

**Minutes**  
**State Board of Education Special Session**  
**Tuesday, November 14, 2006**

The Arizona State Board of Education held a Special Session at the Arizona Department of Education, 1535 West Jefferson, Room 418, Phoenix, Arizona. The meeting was called to order at 9:05AM.

**Members Present**

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

**Members Absent**

Dr. Michael Crow  
Mr. Bill Estes

1. Review, Discussion and Consideration of response to RFP for a legislative liaison. Pursuant to A.R.S. § 38-431.03 (A) (2), (3) and (4) the Committee may vote to go into Executive Session, which will not be open to the Public, for review and discussion of records exempt from public inspection and/or legal advice.

President Hilde called the meeting to order, noted that Ms. Jennifer Pollock, Assistant Attorney General was also present, and asked Mr. Vince Yanez, Executive Director, State Board of Education, to introduce the item.

Mr. Yanez reminded members that this item reflects the fact that in this budget cycle the SBE was awarded \$100,000 and an additional FTE for the purpose of adding additional resources to help the SBE with its responsibilities. He noted that the plan was to split the FTE into two contracted positions that would assist the SBE with:

- rule writing
- legislative affairs

Mr. Yanez noted that today's proposal is the first part of that plan as the SBE considers contracting with a firm to assist with legislative affairs.

Mr. Yanez noted that on October 11, 2006, an RFP was issued and advertised for 14 days which contained the scope of work outlined in the Overview included in the materials packet. Mr. Yanez stated that a selection committee comprised of President Hilde, Vice President Dr. Nicodemus, Mr. Larry Lucero and Mr. Yanez, met on November 7, 2006 to:

- evaluate the proposal submitted by the firm of Miller LaSota & Peter, PLC
  - looked at the specific requirements in the RFP and evidence that the firm could satisfy all the elements of the scope of work
- interview the two individuals from the proposing firm that would be working with the SBE
- recommend awarding the contract to this firm with the contract beginning upon SBE approval and extending through the 2007 legislative session

Mr. Yanez added that the two individuals from the firm of Miller LaSota & Peter, PLC who would be working with the SBE are:

- Ms. Susan Cannata, who will probably be the front person
- Mr. Jack LaSota, who will also provide services

Mr. Yanez clarified that this was the only response to the RFP and speculated that perhaps more responses were not received due to the following possible factors:

- The RFP was advertised for only 14 days
- Some may have had conflicts which may have prohibited them from taking on lobbying efforts on behalf of the SBE

Mr. Larry Lucero noted that he was comfortable with this recommendation for the following reasons:

- The firm will represent the SBE well
- Expertise the firm brings

Mr. Lucero added that the committee asked the clients if there were issues where the SBE would be on opposite sides of any of the clients serviced by the firm and noted that the applicants gave satisfactory responses when asked about this kind of situation. Mr. Lucero also stated that the committee was comfortable that the firm has a high level of integrity and ethics and that if this kind of issue ever arises, the SBE will deal with it at that time.

Ms. Hilde noted the list of clients given in the RFP:

- Maricopa County
  - The committee discussed this further with the clients regarding details in this matter
- Maricopa Integrative Health Systems
- Arizona Academy of Family Physicians
- SCF Arizona
- Regional Public Transportation Authority
- Arizona School Risk Retention Trust
  - Mr. LaSota has been the general and legislative counsel since the inception in 1986
- The Arc of Arizona
  - Has to do with persons with developmental disabilities
- Arizona Biomedical Research Commission
- Arizona Association of Non-Physician Surgical Assistants
- Tucson Greyhound Park

Mr. Yanez noted that the firm also listed in the example of their successes that they worked with the ADE, at least in previous administrations on the AIMS Assessment and with the Arizona Health Care Cost Containment System (AHCCCS).

Mr. Ary pointed out that Mr. Jack LaSota is a former Arizona Attorney General who worked on a number of education-related pieces of legislation and has deep and rich contacts with the education community of Arizona.

Ms. Hilde added that Mr. Peters, of the firm, has been engaged by members of the education community who are questioning the legality of the voucher bills that were passed in the last session but that the firm did not feel this would have a conflict for the SBE. Mr. Yanez added that Mr. Peters would not be representing the SBE in any of its legislative initiatives.

Ms. Mendoza asked if this meets all the requirements being asked of the SBE in making this decision and Ms. Pollock advised that members have the ability to go into Executive Session to consider legal advice.

Motion by Mr. Ary and seconded by Ms. Owen to go into Executive Session for review and

discussion of records exempt from public inspection and/or legal advice. *Motion passes. The Board went into Executive Session at 9:17AM.*

Motion by Mr. Ary and seconded by Dr. Balentine to reconvene in open session. *Motion passes. The Board reconvened in open session at 9:22AM.*

Mr. Ary asked what affect this newly created position will have on the role of Mr. Art Harding who is a staff member at the ADE.

Mr. Yanez responded that this doesn't change the dynamic between the SBE and the ADE as the SBE hasn't had a very active voice in the last several legislative sessions, but that this simply adds a more prominent/consistent voice at the legislature.

Superintendent Horne stated that Mr. Harding will continue to be available and will support items that SBE members are interested in, and will work with the SBE's lobbyist.

Ms. Owen asked if the SBE will work with other education-related entities as the SBE puts its legislative agenda together and Ms. Hilde noted that the SBE is working quickly on its agenda and that other entities such as ASA, ASBA, County Superintendents, etc., will be presenting their legislative platforms to the SBE at the December SBE meeting, currently scheduled for December 4 and 5, 2006. Ms. Hilde noted that the legislative sub-committee will be working with Ms. Cannata as well. Ms. Hilde pointed out that the depth of the agenda is to be determined.

Dr. Nicodemus added that she is planning to bring legislative information from the P-20 Council that may impact the SBE. She pointed out that the community colleges prioritize their legislative agendas based on the following factors:

- Priority
- Not a priority
- Support
- Take no position
- Oppose

Dr. Nicodemus noted that the lobbyist could assist in tracking and determining priorities.

Motion by Mr. Ary and seconded by Mr. Lucero to award the contract for a legislative liaison to Miller, LaSota and Peters, PLC. *Roll call vote resulted in all 9 members in attendance voted in favor of the motion. Motion passes.*

Ms. Mendoza and Ms. Kramer thanked the committee for their hard work in moving this forward.

Ms. Hilde adjourned the meeting at 9:30AM.