

Minutes
State Board of Education
Monday, February 10, 2003

The State Board of Education met on Monday, February 10, 2003, in the Auditorium of the Department of Education. Shelby Hillman, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Shelby Hillman, Chairman; JoNell Caldwell, Vice-Chairman; Luke Gordy; Peggy Jeffries; Robert Hackler; Dr. Calvin King; and MaryJane Rebick.

The following Board members were absent: Lewis Thompson, Jr.

Ms. Hillman introduced MaryJane Rebick who is newly appointed as a member of the Board.

Work Session

Report and Discussion of Consolidated State Application Accountability Plan for No Child Left Behind

Mr. Simon reported that under the No Child Left Behind legislation, one component of the Act requires each state to develop a model that establishes expected gains over time toward a goal of all students meeting the goal of proficient on the State's Benchmark exams. He stressed that for some time, the State has embraced many of these requirements through the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP). Some ACTAAP components must be revised to reflect additional tested grades and the need to develop additional Benchmark exams for those grades. Mr. Simon stated that there is an expectation that no less than 95% of the students in any grade level and in each identified subgroup must be tested for a school to reach its expected gain each year.

Mr. Gordy asked if the adequate yearly progress (AYP) requirement was part of the federal guidelines. Mr. Simon responded yes.

Ms. Rebick inquired about penalties imposed when one or more of the subgroups failed to make AYP. Mr. Simon described that the first year a school fails to make AYP, that school must offer students the option to attend another school in the district. Should the school fail to make AYP for a second successive year, that school must additionally offer supplementary services to students. Other sanctions apply for continued failure to make AYP.

Ms. Caldwell asked about the safe harbor provision. Dr. Charles Watson was recognized to respond. Dr. Watson explained that safe harbor is an option available to a school that meets AYP, but one or more of its subgroups fails to meet the expected gains. A school may invoke the safe harbor provision if 95% or more of its students complete the assessment and the school meets the criteria established for the "additional educational indicator." The safe harbor provision allows a subgroup to meet AYP if at least 10% of the members move into proficient.

Mr. Simon recognized the presence of Ms. Susan Bonesteal who represents the U.S. Department of Education and is stationed in the regional office in Dallas.

Chair's Report

Ms. Hillman reported attending events at the Capitol related to the announcement of the Governor's education agenda and a press conference announcing *TeachArkansas*. She also called attention to a recent Entergy publication provided to Board members that contained a wealth of good information. One of the sections addresses issues related to pre school and the impact of such programs on children of poverty as they move through the educational system.

Director's Report

Mr. Simon noted the soon to be released draft of Governor Huckabee's education reform legislation. He stated that the bill has not been introduced, but many meetings are being held with various constituent groups seeking support for the ideas to be advanced.

Consent Agenda

Ms. Caldwell moved adoption of the Consent Agenda. Mr. Hackler seconded the motion. The motion was adopted unanimously.

- Minutes – Teleconference January 113, 2003
- Newly Employed, Promotions and Separations
- Personnel Recommendations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Review of Loan and Bond Applications

Action Agenda

Review of Conversion Charter School Applications

Dr. Woodrow Cummins was recognized to present these applications. Dr. Cummins noted the work of Department staff member Gloria Stephens in the preparation of the documents for review and work with the staff to complete necessary processing and internal review. He also reported that Dr. Michael Scholes from the University of Central Arkansas was under contract to assist with the Charter School Office responsibilities until a new staff member is hired.

1. The Arkansas School for Information System and Technology Conversion Charter School – Greenland School District

Mr. Tim Passmore, Greenland superintendent, was invited to provide any additional information about the proposal. He indicated that this proposal has been under development since 1999. Ms. Hillman inquired about the requested waiver for use of the common grading scale. Mr. Passmore stated that the school was withdrawing this request for waiver. It is the intent of the staff to conduct a formal study that compares student performance, i.e. grades, with students not participating in the charter school or in other neighboring districts.

Dr. King inquired as to the enrollment of the total high school and how many would participate in this program. Mr. Passmore stated that the current enrollment was approximately 300 and up to half of the students would participate.

Ms. Caldwell inquired about the projected enrollment of 150 in year 3. Mr. Passmore stated that ultimately it was his intent to have the total high school converted to the charter school in time. Actually, he would like to work toward the total K-12 system adopting these goals and objectives as established for the Charter.

Mr. Gordy moved approval of the application. Ms. Jeffries seconded the motion. The motion was adopted unanimously.

2. Mountain Home High School Career Academies

Steve Singleton, Superintendent, Mountain Home District and Susan Bergman, High School English Teacher were recognized. Mr. Singleton expressed appreciation for the contribution and support of the Department of Workforce and Career Education in preparation of the proposal. He also noted the work of staff at the high school in doing research and background work on this proposal.

Ms. Rebick inquired as to what options a student would have if the first choice were not available. The response was that the intent is to allow a student's first choice. However, if the enrollment numbers were radically unbalanced, then the school would opt for a system of random selection and every effort would be made to provide choices for students consistent with their preferences. These options have been included in information provided to students and their parents.

Mr. Gordy asked if all students in the program would be required to complete a career path. The response was yes.

Ms. Caldwell noted that the assurances in the proposal were unsigned. Mr. Singleton stated his strong support of the program and that was an oversight on the school's part.

Mr. Hackler moved approval of the application. Mr. Gordy seconded the motion. The motion was adopted unanimously.

3. Raider Open Door Academy, Nettleton Public Schools

Kim Wilbanks and Kathy Wilcocks were introduced to represent the Nettleton District. They summarized needs studies from their district suggesting the needs of some students are not being met with the current programs, and this proposal is the result of 18 months work on the part of staff. It is truly an effort to meet the needs of ALL students.

Ms. Hillman noted that the application seems to provide options for students and an avenue for changing programs when students are not being successful. Ms. Caldwell commended the school for its adoption of the TAP model for teacher

reward and enhancement. She supports the tenets of this model as developed by the Milken Family Foundation.

Ms. Caldwell moved approval of the application. Ms. Rebeck seconded the motion. The motion was adopted unanimously.

4. Ridgeroad Middle Conversion Charter School – North Little Rock Public Schools. Mr. Dana Chadwick was recognized to represent the North Little Rock District. Mr. Chadwick also recognized the presence of Superintendent, James Smith, Board President Lynn Hamilton and Ms. Lynn Nash.

Mr. Chadwick stated that the District worked with aha! Process, Inc., and its founder, Dr. Ruby Payne, in the creation of this proposal. He noted that aha offers a research-based program that utilizes proven strategies for addressing the needs of children of poverty and provides staff development for teachers and others in the conversion and implementation phase of the school. He stated that the model provides for an extended day where students work on academic learning first then followed by a series of electives later in the day. Such a schedule provides for more options for the students and provides more time on task for essential learning.

Ms. Rebeck asked for clarification on the enrollment criteria especially related to siblings. Mr. Chadwick stated that any student that resides in the Ridgeroad attendance zone may attend, including any sibling that may be attending another school. It is a priority of the District to keep families in the same school as much as possible.

Dr. Cummins reported that the North Little Rock Chapter of Classroom Teachers had petitioned to speak in opposition to the approval of this proposal. Ms. Anita Bell was present to represent the NLRCTA. Ms. Bell distributed a printed response from which she quoted concerns expressed by CTA members and some teachers who currently are assigned to Ridgeroad Middle School. (Attachment)

Mr. Gordy asked Ms. Bell for specific examples of issues raised by the CTA. She indicated the waiver of fair dismissal, assignment of teachers, and the extended school day. Mr. Gordy asked why would a teacher want to commit to work at this school. Mr. Chadwick stated that many of the teachers concerns in the document distributed to the Board were framed before he and Ms. Nash had an opportunity to meet with teachers concerning the development of the proposal. It was his opinion, based on a survey recently conducted among teachers at Ridgeroad, that a large majority would apply for a position at the school. His data revealed that of the 45 responding, 25 would apply, 6 definitely would not, and the remainder were yet undecided. Mr. Chadwick did express the opinion that early in the development of the proposal, there was a lack of communication to and among the teachers at Ridgeroad, but he thought that problem had been corrected.

Ms. Rebeck noted that the North Little Rock Board unanimously approved the request to submit the proposal. She asked Ms. Bell if she knew the Board was meeting to address the issue and Ms. Bell responded yes.

Dr. King suggested if the requested waivers were approved, the Ridgeroad Charter School would operate under different policies than other schools in the district. Mr. Chadwick stated that the NLR Board approved the request for waivers to its policies, which would allow for uniforms to be required at the school. As for other waivers, the process would be to work with the local board then the State Board in finalizing the policies for this school.

Dr. King asked about the process of school improvement and the public school's approach to address the issue of achievement. Mr. Simon noted that every school was required to develop a local school improvement plan to address student needs based on assessment data. That would also be required for Ridgeroad. Charter schools are not exempt from the State's accountability requirements.

Dr. King expressed concern that areas of disruption especially among the teacher association and miscommunication to staff could ultimately impact student learning. Mr. Chadwick acknowledged such issues might be a concern, but that the administration was taking every step possible to avert such disruptions. Teachers would apply to work at the school. This should minimize dealing with those who do not embrace the school's philosophy. Dr. King further asked if the teacher issues were addressed. Mr. Chadwick stated that the district was working to assure teachers. Those that choose not to apply for Ridgeroad will be reassigned to another school of their choice. Ms. Rebick asked if a teacher were to be dismissed from Ridgeroad would they be assigned to another NLR school. Mr. Chadwick responded yes.

Mr. Gordy moved approval of the application. Ms. Caldwell seconded the motion. The motion was adopted on a vote of 5 yes, 1 no. (Dr. King voted no.)

Dr. King expressed the opinion that the focus of the school system must be to support the child's learning and that everything within the community must work together to make learning a successful experience for children. He observed that disagreements such as are evidenced here should be resolved so that everything can focus on the interests of the child.

Dr. Cummins invited Board members to attend the annual Charter Schools' Conference on February 20-21.

Approve for Public Comment Revisions to the Standards for Accreditation of Arkansas Public Schools

Mr. Simon began this discussion by referencing the work of the Blue Ribbon Commission and the State Board Advisory Committee. Each of those reports called for a strong curriculum, especially at the high school level, and the need for expanding the offerings beyond those currently in place. Mr. Simon also referenced the opinion of the State Supreme Court in its decision concerning the Lake View Case and a call for equal and adequate opportunities for all students in the state. At the present time a large number of students enrolled in high schools in our state do not have access to Advanced Placement courses, International Baccalaureate courses, advanced mathematics and science courses with appropriate laboratory experiences. He stressed that the proposal

merely reflects the expectations of the advisory reports and the court and should be adopted for the purpose of providing an opportunity for public review.

Mr. Simon also referenced the pending proposal supported by Governor Huckabee that affirms that every high school in our state should provide a “rich” curriculum for all students. He noted that many options for providing the “rich” curriculum may be available to local high schools. Entities such as two-year and four-year colleges and universities, area vocational and technical centers, distance learning providers, or shared services among other entities may contribute toward the proposed 60.5 units that would need to be provided under this proposal.

The Legislature is considering options for the conduct of an adequacy study. Mr. Simon said he had no doubt that the results of such a study would deal with the efficiency and associated costs of carrying out the mandates of the court.

Mr. Simon recommended to the Board that by adopting this proposal of 60.5 units, the Board is communicating clearly to schools and to everyone, that it is acting responsibly based on recommendations received from two advisory panels created by the legislature that involved a wide array of educators, politicians, and business and professional leaders representative of the entire state. By adopting these proposed standards for public comment, the Board communicates clearly to high schools what is to be required and provides a window of time for response and preparation.

Mr. Gordy stated his agreement with the concepts outlined by Mr. Simon, but was unsure that 60.5 was the right number. He did espouse that 38 was not adequate. Mr. Gordy stated that he was deeply concerned that HB 1435, which locks in place the current 38 units along with the other requirements of the Standards, sets a bad precedent. He expressed a belief that such action of codifying these or any standards was ignoring the intent of the Blue Ribbon Commission and the State Board Advisory Committee.

Dr. King concurs with the essence of the need for higher standards. He also referenced the Lake View decision and its potential impact on so many districts. The issues of poverty and resultant costs are very undetermined.

Mr. Hackler reported that he had conferred with several superintendents since the proposal was released. Many have concerns especially for the 60.5 units to be offered every year. Superintendents seem to be unsure of how higher education institutions and distance learning and other entities can help support the increased requirements and who would be responsible for the increased costs associated with the higher standards. However, he does support adopting the standards for public comment.

Mr. Gordy believes that comment from the public would be helpful in framing the final version. He also believes it would be a huge mistake for the legislature to take over curriculum and standards for schools. Mr. Gordy also pointed out that these revisions primarily address curriculum. Other revisions may be necessary later. However, he does believe it is critical to get these out for comment early so that comment and discussion can be heard.

Mr. Simon referenced the issue of “who pays.” He stated that the court document was clear that it was the state’s responsibility. Once agreements are reached, the state must

then provide resources to fund actions. Mr. Simon stated that facilities would be another major issue facing the state when the court decisions are considered. Facility studies will have to be part of the research done in addition to the curriculum adequacy study.

Ms. Jeffries lamented how difficult and complicated these issues seem. She observed that simply teaching a child should not evoke such major issues and problems for the schools and the state. Several years ago, distance learning was viewed as the solution to many of the state curriculum issues. She questioned how this has changed so quickly. She avowed that the Board should use all of its resources to make things equitable for schools rather than enlarging mandates and increasing requirements. She sees the proposal as unrealistic.

Ms. Caldwell questioned the process of business as usual pending some determination for mergers and combining schools. For example, earlier in the meeting the Board approved the issuance of bonds for Harmony Grove School to build a new Gym. This campus is one that will probably be merged under the provisions being discussed. She questioned when should a line be drawn that a school could not begin construction of new facilities pending decisions as to the fate of some schools.

Mr. Hackler stated that even if these are adopted for public comment there is no time line for final review and approval. He believes there will be public comment once the options are opened.

Ms. Hillman recognized Jimmy Cunningham, Supt. Of Plainview Rover District and Chairman-elect of the Arkansas Rural Educators Association. Mr. Cunningham stated that his high school provides more than the 38 units, but fewer than the proposed 60.5. He noted that he's not speaking to that specific number, but is concerned that the standards, as set, are high. He recommends delaying any consideration of this action until after the adequacy study is completed.

Ms. Hillman recognized Rich Nagel, Executive Director of the Arkansas Education Association (AEA). Mr. Nagel affirmed that the AEA believes every student should be afforded the opportunity to attend a school that offers a "rich" curriculum. The impact of raising the standards and graduation requirements should result in fewer students needing remediation as they enter a college or university and will go a long way to providing a more literate workforce. The AEA is firmly committed to the tenet that higher standards and enhanced curriculum requirements are the cornerstone for meeting the expectations set forth by Lake View.

Dr. King suggested that the issues of Lake View are broader than a discussion of the way decision are being made and the public understandings of have vs. have not. This is a major problem and we must all work together to a just resolution.

Ms. Rebick moved adoption of the proposed revision of the Standards for public Comment. Ms. Caldwell seconded the motion. The motion was adopted with a vote of 4 yes and 2 no. (King and Jeffries voted no.)

Request to Consolidate the Lewisville School District and the Stamps School District.

Scott Smith was recognized to present this issue. Mr. Smith reported that these two districts had complied with all legal aspects of merging these two districts and that the

Attorney General had stated that the merger would not be viewed as negatively impacting desegregation efforts. Mr. Hackler asked about the enrollment of the two districts. Lewisville enrollment is approximately 500 and Stamps is approximately 625. The new district will be named Lafayette County School District. Mr. Hackler questioned how this merger might be viewed under the Governor's proposal for minimum size of 1500. Mr. Simon stated that if that were determined as an absolute rule, then they would need to find another district to bring into the group. Or, the new district might apply for Charter District status under the proposed legislation.

Mr. Hackler moved approval of the consolidation. Ms Jeffries seconded the motion. The motion was adopted unanimously.

Appoint Nominating Committee

Ms Hillman appointed the following Nominating Committee: Luke Gordy, Robert Hackler and Lewis Thompson. They are charged with presenting a slate of officers at the May meeting.

Committee Report on Evaluation of the Director

Ms. Caldwell moved that the Board go into executive session for the purpose of discussing personnel issues. Mr. Gordy seconded the motion. The motion was adopted unanimously.

Dr. King moved that the Board reconvene. Mr. Hackler seconded the motion. The motion was adopted unanimously.

Ms. Caldwell stated that no action was taken during the executive session.

Mr. Gordy moved adjournment. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 11:50 a.m.

The minutes were recorded and reported by Dr. Charles D. Watson.

Raymond Simon, Director

Shelby Hillman, Chair