

Minutes
State Board of Education
Special Called Meeting – Friday, February 27, 2004

The State Board of Education met for a special called meeting on Friday, February 27, 2004, via telephone conference call. Dr. Charles Watson sounded the roll and affirmed a quorum to be present. JoNell Caldwell, Chairman, called the meeting to order at 11:00 a.m.

The following Board members were present: JoNell Caldwell, Chairman; Shelby Hillman, Vice-Chairman; Sherry Burrow; Luke Gordy; Dr. Calvin King; Randy Lawson; MaryJane Rebick; Diane Tatum; and Dr. Jeanna Westmoreland.

No Board members were absent.

Ms. Caldwell recognized Tom Courtway to provide information concerning the development of Rules pursuant to Act 60 of the Second Extraordinary Session of 2003.

Mr. Courtway summarized actions to date as follows:

- Proposed Rules were drafted by staff.
- Those Rules were adopted by the Board for public comment at its meeting on Monday, February 9, 2004.
- He and staff met with legislators and representatives from the professional associations.
- He and staff presented the draft to the Arkansas Legislative Committee on Administrative Rules and Regulations (the Committee) and received comments – some of grave concern for interpretation and options given the Board for implementation.

Mr. Courtway indicated to the Board that no action should be taken on the Rules at this time and he requested the option to work on language to address concerns expressed by members of the General Assembly. He also noted that the Committee requested further discussion on Wednesday, March 03, 2004.

Mr. Gordy expressed his thanks to Mr. Courtway for defending the position of the Board in a very unfavorable situation.

The Board discussed various aspects of the proposed Rules, but took no action.

Mr. Courtway stated that he and Scott Smith would work to prepare a revision that addresses points of concern from the General Assembly, from the Board and the associations. He proposed that a revision of the Rules would be distributed on Monday, March 1, which addresses issues raised to date. Mr. Courtway also announced that the Department would host a statewide videoconference on Tuesday, March 2, to provide an opportunity for dialogue with school administrators across the state.

Mr. Courtway stressed that when the Rules are adopted, they will be adopted under emergency conditions, which mean that they will only be effective for a 120-day period. Following that time, a permanent set of Rules must be formally adopted following the requirements of the Administrative Procedure Act.

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

The meeting adjourned at 11:35 a.m.

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

Tom Courtway, Interim Director

JoNell Caldwell, Chair