

**MINUTES OF THE ALABAMA STATE BOARD OF EDUCATION  
THE STATE OF ALABAMA  
SEPTEMBER 8, 2016  
MONTGOMERY, ALABAMA**

The Alabama State Board of Education met for its regular meeting of Elementary/Secondary Education matters on Thursday, September 8, 2016, at 10:10 a.m. in the auditorium of the Gordon Persons Building, Montgomery, Alabama. The meeting was called to order by the President of the Board in accordance with *Alabama Code* (1975), §16-3-7, as amended.

**PRESIDING: GOVERNOR ROBERT BENTLEY**

Pastor Randy Jones, Messiah Lutheran Church, Montgomery, Alabama, did the invocation. The Pledge of Allegiance was done in unison.

The following members were present:

**Present**

Mrs. Ella B. Bell  
Mrs. Stephanie Bell  
Governor Robert Bentley  
Mr. Matthew Brown  
Mrs. Mary Scott Hunter  
Dr. Cynthia McCarty  
Mr. Jeff Newman  
Mrs. Betty Peters  
Dr. Yvette Richardson

Dr. Philip C. Cleveland, Interim State Superintendent of Education, was also present.

**APPROVAL OF THE MINUTES FOR THE MEETING OF AUGUST 11, 2016**

On motion by Mrs. Betty Peters and seconded by Dr. Cynthia McCarty, the Board voted unanimously to approve the minutes for the meeting of August 11, 2016.

**APPROVAL OF AGENDA**

Dr. Philip C. Cleveland, Interim State Superintendent of Education, requested that the agenda be amended to remove two items. The first was the second item under Public Hearing *for Alabama Administrative Code, Adopt Amended Alabama Administrative Code, Emergency Rule, Number 290-2-4-.06-.01, Emergency Rule Pertaining to Transportation, and Item G.2.g., under Action Items, Announce Intent to Amend Alabama Administrative Code, Rule Number 290-2-4-.06, Pertaining to Transportation.* On motion by Mrs. Betty Peters and seconded by Dr. Cynthia McCarty, the Board voted unanimously to amend the agenda.

Dr. Yvette Richardson presented a Resolution Authorizing an Investigation into the Unauthorized and Potentially Illegal Dissemination of Confidential Information that she would like included on the agenda. A motion was made by Mrs. Ella B. Bell and seconded by Mrs. Stephanie Bell for the item to be placed on the agenda. After an in-depth discussion, on a 4-5 vote the motion failed.

Voted in Favor of the Motion

Mrs. Ella B. Bell  
Mrs. Stephanie Bell  
Mr. Jeff Newman  
Dr. Yvette Richardson

Opposed

Governor Robert Bentley  
Mr. Matthew Brown  
Mrs. Mary Scott Hunter  
Dr. Cynthia McCarty  
Mrs. Betty Peters

On motion by Mrs. Betty Peters and seconded by Mrs. Mary Scott Hunter, the Board voted 8-1-0 to accept the amended agenda. Mrs. Ella B. Bell voted no.

**PUBLIC SPEAKERS – STATE SUPERINTENDENT’S CONTRACT**

Six individuals spoke before the Alabama State Board of Education, Mr. Larry Lee, Mrs. Charlotte Campbell, Ms. Diana Crews, Mr. Richard Franklin, Ms. Deborah Love, Executive Director, Eagle Forum; and Ms. Janice Charlesworth, Alabama Education Retirees Association. Governor Robert Bentley informed speakers they were to speak on the Superintendent’s Contract only.

For viewing purposes, please access the link below.

<http://www.alsde.edu/sites/boe/Pages/PreviousMeetings.aspx>.

If you have comments or questions, please call Communications at 334-242-9950 or send email at [comm@alsde.edu](mailto:comm@alsde.edu).

#### UPDATE FROM VICE PRESIDENT

Dr. Yvette Richardson stated that the Resolution Authorizing an Investigation into the Unauthorized and Potentially Illegal Dissemination of Confidential Information would be presented at the Work Session.

#### SUPERINTENDENT'S CONTRACT

Dr. Yvette Richardson, Vice President, served as Chairperson of the Alabama State Board of Education Subcommittee for the Superintendent's Contract. Committee members were Mrs. Stephanie Bell, Mrs. Mary Scott Hunter, and Dr. Cynthia McCarty.

Following the discussion, the Board voted 6-2-0 vote, in support of the contract (below) as recommended by the Subcommittee. Mrs. Ella B. Bell and Mr. Jeff Newman opposed. (See archived video for discussion.)

In response to Governor Robert Bentley's invitation to speak before the audience, Mr. Michael Sentance thanked the Board for their vote. He stated that he hoped to be worthy of the Board's confidence.

Mr. Sentance said that there is a great deal of work he has to do in the state in order to earn the trust and respect of educators. He advised that he intends to begin work as soon as possible with the goal of raising the level of achievement for students in Alabama. He stated that he wanted people to know that Alabama's schools are good and improving.

#### CONTRACT OF EMPLOYMENT

This Contract of Employment (the "Agreement") made as of the **8th** day of September, 2016 between the Board of Education of the State of Alabama, hereinafter referred to as "Board," and Michael J. Sentance, as Alabama State Superintendent of Education, hereinafter referred to as "Superintendent."

WHEREAS, Code of Alabama, § 16-4-1 (1975) authorizes the Board to enter into a contract with the Superintendent for his services for a period not to exceed four years; and

WHEREAS, the Superintendent serves at the pleasure of the Board, subject to the terms of this Agreement; and

WHEREAS, the Board has considered and approved this action in a public meeting:

#### **AGREEMENT:**

NOW, THEREFORE, IN CONSIDERATION of the mutual conditions and covenants contained herein, it is agreed by the Board and the Superintendent as follows:

**SECTION 1. EFFECTIVE DATE:** This Agreement shall be effective on and as of **September 8, 2016**, and the Superintendent shall be entitled to all benefits contained herein as of that date.

**SECTION 2. TERM OF EMPLOYMENT:** The Board hereby employs the Superintendent and the Superintendent hereby accepts employment with the Board for a period beginning on **September 12, 2016**, and ending **December 31, 2018**, subject to the provisions of this Agreement.

**SECTION 3. SALARY:** During the term of this Agreement, the Superintendent shall be paid **\$198,000 per full year of employment**.

**SECTION 4. OTHER BENEFITS:** The Superintendent shall be entitled to such other employment benefits as allowed by law, rule, or regulation, including but not limited to, a comprehensive annual physical, per diem travel expenses as provided for State employees, the use of a car, a \$1,750 per month housing allowance, reimbursement for reasonable business expenses, including but not limited to the reasonable cost to obtain and maintain a smart phone, an electronic tablet, and a laptop computer, reimbursement for up to \$5,000 annually for professional development, and participation in the *Teachers' Retirement System* (TRS) at the current applicable rate. TRS. The Superintendent shall not be entitled to receive cost of living or annual salary increases passed by the Alabama Legislature for State employees, which may be effective on or after this date.

**SECTION 5. ANNUAL EVALUATION:** The Board shall provide to the Superintendent an evaluation instrument no later than **December 31, 2016**, and each year thereafter. The Board shall conduct an annual evaluation of the Superintendent's performance of his duties and responsibilities no later than **December 31, 2017**, and each year thereafter. The annual evaluation shall be conducted in a manner which the Board shall from time to time decide upon. Such evaluation will, in all events, include the opportunity for the Board Members to discuss their perceptions of the Superintendent's performance of his duties. Upon a finding of unsatisfactory performance, either in part or in whole, the Board shall notify the Superintendent of the same and shall allow the Superintendent a reasonable time, not to exceed the next annual evaluation date, to make satisfactory progress toward correcting such

deficiencies or unsatisfactory performance. Upon a finding of a failure to make satisfactory progress toward correcting the deficiencies or unsatisfactory performance, the Board shall take such action as it deems advisable, including the termination of this Agreement, consistent with the terms therein. A failure to correct deficiencies within a reasonable time shall be deemed to constitute good cause for termination of this Agreement.

**SECTION 6. SUPERINTENDENT'S DUTIES AND RESPONSIBILITIES:** The Superintendent shall assume and discharge all duties and responsibilities as provided by law and such other duties as the Board shall require of him from time to time in accordance with applicable law.

**SECTION 7. TERMINATION BY MUTUAL AGREEMENT:** This Agreement may at any time be terminated by the mutual consent of the parties to this Agreement. The consent of the Board in such case may be given or expressed only by official action of the Board.

**SECTION 8. TERMINATION BY BOARD:** Notwithstanding any other provisions of this Agreement, the Board may at any time officially act, by majority of the whole Board, to unilaterally terminate this Agreement and thereby terminate the employment of the Superintendent. Said action shall be at the sole and absolute discretion of the Board. Any termination pursuant to this section shall only be accomplished after 60 days' notice to the Superintendent. In this event, after the 60-day notice period, the State Superintendent shall be entitled to the balance of his salary for the calendar year, but for this period he shall not receive other non-salary benefits, except as required by State or federal law.

If such termination is to be for cause, as defined under Alabama Code, § 16-3-25 (1975) or under Section 5 of this Agreement, then the State Superintendent shall be notified as provided in Alabama Code, § 16-3-25 (1975), and be given an opportunity to be heard under said section. If termination occurs thereafter for cause, then no remuneration or any other benefit, financial, or otherwise, shall be paid to Superintendent.

**SECTION 9. TERMINATION BY SUPERINTENDENT:** This Agreement may at any time be terminated unilaterally by the Superintendent by providing 60 days written notice to the Board that he desires to terminate this agreement.

**SECTION 10. RENEWAL OF CONTRACT:** The Board shall give the Superintendent notice, no later than **November 1, 2018** of the last year of the Agreement's term, of its intent to non-renew the Superintendent's contract. In the event such notice is not given, this Agreement (as the same may have been amended) shall continue for successive annual periods unless terminated earlier, as provided elsewhere in this Agreement, or until the notice provided for in this paragraph shall be given at the end of such an annual period.

**SECTION 11. GOVERNING LAW:** This Agreement shall be governed by and be construed in accordance with the laws of the State of Alabama.

Done this **8th day of September** 2016.

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Michael J. Sentance  
The Alabama State Board of Education  
By: \_\_\_\_\_  
Its: Vice President

On motion by Mrs. Betty Peters and seconded by Dr. Cynthia McCarty, the Board voted 8-1-0 to adopt the Code item below. Mrs. Ella B. Bell voted no.

#### **PUBLIC HEARING FOR ALABAMA ADMINISTRATIVE CODE**

#### **ADOPT AMENDED ALABAMA ADMINISTRATIVE CODE, RULE NUMBER 290-3-1-02, PERTAINING TO PUBLIC SCHOOL GOVERNANCE**

On motion by Mrs. Mary Scott Hunter and seconded by Dr. Cynthia McCarty, the Board voted unanimously to adopt the following:

#### **RESOLUTION IN HONOR OF DR. MELINDA MADDOX, DEPUTY STATE SUPERINTENDENT OF EDUCATION, UPON HER RETIREMENT SEPTEMBER 30, 2016**

**WHEREAS**, Dr. Melinda Maddox has served the education community, schools, teachers, administrators, students, and parents of Alabama as Deputy State Superintendent of Education and has dedicated her career to the care, nurturing, well-being, and education of young people; and

**WHEREAS**, Dr. Maddox's concern for youth includes, but expands beyond, the K-12 classroom as evidenced by her experience as a business education teacher, math teacher, and special education teacher in the Chilton County School System and as a business education teacher at Wallace State Community College; and

**WHEREAS**, as a young educator, Dr. Maddox's love for education and leadership qualities resulted in the growth of Career and Technical Education opportunities for students in Chilton County long before College and Career Readiness was a statewide focus; and

**WHEREAS**, Dr. Maddox's effectiveness as an educator was recognized by the Alabama State Department of Education (ALSDE) and led to her appointment as a vocational education specialist and education specialist; and

**WHEREAS**, being an early believer in the promise that technology held for increasing effective communication within the profession and improving educational opportunities for all Alabama students, Dr. Maddox was chosen as a founding member of the newly established Technology Initiatives Section for which she was, ultimately, named the Director; and

**WHEREAS**, during her tenure as the Director of Technology Initiatives, Dr. Maddox oversaw the development of the nationally acclaimed Alabama Learning Exchange (ALEX) and the Alabama Connecting Classrooms, Educators, and Students Statewide (ACCESS) programs that provide numerous resources for teachers and greatly expanded learning opportunities for students; and

**WHEREAS**, in 2012 Dr. Maddox was appointed Assistant State Superintendent of Education and took the helm of the newly established Division of Research, Information, and Data Services that included Research and Development, Accountability, Information Systems, and E-Rate; and

**WHEREAS**, Dr. Maddox's expanding roles within the ALSDE soon encompassed the Division of Technology and Data as she was appointed to the position of Deputy State Superintendent of Education; and

**WHEREAS**, in this capacity, Dr. Maddox's responsibilities included Educational Technology, Research and Development, Accountability, Information Systems, and E-Rate Sections; and

**WHEREAS**, her responsibilities within the ALSDE were only a portion of her total life's work, as Dr. Maddox has served in a leadership capacity in various education organizations including, but not limited to, two terms on the national Board of Directors for the State Educational Technology Directors Association (SETDA), an organization for which she is also a past treasurer; and numerous career devoted to the improvement of the educational profession; and

**WHEREAS**, Dr. Maddox has been the recipient of the SETDA *National Technology Leader of the Year* award and the International Society for Technology in Education (ISTE) *Making IT Happen Award*, and is recognized by colleagues nationwide as the consummate professional; and

**WHEREAS**, her stability and success achieved professionally are mirrored by the stability and success found in her life at home – Dr. Maddox has been married since May 1, 1976, to husband Bill Maddox and is extremely proud of her two sons and four grandchildren; and

**WHEREAS**, Dr. Maddox further promotes the well-being of her fellow man, both young and old, through her active membership in the First Baptist Church of Clanton, her participation in the choir, and her mission work both within the state of Alabama and internationally;

**NOW, THEREFORE, BE IT RESOLVED**, That the Alabama State Board of Education and the Alabama State Department of Education hereby wish Dr. Maddox well during her much deserved retirement from the field of public education and expresses its gratitude and appreciation to Dr. Melinda Maddox for her steadfast resolve and tireless dedication to the field of education.

Done this 8<sup>th</sup> day of September 2016

Dr. Yvette Richardson, Vice President, presided over the remainder of the meeting.

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

**RESOLUTION PROCLAIMING OCTOBER 24-28, 2016,  
AS "RED RIBBON WEEK" IN ALABAMA PUBLIC SCHOOLS**

**WHEREAS**, alcohol and other drug abuse in Alabama takes a terrible toll on families; and

**WHEREAS**, it is imperative that visible, unified prevention education efforts by schools, civic groups, and community members be continued to reduce the demand for alcohol and drugs; and

**WHEREAS**, Red Ribbon Week began in 1985 as a grassroots tribute to slain Special Agent Enrique Camarena of the U.S. Drug Enforcement Administration; and

**WHEREAS**, Red Ribbon Week is a national campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles; and

**WHEREAS**, Red Ribbon Week is a time for gratitude for all the lives that remain drug-free, a time to pledge to live a safe and drug-free life, and a time to remember those we have lost in the fight against drugs; and

**WHEREAS**, Alabama's citizens can demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons and encouraging a drug-free lifestyle during this week-long campaign:

**NOW, THEREFORE, BE IT RESOLVED**, That the Alabama State Board of Education does hereby proclaim October 24-28, 2016, as "Red Ribbon Week" in Alabama public schools and encourages schools and the citizens of our state to participate in drug prevention education activities, making a visible statement that we are strongly committed to a drug-free society.

Done this 8<sup>th</sup> day of September 2016

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

**RESOLUTION IN RECOGNITION OF OCTOBER 10-14, 2016, AS NATIONAL SCHOOL LUNCH WEEK IN ALABAMA SCHOOLS**

**WHEREAS**, the Alabama State Board of Education and the Alabama State Department of Education have recognized for nearly 50 years the School Lunch Program has contributed to the health and educational development of Alabama's children by making nutritious morning meals available in K-12 public schools; and

**WHEREAS**, in October of each year the School Nutrition Association and the U.S. Department of Agriculture join together to celebrate the National School Lunch Week; and

**WHEREAS**, the 2016 Theme of National School Lunch Week, "Show Your Spirit," reminds parents, students, and school officials that a healthy school lunch helps students power through the day; and

**WHEREAS**, research has indicated that students who eat lunch have better attention and memory, and the quality of food children eat impacts cognition and poor nutrition is linked with absenteeism, health problems, hunger symptoms, and psychosocial problems, and

**WHEREAS**, scientifically based food and nutrition information contributes powerful educational benefits to all elementary and secondary students; and

**WHEREAS**, the School Lunch Program served over 87.5 million lunch meals for the school year 2015-2016 to Alabama students:

**NOW, THEREFORE, BE IT RESOLVED**, That the Alabama State Board of Education does hereby express its appreciation to school nutrition professionals who make the local School Lunch Program work in 1,472 school sites statewide;

**BE IT FURTHER RESOLVED**, That the Alabama State Board of Education encourages Alabama schools to participate in promoting National School Lunch Week and designates October 10-14, 2016, as School Lunch Week in Alabama's public schools.

Done this 8<sup>th</sup> day of September 2016

On motion by Mrs. Stephanie Bell and seconded by Dr. Cynthia McCarty, the Board voted unanimously to adopt the following:

**RESOLUTION TO MODIFY BASIC SKILLS ASSESSMENT REQUIREMENTS FOR ADMISSION TO PROGRAMS LEADING TO INITIAL TEACHER CERTIFICATION**

**WHEREAS**, for the last 15 years, American College Testing (ACT) has supported the Alabama Educator Certification Assessment Program (AECAP) by administering a modified version of the reading, writing, and mathematics portions of the ACT WorkKeys assessments; and

**WHEREAS**, the ACT WorkKeys assessments administered to Alabama high school students are not the same versions of the assessments used for admission to educator preparation programs and are not specifically designed to predict success in an educator preparation program; and

**WHEREAS**, ACT has agreed to make the modified version of the ACT WorkKeys assessments available through August 2017; and

**WHEREAS**, the modified version of the ACT WorkKeys assessments have only been available on five dates throughout the scholastic year, thus impeding the progress of some candidates who are seeking admission to an educator preparation program; and

**WHEREAS**, using the ACT assessments beyond August 2017 would require a considerable expenditure of time and effort and would not increase the number of test dates available throughout the scholastic year; and

**WHEREAS**, Alabama is the only state using a modified version of the ACT WorkKeys assessments as a teacher education program admission criterion; and

**WHEREAS**, Educational Testing Services (ETS) provides the Praxis Core Academic Skills for Educators Tests that are specifically designed to assess prospective teachers' basic skills in reading, writing, and mathematics when they apply for admission to an educator preparation program; and

**WHEREAS**, the ETS Praxis Core Academic Skills for Educators Tests are administered on a continuous basis, thus facilitating the progress of candidates who are seeking admission to an educator preparation program; and

**WHEREAS**, the ETS Praxis Core Academic Skills for Educators Tests are currently used in 31 states and territories; and

**WHEREAS**, ETS has conducted a sound Multi-State Standard Setting Study (MSSSS) that has resulted in passing score recommendations that have been adopted almost unanimously by the states and territories using the Praxis Core Academic Skills for Educators Tests:

**NOW, THEREFORE, BE IT RESOLVED**, That the Alabama State Board of Education, effective September 1, 2017, discontinues the use of the Alabama Basic Skills Assessments provided by ACT and adopts the ETS Praxis Core Academic Skills for Educators Tests of mathematics, reading, and writing as a precondition for admission to an initial educator preparation program in the state of Alabama:

<b>Test Discontinued August 31, 2017</b>	<b>Former Passing Score</b>	<b>Replacement Test</b>	<b>Recommended Passing Score for Replacement Test</b>	<b>Effective Date</b>
ACT Applied Mathematics	Level 4	ETS Core Academic Skills for Educators: Mathematics (5732)	150	September 1, 2017
ACT Reading for Information	Level 5	ETS Core Academic Skills for Educators: Reading (5712)	156	September 1, 2017
ACT Writing	Level 3	ETS Core Academic Skills for Educators: Writing (5722)	162	September 1, 2017

**BE IT FURTHER RESOLVED**, That the Interim State Superintendent of Education is hereby directed to take any and all actions necessary to implement this resolution.

Done this 8<sup>th</sup> day of September 2016

**Interim State Superintendent's Report**

Dr. Philip C. Cleveland informed Board members that he would present the Superintendent's Report during the Work Session.

On motion by Mr. Jeff Newman and seconded by Mrs. Stephanie Bell, the meeting adjourned at 12 p.m.

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Vice President

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Secretary and Executive Officer