

ARIZONA HOUSE OF REPRESENTATIVES
Fiftieth Legislature – First Regular Session

COMMITTEE ON EDUCATION

Minutes of Meeting
Monday, January 24, 2011
House Hearing Room 3 -- 2:00 p.m. or upon adj. or recess of Floor

Chairman Goodale called the meeting to order at 2:28 p.m. and roll call was taken by the secretary.

Members Present

Mrs. Carter
Mr. Court
Mr. Crandell
Mr. Fillmore

Mr. Meyer
Mrs. Pancrazi
Ms. Proud

Mrs. Tovar
Ms. Yee, Vice-Chairman
Mrs. Goodale, Chairman

Members Absent

None

Committee Action

HB2197 – DP (10-0-0-0)
HB2234 – DP (10-0-0-0)

HB2235 – HELD AT REQUEST
OF SPONSOR

CONSIDERATION OF BILLS

HB2197 – charter schools; age restricted communities – DO PASS

Vice-Chairman Yee moved that HB2197 do pass.

Stephanie Jaffa, Majority Research Staff Intern, explained that HB2197 is an emergency measure that prevents the establishment or operation of a charter school in an age-restricted community located in unorganized territory (Attachment 1).

Representative Debbie Lesko, sponsor, related that a gentleman attempted to locate a charter school in Sun City where children are not allowed to live because it is an age-restricted community. She and Dawn Wallace, Education Policy Advisor, attended a meeting at which 1,500 residents from Sun City were present, and she received many emails and telephone calls from people opposed to a charter school operating in Sun City. She worked with Ms. Wallace and the Arizona Charter Schools Association on the language in the bill.

Mr. Court asked if consideration was given to the right of the property owner to use the property and make a living by leasing it to the charter school owner. Mrs. Lesko replied that there may have been some discussion about that, but it is an area in which schools cannot operate because it is an unorganized territory; this bill levels the playing field by stating that charter schools also cannot operate in Sun City.

In response to a question, Mrs. Lesko indicated that Sun City has been an age-restricted community since its inception 50 years ago.

Rita Hick, representing self, testified that as a resident of Sun City and a member of the Sun City Homeowners Association she spoke against the attempt to establish the charter school last year. The gentleman who tried to start the charter school is a nice person, but Sun City is not an appropriate venue because of the age restriction (55 and older). Residents move to Sun City to be in a quiet, slower-paced community and do not want to deal with the increased traffic associated with children.

Vice-Chairman Yee announced the names of those who signed up in support of HB2197 but did not speak:

Anne Stewart, Spokesperson, The Sun City Formula Registry
Todd Madeksza, Director of Legislative Affairs, County Supervisors Association
Jay Kaprosy, Senior Government Relations Advisor, Arizona Charter Schools Association
Meghaen Duger, Recreational Centers of Sun City
Susan Cannata, Attorney, Maricopa County
Ken Quartermain, Lobbyist, Sun City Recreation Centers

Question was called on the motion that HB2197 do pass. The motion carried by a roll call vote of 10-0-0-0 (Attachment 2).

PRESENTATION – NATIONAL SCHOOL CHOICE WEEK

Liz Dreckman, Arizona School Choice Trust; American Federation for Children, stated that this is the first School Choice Week celebration across the country. Arizona is leading the way in school options for parents with online education, home schooling, open enrollment for public school students, tax credit programs and charter schools. The first speaker will discuss home schooling.

Carol Shipley, representing self, testified that she home schools her two children and she is a volunteer lobbyist for Arizona Families for Home Education. There are approximately 25,000 students in Arizona who are home schooled. Home school parents choose to take on this form of education at their own expense. School choice has been producing fine students to fulfill the roles of whatever field the students choose to go into in Arizona.

Ms. Dreckman stated that the next speaker will talk about the tax credit program, which serves over 27,000 students (individual and corporate). In just 9 of the over 50 Student Tuition Organizations (STOs) there are more than 20,000 children on waiting lists, so there is a huge demand for additional scholarships.

Scott Collins, representing self, talked about each of his children and stated that his wife passed away a few years ago. His children previously attended a public school system where they were not receiving the education and loving support that they now receive from the teachers at the Tri-City Christian Academy in Chandler. The tuition tax credit program has made it possible for him to keep his children at the Academy.

Ms. Dreckman stated that Arizona sets the stage for a vibrant charter school movement. There are over 500 charter schools that are attended by 12 percent of the children in Arizona. The Arizona Charter Schools Association conducted a survey of its membership, and out of the 162 schools that responded, over 55 percent have waiting lists.

Mari Jo Enfield, representing self, related that after her children experienced an unchallenging education at the neighborhood public school, she searched for a better option about seven years ago and found it at Enterprise, a public charter school in Gilbert. Each student is assessed, evaluated and taught according to his or her learning style. Any child that scores below 80 percent must be retaught until mastery level is achieved. At Enterprise and most charter schools there are only 20 to 21 students per class, which makes meeting individual needs easier. She said she drives 30 minutes to school each morning to take her children to both a public charter school and a public district school, which is not a huge sacrifice given that doing so will provide her children with the educational foundation they need to be successful later in life.

She added that her oldest daughter, who graduated from Enterprise last year, is now a freshman at a public high school in its biomedical program. She had to apply for an out-of-district exemption, but she is able to pursue a science-related field because that choice (open enrollment) is available. Public high schools love to receive students from Enterprise because they are well prepared, motivated to learn and most are placed into advanced classes.

Ms. Dreckman commented that one of the most unique school choice options in Arizona is virtual school.

Isaac McDaniel, representing self, related that he is a student at Arizona Virtual Academy (AZVA) (Attachment 3), which he believes is a better option than any other school he attended. He is in an Individualized Education Program (IEP) for processing, so it takes him longer to get work done. He likes that the teachers extend deadlines and that he is at home where he is comfortable and the work is customized. He earns As, Bs and sometimes Cs, his essays are good and the teachers are always positive. AZVA also has a live school at the Young Men's Christian Association so he can associate with other students if he wants. The teachers go out of their way to help students on a one-on-one basis.

Ms. Dreckman expressed gratitude for the opportunity to share stories of how school choice is working in Arizona. She said it not only changes the life of the student, but the entire family, the community and the future of the child. She asked the Members to keep in mind those students who are on a waiting list because there is a demand and a need for more options.

Mr. Crandell stated that he agrees with school choice in education; however, Arizona competes globally, and although students do very well with private schools and home schooling, there is no access to data from those arenas to include in statistics to improve Arizona's position across

the nation, which should be discussed. He commended students at AZVA, but wondered if there could be consequences when the students later become employed in a structured environment.

Ms. Dreckman responded that the majority of students in the virtual program work more hours in academic subjects than children in school, and they must be more self-driven because it is up to them to make sure the work is done. Many charter and private schools not only participate in national norm tests, but also other tests like the Stanford 9, and that testing information is available; however, not all of the private school students are tested with the same tests, nor would the schools want that because part of their success is due to not being subject to a litany of red tape.

Ms. Proud submitted that her youngest daughter has a medical problem, which often caused her to be absent from public school, and she was failing. She said she chose AZVA because it allows her daughter to meet the standards at her own pace. Options are needed because every family is different, and in the short time her daughter has been learning online, she has been successful. It does take a lot of self-determination and self-discipline.

Mr. Crandell reiterated the fact that he supports school choice, but contended that some issues should be looked at to prevent problems in the future, in preparing and providing students for the workforce, which is more structured.

INTRODUCTION OF STAFF

Chairman Goodale introduced Paul Benny, Majority Assistant Research Analyst, and Sarah Stedman and Taylor Larson, Pages, who were absent when introductions were made at the prior meeting.

CONSIDERATION OF BILLS (CONTINUED)

HB2234 – persistently lowest achieving schools – DO PASS

Vice-Chairman Yee moved that HB2234 do pass.

Jennifer Anderson, Majority Research Analyst, explained that HB2234 allows the State Board of Education (SBE) to assign a school a letter grade of F under AZ LEARNS if the school is among the persistently lowest achieving (PLA) schools (Attachment 4).

Mr. Crandell asked what is used to determine progress and academic attainment. Ms. Anderson replied that several items are used under AZ LEARNS, such as Arizona's Instrument to Measure Standards (AIMS) assessment data, English Language Learner (ELL) proficiency data, the Arizona Measures of Academic Progress, and for high schools, graduation and drop-out rates. Per changes made to the AZ LEARNS system last year, 50 percent of the school's class education has to consist of the academic performance measures.

Vince Yanez, Executive Director, State Board of Education (SBE), stated that the AZ LEARNS statute requires a multitude of measures to go into the formula for school accountability, which Ms. Anderson explained. For PLA, schools are ranked by overall achievement on AIMS and by growth from a three-year period on AIMS, and those rankings are averaged to identify PLAs.

Last year, because of the ever-growing system of accountability for schools, the Board took action to consolidate PLAs and the failing designation under AZ LEARNS because it is simpler and gives the Board the ability to leverage interventions on PLAs. Due to changes enacted last year, the Board will no longer have the authority to consolidate those two, so this bill will allow the Board to continue the same process that is currently in place.

Mr. Crandell asked, on scores for the three-year average, if the Board looks at the same student growth or a different snapshot. Mr. Yanez replied that he believes it is an aggregate for the school, so it is overall growth.

In response to questions, Mr. Yanez answered that schools have been labeled PLAs since 2009. Under PLA regulations, schools identified as PLAs are not only subject to certain interventions, but unlike AZ LEARNS, additional federal resources are provided to a school. This is only the second year, so it is too early to state with certainty how successful it has been, but given the processes in place and the resources the schools are receiving, he is hopeful that there will be some promising changes in schools.

Mr. Yanez clarified that if a school is identified as PLA, but it is not a failing school under AZ LEARNS, intervention is voluntary on the school's part, and if the school is amenable to certain interventions, the school can enter into an agreement with the Arizona Department of Education (ADE). By consolidating the definitions, the Board has the authority to make sure interventions are in place. He indicated that charter and district schools are treated the same under AZ LEARNS.

Mr. Crandell remarked that he is not sure that is true because a charter school can lose its charter, whereas school districts do not lose anything, but can actually bring in more federal money. Mr. Yanez agreed that there is a provision in the law stating that if a charter school is failing, the charter shall be revoked, but indicated that may have happened only once. As a matter of practice, charter schools and public schools are treated much the same.

Vice-Chairman Yee announced the names of those who signed up in support of HB2234 but did not speak:

Zach Tretton, Assistant Director, Policy Development & Government Relations, Arizona Department of Education

Stacey Morley, Director, Policy Development & Government Relations, Arizona Department of Education

Ron Lee, Arizona State Impact Aid Association

Question was called on the motion that HB2234 do pass. The motion carried by a roll call vote of 10-0-0-0 (Attachment 5).

HB2235 – ASDB; instructional improvement fund – HELD AT REQUEST OF SPONSOR

Chairman Goodale announced that HB2235 will be held at the request of the sponsor.

Chairman Goodale acknowledged Representative Catherine Miranda in the audience. She noted that the Governor will be revealing an educational plan at 3:30 p.m. in the Capitol Tower.

Without objection, the meeting adjourned at 3:21 p.m.

Linda Taylor, Committee Secretary
January 27, 2011

(Original minutes, attachments and audio on file in the Chief Clerk's Office; video archives available at <http://www.azleg.gov>)