

MINUTES

STATE BOARD OF EDUCATION

Ladislaus B. Dombrowski Board Room
John A. Hannah Building
608 West Allegan
Lansing, Michigan

August 12, 2014
9:30 a.m.

Present: Mr. Michael P. Flanagan, Chairman
Mr. John C. Austin, President
Dr. Casandra E. Ulbrich, Vice President
Mr. Daniel Varner, Secretary
Dr. Richard Zeile, Treasurer
Ms. Michelle Fecteau, NASBE Delegate
Ms. Lupe Ramos-Montigny
Mrs. Kathleen N. Straus
Mrs. Eileen Weiser
Mr. Craig Ruff, representing Governor Rick Snyder, ex officio

Also Present: Ms. Melody Arabo, 2014-2015 Michigan Teacher of the Year

REGULAR MEETING

I. CALL TO ORDER

Mr. Flanagan called the meeting to order at 9:39 a.m.

II. APPROVAL OF AGENDA AND ORDER OF PRIORITY

Ms. Ramos-Montigny moved, seconded by Mr. Austin, that the State Board of Education approve the agenda and order of priority.

The vote was taken on the motion.

Ayes: Austin, Fecteau, Ramos-Montigny, Straus, Ulbrich, Weiser, Zeile

Absent: Varner

The motion carried.

III. INTRODUCTION OF STATE BOARD OF EDUCATION MEMBERS

Mrs. Marilyn Schneider, State Board Executive, introduced members of the State Board of Education and Ms. Melody Arabo, 2014-2015 Michigan Teacher of the Year.

Mr. Varner joined the meeting at 9:43 a.m.

IV. PERSONAL PRIVILEGE – MICHAEL P. FLANAGAN

Mr. Flanagan shared a video of his grandson.

Mr. Flanagan recognized the following Department employees: Dr. Flora Jenkins, Director of Professional Preparation Services, for 25 years of dedicated service on the occasion of her retirement; Dr. Eleanor White, Director of Special Education, for her leadership in the field of special education as she begins a new job as Director of Special Education, Education Achievement Authority; and Ms. Natasha Baker on her new position as the Director of the School Reform Office.

Mr. Flanagan said Mrs. Marilyn Lundy, former State Board of Education Vice President, passed away on June 24, 2014, and he offered condolences to her family.

Mr. Flanagan discussed his decision to place eleven of Michigan’s charter school authorizers on an at risk of suspension list.

V. RECESS

The Board recessed the Regular Meeting at 10:08 a.m. and convened the Committee of the Whole.

COMMITTEE OF THE WHOLE MEETING

VI. CALL TO ORDER

Mr. Flanagan called the Committee of the Whole Meeting to order at 10:09 a.m.

VII. PRESENTATION ON THE MICHIGAN CORE KNOWLEDGE AND CORE COMPETENCIES FOR THE EARLY CARE AND EDUCATION WORKFORCE

Ms. Susan Broman, Deputy Superintendent, Great Start; and Ms. Lisa Brewer-Walraven, Director, Child Development and Care; presented the Michigan Core Knowledge and Core Competencies for the Early Care and Education Workforce.

Mr. Flanagan said The *Michigan Core Knowledge and Core Competencies for the Early Care and Education Workforce* provides specificity and clarity for what early childhood educators should know and be able to do in their roles working with children birth to five and their families. He said this is an update of a 2003 document, and following a period of public comment staff will present the final document for approval at the November SBE meeting.

Ms. Broman and Ms. Brewer-Walraven shared information via a [PowerPoint presentation](#).

Board member discussion included early childhood education as a cost-effective investment, research in other states, tiered reimbursement rate, implementation of standards, inclusion of special education, research and data on the effectiveness of programs, education opportunities for parents, and additional early childhood education discussions at future board meetings.

Mrs. Straus said she was interviewed by the National Association of State Boards of Education regarding the Michigan Out-of-School Time Standards of Quality and she thanked staff for their assistance.

VIII. PRESENTATION OF THE 2014 EDUCATOR PREPARATION INSTITUTION PERFORMANCE SCORE REPORT

Dr. Joseph Martineau, Deputy Superintendent, Education Services; Dr. Flora Jenkins, Director, Professional Preparation Services; and Ms. Leah Breen, Assistant Director, Professional Preparation Services; presented the 2014 Educator Preparation Institution Performance Score Report.

Mr. Flanagan said the expected revisions to the 2014 Educator Preparation Institution performance score metrics were presented to the State Board of Education (SBE) in August 2013. He said those revisions were implemented over the past year, and result in the final performance scores that are being presented. Mr. Flanagan said the Michigan Department of Education will report the educator preparation institutions identified as at-risk or low-performing to the U.S. Department of Education per the Higher Education Act requirements.

Information was shared via a [PowerPoint presentation](#).

Board member discussion included clarification of levels, length of time for student teaching, dissemination of information to guidance counselors through their associations, diversity of teachers, and survey of teachers one year after beginning of employment, and analysis of data.

IX. PRESENTATION ON ASSESSING THE TEACHING AND LEARNING OF SCIENCE

Dr. Venessa Keesler, Deputy Superintendent, Education Services; Mr. Andrew Middlestead, Director, Office of Standards and Assessment; Ms. Linda Forward, Director, Education Improvement and Innovation; and Mr. Stephen Best, Assistant Director, Education Improvement and Innovation; presented on Assessing the Teaching and Learning of Science.

Mr. Flanagan said in May, the State Board was presented a vision of science education based upon the Framework for K-12 Science Education. He said this presentation continues a review of issues of science education by presenting considerations for assessment of learning from the student and classroom level up to statewide assessment.

Information was shared via a [Keynote presentation](#).

Board member discussion included cost-effective instruction methods, and adoption of science standards.

X. DISCUSSION REGARDING CRITERIA FOR GRANT PROGRAM

Mrs. Straus asked for clarification regarding the Criteria for Title I Statewide System of Support, Technical Assistance Grants. Ms. Linda Forward, Director, Education Improvement and Innovation, said the criteria will allow the Michigan Department of Education to put the fiscal agent in place. The eligible applicants must be local educational agencies, which means either local districts or intermediate districts could apply.

XI. ADJOURNMENT

The Board adjourned the Committee of the Whole at 12:19 p.m. and reconvened the Regular Meeting at 1:20 p.m.

REGULAR MEETING

XII. PUBLIC PARTICIPATION IN STATE BOARD OF EDUCATION MEETING

Mr. Flanagan said public participation will be divided into two sections: general public comment and comments related to the State Superintendent Search.

Mr. Flanagan said public input on the State Superintendent Search may be provided through the end of August in the following ways: (1) SBE Website – www.michigan.gov/sbe, under the tab “Superintendent Search,” Public Input Form; (2) Facebook – Michigan State Superintendent Search; and (3) E-mail – StateSuptSearch@michigan.gov.

General Public Comment

1. Ms. Anne Forgrave, Lansing, Michigan. Ms. Forgrave, representing Michigan Protection and Advocacy Service, shared verbal comments and written information regarding the Model Code of Student Conduct.
2. Mr. John Lauve, Holly, Michigan. Mr. Lauve provided comments and written information regarding charter schools and board duties, state school aid fund, Detroit Public Schools and Emergency Managers.
3. Ms. Kyle Smitley, Detroit, Michigan. Ms. Smitley provided verbal comments on charter school transparency.
4. Mr. Chuck Fellows, South Lyon, Michigan. Mr. Fellows, President, Board of Directors, FlexTech High School, shared verbal comments and written information on children learning.
5. Mr. Carlos Johnson, Detroit, Michigan. Mr. Johnson provided verbal comments on Global Preparatory Academy.
6. Mr. Dan Quisenberry, Lansing, Michigan. Mr. Quisenberry, President, Michigan Association of Public School Academies, provided verbal comments and written information on public school academy accountability.

7. Ms. Tedra Jackson, Lansing, Michigan. Ms. Jackson provided verbal comments and written information on the Michigan Developmental Disabilities Council and universal education.
8. Ms. Ann Jones, Lansing, Michigan. Ms. Jones and a group of students and adults provided verbal comments and written information on the International Baccalaureate programs in the Lansing School District – Eastern High School and Post Oak Academy.

State Superintendent Search Public Comment

1. Dr. Catherine J. Ash, Superintendent, Okemos Public Schools; and Dr. Yvonne Caamal Canul, Superintendent, Lansing School District; representing Ingham County Superintendents, shared verbal comments and written information regarding essential attributes of a State Superintendent.
2. Mr. Mark Dobias, Superintendent, Allegan Area Educational Service Area; and President, Michigan Association of Intermediate School Administrators, shared verbal comments on the search for the next State Superintendent.
3. Ms. Elizabeth Bauer, Ferndale, Michigan. Ms. Bauer, former State Board of Education member, provided verbal comments and written information on the qualifications and criteria for the State Superintendent.

XIII. PERSONAL PRIVILEGE – MICHAEL P. FLANAGAN

Mr. Flanagan asked Deputy Superintendents to introduce new employees.

Mr. Kyle Guerrant, Deputy Superintendent, Administration and School Support Services, introduced Ms. Aimee Alaniz, who is working in the School Support Services Office.

Ms. Susan Broman, Deputy Superintendent, Great Start, introduced Ms. Rachel Mellema, who is working in the Early Childhood Education and Family Services Office.

XIV. APPROVAL OF STATE BOARD OF EDUCATION MINUTES

- E. Approval of Minutes of Regular and Committee of the Whole Meeting of June 17, 2014

Mrs. Straus moved, seconded by Mr. Austin, that the State Board of Education approve the Minutes of the Regular and Committee of the Whole Meeting of June 17, 2014.

The vote was taken on the motion.

The motion carried unanimously.

XV. PRESIDENT'S REPORT

Mr. Austin said the Board is serious about continuing the work of organizing and financing schools to deliver better outcomes. He said the Board will making recommendations to the Legislature and Governor. He said Dr. Mike Addonizio is also working on an independent study financed by major philanthropies, which will be released after the November general election.

Mr. Austin said there are many excellent charter schools, but Michigan's charter law needs a comprehensive overhaul around issues such as transparency, accountability and quality control. He said all schools, whether traditional or charter, should have high standards and good outcomes for students. He said when new schools are opened or replicated, we must insist on higher standards.

XVI. REPORT OF THE SUPERINTENDENT

Reports

- F. Human Resources Report
- G. Report on Teacher Revocation Decision

Grants

- H. Report on Grant Awards
 - 1. 2013-2014 Great Start Readiness Program Grants – Amendment (1)
 - 2. 2013-2014 Great Start Readiness Program Grants – Amendment (2)
 - 3. 2013-2014 Integration of Michigan Merit Curriculum Grant – Amendment
 - 4. 2014-2015 Secondary CTE Perkins Grant Program – Initial
 - 5. 2011-2012 ARRA Title I School Improvement Grant – Amendment
 - 6. 2012-2013 Section 22.i Technology Readiness Infrastructure Grants, Category 3 – Amendment
 - 7. 2013-2014 Michigan Charter School Grant Program (1) – Amendment
 - 8. 2013-2014 Michigan Charter School Grant Program (2) – Amendment
 - 9. 2013-2014 Michigan Charter School Grant Program (3) – Amendment
 - 10. 2013-2014 Section 22k - Competitive Student-Centric Grant Program – Amendment
 - 11. 2013-2014 Section 99h: Competitive FIRST Robotics Grants – Amendment
 - 12. 2013-2014 Elementary and Secondary Education Act (ESEA) Regional Intermediate School District (ISD) Partnership Grant – Amendment
 - 13. 2013-2014 Section 41, Bilingual Education Grant – Initial
 - 14. 2012-2013 Title II, Part A(3) Improving Teacher Quality – Amendment
 - 15. 2012-2013 Safe and Supportive Schools Grant – Amendment
 - 16. 2013-2014 Safe Schools/Healthy Students State Planning, Local Educ. Agencies, & Local Communities – Amendment
 - 17. 2013-2014 Section 31b - Year-Round School Grant – Initial
 - 18. 2014-2015 Fresh Fruit and Vegetable Program (FFVP) – Initial

Mr. Flanagan reviewed his activities during the past month as State Superintendent.

XVII. REPORT OF MICHIGAN TEACHER OF THE YEAR

Ms. Melody Arabo reviewed her activities as the 2014-2015 Michigan Teacher of the Year, and invited people to access her website <http://www.melodyarabo.com>.

XVIII. STATE AND FEDERAL LEGISLATIVE UPDATE

Mr. Martin Ackley, Director, Public and Governmental Affairs, presented the State and Federal Legislative Update. He said the Legislature has been on break and is expected to return at the end of August.

Dr. Ulbrich, Chair of the Board's Legislative Committee, said the Committee met on August 6. She said the majority of the Committee members voted to bring the Statement on Charter School Reform to the full Board for consideration. The draft statement was distributed.

Dr. Ulbrich moved, seconded by Mrs. Straus, that the State Board of Education adopt the Statement on Charter School Reform.

Mrs. Weiser said at the last State Board of Education Legislative Committee meeting she asked for a delay until September to examine existing statutes to determine what is currently in law and not being enforced. She said the differences between her perspective and the Legislative Committee are so different that she sees no way to work through the differences. She said she and Dr. Zeile have prepared a minority statement should the proposed statement move forward.

Mrs. Straus said she disagrees with Mrs. Weiser and believes it needs to be reiterated that transparency is needed for charter schools managed by for-profit companies. She said it is important that Mr. Flanagan has placed eleven authorizers on an at-risk of suspension list.

Mr. Austin said clarity is needed and the statement is illustrative and not detailed. He said the Board needs to frame the discussion before legislation is introduced.

Mr. Ruff said the resolution is missing some facts and some reporters may have been unaware of statute enacted in 2011.

Ms. Ramos-Montigny said it sounds like discussion has occurred for years, and now something is being brought to the table to fix the problem or start the discussion.

Ms. Fecteau said she does not understand why anyone would oppose transparency. She said many charter schools are managed by for-profit companies and more accountability is needed.

Dr. Zeile said the press is setting the agenda for a public body and facts need to be checked. Dr. Zeile asked if traditional districts who currently sponsor failing charter schools will be prohibited from starting schools.

Mrs. Weiser said she is totally in favor of transparency and accountability. She said she wants time for the State Board of Education to determine what currently exists in statute, but isn't being enforced before asking the Legislature for the same rules again.

Dr. Ulbrich said the transparency icon that is listed on school district websites oftentimes does not contain salary information if the school is a charter school managed by a for-profit company.

Mr. Austin said transparency needs to be clarified so that all districts, whether traditional or charter, may be treated the same.

Mr. Austin said he is not calling for no for-profit companies.

Mr. Varner said he believes in the right of families to choose their school and he is governance neutral. He said his agenda is set by student performance and outcomes for students. He said there is a system-wide problem and he agrees with Dr. Zeile that there are challenges in all schools.

Mr. Varner proposed friendly amendments to the statement. Dr. Ulbrich and Mrs. Straus accepted the amendments.

A roll call vote was taken on the motion, as modified by discussion.

Austin – Aye
Fecteau – Aye
Ramos-Montigny – Aye
Straus – Aye
Ulbrich – Aye
Varner – Aye
Weiser – Nay
Zeile – Nay

The motion carried.

Mrs. Weiser distributed a minority statement signed by Dr. Zeile and herself.

The State Board of Education Statement on Charter School Reform, as adopted, is attached as Exhibit A.

Mr. Ruff left the meeting at 3:55 p.m.

XIX. REPORT ON STATE SUPERINTENDENT SEARCH PROCESS

Mr. Austin reported on the State Superintendent Search Process.

Mr. Austin said the call for public input will be renewed. He said public input can be provided through a survey, e-mails and Facebook through the end of August.

Mr. Austin said the Board will try to schedule a special meeting in early September to discuss qualifications and criteria for the State Superintendent. He said there will need to be discussion on resources and protocols for the assistance of a search firm.

There was Board consensus to schedule a special meeting of the Board.

XX. CONSENT AGENDA

- K. Approval of Revised Model Code of Student Conduct
- L. Approval of State Board of Education and Michigan Department of Education Cosponsorships
- M. Approval of Criteria for Title I Statewide System of Support, Technical Assistance Grant

Mr. Austin moved, seconded by Mrs. Weiser, that the State Board of Education approve the consent agenda as follows:

- K. approve the Model Code of Student Conduct 2014, as attached to the Superintendent's memorandum dated July 28, 2014;**
- L. support the cosponsorships, as attached to the Superintendent's memorandum dated July 28, 2014; and**
- M. approve the Criteria for the Title I Statewide System of Support, Technical Assistance Grant, as attached to the Superintendent's memorandum dated July 28, 2014.**

The vote was taken on the motion.

The motion carried unanimously.

XXI. COMMENTS BY STATE BOARD OF EDUCATION MEMBERS

Mrs. Weiser said she and Mr. Austin attended the Ann Arbor Public Schools Board meeting regarding the annexation of Whitmore Lake Public Schools. She said Representative Bill Rogers and Representative Adam Zemke were also in attendance.

Ms. Ramos-Montigny said she appreciates the opportunity to work with all State Board of Education members who bring different perspectives to their work. She said she is also thankful for the staff and the fantastic jobs they do as well as their patience.

Ms. Fecteau asked the Board to consider writing a letter supporting her brother-in-law who is an award-winning educator in another state who is facing a health crisis. There was Board consensus to honor Ms. Fecteau's request.

XXII. TENTATIVE AGENDA FOR NEXT MEETING

Mr. Flanagan said Board members may contact a member of the Agenda Planning Committee comprised of Mr. Austin, Dr. Ulbrich and Mr. Varner with suggestions for agenda topics.

XXIII. FUTURE MEETING DATES

- A. Tuesday, September 9, 2014 (9:30 a.m.)
- B. Tuesday, October 14, 2014 (9:30 a.m.)
- C. Tuesday, November 18, 2014 (9:30 a.m.)
- D. Tuesday, December 16, 2014 (9:30 a.m.)

XXIV. ADJOURNMENT

The meeting adjourned at 4:15 p.m.

The video archive of the meeting is available at www.michigan.gov/sbe.

Respectfully submitted,

Daniel Varner
Secretary

State Board of Education Statement on Charter School Reform

The State Board of Education is constitutionally charged with general oversight and supervision of public education in Michigan. Charter schools are taxpayer-funded public schools proposed to provide a new, innovative alternative to traditional public schools. The recent series of articles in the *Detroit Free Press* reveal many shortcomings in Michigan's charter school law. In Michigan, the original charter school vision has been compromised by a lack of transparency, inadequate oversight, profiteering and self-dealing among some for-profit management companies and individuals, and too-often poor or indifferent educational performance.

In addition to enhanced scrutiny and accountability for charters being developed by the State Superintendent of Public Instruction under existing law, the State Board of Education calls upon the Legislature to develop comprehensive charter school reform legislation that mends, with clarity, the major flaws in the current charter law, or better enforces existing laws where clarity exists, having to do with: 1) transparency, 2) accountability and 3) educational quality.

Educational Quality Expectations: The State Board of Education calls upon the Legislature to adopt quality control provisions such as:

- Reinstating a "smart cap" allowing high performing charter schools and operators to replicate or expand; while precluding poor academically performing charters from replicating or expanding
- Holding authorizers clearly accountable for the academic performance of their portfolio of charter schools, and preclude poorly performing authorizers from chartering more schools
- Setting a clear standard for new charter schools to open that should include a) a track record of good academic performance by the charter operator with existing schools, and/or b) a strong educational team, plan, financial and institutional support that demonstrates a strong likelihood of success, and not preclude good new innovative schools to be opened by new organizations or entrants.
- Develop a charter school "certificate of need" whereby criteria and a process is established to demonstrate the need for a new charter school within a community in order to provide a new alternative, innovative, or more effective educational program.

Transparency: The State Board of Education recommends legislation that ensures charters are as transparent in the use of taxpayer money as traditional public schools. The legislation should provide that:

- Charter School management companies (EMOs) shall be required to electronically post and provide upon request the same information regarding transparency as traditional schools, regardless of whether they are managed by a for-profit company. This includes information related to salaries, benefits, and contracts.
- Outlaw the practice of an EMO serving as both the operator of a school with control over the school's budget and as the landlord for the property in which the school leases space. Further, lease agreements should reflect market conditions and be subject to negotiation by a charter school board.
- Require an open bid process for contracted services. In addition, bidders must identify and post relationships with the charter school owners, board members and/or employees.

Accountability: The State Board of Education calls for legislation that clearly outlines the responsibilities for oversight, investigation and potential sanctions for charter schools and authorizers who engage in self-dealing, direct conflicts of interest, theft, fraud, and/or unethical behavior, through provisions that:

- Clarify the powers and the requirements for the State Board of Education and/or the Superintendent of Public Instruction to oversee operations and if necessary suspend authorizing ability, charter agreements, and/or school codes and payments upon violations of law.
- Clarify powers and requirements for charter authorizers, charter school boards, and operators regarding unethical conduct, conflicts of interest, and other standards.
- Prohibit authorizers from unilaterally removing charter board members, and colluding with charter operators to reverse charter board decisions
- Protect school personnel, parents, students, and board members from retaliation for reporting violations of legal or ethical standards.

Finally, the State Board of Education calls upon the Legislature to ensure that education laws apply to both traditional and charter schools. Currently some laws apply to charter schools and not traditional schools; other laws apply to traditional schools and not charter schools.

Adopted August 12, 2014