



# INDIANA STATE BOARD OF EDUCATION

## INDIANA STATE BOARD OF EDUCATION BUSINESS MEETING MINUTES

March 12, 2015  
9:00 a.m. (EDT)

Indiana Government Center South  
Conference Room B  
302 West Washington Street  
Indianapolis, Indiana 46204

Board Members Present: Superintendent Glenda Ritz (Chair), Mr. Troy Albert, Mr. Dan Elsener (Secretary), Dr. David Freitas, Mr. Gordon Hendry, Ms. Andrea Neal, Mrs. Sarah O'Brien, Dr. Brad Oliver (by phone), Mr. Tony Walker, Mr. B.J. Watts, and Mrs. Cari Whicker.  
Board Members Absent: None.

### **I. CALL TO ORDER**

- Superintendent Ritz called the meeting to order, the pledge of allegiance was recited, and roll was called. The roll reflected all members present.

### **II. APPROVAL OF AGENDA**

- Superintendent Ritz stated she has had requests to move items on the agenda up in the meeting to accommodate guest speakers. Specifically: 1) that there will be two parts to the assessment update, with the first part right after the Consent Agenda, 2) Arlington will be moved up in the Action Agenda to combine it with Action Item B – Emma Donnan SBOE Intervention.
- Dr. Freitas requested that, under the Consent Agenda, the Board only approve the Perkins state plan budget, and move the attrition and persistent rate report and the industry certifications to the April 1, 2015 meeting. The Board had no objections to these changes. The Board voted to approve the agenda 11-0.

### **III. APPROVAL OF MINUTES**

- Upon motion and second, the Board approved the minutes from January 7, 2015, February 4, 2015, and February 13, 2015 meetings by votes of 11-0.

### **IV. STATEMENT OF THE CHAIR**

- Superintendent Ritz expressed excitement that the 2013-14 graduation rate is up to 89.8%, and the non-waiver graduation rate went from 81.7 to 83.4%. She said it's been a long time since there has been an increase there. Further, she stated that students in CTE courses had a graduation rate of 95%. Superintendent Ritz stated that the goal in Indiana is having pathways for all students and that this is exciting news.
- Superintendent Ritz continued that the U.S. Department of Education is going to be requiring the Department to have educator equity plans and that the Department will be submitting a plan to ensure that Indiana has effective and highly effective teachers in lower performing schools. She said the Department will be working with the Great Lakes Comprehensive Center and the Center on Great Teachers and Leaders to assist the Department in this work.

### **V. BOARD MEMBER COMMENTS AND REPORTS**

- Mrs. O'Brien commented that this week the Department of Administration announced successful vendor bids for the upcoming standardized assessments in 2015-16. She stated that there have been concerns about testing time and costs. Ms. O'Brien stated that she expects there to be a review of these issues to ensure the test is appropriate. She also stated that she expects the contract terms to reflect the will of the Indiana Education Roundtable requirements and will incorporate Board recommendations; she then requested this item to be placed on the agenda for the April 1, 2015 meeting. Ms. O'Brien stated that she wanted work to be done to ensure the new test will be cost effective and that she would appreciate the opportunity to hear from Board staff regarding ways this can be done.
- Dr. Freitas echoed what Ms. O'Brien stated regarding the cost of the assessment. He pointed out that what is in the vendor responses represent the maximum of what can be spent. He stated that the number will hopefully come in much lower. Dr.

Freitas stated that the other huge issue is the number of hours to take the test. He said it's out of sync with what it should be. He said the new assessment must not be unreasonably long and asked Board staff to come back at the next Board meeting in April with recommendations to address those two issues and other related issues. He stated that guardrails need to be put into place by the Board to make sure the test is not unreasonably long and that it is cost effective.

- Ms. Neal added that Indiana is spending an obscene amount of time and money on federally mandated standardized testing. She urged that Indiana wait to enter into the assessment contract until after legislative session and Senate Bill 566, which is the bill that would replace the ISTEP with an off the shelf test.
- Mr. Walker commented that we should be careful about watering down the ISTEP test. He said part of the thinking behind more rigorous standards is to require more of students. He stated that open ended questions and longer test times are a natural result of more rigorous standards and the importance of students having critical thinking skills.

## **XI. DISCUSSION AND REPORTS (bifurcated and partially taken out of order to address a portion of the Assessment Update out of order)**

### *E. Assessment Update (bifurcated and partially taken out of order)<sup>1</sup>*

- At this time Superintendent Ritz invited Jessica Robertson, Director of the Department of Administration, to address the Board. Ms. Robertson began by walking through the RFP timeline and process, using a PowerPoint presentation. She stated that there were multiple components, and that vendors could bid on one or more components for competitive pricing.
- Ms. Whicker commented that her concern is that, when you look at the overall evaluation score and the quality score, Pearson, who was awarded the contract, was placed third out of four regarding the ISTEP in quality. She stated that Indiana students deserve the best quality available. She also said the cost score concerned her, where Pearson scored a three out of four. Ms. Whicker said the taxpayers should be given the most cost effective test.

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<sup>1</sup> The Department of Administration presentation can be viewed at [http://www.in.gov/sboe/files/RFP\\_15-016\\_Overview\\_Deck\\_v03112015\\_Revised-SJ.pdf](http://www.in.gov/sboe/files/RFP_15-016_Overview_Deck_v03112015_Revised-SJ.pdf). The Department memo can be viewed at [http://www.in.gov/sboe/files/Spring\\_2015\\_ISTEP\\_Post-Assessment\\_Timeline\\_3-3-15.pdf](http://www.in.gov/sboe/files/Spring_2015_ISTEP_Post-Assessment_Timeline_3-3-15.pdf).

- Ms. Robertson responded that the pricing that the Board sees today is a preliminary price that is subject to negotiation. She also stated that there were four vendors, and the highest technical score was 33.6 and the lowest technical score was 25.16. Pearson landed in the 27.34 range. She said there is not much difference overall. Ms. Whicker responded that to her an eight point difference is a big difference. Ms. Robertson stated that multiple factors were considered, with cost and quality as important ones; she said the process yielded these results.
- Ms. O'Brien thanked Ms. Robertson for her work. She asked about the amount of the total funding; she asked at what point it was known that this would be the amount Indiana would be looking at. Ms. Robertson stated that back in October the cost proposals were submitted. Ms. Robertson reiterated that the \$134 million figure is the maximum figure for moving forward with every single component. She said decisions can be made to prioritize finding. Ms. O'Brien then asked how, moving forward, that the Board can ensure the new ISTEP is costs effective.
- Ms. O'Brien asked for Cynthia Roach, the Board's Chief Assessment and Accountability Officer, to address how those concerns can be addressed. Superintendent Ritz commented that Ms. Roach could be heard after Ms. Robertson's presentation.
- Dr. Oliver asked about next steps and negotiations, and when the Board authorizes the test. Ms. Robertson recommended holding off on contract negotiations until after the appeal process. Superintendent Ritz said the cost was known when the bid was released. Ms. Robertson said the proposals were handed over in their entirety to the Department as part of the process.
- Ms. Neal said since there is legislation that could change the entire process it might be wise to suspend the process until after the legislative session. Ms. Robertson said that is up to the Board to decide. Ms. Robertson said the vendor responses are all public at this point.
- Dr. Freitas asked about separate reading scores. He said he was concerned that there are things on the list of disaggregated activities that no one has approved. Dr. Freitas added that there may be components in the RFP that weren't approved or needed. He said removing these items could get the cost back down to what it is currently. Ms. Robertson stated that that information is available now for the Board to look at.
- Mr. Hendry added that Pearson was third in quality and third in cost. However, they scored highly in Indiana economic impact and "buy Indiana", he said. Mr. Hendry said that was a primary factor in scoring. He asked for clarification on those

- categories. Ms. Robertson stated that this is the measure of Hoosier full time employees that will be employed from this contract. She went on to say that veterans, minorities, and women providing services also factor into the scoring. Ms. Robertson stated that Pearson is not based in Indiana, and that they met their definition through payroll and tax payments, among others. Mr. Hendry pointed out that the legislature set forth multiple factors that must be considered by the Department of Administration in making these decisions.
- Ms. Neal stated that she felt there is a problem in the definition of Indiana impact if the compact is not an Indiana company. Ms. Neal said the process favored a huge multinational company rather than Indiana impact. Ms. Robertson added that the procurement process must favor competition. Mr. Hendry thanked Ms. Robertson for her service.
  - Ms. Roach then made the following recommendations to reduce costs for the current ISTEP:
    - Given that item development is expensive, she recommended looking at what items we already own that are aligned to the new standards
    - Ensuring there is not an overabundance of reading passages
    - Looking at whether we can still get a growth score for grades 3-10 without a grade 9 test
    - She also stated that there are other areas in the RFP that could be reduced to save cost, for example:
      - K1-2 science and social studies test could be eliminated
      - Eliminating a grade 9 formative assessment
      - Eliminating grade 9-10 formative assessments in social studies
  - Dr. Freitas asked staff to closely monitor that reliability and validity are not sacrificed. Ms. Roach agreed.
  - Dr. William Auty spoke next. Dr. Auty invited Board members questions based on the expert report that had been submitted. Upon inquiry from Dr. Freitas, Dr. Auty summarized the report by saying there are options. He said testing time is a variable. He said options were put forth so the best compromise could be reached. Mr. Walker asked about how much time open ended items are adding, and Dr. Auty stated that they do add a significant amount of time. Dr. Auty did also mention there are advantages to open ended questions. Mr. Walker asked how Indiana compares to other jurisdictions in terms of subject matter covered on the test. Mr. Auty responded that it's roughly comparable.

- Mr. Auty stated one thing that was unusual was to include writing at every grade level. He said another difference is that other states have shorter tests for younger students.
- Dr. Freitas asked about higher order thinking skills in assessments. Dr. Auty responded that shorter multiple choice items can reflect higher order thinking skills. He said reading passages can take a lot of time, and should be an area to look at. Dr. Auty stated that there are answers to these solutions regarding the coming ISTEP. Upon inquiry by Dr. Freitas concerning whether the 2015-16 test and beyond can be one that doesn't cost more, doesn't take more time for kids to take, and is more highly sophisticated, Dr. Auty stated that those are the goals but there are lots of options to consider. Dr. Auty said Indiana can definitely move closer to that.
- Upon inquiry by Ms. Neal, Dr. Auty said it does cost more to score open ended items.
- Superintendent Ritz invited Dr. Michele Walker, Director of Assessment at the Department, to address the Board concerning some of the questions raised. Dr. Walker stated that students can respond to a multiple choice question in slightly less time than a technology enhanced item. She also stated that they also look at the rigor of the question when determining how long it takes a student to take it. Dr. Walker continued that the test covers everything except listening and speaking. Dr. Walker said there is a requirement to assess the range of the standards. Regarding open ended questions, Dr. Walker said higher order thinking can be assessed by multiple choice items and technology enhanced items, but that having students demonstrate in an open-ended way their thinking process is a critical piece in Indiana. She said it's required by law and by Indiana's standards. She also said release of questions is a requirement by law.
- Dr. Walker added that the assessment cost for this year compared to the new one is like apples and oranges. She said the reason for that is a 9<sup>th</sup> grade test, and component 1 includes 10<sup>th</sup> grade, which is separate currently in end of course assessments ("ECAs"). Dr. Walker stated that the cost was more because of two grade levels added. Dr. Walker said the Department decides how many open ended items to include based on the recommendations of educators.

**B. Broad Ripple Magnet School and John Marshall Community School/Marzano Update (taken out of order)<sup>2</sup>**

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<sup>2</sup> A memo from Marzano Research can be viewed at [http://www.in.gov/sboe/files/Marzano\\_document.pdf](http://www.in.gov/sboe/files/Marzano_document.pdf).

- Jennifer Norford, from Marzano Research, addressed the Board. Ms. Norford stated that Marzano uses research to provide tools that schools can use for the betterment of education. She said Marzano is supporting effective instruction in Broad Ripple and John Marshall. Ms. Norford then outlined for the Board the research that goes into what Marzano does. She spoke about the art and science of teaching, and explained some of what Marzano’s research has revealed regarding effective teaching. Ms. Norford also outlined the work being done at Broad Ripple and John Marshall.
- She went on to say that site visits were conducted, and then a lot of work took place in December; Ms. Norford explained some of the successes and challenges. Ms. Norford stated that recommendations are to improve communications and setting expectations and check-ins.

**VI. GENERAL PUBLIC COMMENT (public comments on specific agenda items are taken at the time each item is before the Board)**

- The Board had one general comment: Caryl Auslander, the Vice-President of Education and Workforce Development for the Indiana Chamber of Commerce, who addressed the Board. Ms. Auslander stated that she had concerns about the issue concerning CREDO. She said that issue should worry taxpayers who value transparency. She said CREDO provides useful data about charter schools, and that destroying data would not be a good thing. Ms. Auslander said the Chamber of Commerce is against destroying the data.

**VII. CONSENT AGENDA**

*A. Career and Technical Education Approvals<sup>3</sup>; B. Common School Loan Applications<sup>4</sup>*

- The Board voted 11-0 to approve the consent agenda by voice vote. The approval of Item A did not include the attrition and persistent rate report and the industry certifications. The Board then took a brief recess.

<sup>3</sup> A Department memo can be viewed at [http://www.in.gov/sboe/files/3-5-2014\\_CTE\\_memo\\_to\\_SBOE-Perkins-DataReport-IndustryCerts.pdf](http://www.in.gov/sboe/files/3-5-2014_CTE_memo_to_SBOE-Perkins-DataReport-IndustryCerts.pdf).

<sup>4</sup> A Department memo can be viewed at [http://www.in.gov/sboe/files/Board\\_Request\\_March\\_2015.pdf](http://www.in.gov/sboe/files/Board_Request_March_2015.pdf).

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## VIII. ADJUDICATIONS

- There were no adjudications to address at this meeting.

## IX. NEW BUSINESS – ACTION

### A. Determination to Implement IC 20-24-2.2-3(b)<sup>5</sup>

- John Snethen, General Counsel to the Board, explained the Board's options for this hearing. He stated that when a charter school is in its fourth straight year of a failing grade, the Board has the option to: 1) transfer the school to a different authorizer, 2) order the school to close, 3) order a reduction in the administrative fees the authorizer receives, or 4) if the Board finds there is sufficient justification for the school's performance it can take no action.
- Superintendent Ritz moved to adopt Board staff's recommendation to take no action at this point and Ms. Neal seconded the motion. Mr. Hendry said he would vote against the motion to take no action. He said four years of F grades justifies accountability. He said at a minimum he would require Ball State to take some or all of its administrative fees and put those back into the schools.
- Dr. Oliver commented that he was concerned about the politicization of this issue because these schools are charters. He said the Board must look at the evidence. He said the evidence is that the students in these schools are very transient. He said some students attend these schools because they have not done well in their home districts, and some attend Hoosier Academy as a short term online solution for students who are struggling. Dr. Oliver expressed concern about closing these options, but said he agreed with Mr. Hendry regarding the fees.
- Dr. Freitas added that these schools are not typical charter schools. He said these schools serve students who have not been successful in a traditional school environment. Dr. Freitas said if it wasn't for these schools, some of these students may be in the prison system, and that he was not ready to give up on them. He said

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<sup>5</sup> The Board staff memo can be viewed at

[http://www.in.gov/sboe/files/Balll\\_State\\_Charter\\_Authorizer\\_Memo\\_to\\_Bd\\_-\\_Final\\_2.pdf](http://www.in.gov/sboe/files/Balll_State_Charter_Authorizer_Memo_to_Bd_-_Final_2.pdf).



- they need more flexibility because of the special circumstances. He stated he was for waiting a year and monitoring. He said he agreed with the authorizer being required to provide support for improvement.
- Mr. Elsener asked that if the fee is reduced, will that take away money from the schools. Robert Marra, from Ball State, clarified that they do charge 3%. He said they use that money to pay salaries and that they also bring that money back and use it for things like the NWEA test, professional development, and a professional in the field if there are governance issues. Mr. Marra stated that an authorizer can't micromanage the schools. He said they also pay for the schools' fiscal audits as well. Mr. Marra also stated that Ball State does close schools, and recently closed two schools. Mr. Marra stated that with Hoosier Academy and Options Noblesville it is difficult to measure success.
  - Ms. Neal added that the accountability model does not work to measure these schools. She stated that Ball State has had an exemplary record. Mr. Watts stated that there are no other ways to measure success in these schools. Mr. Walker said he agreed with Mr. Hendry. He said the same accountability model used for traditional schools should apply to charter schools. He said there should be exceptions for Options and schools like that, given the population they serve. Mr. Walker asked about the student populations at Hoosier and Options. Mr. Marra responded that the population is very transient, there is a high special education cohort, and also the students tend to be very academically behind when they enroll.
  - Mr. Elsener commented that there has been a good case made that there are some schools so unique that they should not be graded under a traditional system. He said the goal should be to look at how far the students in these schools have advanced.
  - Mr. Albert pointed out that it is unjust when these students leave the traditional school they went to, increasing that school's numbers, and then entering a school like Options, thereby decreasing its school grade. Mr. Albert stated that is an important consideration.
  - The Board voted on a motion and a second to amend the motion to include that Hoosier Academy and Options Noblesville will be brought back in a year. This motion carried 11-0.
  - The Board then voted on the main motion that no action be taken against Options in Noblesville and that the Board look at its performance in one year. The Board voted 10-1; Mr. Hendry voted no.
  - Upon motion and a second to take no action regarding Hoosier Academy but to bring them back in a year, the Board moved to discussion. Mr. Walker stated that he

thought Hoosier was a different circumstance. Mr. Marra said Hoosier is unique because of a quick turnaround and that it is a short term solution for many students. Dr. Byron Ernest, from Hoosier Academy, clarified that it is a virtual school. Dr. Ernest stated that when students come to them they are very far behind. Upon inquiry from Mr. Walker, Dr. Ernest said their mission is to bring in all students who need an alternative environment.

**-- Ms. Neal left the meeting --**

- Mr. Walker said Hoosier is a distinction because it is not targeting special populations. Ms. Whicker stated that even though they may not be targeting special populations, they are serving special populations. Dr. Freitas said he recommended having Hoosier come back in a year after the criteria has been established. Superintendent Ritz added that the Department has had concerns in the past, but that the outreach coordinator has seen recent success.
- Dr. Oliver pointed out that Dr. Byron Ernest is a former teacher of the year. He said many of these students are going through medical issues, or are being bullied, etc. The Board voted 8-2 to carry the motion; Mr. Hendry and Mr. Walker voted no (Ms. Neal had left the meeting).
- Dr. Freitas moved that Board staff work with the Department and other organizations to create a set of criteria to determine the feasibility of special population schools given the A-F accountability system, and Mr. Walker seconded the motion. The Board voted to carry the motion 10-0 (Ms. Neal had left the meeting).

**B. Emma Donnan SBOE Intervention – IPS/CSUSA**

- Garry Holland signed up for public comment to address the Board first. He stated that he is part of a community group for educational parity. He said in working with IPS he has seen an interest in working to establish education parity and improving instructional practice. He said they support Charter Schools USA (CSUSA) without hesitation.
- Robert Guffin, Executive Director to the Board, said CSUSA and IPS have been working together regarding a K-6 school at Emma Donnan. Superintendent Ritz pointed out that action has already been taken to extend the contract with Emma Donnan for another two years. Dr. Lewis Ferebee, Superintendent of IPS, addressed

the Board. He said they have been working on contract terms. He stated the goal will be to have a contract and plan before the Board in April. Dr. Ferebee stated that they are looking to establish an innovation type agreement. Mr. Elsener thanked both sides for leadership on this issue, but encouraged that it be decided by the April 1 Board meeting.

- Mr. Guffin added that Board staff has been assertive on behalf of the Board in the process. Dr. Freitas asked about the Board being part of the agreement. Mr. Snethen responded that the Board will not be a party to a 1321 contract, but the Board does have the contract with the grades 7-8. He said the terms of that contract can be aligned with the 1321 contract to create a seamless, aligned governance model in line with the Board's authority and obligations.

*D. Arlington SBOE Intervention (taken out of order)<sup>6</sup>*

- Dr. Ferebee informed the Board about the transition back to IPS. He spoke about operations, funding, parents and the community, enrollment, student records, special education services, human capital, instructional focus, and performance targets. Dr. Freitas recommended performance indicators for Arlington. Superintendent Ritz stated that the Department coordinator would be happy to work with IPS regarding performance. Mr. Watts stressed the importance of progress.
- Mr. Elsener moved to approve the plan presented with two provisos: 1) that a contract be finalized with Mass Insight or another partner by April 1, 2015, and 2) that clear metrics be established going forward based on national research and others that are critical indicators of success. Mr. Elsener said he would like more detail on the presentation and that the Board would maintain oversight until the provisos are accomplished. Mr. Watts seconded the motion. Dr. Freitas said he would like to wait to see the metrics at the next meeting before approval. Mr. Walker said he believes this is the right model and that he is willing to vote yes today based on the concept. Mr. Walker also stated that he will be asking the Board to vote yes on the same issue regarding Roosevelt in Gary soon.
- The Board voted on Mr. Elsener's motion and the motion carried 10-0 (Ms. Neal had left the meeting).

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<sup>6</sup> The IPS memo can be viewed at [http://www.in.gov/sboe/files/SBOE\\_Arlington\\_Transition.pdf](http://www.in.gov/sboe/files/SBOE_Arlington_Transition.pdf).

C. Dunbar-Pulaski Academic and Career Academy SBOE Intervention<sup>7</sup>

- Mr. Walker moved to close Dunbar-Pulaski Academic and Career Academy and Dr. Freitas seconded the motion. Mr. Walker commented that he has lived in Gary for decades and that he personally knows how difficult this decision is. He said the fact of the matter is that the population in Gary has dropped dramatically and continues to decline. He applauded the city administration for appreciating the austerity that is needed. Mr. Walker stated that Gary is living in an economic reality that no one likes, but must be acted upon. He said he doesn't want to have to do this but has no doubt in his mind that this is the right thing to do for the long term.
- Mr. Walker continued that currently Roosevelt is under the Board's jurisdiction that offers 7-12<sup>th</sup> grade. He said that school is improving. He said there is a shrinking amount of resources in Gary, and Gary may take another funding hit after the current session. He said Gary has a 5.4 million dollar debt to the power company. Mr. Walker informed that ten buildings in the corporation have had the power cut off. Mr. Walker said there isn't enough money to focus on this one school. He stated that the money must be spread out to other schools. Mr. Walker pointed out that Roosevelt about a mile away from Dunbar, and offers the same grade levels. He said both buildings have had maintenance issues, and keeping Dunbar open causes a drain on resources in terms of maintenance.
- Mr. Walker then reiterated that Roosevelt is a Gary school, even though currently under intervention. He said it's part of the feeder system. Mr. Walker said he would like to move forward with a turnaround model, like with Arlington, and apply it to Roosevelt to complete the plan. Mr. Walker also expressed the importance of schools having a sufficient population. He continued that, in light of all these facts, it does not make sense to have both schools open a mile apart that offer the same grades.
- Ms. O'Brien said she feels the weight of the students at Dunbar; she asked for this decision to be delayed to the next meeting so more information could be presented regarding what the effects would be in closing the school, and how the transition would take place. Ms. O'Brien said she is leaning to agree with Mr. Walker but would like concrete answers to some questions she has about the impacts.
- Superintendent Ritz discussed the Department's high risk plan for the district that included Dunbar. Mr. Walker stated that he appreciates Ms. O'Brien's request but

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<sup>7</sup> The Department memo can be viewed at [http://www.in.gov/sboe/files/DP\\_Intervention.pdf](http://www.in.gov/sboe/files/DP_Intervention.pdf).

that the issue needs to move forward today for planning purposes. He said all of the information is currently available.

- Senator Earline Rogers addressed the Board. She stated that she disagrees with Mr. Walker on this issue. She stated that she was born and raised in Gary, and taught in Gary. She said she is the ranking minority member of the Senate Education Committee. Senator Rogers spoke about some of the beautiful parts of Gary, including the beach front. She also said good things about the mayor of Gary. She stated that Dunbar is still viable. Senator Rogers stated that the mayor of Gary is also in support of keeping Dunbar open. Senator Rogers moved on to state that the Superintendent's high risk plan is a good plan that will work. She said the decision to close Dunbar belongs to Gary.
- Teresa Brown, Assistant Superintendent of School Improvement, said the Department has been working in Gary and with Dunbar and that they are starting to see traction. Dr. Cheryl Pruitt, Superintendent of Gary Schools, addressed the Board next. Dr. Pruitt said she thanked all of the partners that have worked with Gary. Dr. Pruitt said a holistic plan is what is needed for Gary, and that the Board requested a holistic plan in the past but that now the conversation has shifted to just Dunbar. Dr. Pruitt then spoke about some of the changes that have been made at Dunbar since it was closed previously.
- Dr. Pruitt said that recently students had to be moved from Dunbar due to maintenance issues for a short time but that the issues were fixed. Dr. Pruitt expressed that Dunbar should remain open.
- Ms. O'Brien asked if Dunbar can be maintained at the level required to see academic improvement given the current financial environment. Dr. Pruitt responded that she believed so, but that currently the legislators are talking about a significant decrease in funds to Gary over the next few years.
- Mr. Hendry commented that there are a lot of positive things going on in Gary. He said this is an opportunity for the Board to help Gary. He went on to say there are too many fixed costs related to the facilities, and those costs aren't helping kids. He said consolidation will help students in Gary.
- Dr. Freitas commented that Mr. Walker is a well-respected Board member from the Gary district. He asked if this is in the best interests of the children. Mr. Walker said the options for the students will be better both short term and long term.
- Mr. Elsener added that Dunbar is a chronically failing school. He said the school can't be left in the situation it's in. Mr. Elsener said the Board is in a position that it must

consolidate efforts for the benefit of students. He said it's a hard decision and he thinks it's absolutely the best solution.

- Ms. Whicker said she agrees changes need to be made, but that she would like to see a plan, that she would like to see what would happen if Dunbar is closed. She stated that she needs more information. Ms. Whicker said she knows how hard it is to close a school given that her district had to close an elementary. The Board voted 6-4 to close Dunbar-Pulaski; Mr. Albert, Superintendent Ritz, Ms. O'Brien, and Ms. Whicker voted no.

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*E. Freeway Schools, Approval of Draft Contract and Recommendations on Procedure*<sup>8</sup>

- John Elcessor signed up for public comment regarding this issue. He stated that he appreciated the work of everyone involved to create a document that everyone can support.
- Superintendent Ritz invited George Frampton, Director of Accreditation at the Department, to inform the Board. Mr. Frampton stated that there is a legal requirement of a freeway contract for accreditation. He said the Board will be adopting the contract, and that is the recommendation of Board and Department staff. He said the goal was not to include anything in the contract that was not mentioned in the statute.
- Upon motion and a second, the Board voted 9-0 (Ms. Neal had left the meeting and Mr. Elsener had stepped out for a moment) to adopt the freeway contract.

*F. Approval of Adjusted Cut Scores for Licensure Exams*<sup>9</sup>

- Risa Regnier, Assistant Superintendent of School Support Services at the Department, addressed the Board. She began by stating that there isn't an option to make the scores retroactive given that the rule is a proactive rule, with cut scores moving forward. Ms. Regnier also stated that there are practical problems with making the rules retroactive, including issues with teacher preparation programs and impact on degrees awarded. Further, she stated that Indiana has never made

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<sup>8</sup> A Board staff memo can be viewed at [http://www.in.gov/sboe/files/FREEWAYdocument\\_2.pdf](http://www.in.gov/sboe/files/FREEWAYdocument_2.pdf).

<sup>9</sup> A Department memo can be viewed at [http://www.in.gov/sboe/files/merged\\_CUT\\_SCORES\\_document\\_3.pdf](http://www.in.gov/sboe/files/merged_CUT_SCORES_document_3.pdf).

scores retroactive and Pearson told her they have never seen that happen before either.

- The Board discussed potential options to help teachers taking the test during the 90 day waiting period for the new cut scores to come into effect. Mr. Guffin stated that staff recommends approving the cut scores today to start the 90 day period as soon as possible, and then staff can look at options, if there are any, to help test-takers in this 90 day period. Ms. Regnier added that the Board followed proper procedure in approving the initial cut scores, and now that more information is available the cut scores can be adjusted. Ms. Regnier added that the new cut score information will be communicated out to the field so test-takers have the option to wait out the 90 day period.
- Dr. Freitas moved for final adoption of the recommended Panel B cut scores, Mr. Watts seconded the motion and the Board voted 10-0 to carry the motion (Ms. Neal had left the meeting).
- Dr. Oliver asked if there was a plan to look at other content areas for the adjustment of cut scores and the Pearson representative Dr. Nancy Hahn said there is a plan to do that and that they will be working with the Department.

*G. Approval of University of Saint Francis new teacher prep program proposal<sup>10</sup>*

- Scott Bogan, Coordinator of Educator Preparation at the Department, informed the Board on this agenda item. He said REPA III requires Board approval of new educator preparation program proposals. Mr. Bogan stated that what the Board is approving is not the master's program, but the secondary transition to teaching component of that master's program - the licensure part of that program. Mr. Bogan added that these programs are reviewed annually by the programs' annual reports.
- Dr. Freitas asked if national standards for evaluating online programs were used. Mr. Bogan stated that they did not in this case but that they could possibly in the future. He stated that in this case they used the same standards as traditional programs, the NCATE standards. Dr. Freitas said he cannot vote to approve for that reason. He said online programs are substantially different than face-to-face programs. Dr. Oliver commented that there is not a set of uniform standards to his knowledge for online delivery. He said he believes it's up to the university. Mr. Elsener stated that delivery

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<sup>10</sup> The Department memo can be viewed at [http://www.in.gov/sboe/files/St.\\_Francis\\_document\\_4.pdf](http://www.in.gov/sboe/files/St._Francis_document_4.pdf).

is a separate issue, and that the Board has not gone that far before. Previously, the Board has been involved in quality, not delivery.

- Mr. Elsener moved to approve the University of St. Francis secondary transition to teaching option of the online Master of Arts in teaching, and Mr. Hendry seconded the motion. The Board voted 9-1 to approve the program; Dr. Freitas voted no (Ms. Neal had left the meeting).

#### H. A-F Appeals Process Resolution<sup>11</sup>

- Upon a motion by Dr. Freitas, and a second by Mr. Watts, the Board approved the appeals process by a vote of 10-0.

#### I. Extension of ISTEP Part 2 Testing Window<sup>12</sup>

- Dr. Walker, from the Department, explained that the recommendation is for the Board to approve the part 2 window which would add five days to the front of the paper/pencil window so the window would be April 20 – May 8, 2015 and two days to the front end of the online window resulting in a window of April 23 – May 15, 2015.
- Superintendent Ritz moved to adopt this recommendation and Mr. Watts seconded the motion. The Board voted 10-0 to adopt the new windows (Ms. Neal was absent from the meeting at this time).

### X. BEST PRACTICES – INNOVATIONS IN EDUCATION – STUDENT SUCCESSES

- This item was not discussed.

### XI. DISCUSSION AND REPORTS (continued)

#### A. SBOE staff update

<sup>11</sup> The new Board approved A-F appeals process can be found at [http://www.in.gov/sboe/files/A-F\\_Appeals\\_Process\\_Resolution.pdf](http://www.in.gov/sboe/files/A-F_Appeals_Process_Resolution.pdf).

<sup>12</sup> The Department memo can be found at [http://www.in.gov/sboe/files/Spring\\_2015\\_ISTEP\\_Part\\_2\\_Testing\\_Window\\_Extension\\_Options\\_3-3-15.pdf](http://www.in.gov/sboe/files/Spring_2015_ISTEP_Part_2_Testing_Window_Extension_Options_3-3-15.pdf).



- Mr. Guffin expressed gratitude for the work of the Board and stated that staff enjoys working with the Board.

*B. Broad Ripple Magnet School and John Marshall Community School/Marzano Update*

- This item was addressed earlier in the agenda.

*C. Data Sharing (CREDO)*

- Bernice Corley, General Counsel to the Department, addressed the Board. Ms. Corley said the Department is terminating a data share agreement with CREDO from 2009 to 2014. She gave the Board some background regarding the agreement, including that the agreement was that CREDO would conduct research to improve instruction in Indiana. Ms. Corley claimed the agreement violated the Family Educational Rights and Privacy Act (“FERPA”) because it was not specific enough, and claimed that CREDO did not uphold parts of their share of the agreement. She also stated that all data under the agreement is to be destroyed because it is no longer needed and the intent is to terminate the agreement.
- Dr. Freitas asked for a list of data share agreements that the Department has currently, and Ms. Corley responded that she would provide that information to the Board. Dr. Freitas said data is important for a policy making Board to make informed decisions.
- Mr. Hendry asked if CREDO was notified to cure the claimed breach of the agreement. Ms. Corley claimed that CREDO said they could not comply and historically were not required to do certain things. Mr. Hendry said he is trying to understand why the Department would sever the relationship with Stanford University CREDO completely given Stanford’s great reputation. Mr. Hendry asked if there was any sort of cost-benefit analysis done. Ms. Corley stated that, with regard to getting the data back, there was not a close conversation between CREDO and the Department. She said there wasn’t communication that the Department was using that information.
- Upon inquiry by Dr. Freitas, Ms. Corley stated that information was provided by CREDO when requested, but that some things were not done as required by the contract. Dr. Freitas said he hated to see something so positive go down because of a disagreement among attorneys. He asked if there was a way to repair and continue the relationship. Ms. Corley claimed FERPA requires destruction of the data

because there are penalties if that is not carried out. She stated that she has more work to do regarding this issue. Mr. Hendry said he would like to see a continued relationship with Stanford. He said the letter the Board received from Stanford raised a lot of alarms. Mr. Hendry encouraged a continuation of the relationship.

- Dr. Oliver expressed concern about how hard it is to get research ready data. He said this data is valuable and destroying it caused him concern. He encouraged more communication going forward.

*D. Draft Standards and Benchmarks for Teacher Prep Programs (House Enrolled Act 1388)*<sup>13</sup>

- Mr. Bogan explained that House Enrolled Act 1388 requires, before July 30, 2016, a matrix rating system of all teacher education programs based on specific measurements be placed on the Department website. He explained the makeup of the matrix and improvement plans for programs that are ranked low.
- Mr. Bogan then spoke about the drafts of the standards, benchmarks, and the matrix. He said they applied CAEP standards. Upon inquiry by Dr. Freitas, Mr. Bogan stated that there may be some federal requirements that will have to be integrated soon.

*E. Assessment Update (continued)*

- Dr. Walker provided some materials regarding an update on the state of assessment. She began by stating that the Department prints barcode labels for paper/pencil testing and also to populate the online testing system for ISTEP and the ECAs. Dr. Walker stated that one concern was that 285 schools did not submit a file at all for part 2. She said the Department has allowed a period of time for those schools to go ahead and submit.
- Dr. Walker then walked through some other issues. She said they will be looking closely at any items that were effected by a typo for example. She said some sites did not submit orders for large print, brail, and read aloud scripts in time, so additional time was required and a delay resulted. Dr. Walker stated that the Department is continuing to improve the process.

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<sup>13</sup> A Department memo can be viewed at [http://www.in.gov/sboe/files/1388\\_Final.pdf](http://www.in.gov/sboe/files/1388_Final.pdf) and a presentation can be viewed at [http://www.in.gov/sboe/files/Draft\\_Standards-Benchmarks.pdf](http://www.in.gov/sboe/files/Draft_Standards-Benchmarks.pdf).

- Mr. Hendry asked for an update on ISTEP issues. Dr. Walker responded that overall everything is going very well, and that they have been doing site visits to monitor.
- Dr. Walker then gave an update on the operational field test design and how to equate the forms. She said they divided the open-ended items into two forms so each school is only giving one of the two forms.
- Dr. Freitas asked what percentage of the test is devoted to higher order thinking and Dr. Walker responded that one of things the Department does is determine the level of cognitive demand of each item, and that items that are open-ended aren't necessarily harder. She said there are a variety of difficulties in every item type.
- Ms. Whicker requested a validity study to be conducted by Board staff. Dr. Walker said the Department will be doing validity studies and comparability studies. Dr. Walker said one of the things they are doing is comparing paper/pencil to online. Dr. Walker said she would share the results of these studies.

F. NCLB Waiver Update<sup>14</sup>

- Danielle Shockey, Deputy Superintendent, spoke to the Board regarding the waiver. Ms. Shockey stated that the waiver renewal is a growth of a body of evidence from the last submission. She spoke about stakeholder engagement, Principle 1- standards and special education, Principle 2 – focus and priority schools, Principle 3 – components completed and ongoing supports.
- Ms. Shockey said the drafts were provided to the Board and will be provided again after online comments are taken into consideration. Ms. Shockey said drafts will be provided within the next few weeks.

G. School Quality Reviews for Year 4 Schools; 511 IAC 6.2-8-2<sup>15</sup>

- Superintendent Ritz said only three quality reviews will be needed as it turns out. The Board members were provided a copy of the memo and did not have any questions.

H. Adult Charter High Schools A-F Accountability<sup>16</sup>

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<sup>14</sup> The Department materials can be viewed at [http://www.in.gov/sboe/files/NCLB\\_Waiver\\_Update\\_3-12-15.pdf](http://www.in.gov/sboe/files/NCLB_Waiver_Update_3-12-15.pdf).

<sup>15</sup> The memorandum of understanding can be found at [http://www.in.gov/sboe/files/MOU\\_between\\_IDOE\\_and\\_SBOE\\_for\\_SQR\\_FINAL.pdf](http://www.in.gov/sboe/files/MOU_between_IDOE_and_SBOE_for_SQR_FINAL.pdf).

- Joe White, the Executive Director of the Excel Center, signed up for public comment and was the first speaker. He stated that the Excel Center is an adult high school program based in Indianapolis. Mr. White stated that there is a population of people that have been underserved. He said he is excited about the new model that will be presented. He highlighted the following concerns: 1) that they are not receiving title 1 funds, so the Board should consider the cohort weighting, 2) challenges with the college and career ready (“CCR”) reporting structures (they have to adhere to the Department list).
- Dan Scott, with Goodwill, was the next public speaker. He said they have three concerns: 1) the cohort inclusion in any form, 2) that only certifications on the Department list count and there can be up to an 18 month delay for new certifications, and 3) that the grade in the fall should reflect the most recent school year.
- Emily Masengale, the founding Principal of Christel House DORS, was the final public speaker. Ms. Masengale stated that their concern is also with the CCR credits. She felt it is important to expand beyond the Department list. She also stated that the graduation rate needed to be examined as applied to adult high schools.
- Ms. Roach addressed the Board regarding the adult accountability model. She spoke about eligibility, CCR, and graduation rate inclusion. Ms. Roach stated that there is a federal requirement that graduation rate be included in a meaningful way. Ms. Roach walked through some options for the Board to consider in drafting the rule.

*1. Strategic Planning Committee Update*

- Kelley Faler spoke about the strategic plan. She stated that she was happy to hear the Board aspired to fix serious problems in education. She said data drives the scorecard and she is disappointed with it. She said some of her concerns are with duplication of data and that the plan requires the attainment of more data. Ms. Faler said the plan does not address students that are already failing. She encouraged bold action with the strategic plan with information already obtained. Ms. Faler recommended scrapping IREAD-3. She also said stop calling special education special.

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<sup>16</sup> A Board staff presentation can be found at [http://www.in.gov/sboe/files/Adult\\_Charter\\_High\\_Schools\\_Education\\_Rule.pdf](http://www.in.gov/sboe/files/Adult_Charter_High_Schools_Education_Rule.pdf).

- Mr. Hendry stated that tomorrow's meeting was cancelled and then the Strategic Planning Committee will reboot in April.

## **XII. BOARD OPERATIONS**

- Board operations not discussed.

## **XIII. ADJOURNMENT**

- Upon motion and a second the Board moved unanimously to adjourn.