

**MINUTES OF THE ALABAMA STATE BOARD OF EDUCATION
THE STATE OF ALABAMA
JUNE 21, 2017
MONTGOMERY, ALABAMA**

The Alabama State Board of Education met for a Special-Called meeting of Elementary/Secondary Education matters on Wednesday, June 21, 2017, at 10:15 a.m. in Plaza 104 of the Gordon Persons Building, Montgomery, Alabama. The meeting was called to order by the Vice President of the Board in accordance with *Alabama Code* (1975), § 16-3-7, as amended.

PRESIDING: DR. YVETTE M. RICHARDSON

Associate Pastor Richard Williams, Aldersgate United Methodist Church, did the invocation and the Pledge of Allegiance was done in unison. The following members were present:

Present

Mrs. Ella B. Bell
Mrs. Stephanie Bell
Mrs. Mary Scott Hunter
Dr. Cynthia McCarty
Mr. Jeff Newman
Mrs. Betty Peters
Dr. Yvette M. Richardson
Mrs. Jackie Zeigler

Absent

Governor Kay Ivey

Mr. Michael Sentance, State Superintendent of Education, was also present.

APPROVAL OF AGENDA

On motion by Mrs. Mary Scott Hunter and seconded by Mrs. Betty Peters, the Board approved the agenda.

On motion by Mrs. Ella B. Bell and seconded by Mrs. Stephanie Bell, the Board voted unanimously to adopt the following:

RESOLUTION AUTHORIZING NON-RENEWAL OF ACT ASPIRE CONTRACT

WHEREAS, on October 1, 2015, ACT Aspire LLC and the Alabama State Department of Education (“ALSDE”) entered into an “ACT Aspire Solutions Agreement Successor Agreement” (“the Agreement”) providing for the use of the ACT Aspire assessments, and associated delivery and support services, for the purpose of assessing the academic progress of Alabama’s K-12 students; and

WHEREAS, paragraph 6(a) of the Agreement provides for an initial contract term continuing through September 30, 2017, and further provides that the Agreement will automatically renew for additional two-year renewal terms unless ALSDE provides notice that it does not desire to extend the Agreement; and

WHEREAS, questions have arisen regarding the suitability of the ACT Aspire assessment for assessing the academic progress of Alabama’s K-12 students; and

WHEREAS, the Alabama State Board of Education desires to explore other potential options for assessing the academic progress of Alabama’s K-12 students:

NOW, THEREFORE, BE IT RESOLVED, That the Alabama State Superintendent of Education is hereby authorized to exercise ALSDE’s option, as set forth in paragraph 6(a) of the Agreement, to give notice of non-renewal of the Agreement, and thereby to cause that Agreement to expire on September 30, 2017.

Done this 21st day of June 2017

**REPORT REGARDING THE INVESTIGATION RELATIVE TO THE RESOLUTION OF
OCTOBER 13, 2016, AUTHORIZING AN INVESTIGATION INTO THE UNAUTHORIZED AND
POTENTIALLY ILLEGAL DISSEMINATION OF CONFIDENTIAL INFORMATION**

Dr. Yvette Richardson stated that since the report and memorandum to the Alabama State Board of Education members had been leaked to the media, the Board would not go into Executive Session as referenced on the agenda. Dr. Richardson said that the Board would accept the report during the meeting. This report was done in response to

the Resolution of October 13, 2016, Authorizing an Investigation into the Unauthorized and Potentially Illegal Dissemination of Confidential information.

State Superintendent Michael Sentance appointed State Department of Education Attorney Michael Meyer to do the internal investigation. Following Attorney Meyer's report to the Board, Superintendent Sentance informed Board members that due to concerns regarding the report, he received counsel from former Supreme Court Justice Bernard Harwood, Jr., who was also present and addressed the Board. On motion by Mrs. Ella B. Bell and seconded by Mrs. Stephanie Bell, the Board voted 7-1-0 to accept the Meyer report. Mrs. Mary Scott Hunter voted no.

The meeting may be viewed by accessing the link below.

The archived video is available at <http://www.alsde.edu/sites/boe/Pages/PreviousMeetings.aspx>.
If you have comments or questions, please call Communications at 334-242-9950 or send an e-mail at comm@alsde.edu.

Following a discussion period pertaining to an independent counsel for the Board, motion was made by Mrs. Ella B. Bell and seconded by Mrs. Stephanie Bell for the hiring of a Board attorney. On a 7-1-0 vote, the motion passed. Mrs. Mary Scott Hunter voted no. The meeting adjourned at 12:45 p.m., with the Work Session to begin at 1:15 p.m.

Vice President

Secretary and Executive Officer