETENTION (Chapter 296) Students may not be promoted from the third grade if the student's score on the reading portion of the AIMS test demonstrates that the student is "far below" the third grade level. Good cause exemptions exist for pupils with a disability, who are English learners, with a reading deficiency who have been previously retained twice, or who demonstrate reading proficiency on an alternate assessment approved by SBE.

School districts must offer students held back in the third grade at least one of four intervention and remedial strategies that must be developed by SBE. The student's parent/guardian shall choose the strategy or strategies to be employed. The law also establishes a task force on reading assessment that is to be appointed by SBE. The task force shall examine third grade reading tests in other states, develop recommendations for an assessment of reading abilities in grades one and two, and submit a report by January 15, 2011.

SB1040 – TEACHER & PRINCIPAL EVALUATIONS (Chapter 297) Requires by December 15, 2011 SBE to adopt a model policy framework for teacher and principal evaluation instruments that includes quantitative data on student academic progress that accounts for between 33% and 50% of the evaluation outcomes, as well as best practices for professional development and evaluator training. Districts and charters must use an instrument that meets the data requirements established by SBE to annually evaluate teachers and principals beginning in the school year 2012-2013.

SB1119 – TASK FORCE; K-3 ACCOUNTABILITY; ASSESSMENTS (Chapter 142) A new 12-person Task Force on K-3 Accountability and Assessments is established within ADE to examine and evaluate best practices in accountability and assessment measures and conduct trial exams for K-3. ADE shall develop mechanisms to allow a school district or charter school that voluntarily participates in the measurement of academic gains as developed by the Task Force and meets criteria developed by ADE to improve its designated school classification. SBE shall approve the mechanisms and criteria developed by ADE.

ADE shall establish procedures to maintain the integrity of its testing process that will be used to measure academic gains, including procedures for testing and scoring validity and reliability. SBE must approve the testing process developed by the Task Force.

An annual report is due to the Legislature and Governor by December 1. The law self-repeals on July 1, 2016.

Mr. Molera asked if it would be helpful to create a sub-committee to assist with the various areas of the bills that have passed. Dr. Balentine stated a sub-committee would involve open meeting laws and would create more staff responsibility. Dr. Balentine said leadership meeting may be held to address any concerns or assist with the development tasks.

- D. Presentation, discussion and consideration to accept the recommendation of the Professional Practices Advisory Committee and grant the teacher certification application for Stephen C. Sorenson

Mr. Charles Easaw provided an overview of Mr. Stephen C. Sorenson's case and stated PPAC's recommendation was to grant Mr. Sorenson's application for teacher certification based on the following mitigating factors:

- Letters of recommendation
- Candor and testimony before the committee
- Pornographic pictures came through an email, Mr. Sorenson did not actively seek them through a pornographic website

The PPAC also found the following aggravating factors:

- Misuse of school equipment
- Misrepresentation on his application at Coolidge School District
- Failure to report to Vail School District the content of the emails containing the pornographic materials

The PPAC's recommendation to grant the application for teacher certification was passed by a vote of 4 to 0. Mr. Easaw stated Mr. William Holder; attorney for Mr. Sorenson was present.

Mr. William Holder stated some materials reviewed by the PPAC were not included in the Board packets and the information missing was significant to the case. The information included statements made by various teachers from the Vail School District. The statements were significantly different from the information reported by the districts Human Resources director. Mr. Holder provided the Board with copies of the letters that were not included in their packets pertaining to Mr. Sorenson's case. Dr. Balentine stated the members received an electronic copy of the letters.

Mr. Sorenson stated he would like the opportunity to continue being a teacher and requested the Board to consider approving his application for teacher certification.

*Mr. Moore moved to accept the finding of fact, conclusions of law and recommendations of the PPAC, and grant the teacher certification application for Stephen Sorenson.*

*Motion second by Mr. Tyree*

*Motion passes*

- E. Presentation, discussion and consideration to open rulemaking procedures for proposed rules R7-2-616(F) (G) and (H) regarding Interim Supervisor Certificates – grades PreK through 12, Interim Principal Certificates – grades PreK through 12 and Interim Superintendent Certificates – grades PreK through 12

Mr. Mark Anderson stated the Certification Advisory Committee approved the proposed amendments to R7-2-616 at its May 5, 2010 meeting. The proposed amendments will allow the holder of the interim administrator certificate to be employed as an administrator while completing the administrator preparation program. These certificates could be used in conjunction with a traditional administrator preparation program and paves the way for alternative pathways to administrator certificates.

*Mr. Miller moved to open rulemaking procedures for proposed rules R7-2-616 regarding Interim Supervisor Certificates, Interim Principal Certificates and Interim Superintendent Certificates.*

*Motion second by Mr. Moore*

*Supt. Horne and Ms. Ortiz-Parsons did not vote*

*Motion passes*

- F. Presentation, discussion and consideration to open rulemaking procedures for proposed rule R7-2-615(E) regarding Mathematics Endorsements

Ms. Mary Knuck stated the amendments to this rule were first presented to the Board August 25, 2008 and at that time the Board requested to recommendations for alternatives to semester hours of coursework. Therefore the recommendation is to have a passing score on the middle school mathematics subject knowledge portion of the Arizona Educator Proficiency Assessment be substituted for the 18 semester hours described in R7-2-613(E)(2)(c).

*Mr. Tyree moved to open rulemaking procedures for proposed rule R7-2-615 regarding Mathematics Endorsements.*

*Motion second by Mr. Moore*

*Motion passes*

- G. Presentation, discussion and consideration to close rulemaking procedures and adopt proposed rules R7-2-601 Definitions; R7-2-603 Professional Teaching Standards; R7-2-604.01 Professional Preparation Programs; R7-2-605 Duties of the Director of Certification; R7-2-606 Proficiency Assessments; R7-2-607 General Certification Provisions; R7-2-609 Elementary Teaching Certificates; R7-2-610 Secondary Teaching Certificates; R7-2-611 Special Education Teaching



Certificates; R7-2-613 PreK-12 Arts Education Certificates; R7-2-614 Other Teaching Certificates; R7-2-615 Endorsements; R7-2-616 Administrative Certificates; R7-2-617 Other Professional Certificates; R7-2-618 Fees; and R7-2-619 Renewal Requirements

Mr. Mark Anderson stated the Board opened the rule making process on the technical changes to Chapter 6 at the April 2010 Board meeting. A public hearing was held May 17, 2010 and no comment was received. Only one technical change has been made. R7-2-607(O) now reads, A person who surrenders their teaching certificate for any reason shall not submit an application for certification with the State board for a period of five years. A person re-applying after the five year ban must apply under the current rules at the time of re-application. The amendment codifies what has been the consistent practice of the Certification Unit.

Mr. Anderson requested the Board close the rule making and adopt the proposed rules on the revised amendments to Arizona Administrative Code Chapter 6. Certification.

*Mr. Miller moved to close the rulemaking record and adopt proposed rules R7-2-601, 603, 604.01, 605, 606, 607, 609, 610, 611, 613, 614, 615, 616, 617, 618 and 619*

*Motion second by Ms. Ortiz-Parsons*

*Motion passes*

Mr. Miller asked if teacher certification applications could be prioritized if applicants have unforeseen emergencies. Mr. Anderson stated policy is more flexible than how it reads and the Certification staff tries to accommodate constituents if they have an emergency as much as possible.

## 5. STUDY SESSION

Presentation and discussion regarding federal and state school accountability systems. Discussion may include, but is not limited to, AZ LEARNS and AYP determinations and anticipated impact of new federal and state requirements. The Board may take action to reconcile the AZ LEARNS criteria for failing schools with the state's definition of Persistently Lowest Achieving schools. The Board may convene in executive session, pursuant to A.R.S. §38-431.03 (A) (3) to receive legal advice and/or consult with and instruct counsel on the Board's position in this matter.

Dr. Robert Franciosi provided the Board with an overview of the two systems used to evaluate Arizona schools.

The first system presented was the Adequate Yearly Progress (AYP) and the three components for the system.

- 95% of students must be assessed
- Schools must meet goals for percentage of students passing AIMS
- Schools must meet threshold or demonstrate adequate gain for the Additional Indicators, which are graduation rates for high schools and attendance rates for elementary schools.

The AYP evaluation is conjunctive therefore if one of the subgroups is not evaluated the entire school does not meet AYP regardless of the outcome of the other two areas evaluated. Dr. Franciosi stated schools can meet the AMO's either through safe harbor or growth and Title I schools that miss AYP two years in a

row fall into school improvement. Dr. Franciosi stated an increase could be expected in schools not making AYP until there is a new ESEA Act.

Mr. Molera asked how the new Common Core State Standards would impact AYP. Dr. Franciosi said there is a possibility of more schools failing AYP due to the change and tests being harder.

Dr. Franciosi stated the USDOE recently required states to develop their own definitions of persistently low achieving subject to Federal guidance. Arizona has two ways of identifying PLA's one is Tier I, Schools in Title I improvement and Tier II, high schools eligible for Title I funds. PLA samples were provided.

Mr. Miller asked if the percentage of students participating in the GED program and completing it is included in the total of graduating students. Dr. Franciosi stated Federal Regulation states students who receive a GED do not count as graduates there for that percentage is not included.

Dr. Franciosi stated Board action is requested to adopt a policy for schools who fall into the definition of persistently low achieving be classified as underperforming in AZ LEARNS. This would allow the department to intervene and have more authority to provide the assistance necessary contemplated under the Race to the Top application.

Mr. Yanez provided an overview list of the different evaluation systems being discussed and stated the PLA system needs Board action because there is not authority assist PLA schools. The goal would be to bring the PLA system and the AZ LEARNS system together in order to align both systems.

Mr. Molera asked what the request for Board action would involve. Supt. Horne stated the Board would be voting to align the formulas of both systems. Mr. Yanez stated the AZ LEARNS process would not change.

Mr. Moore asked what if the implementation of SB1286 would change the criteria. Supt. Horne stated the criteria would change.

*Supt. Horne moved to amend the system in order to label PLA schools as underperforming.  
Motion second by Mr. Miller*

Mr. Yanez stated the motion will need to include statutory elements that need to be included when determining labels under AZ LEARNS.

Mr. Molera stated he would like further information on the AZ LEARNS system before taking action. Dr. Balentine stated the vote for this item could be after the second portion of Dr. Franciosi's presentation.

The second system presented was AZ LEARNS and how this system measures performance. Dr. Franciosi stated AZ LEARNS uses the same measures as AYP and the only difference is AZ LEARNS also includes the percent of ELL students exiting the program and the graduation and dropout rates in a five year period instead of three.

Dr. Franciosi said SB1286 will require some changes to the way AZ LEARNS is implemented and the changes are as follows:

- LEA's will be evaluated
- 50% of evaluation based on student-level growth
- 50% of student-level growth component based growth of students in bottom 25% at school
- Grades will be assigned used A, B, C, D & F

A copy of the power point used for this presentation can be provided by the State Board office.

Mr. Molera asked if there was legal analysis for this item. Mr. Jennie Pollock stated the Board may request to be provided with legal analysis of the related issues and the Board may convene in executive session for consultation with legal counsel.

Dr. Horton asked for clarification on the requirements for RTTT and having more authority with regarding intervention. Dr. Franciosi stated the grant does not require this change; this is based on the opinion of the team writing the grant that giving the state stronger authority will make a stronger application to submit.

*Mr. Moore moved to convene into executive session*

*Motion second by Mr. Tyree*

*Motion passes*

Board convenes into executive session at 11:30 AM

Board re-convened at 11:56am

Dr. Balentine stated there was a motion and a second to the motion to determine that schools that meet the federally-approved, state definition of Persistently Low Achieving and have ELL reclassification rates lower than 30% shall receive an AZ LEARNS profile of "underperforming." In accordance with A.R.S. § 15-241, a school that meets the "underperforming" criteria for three consecutive years shall be classified as "failing to meet academic standards."

Mr. Molera asked if the motion would improve the accountability policy or if the amendment request was only to satisfy the criteria from the federal government. Mr. Yanez said based on the exercise done through developing the PLA definition the Board needs to take action on how failing schools are calculated under AZ LEARNS. Mr. Yanez said the PLA definition is better at identifying failing schools under the existing AZ LEARNS system.

Dr. Balentine asked for a vote on the motion on the floor.

*Motion passes*

Two nay votes: Ms. Ortiz-Parsons and Mr. Molera

6. ADJOURN

*Mr. Moore moved to adjourn*

*Motion second by Mr. Miller*

*Motion passes*

Meeting adjourned at 1:30 PM