

**Minutes**  
**State Board of Education Special Session**  
**Wednesday, July 18, 2007**

The Arizona State Board of Education held a Special Session at the Arizona Department of Education, 1535 West Jefferson, Room 417, Phoenix, Arizona. The meeting was called to order at 2:00 PM.

**Members Present**

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

**Members Absent**

Dr. John Haeger  
Mr. Jacob Moore

1. GENERAL SESSION

- A. Presentation, discussion and possible consideration to authorize staff to draft rules relating to Career and Technical Education teaching certificates and the Structured English Immersion Endorsement. Pursuant to A.R.S. § 38-431.03(A)(3) and (4), the Board may vote to convene in executive session for consultation and/or legal advice.

Dr. Nicodemus called the meeting to order at 2:00 and asked Mr. Yanez whether it would be advisable to convene in executive session to receive legal advice prior to engaging in discussion regarding the item.

Mr. Yanez stated that the Board should convene a brief executive session and that Ms. Segal, Assistant Attorney General, was preset to provide legal advice.

Ms. Mendoza made a motion to convene in executive session for the purpose of receiving legal advice regarding agenda item A. Motion seconded by Ms. Harmon.

*The Board convened in executive session at 2:05 PM. Dr. Balentine joined the Board in executive session at 2:15 PM.*

Dr. Balentine made a motion to reconvene in general session. Motion seconded by Ms. Mendoza. Motion passed unanimously.

*The Board reconvened in general session at 2:25 PM*

Dr. Nicodemus asked the Mr. Yanez to introduce the item.

Mr. Yanez reminded the Board that at the last regular meeting of the Board, during the call to the public, a school district administrator shared his concerns regarding the SEI requirement and Career and Technical Education Certificates. The administrator stated that a large percentage of CTE teachers are individuals that have worked in a particular field for the majority of their careers and later decide to become teachers. He shared that because these individuals do not work in the education field that they have no knowledge of the SEI requirement. This is preventing them from becoming certified and CTE programs across the state are being forced to cancel classes due to their inability to find certified teachers.

Mr. Yanez further explained that he has had conversations with ADE staff regarding this issue and that they have requested that the Board consider creating a one year exemption to the SEI requirement so that CTE teachers can be found. Mr. Yanez stated that ADE staff is present and has compiled data that demonstrates the need for the exemption.

Ms. Border, CTE Director for the ADE, shared data that the Department has compiled that demonstrated the number of programs that will have to be cancelled because certified teachers cannot be found. Ms. Border explained that relief is required immediately due to the beginning of the school year.

Mr. Yanez stated that the Board could initiate its emergency rulemaking procedures to adopt a rule as soon as possible. Mr. Yanez elaborated on the emergency procedures.

Dr. Nicodemus asked the members for discussion regarding whether to proceed with emergency rulemaking to create the one year exemption for CTE applicants. Discussion ensued and the members reached consensus to support the proposed rule amendment.

Mr. Yanez asked if a quorum of the Board would be available for a brief meeting tomorrow at 4:00. At that time he could present a proposed rule package to the Board to initiate emergency rulemaking procedures. Members indicated that they would be available for a telephonic meeting.

B. Update regarding Flores vs. State of Arizona, et.al. The Board may take action to instruct counsel as to the Board's position in this matter. Pursuant to A.R.S. § 38-431.03(A)(3) and (4), the Board may vote to convene in executive session for consultation and/or legal advice.

C. Update regarding Basis School, Inc., et al. vs. Arizona State Board of Education. The Board may take action to instruct counsel as to the Board's position in this matter. Pursuant to A.R.S. § 38-431.03(A)(3) and (4), the Board may vote to convene in executive session for consultation and/or legal advice.

Dr. Nicodemus proceeded to the next items on the agenda and asked whether they could be taken in a single executive session.

Ms. Segal indicated that they could be taken simultaneously.

Ms. Mendoza made a motion to convene in executive session for the purpose of receiving legal advice regarding agenda item B and C. Motion seconded by Ms. Harmon.

*The Board convened in executive session at 2:45 PM.*

Dr. Balentine moved to reconvene in general session at 3:35. Second by Ms. Harmon. Motion passed unanimously.

Motion by Dr. Balentine to adjourn. Second by Mr. Lucero. Motion passed unanimously.

Meeting adjourned at 3:40 PM.