

**Minutes**  
**State Board of Education Special Session**  
**Monday, August 29, 2006**

The Arizona State Board of Education held a two-day 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**

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

**Members Absent**

Dr. Michael Crow  
Mr. Bill Estes

**PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE AND ROLL CALL**

1. **CONVENE AS THE STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION**

A. Program Update Presented by the Career and Technical Education Division  
Ms. Barbara Border, Interim Deputy Associate Superintendent and State Director of Career and Technical Education, Arizona Department of Education, introduced Mr. Greg Donovan, Superintendent, WestMech and Mr. Jim Brown, Director CTE, WestMech.

Mr. Donovan pointed out the following:

- CTE programs have a direct correlation with career direction coursework
- Higher levels of CTE students come out of high school ready for continuing education, certification tests, etc.
- Many vocations require continuing education and some of the CTE courses are considered program completers
- All electives are affected by CTE
- This is not about taking a single course but should be included in the entire curriculum
- There is an expectation in legislature about increased time on task
- With an increase in graduation requirements an increase in education will increase
- Senior experience in CTE programs could lead them on a pathway toward a vocation and will keep them more involved in their school experience
- Pima County will be voting this fall to put in a joint technical district
- JTEDs can help Arizona achieve the goals of the 21<sup>st</sup> century and create a more exciting high school experience
- There can be more than one rigorous path to success

Mr. Brown noted that an initiative will be lead this fall under the direction of Dr. Kester, bringing teams together to study how to implement, with implementation happening the following year, evaluation the next year, and then analyzing during year 2 how students did. He noted the initiative partnership between all community colleges and WestMech to organize a career fair in the

Cardinal's stadium will have programs for elementary (explore interests), high school (make plans for future), and college, businesses and industries where students can learn what is available. He pointed out that students do better in AIMS due to the integrated education and because students are applying their theory to practice. Mr. Brown noted that only 20% of today's jobs require a baccalaureate degree, that it takes 10 technicians for every engineer; and 7-12 support staff for every bio-medical specialist.

Ms. Border, Ms. Karlene Darby, Mr. Ted Davis and Ms. Jan Brite presented information via PowerPoint Presentation included in the materials packet. Ms. Darby addressed the SBE about the new federal legislation and noted that CTE courses do not just prepare students for entry level jobs. Mr. Davis addressed the SBE regarding the state legislation and noted that the ADE must also approve the courses that a JTED wishes to include in their curriculum.

Ms. Erin Chavez, President, DECA, addressed the Board regarding the CTE program she has participated in since her freshman year and now as an officer. She noted that she applied knowledge gained in her internship, was exposed to business scenarios, met with representatives in Washington, DC, networked with other students, built personal and social skills. She stated that this programs allows students to explore careers with minimal expense, gives an opportunity to reach a level of professionalism, and should be more available for more students. She added that this allows students to see where they can apply what they have learned in their adult life.

Ms. Helen Bootsma, Director, Development and Data, Career and Technical Education, reported on the new and emerging programs in CTE.

Ms. Jan Brite, Director, Career Pathways, CTE, explained the delivery system for the content area.

Ms. Janet Benard, a former CTE student, stated that the program is instrumental in equipping students with life and career skills, is a positive influence in personal growth, helps students understand personal growth concept and become a better person and citizen.

Ms. Laura Stump, state Vice President of FFA, who is a freshman at UofA, stated that she began in CTE as a freshman where she learned to apply knowledge to real life experience and was able to avoid "senior-it is" by utilizing more CTE-related classes.

Ms. Hilde noted that CTE will continue to be an important segment of Arizona's education program.

Mr. Ary, who represents the SBE on the CTE Advisory Board, commended Ms. Border on her excellent leadership for Mr. Ericksen.

Superintendent Horne noted his pride in the CTE program and noted Ms. Border's excellent work.

Ms. Hilde encouraged members to visit a high school that offers CTE to see how the program can be better integrated into the curricula.

B. Presentation, Discussion and Consideration to Initiate Rulemaking Procedures for R7-2-611 Regarding Career And Technical Education Teaching Certificates

Ms. Barbara Border, Interim Deputy Associate Superintendent and State Director of Career and Technical Education, Arizona Department of Education, presented the concerns regarding certification as noted in the materials packet.

Dr. Sally Downey, East Valley Institute of Technology, noted that they serve 3000 students and need help in getting qualified teachers for specific areas.

Mr. Yanez noted the intent is to turn these rules around as quickly as possible and the hope is to have a final package at the September meeting in an effort to assist the people who need to be certified.

Ms. Border explained that these certifications have been extended until the end of November.

Ms. Hilde asked for clarification regarding early childhood teaching and to make sure it is noted that this is not the same.

Motion by Mr. Ary and seconded by Ms. Mendoza to initiate rulemaking procedures for proposed rules R7-2-611, relating to career and technical education teaching certificates, and that a public hearing be scheduled at the discretion of the Board's Executive Director. *Motion passes.*

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

Motion by Mr. Lucero and seconded by Mr. Ary to adjourn as the State Board for Vocational and Technical Education and reconvene as the State Board of Education. *Motion passes.*

3. GENERAL SESSION

Presentation, Discussion and Consideration to Accept the Recommendation of the Professional Practices Advisory Committee and Place a Letter of Censure in the Permanent Certification File of Ms. Jennifer Renee Cross, Case # C-2004-160

Ms. Rachell Tucker, Chief Investigator, Investigative Unit, State Board of Education, noted that this matter was continued from yesterday's meeting in order to allow members to review additional materials regarding this case.

Mr. William Holder, Legal Counsel, highlighted the most relevant facts regarding the PPAC's decision:

- Ms. Cross has not used drugs since 2002
- Tested negative since then
- Remained continuously employed in PUHSD since then
- Has a contract for the current year
- Summary of mitigating factors
  - Tested negative
  - Candor
  - Successfully completed probation
  - Co-worker testimony
  - No subsequent disciplinary action
- She was not growing for the purpose of selling marijuana
- El Mirage police officer testified that there were no bags or scales usually used in sales
- Mr. Kushibab stated that he believed she was not growing for sale but for personal use
- Materials submitted to the fingerprint board included support letters from co-teachers
  - One has informally counseled Ms. Cross and asked Ms. Cross to assist with a student who needed counsel
- Recommendation of early release
- Letter from treating physician indicating that Ms. Cross was receiving proper medication and no longer has a substance use problem
- Findings from the fingerprint board hearing officer
- Did not report search of her home for over two years because slow processing of charges and she was not indicted until May 2004 and didn't know she was going to be charged until then
- Evidence she is not going to relapse by period of time she has been clean
- She would be subject to drug testing by any district

Ms. Jennifer Cross addressed the SBE expressing her deep regret for placing herself in this humiliating position and included the following facts:

- Thought her life was over in July 2002
- Has had a lot of time to reflect, heal and rehabilitate
  - July 11, 2002 contacted police after search of her house

- No arrests or charges were filed
- Contacted primary care physician and found to be suffering from depression
- Placed on anti-depressants and anti-anxiety medication
- Admitted guilt to court and paid \$1350 and served community service and probation
- Disclosed arrest to principal and district
- Chose never to use or abuse any drug ever again
- Learned vital lessons about herself and her position as a teacher
  - Precipitated by death of 17 year old nephew who was killed by a drunk driver
  - Moved to a big city and lack of support system contributed to isolation
  - Has learned invaluable coping skills
  - Can care for 5 year old autistic child as a clean, sober and strong parent
- Have taught without interruption for the past 5 years
- Evidence of rehabilitation was given to PPAC in hearings
- Understand she is a role model, but a human first
  - Assured the SBE that her students were never affected as she did not use around her students
- Has great sadness that she will live with all her life
- Asked the SBE to approve the recommendation for a letter of censure

Ms. Kramer asked if there was ongoing treatment at this time and Ms. Cross said she is on medication at this time but not under any additional treatment.

Dr. Balentine asked why the district did not take disciplinary action and Ms. Tucker noted that it is not clear why the district did not take action when this was reported.

Dr. Nicodemus asked what the letter of censure does and Ms. Tucker noted it is essentially a letter placed in her file which will serve as a red flag if there were any other disciplinary issues in the future.

Motion by Ms. Owen and seconded by Dr. Nicodemus to accept the findings of fact, conclusions of law and recommendation of the PPAC and place a letter of censure in the permanent certification file of Jennifer Renee Cross. *Motion passes. Superintendent Horne voted no.*

*The Board took a break at 11:03 AM and reconvened at 11:16AM*

A. Presentation, Discussion and Consideration to Close the Rulemaking Record for R7-2-604, R7-2-604.01 and R7-2-604.02 Relating to Professional Preparation Programs

Mr. Yanez, Executive Director, State Board of Education, noted that this was initiated at the June meeting and recapped the purpose of the rule noting that the rule submitted today would complete the process being considered. Mr. Yanez clarified that staff recommendation for R7-2-604(G) was eliminated. Mr. Yanez referred to the summary of public comment and amendments to proposed rules included in the materials packet.

Dr. Meredith Curley, Associate Dean, College of Education, University of Phoenix, noted that she served on the writing team for this rule and that she supported the rules as written.

Motion by Dr. Nicodemus and seconded by Ms. Kramer to close the rulemaking record and adopt proposed rules R7-2-602, R7-2-604.01 and R7-2-604.02 as amended, relating to Professional Preparation Program approval. *Motion passes.*

B. Presentation, Discussion and Consideration to Close the Rulemaking Record for Emergency and Teaching Intern Certificates, R7-2-612 (D) and (E)

Mr. Yanez, Executive Director, State Board of Education, stated that this would limit the need for emergency certificates and highlighted some of the proposed changes:

- Prohibit an individual from receiving more than three emergency certificates
- Require districts to verify that a highly qualified individual was not found after advertising
- Demonstrate that district is participating in a board-approved alternate path program
- Allow intern certificate holder to be a teacher of record
- Establishes basic criteria for intern certificate that would qualify those individuals as highly qualified
- No comment received from public
- 612-D1 reference to July 1 was stricken
- 612D5d II clarify that alternate path must be approved by SBE and any district not required to participate in one program
- E2 intern certificate valid for one year
- E6d requires letter of verification stricken to accommodate individual enrolled in alternate path program that does not have a dean

Dr. Balentine noted her concern regarding the emergency certification, D5d, with two requirements for a district to permit an emergency certificate to be issued: advertise through the ADE and career sites and available to alternate path program.

Ms. Jan Amator, Deputy Associate Superintendent for Highly Qualified Professionals, Academic Achievement, Arizona Department of Education, addressed the concept of this issue:

- District must show sincere effort by advertising and showing that they have not been able to find someone
- Making alternate pathways available

Members expressed concern regarding the wording in the proposed rule that would be of particular hardship especially to the rural schools/districts. Ms. Hilde asked for recommendations of wording changes that may be acceptable.

Superintendent Horne reiterated concerns/realities:

- Teacher shortage
- Federal government getting pressure from civil rights groups
- Facing a significant fine if we don't get highly qualified teachers in the classrooms
- Had some large districts who have relied too easily on emergency certification and ignored alternate programs
- SBE needs to give some incentives to districts for taking advantage of available programs

Ms. Amator noted that to date 1472 emergency certificates have been issued this year and the fair assumption is that these are all in the classroom.

Dr. Nicodemus suggested the following language:

- Verification from school district that all of the following requirements have been met
- Position was advertised at a minimum on a statewide basis and/or with career placement offices of higher education institutions
- Add an availability clause regarding the alternate path program within a given radius
- Pending completion of reciprocity agreement

Mr. Yanez noted that the rules provide for reciprocity with all states but with only 19 states regarding fingerprint clearance cards. Mr. Yanez added that this is a substantive change and Ms. Hilde asked Mr. Yanez to work with Ms. Pollock and ADE staff regarding refining the language.

Dr. Nicodemus requested detailed information regarding the alternate pathway programs sponsored by the ADE.

Ms. Mendoza noted that we should have fingerprint clearance reciprocity with states surrounding Arizona and Mr. Yanez noted that these states have to have a national and statewide clearance and the majority of states do not have as stringent a check system as Arizona.

Ms. Amator stated the revisions are due to the feds by September 29 which affects the federal monies to the schools.

Mr. Yanez noted that he has corresponded with the USDOE indicating that this rule is in process.

Ms. Amator noted that there is an equity plan that has been established and the first round of data was required from schools in the Title I program and the next round will go beyond that.

Ms. Hilde reiterated the suggested verbiage changes/corrections:

- Verification points
- Advertise through ADE or with career and placement offices
- If available, district is participating in SBE approved alternate path programs, or
- Pending completion of reciprocity process

Mr. Yanez noted that these changes constitute a substantive change and another public hearing is advised.

Ms. Amator added that many institutions offer online alternate path programs that can be accessed statewide. She noted that the feds want emergency certificates eliminated within a year and that they will convey the SBE's thoughts to the feds in the near future.

Superintendent Horne noted that the ADE always regards it as its duty to keep the SBE advised of actions that need to be taken.

Motion by Ms. Mendoza and seconded by Dr. Nicodemus to table this item until the next regularly scheduled State Board of Education meeting. *Motion passes.*

C. Presentation, Discussion and Consideration to Adjust Career Ladder Funding for the East Valley Institute of Technology

Ms. Jan Amator, Deputy Associate Superintendent for Highly Qualified Professionals, Academic Achievement, Arizona Department of Education, presented the information included in the materials packet, noting that EVIT is aware of this request and is okay with this recommendation.

Motion by Ms. Mendoza and seconded by Mr. Ary to modify Career Ladder funding for the East Valley Institute of Technology as recommended by the ADE. *Motion passes.*

D. Presentation, Discussion and Consideration to Initiate Rulemaking Procedures for R7-2-302.05 and R7-2-302.06 Relating to AIMS Augmentation

Mr. Vince Yanez, Executive Director, Arizona State Board of Education, presented the information provided in the materials packet. As background Mr. Yanez noted:

- Under current rule 20 credits are required for graduation
- Last year when the augmentation bill was passed, credits affected was left up to SBE
- 11.5 are specified by SBE and 8.5 are elective for local district to determine
- SBE chose to use only 11.5 in augmentation
- This session legislation changed the law to allow all 20 credits to be used in augmentation
  - Average score per classes that compose the 20 credits
- This is a simple revision that substitutes 20 for the 11.5 and references the school year(s) to be affected due to discussion at legislature regarding an emergency clause
- This legislation will become effective after September 21, 2006
- If approved by the SBE this will become effective at the board meeting vote on September 25, 2006

Ms. Pollock added that unless a course is an AP course, it carries the same weight as all other classes.

Motion by Dr. Balentine and seconded by Ms. Kramer to initiate rulemaking procedures for proposed rules R7-2-302.05 and R7-2-305.06 relating to AIMS Augmentation. *Motion passes. Ms. Mendoza voted no.*

E. Presentation, Discussion and Consideration to Approve the FY 2007 AZ READS Grant Awards.

Mr. Vince Yanez, Executive Director, Arizona State Board of Education, presented the information included in the materials packet noting that this is an ongoing award with two participants, VoyagerU and Scholastic. Mr. Yanez noted that ADE staff performed a comprehensive evaluation of both programs. Based on the evaluation, Mr. Yanez noted there is good reason to renew the contracts at the rate of \$500,000 each, the same amount that has been awarded in the past. Mr. Yanez added that he will work with the providers to institute recommendations that resulted from the evaluation, one of which was to provide services to inexperienced teachers.

Ms. Mendoza commented that Scholastic was used by many of their teachers and suggested expansion to middle school reading specialists.

Ms. Owen noted that in the intermediate grades she was hoping to see content literacy strategies. Mr. Yanez clarified that this program is limited to K-3 teachers due to statute language.

Ms. Cathy Sadler, VoyagerU, responded that they involve this broad scope of professional development in all levels of their program.

Mr. John Lent, Vice President of Professional Development, Scholastic, Inc., thanked the SBE on behalf of the 4000+ teachers who have benefited from this grant. Mr. Lent noted that there has been success around the country in professional development and that they welcome the opportunity to join with the SBE in exploring further opportunities. Mr. Lent noted that they also offer professional development that is locally funded.

Motion by Ms. Kramer and seconded by Dr. Nicodemus to approve the renewal of the AZ READS contracts for FY 2007 for VoyagerU and Scholastic Red. *Motion passes.*

F. Presentation, Discussion and Consideration to Approve Distribution of Funds for Fiscal Year 2006-2007 to the Arizona K-12 Center for Implementation of the Master Teacher Program

Mr. Vince Yanez, Executive Director, Arizona State Board of Education, presented the information included in the materials packet making note of:

- Legislation is very specific that funds go to the Arizona K-12 Center
- He has had a preliminary meeting with Ms. Wiebke and Ms. Kotterman
- Will implement program approved by SBE
- If any changes/recommendations occur, they will work with SBE representatives on implementation to insure program is being implemented as prescribed

Motion by Mr. Ary and seconded by Mr. Horne to approve the distribution of FY 2007 funds to the Arizona K-12 Center for the implementation of the Master Teacher Program. *Motion passes.*

4. CALL TO THE PUBLIC

There were no additional requests from the public at this time.

5. CONSENT AGENDA

A. Consideration to Approve State Board Minutes

1. March 27, 2006 Corrected
2. June 26, 2006
3. July 10, 2006 Special Session
4. June 26, 2006 Executive Session – Item 2D
5. June 26, 2006 Executive Session – Item 2T
6. July 10, 2006 Executive Session

B. Consideration to Approve Contract Abstracts

1. WIA; Adult Ed & Family Literacy Act (P.L. 105-220), A.R.S. § 15-234, &

1.

- AZ State Plan for Adult Ed
- 2. Federal Title II of WIA (P.L. 105.220), AZ State Plan for Adult Ed
- 3. Federal Title II of WIA (P.O. 105.220) 2001 (NCLB), Public Law 107-110, § 1003
- 5. A.R. S. § 15-191, -191.91, S.B. 1065, The William F. Goodling Even Start Family Literacy Program Law, Part B, Subpart 3, Title 1 of the Elementary and Secondary Ed Act of 1965 (ESEA) and NCLB
- 6. Federal NCLB-Title II-A, Section 2113(c), State Activities [P.O. 107-110] and Title I – Sections 1116 and 1117
- 7. Federal Title I, Part B, Subpart 1 Reading First [P.L. 107-110]
- 8. NCLB, Public Law 107-110, 21<sup>st</sup> Century Community Learning Centers
- C. Consideration to Approve the Adjustment in the Gross Domestic Product Implicit Price Deflator
- D. Consideration to Accept the Recommendation of the Arizona School Boards Association and Appoint Ms. Rae Waters to the WestEd Board of Directors
- E. Consideration to Approve Receipt of Award from the Office of Refugee Resettlement (ORR) and Authorize Expenditures in Accordance with the Terms of the Award
- F. Consideration to Budget and Accumulate in the Unrestricted Capital Section for FY 06-07 For the Following School Districts:
  - 1. Piñon Unified School District
  - 2. Sacaton Elementary School District
- G. Consideration to Accept a Grant Increase for the Advanced Placement Test Fee Program
- H. Consideration to Approve the Recommendations for Full Structured English Immersion Curricular Framework
- I. Consideration to Approve Technical Change to Final Rulemaking Action on Rule R7-2-615, Adopted June 26, 2006, Relating to Speech and Language Pathologist Certification
- J. Consideration to Approve the Addition of the Ajo Unified School District as a Participating Entity of the Pima County Joint Technological Education District
- K. Consideration to Accept the Voluntary Surrender of the Charter Contract for Dragonfleye Charter School
- L. Consideration to Approve the Arizona Highly Qualified Teacher Attestation Forms

Mr. Yanez noted that Item 5C and 5K have been withdrawn from the Consent Agenda.

Motion by Dr. Balentine and seconded by Mr. Ary to approve the consent agenda as amended.

*Motion passes. Dr. Nicodemus abstained.*

## 6. ADJOURN

Motion by Ms. Mendoza and seconded by Dr. Nicodemus to adjourn. *Motion passes.*

*Meeting adjourned at 12:50 PM.*