

ARIZONA STATE BOARD OF EDUCATION  
ARIZONA STATE BOARD FOR VOCATIONAL AND TECHNOLOGICAL EDUCATION

The Arizona State Board of Education and the Arizona State Board for Vocational and Technological Education held a regular meeting August 25, 2014 at the Arizona Department of Education, 1535 West Jefferson Street, Room 122, Phoenix, Arizona. The meeting was called to order at 9:01 a.m.

ROLL CALL

Members Present:

President Tyree

Ms. Hamilton

Ms. Rogers

Mr. Molera

Mr. Moore

Dr. Rottweiler

Mr. Ballantyne

Mr. Jacks

Vice President Miller

Members Absent:

Dr. Hart

Superintendent Huppenthal

9:00 a.m. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE, AND ROLL CALL

1. BUSINESS REPORTS

A. President's Report

President Tyree thanked the State Board staff and the West-MEC staff for the work they did in preparing for the Annual Retreat. The discussions that came from that meeting were very productive and essential to this Board.

B. Superintendent's Report

No report.

C. Board Member Reports

Member Molera reminded everyone of the A-F School Accountability Meeting to immediately follow the Board meeting. He stated he hopes to have a structure in place for next year that more clearly defines what is meant by a school's letter grade.

D. Executive Director's Report

Ms. Thompson spoke to the Board regarding the SEI Model Review Committee. A draft recommendation is being circulated and is expected to come to the Board before the end of the year. Member Moore commented on how the draft recommendations are being publicly shared.

2. CONSENT AGENDA

- A. Consideration to approve Arizona State Board of Education minutes for June 23, 2014, Regular Meeting
- B. Consideration to approve the following contract abstracts:
  - 1. 21st Century Community Learning Center Grant
  - 2. Migrant Education Program – Portable Assisted Study Sequence Study (PASS)
  - 3. Migrant Education Program FY2014 – Chandler Unified School District
  - 4. McKinney-Vento Homeless Education Assistance
- C. Receipt of the report regarding 2014 AIMS and AIMS A Results
- D. Receipt of the report regarding statewide outcome of 2014 A-F Letter Grades
- E. Consideration to appoint and/or reappoint members to the Special Education Advisory Panel (SEAP)
- F. Consideration to grant extensions of Educator Preparation Program approvals relating to R7-2-604 through R7-2-604
- G. Consideration to grant professional preparation program approvals for Grand Canyon University – Masters of Education in Educational Administration, pursuant to R7-2-604(A)

*Vice President Miller made motion to pass consent agenda. Member Jacks seconded the motion. Consent agenda passed unanimously.*

### 3. CALL TO THE PUBLIC

Catherine Otto, Director of Education with Southwest Institute for Families and Children, commended the Board and thanked them for their support of the Arizona College and Career Ready Standards.

Karen Burnstein, Director, Senior Scientist with Southwest Institute for Families & Children thanked the Board for endorsing and supporting the Arizona College and Career Ready Standards.

### 4. GENERAL SESSION

- A. Consideration to determine non-compliance with the USFR for the following school districts and to withhold State funds pursuant to A.R.S. §15-272(B):

- 1. Topock Elementary School District No. 12

Mr. Jordan Ellel addressed the Board regarding the Topock Elementary School District noncompliance issues. He stated this is the fourth time Topock has been before the Board. Member Molera asked staff to explain the USFR noncompliance matrix and

process. Mr. Ellel gave a brief explanation of this. Member Molera asked if the monies are returned back to the school district once they come into compliance. Mr. Ellel stated that monies are returned if the district comes into compliance within one year of the finding. President Tyree asked what is in place to make sure the district comes into compliance. Mr. Ellel stated the statute specifies the withholding of state funds and potential loss of funds as the mechanism encourage districts to come into compliance.

*Member Molera made a motion to determine that Topock Elementary School District No. 12 is in continuing non-compliance with the USFR for fiscal year ending June 30, 2012 and 2013 based on the reports of the Auditor General and move to direct the Superintendent of Public Instruction to withhold an additional 3% of the District's state aid (for a total of withholding of 8% of state aid) until the Auditor General verifies that the deficiencies have been met and that the District is in compliance. Dr. Rottweiler seconded the motion. Motion passed unanimously.*

## 2. Red Mesa Unified School District No. 27

Mr. Ellel spoke to the Board regarding the Red Mesa Unified School District noncompliance issue. Dr. Thomas Yazzie, Superintendent of Red Mesa Unified School District No. 27 addressed the Board and reported that since the beginning of his employment in 2012, this District has begun to put in place the audit compliance issues and highlighted the progress being made. He spoke about the District's financial hardships. He talked about the small successes of this rural school district and how the governing board and the administrative team is making progress with internal controls so they can come into compliance. Ms. Leanne Burns, a consultant with The Professional Group working with the District, spoke to the Board regarding Red Mesa Unified School District. She gave the Board information pertaining to fiscal years 12, 13 and 14. The District has taken immediate action, has made huge efforts and has consulted with financial consultants in coming into compliance. Ms. Thompson explained to the Board that the amount of withholding is at the discretion of the Board. Member Moore stated exceptions have been made. He talked about the timing issue with the Auditor Generals office in reviewing noncompliance issues.

Mr. Ellel reminded the Board this money can come back to the school if they become compliant within one year. Member Miller asked how many students come into the district from neighboring states. Four students currently do not receive state or federal funding. She stated the District Superintendent is committed to getting the District back in compliance. Ms. Burns stated there will be real progress by the end of this year and looks forward to helping the district get back into compliance. Mr. Moore asked the Department to consider assisting these rural schools in helping with their auditing.

*Member Molera made a motion to determine that Red Mesa Unified School District No. 27 is in non-compliance with the USFR for fiscal year ending June 30, 2011, 2012 and 2013 based on the reports of the Auditor General and move to direct the Superintendent of Public Instruction to withhold 3% of the District's state aid until the Auditor General verifies that the deficiencies have been met and that the District is in compliance. Dr. Rottweiler seconded the motion. Mr. Moore opposed. Motion passed.*

B. Presentation and discussion regarding rulemaking procedures for proposed amendments to Board rules R7-2-604 through R7-2-604.04 regarding professional preparation programs

Ms. Thompson spoke to the Board regarding this rule change. President Tyree asked to summarize the changes that are being proposed and the direction of the rule change. Ms. Thompson stated that the draft rule was presented to the Board in June 2014. A rules hearing was held and comments were made regarding the rule change. Revisions were made based upon comments and those revisions are now being presented to the Board. Member Molera spoke about traditional programs and alternative programs and doesn't believe merging the two is warranted. Ms. Thompson stated the rule changes proposed having a streamlined process for all of the mechanisms for professional preparation program delivery, while maintaining the additional privileges reserved for alternative programs. It was her understanding that the proposal sought to merge, where appropriate, the processes as traditional institutions continue to offer more alternative models of delivery. Member Molera stated his concern that information may not have gotten to the field. Ms. Thompson stated there will be another rules hearing in September and there will be additional opportunity for comment and discussion. Mr. Todd Peterson spoke to the Board and stated they were very cognizant in being inclusive of the alternative program and not to remove these programs but streamline the programs while still maintaining the intent of the alternative program.

Kelly McManus, Director of Policy for Stand for Children, spoke to the Board regarding concerns regarding data elements and guidance from this Board and stated as the Board who will hold these programs accountability, it should be the Board determining what those data elements are. She stated this Board should be the ones determining what the appropriate levels of deficiency vs sufficiency are and stated it is important for this Board to be the body to decide how to hold programs accountable.

*Presentation only. No action required.*

C. Presentation, discussion, and consideration to approve the Arizona Department of Education (ADE), the fiscal agent for the post-grant governance of National Center and State Collaborative (NCSC), to receive funds from state partners, related to the Alternative Statewide Assessment

Audra Ahumada, Director of Alternative Assessment and Dr. Leila Williams, Associate Superintendent Quality Assessment and Adult Education spoke to the Board regarding this item and gave a brief PowerPoint presentation. The Alternative Assessment is for students with significant cognitive disabilities and measures standards that are aligned to Arizona Alternate Academic Standards. In 2010 Arizona joined as a leader in the National Center and State Collaborative (NCSC) initiative to develop a new alternate assessment aligned to state academic content standards for students with significant cognitive disabilities. Moving forward, Arizona is leading the procurement process for the operational alternate assessment for Arizona and partner states. Arizona Department of Education requires that the State Board approve ADE as fiscal agent for the post grant governance of NCSC. As the fiscal agent for post-grant governance of

NCSC, Arizona will lead the procurement process for the operational new alternate assessment for Arizona and other states would voluntarily partner. Arizona will continue to administer AIMS A Science in grades 4, 8 and 10. A request to approve the NCSC assessment as Arizona's operational assessment for ELA and Mathematics will be brought to the State Board next month.

Member Ballantyne asked for more detail about the Department's involvement as a fiscal agent. Dr. Leila Williams explained this process. Member Rogers thanked Dr. Williams and Ms. Ahumada for their great work in this area.

*Member Ballantyne made a motion to approve ADE as the fiscal agent for the post grant governance of NCSC initiative to develop a new alternative assessment for children with significant cognitive disabilities. Member Jacks seconded the motion. Motion passed unanimously.*

- D. Presentation regarding the Board's responsibility to supervise and control the certification of teachers, including the disciplinary process

Mr. Charles Easaw, Chief Investigator with the State Board of Education and Ms. Jinju Park, Assistant Attorney General gave a brief overview to the Board. Mr. Easaw explained the role of the Investigation Unit, their responsibility for investigations for the entire State of Arizona and the types of investigations handled by the Unit. Ms. Park spoke to the Board regarding the role of the Attorney General's Office in regard to investigative complaints. She explained the role of the Professional Practices Advisory Committee (PPAC), their membership and their specific duties. Member Molera asked if the Court has ever overturned any of the Board's final actions. Ms. Thompson did not believe any of the Board's actions had been overturned. Vice President Miller asked if there is any concern in shortening the gap between information being reported to the national data base. Ms. Thompson stated due to the fact that other states have their own process in reporting, there isn't a specific timeline. Member Molera asked about the backlog of cases in the Investigation Unit. Ms. Thompson stated there is still a backlog but additional staff has been hired which will help in the caseload. Member Molera asked staff to put together backlog data to present to the legislature and the Governor's office in hopes of getting additional funding for the ability to fund additional staff. President Tyree asked if putting together a second PPAC committee would assist in the backlog and what kind of timeline does Board staff foresee in putting this together. Ms. Thompson addressed this and explained the process and timeline of putting a second PPAC committee together. The Investigation Unit does not contact schools asking whether there has been any immoral and illegal behavior. It is up to the school district to self-report to the Investigation Unit any immoral and/or illegal behavior by any teacher within their school District.

*Presentation only. No action required.*

- E. Presentation, discussion and consideration to accept the proposed negotiated settlement agreements to suspend teaching certificates held by the following individuals:

1. Delphine Wood

Mr. Charles Easaw addressed the Board and gave a brief overview of the circumstances involving this settlement agreement. Ms. Delphine Wood was not present at the Board meeting. On July 8, 2014 the PPAC recommended this Board accept a 2 year suspension with specific requirements involving substance abuse treatment/rehabilitation. Member Molera and Member Rogers stated a two year suspension is too light. Vice President Miller stated this is not a stiff enough suspension. Member Molera stated this Board has been very clear in the past that the PPAC's negotiation settlements have been far too lenient involving immoral and illegal behavior presented during PPAC hearings. The Board held a lengthy discussion regarding sufficient sanctions involving settlement agreements. President Tyree stated this Board needs to send the message to the PPAC that the terms of the settlement agreements coming before the Board have not been sufficient. Kim Anderson, Assistant Attorney General reminded the Board they are ultimately the final decision maker on all settlement agreements and their sanctions.

*Member Molera made a motion to reject the proposed settlement agreement for Delphine Wood. Member Jacks seconded the motion. Motion passed unanimously.*

2. Amy L. Lantz

There was no discussion regarding this item.

*Member Molera made a motion to reject the settlement agreement. Vice President Miller seconded the motion. Motion passed unanimously.*

- F. Board comments and future meeting dates. The executive director, presiding officer or a member of the Board may present a brief summary of current events pursuant to A.R.S. § 38-431.02(K), and may discuss future meeting dates and direct staff to place matters on a future agenda. The Board will not discuss or take action on any current event summary

Member Ballantyne stated the Arizona Chamber has been steadfast in their support of the Arizona College and Career Ready Standards. Member Molera concurred and stated this organization and many other major companies and corporations within the community understand the importance of the Arizona College and Career Ready Standards.

*Member Ballantyne made a motion to adjourn. Member Jacks seconded the motion. Motion passed unanimously. Meeting adjourned 12:07p.m.*