



INDIANA STATE BOARD OF EDUCATION

Business Meeting Minutes

May 10, 2017

9:00 AM (CT)

University of Evansville

Eykamp Hall, 2nd Floor

1800 Lincoln Avenue

Evansville, IN 47722

Board Members Present: Dr. Jennifer McCormick (Chair), Mrs. Cari Whicker (Vice Chair), Dr. Byron Ernest (Secretary), Mr. BJ Watts, Mr. Gordon Hendry, Dr. David Freitas, Dr. Maryanne McMahan, and Dr. Steve Yager.

Board Members Absent: Dr. Vince Bertram

- I. **Call to Order**
 - a. Superintendent Dr. Jennifer McCormick (Chair) thanked the University of Evansville and local education officials for hosting the Board's meeting.
 - b. Board members recited the Pledge of Allegiance.
 - c. University of Evansville President Dr. Thomas A. Kazee provided opening remarks.
 - d. University of Evansville officials presented information on the University's current initiatives.
- II. **Approval of Agenda**
 - a. Items D, E, and F in the Consent Agenda were added to New Business because the legislation effecting these items is new and the public should have an overview of the new laws so they can better understand our analysis.
 - b. The agenda was approved by voice vote.
- III. **Approval of Minutes**
 - a. The minutes from April 5, 2017 were approved by a voice vote.
- IV. **Statement from the Chair**
 - a. Dr. McCormick updated the Board on Senate Bill 567, which made the Gary Community School Corporation a distressed political subdivision and designated the Muncie Community School Corporation as fiscally impaired. The Board will assist both school districts in any way possible.
 - b. By September, 2022, all teachers teaching AP classes must have a Master's Degree or 18 credit hours in the subject they teach.
- V. **Board Member Comments and Reports**
 - a. Mr. Hendry mentioned that the Legislature will expand high-quality Pre-K funding by \$10 million to a total of \$22 million per year. The program was also expanded from five counties to twenty counties and could potentially quadruple the amount of children with access to high-quality Pre-K, which will set the foundation for better learning and success in our schools.



INDIANA STATE BOARD OF EDUCATION

- b. Mr. Hendry stated that the legislature took the right step to take immediate action in taking over the Gary Community School Corporation. He stated that this action was the right step to help Gary students.
- c. Mr. Hendry mentioned that the Legislature will replace ISTEP with ILEARN. The Board has been delegated significant responsibility to shape ILEARN and will work diligently to reduce test time and expenses, all while providing a more comprehensive and efficient test.
- d. Dr. Yager stressed that it is important that the Board enforce strict timelines. He stated that schools now know that timelines set by the Board mean anything now.
- e. Dr. Yager also stressed the importance of dual-credit classes in high schools. He stated that college graduation rates are positively correlated with the amount of dual-credit courses a student takes during high school.

VI. General Public Comment

- a. Megan Poage requested an update regarding teacher licensure.
- b. John O'Neal, Indiana State Teachers Association, requested for the Board to vote against voucher waivers for failing schools.
- c. John Elcesser, Executive Director for Indiana Non-Public Education Association, commented on the process for requesting a Choice Scholarship Waiver.

VII. Best Practices – Innovations in Education – Student Success

- a. None.

VIII. Consent Agenda

- a. The Consent Agenda was approved by voice vote.
- b. The items on the Consent Agenda were:
 - i. Approval of Fiscal Year 2018 ADM Count Dates
 - ii. Approval of Excellence in Performance Awards
 - iii. Approval of Mt. Vernon High School Appeal Recommendation
 - iv. Approval of Dr. Byron Ernest as Chair-elect of the NASBE Board of Directors

IX. Adjudications

- a. None.

X. New Business – Action

- a. Central Christian Academy Request for Choice Scholarship Waiver
 - i. Tim Schultz, General Counsel for the State Board, presented information regarding new Choice Scholarship Waiver legislation, including the role the Board plays in granting a waiver.
 - ii. Dr. Freitas asked if the three schools in question (Central Christian Academy, Turning Point School, and Lutheran South Unity School) met the legal standard for a Choice Scholarship waiver. Counsel Schultz stated that the schools did meet the legal standard for the Board to grant them a waiver because they demonstrated “academic improvement” since they went from D’s and F’s to A’s and B’s. The legislation does not specifically define what academic improvement means.
 - iii. Mr. Hendry stated that the Board would not be exceeding its authority to vote against the waiver because the Board has discretion. For example, the Board could make a policy decision to require two years of improvement instead of one year.



INDIANA STATE BOARD OF EDUCATION

- iv. Dr. Yager stated that whatever the Board decides today will establish precedent for similar Choice Scholarship waiver requests in the future.
 - v. Counsel Schultz stated that granting a waiver today would allow the schools to receive new Choice Scholarship students this year. But the schools would have to come back to the Board again next year to receive another waiver for new Choice Scholarship students because they are still in the consequence phase of the law.
 - vi. Dr. Freitas emphasized that the Legislature is holding private, Choice Scholarship schools to a higher standard than public schools because Choice Scholarship schools can only receive two consecutive D or F grades to enter the consequence phase of the law, not four consecutive D or F grades like public schools.
 - vii. Mr. Watts stated that this is a good law because it leaves school choice to parents, who know what is best for their children.
 - viii. Mr. Hendry stated that he agrees with Mr. Watts that this is a good law because it allows parents to send their children to a school that best fits their child. However, Mr. Hendry is concerned because the Board does not have two years of data to show that this one year of success is not a blip on a radar of consecutive failures.
 - ix. Motion fails for a lack of six statutorily required votes. The SBOE voted 5-3 (Dr. McCormick, Dr. Yager, and Mr. Hendry voted no).
 - x. [Discussion began at 21:44 in Part 2 of 5.](#)
- b. Turning Point School Request for Choice Scholarship Waiver
- i. Motion fails for a lack of six statutorily required votes. The SBOE voted 5-3 (Dr. McCormick, Dr. Yager, and Mr. Hendry voted no).
 - ii. [Discussion began at 21:44 in Part 2 of 5.](#)
- c. Lutheran South Unity School Request for Choice Scholarship Waiver
- i. Motion fails for a lack of six statutorily required votes. The SBOE voted 5-3 (Dr. McCormick, Dr. Yager, and Mr. Hendry voted no).
 - ii. [Discussion began at 21:44 in Part 2 of 5.](#)
- d. Assessment Update and Approval of ILEARN Plan
- i. Dr. Flores presented the Assessment update: ISTEP+ Part 2 has concluded.
 - ii. IREAD-3 results should be posted by May 12th.
 - iii. ISTEP information will be provided to the Board by June 16th.
 - iv. ISTAR standard setting will begin June 19th.
 - v. ILEARN Plan memo was presented to the Board.
 - vi. Concerns were brought to the table when Cynthia Roach, Senior Director of Accountability and Assessment, informed the Board that a different accountability test would be required for a small subset of students after ILEARN is implemented.
 - vii. The SBOE approved the ILEARN Plan memo with an 8-0 vote.
 - viii. [Discussion began at 0:27 in Part 3 of 5.](#)
- e. Ball State Authorizer Hearing Regarding Hoosier Virtual Charter School



INDIANA STATE BOARD OF EDUCATION

- i. Dr. Ernest has recused himself from all discussions regarding Hoosier Virtual Academy (HVA).
- ii. General public comments regarding HVA were moved to New Business.
 1. Rachael Borrelli, representing HVA, presented a petition to the Board asking for support.
 2. Chloe Dunlap, an HVA Student, advocated the merits of HVA.
 3. Lynett Swartz requested for the Board to support HVA.
 4. Jacklyn Chandler, an HVA student, advocated the merits of HVA.
 5. David Turner, an HVA student, advocated the merits of HVA.
 6. Emma Montgomery, an HVA student, requested for the Board to support HVA.
 7. Philip Kline, a concerned parent, advocated the merits of HVA.
- iii. Robert Marra from Ball State presented plans regarding the HVA action plan for school improvement.
- iv. Dr. McCormick questioned whether Ball State was using a data-driven or anecdotal approach to improving HVA and how Ball State can show improvement without accurate reporting instruments.
- v. Dr. McMahon questioned the tier structure of HVA and how Ball State intends to improve the structure moving forward.
- vi. Dr. McCormick questioned why so many HVA students were being expelled from school and how Ball State is working to combat high expulsion rates.
- vii. Mr. Watts questioned whether HVA will be aligned 100% with Indiana standards. Ball State officials stated that the school is aligned 100% with standards but not aligned 100% with other platform standards.
- viii. Mr. Yager asked whether public schools must be 100% with Indiana standards. Counsel Schultz stated that Indiana public schools must be 100% aligned with Indiana standards. Mr. Yager would like to know how aligned HVA is comprehensively.
- ix. Mrs. Whicker stated that K12 and HVA must be accountable for changing curriculums, like public schools.
- x. Dr. Freitas asked Mr. Marra why Ball State did not develop a comprehensive plan back when it received its charter. Dr. Freitas stated that he hopes any action the Board takes is directed at Ball State, K12, and other officials operating HVA, not HVA students and parents because HVA is receiving substantial taxpayer money.
- xi. Mr. Hendry stated that the authorizer, Ball State is not representing the Board; rather, the Board is monitoring the authorizer and providing them taxpayer money.
- xii. Mr. Hendry stated that HVA clearly works well for some people, but what we really need to address is why it is not working for many others. Mr. Hendry also stated that engagement is a major issue and that some sort of



INDIANA STATE BOARD OF EDUCATION

orientation should be implemented to ensure that HVA really is a good fit for them. Additionally, he stated that the State is spending around \$24 million for failure and that we cannot continue to do that with the current student performance, growth, and graduation rates. Mr. Hendry also said that two years ago he was the sole vote against not applying sanctions on HVA and that that all parties here are at fault, including Ball State and K12.

- xiii. Mr. Hendry is concerned about transitioning HVA to a different operator or potentially shuttering the school. Mr. Hendry advocated that for the next school year, Ball State's administrative fee should be reduced from 3% to 1% and that Ball State and K12 should seriously address expulsion and academic growth issues. Mr. Hendry also called K12 to bring additional resources to the table to refine their approach to HVA.
- xiv. Dr. Freitas stated that the Board should not limit enrollment at HVA because doing so harms students and parents in that it limits parental choice. Dr. Freitas proposed the option of allowing more enrollment to HVA but not permitting Ball State to receive an administrative fee from the new students in order to hold Ball State accountable for new-student success before receiving money from these students.
- xv. Mr. Watts and Mr. Hendry stated that siblings should be allowed to enroll because if HVA worked for one child in a family, it could very well work for a sibling. They stated that if parents make a conscious choice about sending another child to HVA, they must truly approve of the education they are receiving.
- xvi. Dr. McCormick stated that she believes in quality choice and holding charter school authorizers responsible for good leadership. She also stated that Ball State has failed too many students and should not receive even a 1% administrative fee.
- xvii. Dr. Yager stated that siblings should not be permitted because students are being shortchanged and that enrollment should be permitted solely for current students.
- xviii. Dr. Hendry stated that there are fundamental issues with HVA and that if there is not real change in a year, he will have a very different opinion on HVA.
- xix. The SBOE approved a measure to reduce the administrative fee that Ball State receives from 3% to 1% by a vote of 6-1 (Dr. McCormick voted no).
- xx. The SBOE approved a measure to freeze enrollment effective immediately except for siblings of those currently enrolled by a vote of 6-1 (Dr. Freitas voted no). Re-enrollment is not permitted under the measure.
- xxi. [Discussion began at 50:20 in Part 3 of 5](#) and continued into [Part 4 of 5](#).

XI. **Discussion and Reports**

- a. ILEARN Plan, cont.



INDIANA STATE BOARD OF EDUCATION

- i. Request For Proposal outline for ILEARN will be delivered to the Board by May 22nd for review and comments.
 - ii. [Discussion began at 0:00 in Part 5 of 5.](#)
 - b. Turnaround Academy Updates
 - i. Kelsey Wright from the Turnaround Academy presented information regarding Lincoln Community School, Glenwood Leadership Academy, and Caze Elementary School's improvements.
 - ii. [Discussion began at 2:50 in Part 5 of 5.](#)
 - c. SBOE Technical Advisory Committee Update
 - i. Cynthia Roach and Dr. Flores presented information from the SBOE Technical Advisory Committee (TAC) regarding testing.
 - ii. The TAC will meet in July and hopes to have a recommendation based off CORE results by August or early September
 - iii. [Discussion began at 23:37 in Part 5 of 5.](#)
 - d. ESSA Update
 - i. The Department of Education (DOE) is holding community meetings in all nine congressional districts and working with technical groups to discuss ESSA.
 - ii. The first ESSA draft will be completed in July and will be submitted to the Governor by August 15th and to the U.S. DOE by September 18th.
 - iii. [Discussion began at 40:48 in Part 5 of 5.](#)
 - e. Legislative Session Update
 - i. Alicia Kielmovitch, SBOE Public Policy Fellow, provided information regarding the 2016-17 legislative session.
 - ii. [Discussion began at 44:43 in Part 5 of 5.](#)
 - f.
- XII. **Adjournment**
 - a. Board adjourned meeting by a voice vote.