INDIANA STATE BOARD OF EDUCATION EXECUTIVE SESSION

September 16, 2015 9:00 a.m. (EDT)

Indiana Government Center South
Auditorium
302 West Washington Street
Indianapolis, IN 46204

Board Members Present: Superintendent Glenda Ritz (Chair), Mrs. Sarah O'Brien (Vice Chair), Dr. Vince Bertram, Dr. Byron Ernest, Dr. David Freitas, Mr. Gordon Hendry, Ms. Lee Ann Kwiatkowski, Mr. B.J. Watts, Mrs. Cari Whicker, and Dr. Steven Yager. Board Members Absent: Mr. Edward Melton.

The executive session was held as authorized by state and federal statute pursuant to Indiana Code Section 5-14-1.5-6.1(b)(1) and for discussion pursuant to Indiana Code Section 5-14-1.5-6.1(b)(7) of records classified as confidential by state or federal statute. I, John Snethen, Interim Executive Director of the Indiana State Board of Education, do hereby certify, pursuant to Indiana Code Section 5-14-1.5-6.1(d), that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

John Snethen
Interim Executive Director
Indiana State Board of Education

INDIANA STATE BOARD OF EDUCATION BUSINESS MEETING MINUTES

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Board Members Absent: Mr. Edward Melton.

I. CALL TO ORDER

 Superintendent Ritz called the meeting to order, the pledge of allegiance was recited, and roll was called. The roll reflected ten members present with Mr. Edward Melton absent.

II. APPROVAL OF AGENDA

Superintendent Ritz asked for a motion to approve the proposed meeting agenda.
 Superintendent Ritz informed the Board the high school diploma item will be taken out of order at 1:00 p.m. to accommodate the schedule of Commissioner Teresa Lubbers of the Higher Education Commission and moved the approval of certification list of CTE Courses from Department of Workforce Development to the last item under discussion. Upon motion and a second, the Board approved the revised agenda unanimously by voice vote.

III. APPROVAL OF MINUTES

 Superintendent Ritz received a motion and second to approve the minutes of the August 5, 2015 meeting. The Board unanimously approved the minutes by a voice vote.

IV. STATEMENT OF THE CHAIR

Superintendent Ritz announced the 2016 Teacher of the Year finalists. She also
informed the Board that the U.S. Department of Education approved Indiana's
Equity Plan to ensure the State has high-quality educators in low-performing
schools. Lastly, the Superintendent announced the recipients of school improvement
grants.

V. BOARD MEMBER COMMENTS AND REPORTS

- Mrs. O'Brien congratulated the 2015 Teacher of the Year finalists and the Indiana Association of Public School Superintendent district winners. She specifically acknowledged District 5 winner, Dr. Margaret Hoernemann, Superintendent of Avon Community Schools, where Mrs. O'Brien teaches.
- Dr. Yager mentioned the concern he is hearing from educators concerning the new high school diploma requirements to be discussed later in the meeting. He also expressed concern about the amount of testing required of 10th grade students and changes that are being proposed by the Higher Learning Commission that could reduce the number of dual-credit courses that could be offered in the state. Finally, Dr. Yager asked for additional information concerning possible penalties for non-compliance by the state's testing vendor and encouraged CTB/McGraw-Hill to distribute all data required to the new assessment vendor so they can build the 2016 ISTEP+ exam.
- Mr. Hendry echoed the congratulations of his fellow Board Members for the Teacher
 of the Year finalists and specifically finalist, Amy Wackerly, from Indianapolis Public
 Schools. He commended Indianapolis Public Schools for approving a new teacher
 contract that includes raises for teachers. He also encouraged all parties involved to
 finalize the A-F grades without delay so teachers can receive their raises.

- Dr. Bertram spoke to the dual-credit licensure issue and called the proposed changes by the Higher Learning Commission "misguided" and "irresponsible". He continued to express his concern about the impact of this proposed policy in rural and lowincome areas that may have reduced access to dual-credit programs.
- Dr. Ernest acknowledged the 2016 Teacher of the Year finalists and thanked everyone who has worked on this program. He also encouraged the Board Staff to consider extending the deadline for the charter school loan program by one additional month.

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

- Todd Bess, Executive Director of the Indiana Association of School Principals, mentioned his group's concerns regarding the dual-credit issue. He acknowledged the issue is not under the control of the State Board of Education or the Department of Education, but encouraged interested groups to come together to resolve the issue.
- John O'Neal, representing the Indiana State Teachers Association, spoke to the delay in A-F grades and the impact on teacher performance raises. He said his association is working with legislators and groups to quickly get teachers' raises completed.
- Emily Richardson and Dr. Michelle McKeown from the Indiana Charter School Board jointly made a presentation to the Board about cuts in Title I funding to public charter schools which go beyond federal guidelines that mandate no schools can receive less than 85% of their previous year in Title I funding.
- Tommy Reddicks, School Director at the Paramount School of Excellence, spoke to the Board about the impact of Title I funding cuts to public charter schools. He encouraged the Department of Education to meet the federal requirements of Title I hold harmless provisions and questioned communication being sent by the Department of Education asking public charter schools to admit making data entry errors, which he said they did not, which caused the drop in funding.

- Carlos Gonzalez, parent, spoke to the proposed changes to high school diploma requirements. He asked that all schools be required to offer all diplomas and encouraged the Board to consider the impact of changes on students with special needs.
- Jan Huffman, parent and Board Member of ARC of Indiana, presented a letter on behalf of the chairman of the State Advisory Council on the Education of Children with Disabilities. The group expressed concern about the number of students with disabilities that leave high school without a diploma and encouraged the Board to consider the impact of the proposed changes on students with special needs and require all schools to offer all diplomas recognized by the State.
- Jeff Huffman, parent and Chairman of the ARC of Indiana education committee, spoke about his family's personal experience convincing his child's school corporation to offer the state's general education diploma. He argued to the Board the need to make sure all students have access to a diploma, including a general education diploma.
- Tammy Herm, representing the Indiana Council of Administrators of Special Education, believes all students in all schools need access to a diploma that accommodates student needs and outcomes.
- Kim Dodson, Executive Director of the ARC of Indiana, voiced concerns about the
 proposed diplomas. They believe students with disabilities should have access to a
 diploma rather than the current certificate of completion. They also encouraged the
 state to require all schools to offer all approved diplomas.
- Mary Roth, parent of special needs students and representative of the Autism Society of Indiana, expressed concerns regarding new proposed diplomas. She reiterated the fact that many schools do not offer the general diploma. She encouraged the Board to consider offering a new general diploma and require all schools to offer it to students. She also questioned the proposed capstone project requirement and the lack of the word "career" in the "workforce ready" diploma.

- John Elcesser, Executive Director of the Indiana Non-Public Education Association, expressed concern that added requirements could limit flexibility for students attending non-public schools that also have theology course requirements.
- Julie Baumgart, representing the Indiana School Counselor Association, encouraged
 the Board to streamline the diploma offerings and requirements for students. She
 echoed the concerns about the proposed changes for dual-credit teachers that could
 impact diploma requirements. She also asked the Board to provide flexibility in the
 diploma requirements for yet to be defined college or career sequences.

The Board took a short recess.

VII. BEST PRACTICES – INNOVATIONS IN EDUCATION – STUDENT SUCCESSES

• The Board received a <u>presentation</u> by Kappa Delta Pi – International Honor Society in Education.

VIII. CONSENT AGENDA

- Five items appeared on the Board's Consent Agenda.
 - Freeway Schools Accreditation
 - Approval of STAA loans (School Technology Advancement Account)
 - Approval of Common School Loans
 - o Renewal of Electronic Participation Policies
 - Releasing Set Aside Funds for Year 5 Turnaround Schools
- Upon motion and second, the Board approved the Consent Agenda items 10-0.

IX. ADJUDICATIONS

- Superintendent Ritz recused herself during this portion of the meeting. Vice Chair,
 Mrs. Sarah O'Brien assumed the role of Chair.
- Mrs. O'Brien received a motion (Dr. Bertram) and a second (Ms. Kwiatkowski) to uphold the ADM count by the Department of Education and deny the appeal from Hope Academy. The Board voted 9-0 to deny the appeal (Superintendent Ritz abstained).
- Mrs. O'Brien relinquished the chair to Superintendent Ritz.

X. NEW BUSINESS – ACTION

A. <u>Select SBOE Member to Attend the National Association of State Boards of Education</u> (NASBE) Annual Conference

- Mr. Hendry moved to select Dr. David Freitas. Dr. Ernest seconded. Mr. Hendry spoke in support of the work of NASBE and Dr. Freitas's service with that organization.
- Board voted 9-0 to approve the selection (Dr. Freitas abstained).

B. Approval of Data Reporting Committee Recommendations

- Superintendent Ritz invited Danielle Shockey, Deputy Superintendent of Public Instruction, to update the Board on work of the data reporting committee and two action items for board consideration.
- Dr. Freitas inquired about the Board's access to data from the Department of Education. Legal staff from the Department and the Board reported working together on sharing data between the Department and the Board.
- Ms. Kwiatkowski asked if the data reporting committee is looking ahead at new collections and not just existing data collections. Deputy Superintendent Shockey said all new collections are on hold unless approved by the Committee and the Board.
- Upon receiving a motion and a second, the Board voted 10-0 to approve the data reporting committee recommendations.

C. Teacher Licensure Rule Amendment

- Brian Murphy, State Board Interim General Counsel, provided an overview of the proposed rule changes to the Board. The change would make lower teacher licensing test cut scores effective after 45 days. An increase in the scores would take effect after 90 days.
- Upon receiving a motion and second, the Board voted unanimously 10-0 to approve the rule amendment.

D. Final Approval of CORE Licensure Test Cut Scores

- Risa Regnier, Assistant Superintendent for School Support, reminded the Board
 of the <u>preliminary new scores</u> approved at the previous meeting, which were
 before the Board again for final approval.
- Mr. Hendry asked Assistant Superintendent Regnier to summarize the public comment received on the preliminary new scores. She reported receiving 28 comments, mostly in support of the new scores.
- Dr. Freitas asked if the increased pass rate of the new scores is being driven by the need to increase the number of test takers who pass or a design flaw in the test. Assistant Superintendent Regnier responded that the scores were developed by educators based on the standards, not on the pass rate.
- Dr. Bertram asked if the current cut scores resulted in an 80% pass rate, would the Department be asking to adjust the cut score? Assistant Superintendent Regnier responded, most likely, not at this time. Dr. Bertram continued by asking if the scores reflect changes needed at Indiana teacher prep programs. Assistant Superintendent Regnier responded the Department is working with the program to ensure they are teaching Indiana's standards.
- Ms. Kwiatkowski asked about availability of pass data by teacher prep program.
 Assistant Superintendent Regnier responded that data is being collected and is available to universities.
- Dr. Bertram asked if the State was doing a disservice to students by adjusting cut scores rather than making sure teachers have the skills necessary to properly prepare our students. Assistant Superintendent Regnier agreed with Dr. Bertram's comment and said the Department is working with teacher preparation programs to ensure standards are being taught.
- Dr. Freitas inquired about low pass rates being the trigger for a review of the cut scores. Superintendent Ritz responded that the Board asked the Department to provide the review and this is not the first time cut scores have been modified.
 Mrs. Whicker added that as a teacher, you reflect on test data to look at the instruction, questioning, and outside circumstances that may impact results.

- Mr. Watts commented that this process could have led to a decrease in the pass rate since educators look at the academic requirements when setting cut scores and do not use impact data when determining scores.
- Mr. Hendry asked if a problem exists with the test. Assistant Superintendent Regnier responded no. The adjustment of cut scores is part of the process.
- Upon receiving a motion and a second, the Board voted 7-3 to give final approval to the new cut scores (Dr. Bertram, Dr. Freitas, and Mr. Hendry voted no).

E. Re-adoption of SBOE Rules Set to Expire January 1, 2016

Upon receiving a motion and a second, the Board voted 10-0 to approve <u>readoption of the rules</u>.

F. ACCUPLACER Participation Criteria for Schools

- Dr. Michele Walker, Director of Assessment with the Department of Education, provided an <u>overview</u> of the ACCUPLACER requirements to the Board.
- Ms. Kwiatkowski asked if we could combine the ACCUPLACER tests designed for dual-credit and remediation into a single test. Dr. Walker responded the Department is working with the College Board to limit the testing and will be sending guidance to schools to accomplish that goal.
- Dr. Yager inquired if the ACCUPLACER test devalues results from the current End
 of Course Assessments (ECA's). Dr. Walker said the current ECA is not college and
 career ready. The new ISTEP+ 10th grade exam will be, so the Board will be asked
 to revise the ACCULPLACER requirements once that test is operational.
- Upon receiving a motion and a second, the Board voted 9-1 to approve the new criteria (Dr. Yager voting no).

The Board took a recess for lunch.

XI. DISCUSSION AND REPORTS (Taken Out of Order)

- D. <u>High School Diplomas to be Implemented for 2018-2019 School Year</u> (taken out of order)
 - Jenny Berry, Director of College and Career Readiness at the Department of Education, and Commissioner Teresa Lubbers, Indiana Higher Education Commission, made a <u>presentation</u> to the Board concerning the proposed high school diplomas.
 - Commissioner Lubbers told the Board the committee that worked on the
 recommendations wanted to streamline the diploma offerings, increase the rigor
 required for students receiving a diploma, provide structure and flexibility to
 students, and ensure our children receive the skills necessary to succeed in
 college or a career. The Commissioner acknowledged many questions remain
 about the content of math courses, impact on special education students, world
 language and fine arts requirements/electives and impact on private parochial
 schools.
 - Superintendent Ritz mentioned to the Board concerns about schools not being required to offer all diplomas and referred that issue to the General Assembly.
 She also added that employers recommended the capstone requirement for graduation. Finally, the Superintendent requested a special Board Meeting in October to focus solely on the new diploma requirements.
 - Mrs. O'Brien expressed concern about the titles of the new diplomas.
 Commissioner Lubbers said the committee spent a lot of time on the titles and they were selected to send a message about the student's focus and skills.
 - Dr. Bertram commended the work of the committee that developed the proposal. He expressed three concerns with the proposal: titles, flexibility for schools, and that some schools do not offer all diplomas.
 - Ms. Kwiatkowski raised concerns about the lack of a requirement for world languages. Superintendent Ritz highlighted the directed electives requirement that includes world languages and fine arts in the College and Career Ready diploma and the requirement of 6 credits in world language and 2 credits in fine arts for the academic honors diploma.

- Dr. Bertram asked about the impact of the new proposed requirements on religious studies offerings by non-public schools. Superintendent Ritz responded that her Department does not deal with those courses. Commissioner Lubbers responded those classes typically reduce a student's number of electives or schools increase credit offerings to compensate.
- Mr. Hendry inquired about the impact of computer science courses in the new requirements. Commissioner Lubbers mentioned that computer skills are included in the curriculum in many grades prior to and in high school.
- Dr. Yager raised a concern he is hearing from principals and counselors about the students who take a study hall because of after-school activities and the new requirements limiting student flexibility. He also mentioned the concern raised earlier about the need to offer something between a "Certificate of Completion" and the workforce-ready diploma. Superintendent Ritz mentioned it would take legislative action to mandate schools offer all diplomas, including a general diploma. Commissioner Lubbers said she recognized the concerns of some special education parents and those issues need to be addressed.
- Steve Baker, principal at Bluffton High School, signed up to provide public comment on the new diploma proposal. He informed the Board that principals from across the state are discussing the proposals and they want their voices heard on the issue. He said principals and counselors like the proposals generally, but they do have some suggestions about certain aspects of the proposals.
- Superintendent Ritz asked State Board Staff to look for options to schedule a special meeting in October when members can meet. Dr. Freitas suggested a subcommittee be formed to look into the issue and make recommendations to the full board. Superintendent Ritz said as Chair she wants to call a special meeting. Dr. Yager said he originally supported the idea of a subcommittee, but now believes a special meeting would be more beneficial to the entire Board. Mr. Watts suggested a subcommittee and special meeting be dedicated to this important issue. Superintendent Ritz reiterated her decision as chair to seek a special meeting only.

- Superintendent Ritz asked Commissioner Lubbers to speak on the dual-credit issue that could limit the availability of students to take those courses in Indiana. Commissioner Lubbers spoke to the benefit of dual-credit courses to students. Commissioner Lubbers also mentioned that she is working with the Higher Learning Commission (HLC) about the proposed accreditation change and has successfully encouraged the HLC to postpone the effective date of the change and is in weekly communication with HLC on the issue.
- Dr. Freitas and Ms. Kwiatkowski both expressed their strong support for dualcredit courses and their importance to Indiana students and thanked Commissioner Lubbers for her work on this important issue as it moves forward.

A. <u>Assessment and A-F Accountability and B. Formative Assessment Update and Statistics</u> (combined and taken out of order)

- Dr. Walker provided an <u>update</u> to the Board on the length and format of the 2016 ISTEP+ testing.
- Dr. Walker also provided an update on the formative assessment grant program. Mrs. O'Brien asked about a requirement by the Department of Education that schools enter into an exclusive data sharing agreement with the Department if they participate in the program. Dr. Walker responded the State Budget Agency requested data. Ms. Kwiatkowski and Dr. Yager voiced their concerns about why the Department would require vendors to provide performance data. Cynthia Roach, Senior Director of Assessment and Accountability, questioned the practice and encouraged people not to evaluate broad data ranges from formative assessments. Mrs. O'Brien stated her concerns that this program was designed to provide flexibility to schools and every month the Board learns about new requirements and restrictions being added by the Department of Education on this program, beyond guidelines set by the State Board.
- Dr. Walker also provided a timeline to the Board concerning when data and results will become available from the ISTEP+ assessment. Ms. Kwiatkowski asked Dr. Walker to confirm that parents and teachers will receive student-level results around November 9, 2015. Dr. Walker said those results would be available to parents and school districts between November 9-13.

- Steve Baker, principal at Bluffton High School, raised a concern on behalf of high school principals about the amount of testing being required of high school sophomores. He mentioned the combined total of 16 hours through the five various tests that must be administered. He encouraged a reduction in that amount.
- Maggie Paino, Director of Accountability with the Department of Education, provided an update to the Board concerning the timeline for the calculation of A-F grades for the 2014-15 school year. She stated she expected to have grades to the Board for final approval on January 18, 2016. She also said the Department expects to calculate and distribute funding for Teacher Performance Grants by December 14, 2015. [spoken at 02:29:45]

X. NEW BUSINESS – ACTION (Resumed)

- G. <u>College and Career Ready Assessment/National Center and State Collaborative</u>
 <u>Standard Cut Score Setting</u>
 - Dr. Walker and Ms. Roach <u>presented</u> recommended cut scores for ECA-CCRA assessment.
 - Dr. Karla Egan, member of the Technical Advisory Committee (TAC) for these assessments, spoke to the Board about the cut score setting process.
 - Upon motion and a second, the Board voted unanimously 10-0 to approve the ECA-CCRA cut scores, as recommended.
 - Dr. Walker and Ms. Roach presented recommended cut scores for the NCSC assessments.
 - Dr. Freitas and Dr. Bertram asked about standard deviation and "margin of error" in cut score setting. Dr. Bertram inquired whether it would be reliable to set a cut score, but consider a student whose score falls within the margin of error to also be considered passing. Dr. Egan responded the Board could lower the cut score to the bottom of the range within the margin, but that would be a policy decision by the Board. Superintendent Ritz inquired how the federal government might react to lowering the cut score to the bottom of the margin.

Dr. Egan said other states have done this and it has been accepted by the federal government, if disclosed.

- Upon receiving a motion and second, the Board voted unanimously 10-0 to approve the NCSC cut scores, as recommended.
- Dr. Walker requested a Board vote on the Performance Level Descriptors. Upon receiving a motion and second, the Board voted unanimously 10-0 to approve.

Mrs. O'Brien asked to return to the discussion concerning the formative assessment grants. She read an e-mail received from Brian Bailey of the State Budget Agency saying that agency never sought or asked for student performance data on formative assessments from the Department of Education.

H. Resolution Regarding A-F Rules for the 2014-2015 School Year

- After receiving a motion and a second, John Snethen, Interim Executive Director
 of the State Board and James Betley, Interim General Counsel of the Board,
 recommended the Board adopt the resolution.
- The Board voted unanimously 9-0 to approve the resolution (Superintendent Ritz abstained). Mr. Hendry asked the Superintendent why she abstained. She said the issue was confusing and her decision was procedural.

XI. DISCUSSION AND REPORTS (Resumed)

C. Dual Language Immersion Pilot Program Grants

Ms. Berry updated the Board on the program and issuance of grants to schools.
 Five schools initially received grants. Due to additional funds being available and after meeting with legislative leaders, the Department will be issuing a sixth school a grant to participate in the program.

E. <u>Transfer of Information and Data from CTB to Pearson</u>

- Dr. Walker provided an <u>update</u> to the Board.
- Dr. Feitas asked about the timeline to transfer information between assessment vendors. Dr. Walker said it typically takes six months to complete this transfer

- and the Department and vendors are working together to facilitate development of the 2016 ISTEP+ assessments.
- Mrs. Whicker asked a representative from Pearson to address the Board and inform the Board if the company has the information needed to develop the test. Rich Young, VP at Pearson, responded that it is in constant communication with the Department and CTB and is waiting for ELA and Math data on September 25.
- Dr. Yager asked if Pearson receives the ELA and Math data by September 25 are they on track for developing the ISTEP+ test. Mr. Young responded yes.
- Superintendent Ritz asked Dr. Walker if the Department is on track to provide that information by September 25. Dr. Walker responded yes.
- Mr. Watts asked if the timeline is too compressed. Mr. Young said he did not think that was the case.
- Dr. Bertram informed Pearson to let the Board know if they need any assistance or support in the development of the 2016 assessment.

F. Title I Funding for Charter Schools

Jeff Barber, Director of Grant Management, Monitoring and Reporting with the Department of Education, addressed the Board concerning the allocation formula for Title I to public charter schools. Mr. Barber stated the Department had a call with the U.S. Department of Education seeking guidance on whether "hold harmless" provisions apply to public charter schools. He mentioned the state received a \$3.5 million reduction in Title I funding due to a decrease in census poverty count, particularly noticeable in Marion and Lake Counties. He mentioned two charter schools and three turnaround academies reported data reporting errors used for calculating Title I funds to the Department. He continued discovering five additional charter schools and one turnaround academy possibly encountered data reporting errors. Superintendent Ritz asked Mr. Barber how the data is reported to the Department and Mr. Barber said that information is provided by the school.

- Ms. Kwiatkowski asked Mr. Barber if the Department would make adjustments for schools with data reporting errors. Mr. Barber said the Department would make the necessary corrections.
- Dr. Bertram asked if any traditional public schools experienced cuts greater than the federal "hold harmless" provisions. Mr. Barber and Superintendent Ritz responded that "hold harmless" does not apply to charter schools, but they are waiting for guidance from the U.S. Department of Education.
- Mrs. O'Brien asked how a traditional public school district could receive an
 increase in Title I funding, but a charter school in the district received a cut. Mr.
 Barber said he could not answer without looking at specific data concerning the
 charter school and traditional school corporation district. Mr. Barber said the
 Department has re-run the calculations manually and found no errors.
- Dr. Bertram asked whether the State could make a policy decision to apply "hold harmless" under federal guidelines. Michael Moore, attorney at the Department of Education, said the State applies the "hold harmless" at the local school corporation level and not at the charter school level because there is no defined geographic boundary for a charter school.
- Ashley Cowger, Chief of Staff with the State Board Staff, informed the Board this
 is not just a charter school issue, but it also impacts turnaround academies. The
 Board Staff is currently investigating and will report its findings to the Board at a
 future meeting.
- Mr. Watts asked Dr. McKeown from the Indiana Charter School Board to provide additional information to the Board. Dr. McKeown said their research has identified many concrete examples of charter schools receiving less than required under federal "hold harmless." She provided multiple examples of charter schools receiving cuts that run counter to the Department of Education's explanation.
- Dr. Bertram asked Mr. Moore if a charter school's enrollment came from one district that experienced a Title I funding increase, should it not reason the charter school would experience increase. Mr. Moore replied that would be correct, if data is reported correctly.

 Dr. McKeown informed the Board the calculations and examples provided on this issue were factored based on numbers found on the Department's website as they were reported by schools to the Department.

G. <u>Approval of Certification List of CTE Courses from Department of Workforce</u> <u>Development</u>

 Amy Moore from the Department of Workforce Development (DWD) provided an <u>update</u> to the Board on the list of CTE courses approved by DWD for the 2016-17 school year.

XII. BOARD OPERATIONS

Board operations not discussed.

XIII. ADJOURNMENT

 Upon receiving a motion and second, the Board voted unanimously to adjourn by voice vote.