

Minutes

State Board of Education
Monday, March 10, 2003

The State Board of Education met on Monday, March 10, 2003, in the Auditorium of the State Education Building. 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; Robert Hackler; Peggy Jeffries; Dr. Calvin King; MaryJane Rebick; Lewis Thompson; and Dr. Jeanna Westmoreland.

No members were absent.

Ms. Hillman introduced and welcomed Dr. Jeanna Westmoreland as a new Board member.

Milken Awards Presentation

Janinne Riggs was recognized to provide background information on the Milken Family Awards. Mr. Simon and Ms. Hillman presented the 2002-2003 Milken Family Award to Amy Braswell a classroom teacher in the Texarkana School District and to Margaret Irving a classroom teacher in the North Little Rock School District. A number of former Milken Awardees attended the awards presentation. Mr. Simon recognized the contribution that these outstanding educators make each year by providing leadership and expertise to state, regional and national educational endeavors. Following the Board meeting, members of the Board were invited to share lunch with the Milken Awardees at the Governor's Mansion.

Work Session

Mr. Simon was recognized to provide a legislative session update. Mr. Simon noted that the focus of the Governor's education proposal hinges on standards in four major domains: accreditation (which includes curriculum), facilities, faculty salaries and efficiency. He reported that a team has been named to prepare an adequacy study. The team's report is expected to be complete on or about September 1, 2003. It is expected that this report will provide some idea of efficiency of operation and teacher salary levels to bring the state into compliance with the State Supreme Court mandate. A second area of study will inform facility recommendations.

The Board has adopted for public comment its recommendations for standards in the area of curriculum. In an effort to clarify what appears to be some misunderstanding of the implementation date, Mr. Simon requested that the Board consider a resolution that would attach to the previously adopted proposed standards that clarifies the implementation timeline. He noted that the intent of the proposed standards was to clearly communicate to the public the Board's position for standards that will support

Arkansas students' need for a rich curriculum. He emphasized that high standards are required to meet the instructional needs of students and to address the woeful college graduation rate, which is directly linked to the lack of a rich high school curriculum.

Mr. Simon emphasized that the proposed resolution clarifies a timeline for full implementation of the rich curriculum. The 60.5 units to be offered becomes the maximum and this resolution establishes a realistic time when schools would be required to have the rich curriculum in place.

Mr. Simon reported that the Governor's Accountability legislation was scheduled for introduction today (March 10, 2003). That bill is a companion to the reorganization bill previously introduced. He noted that the reorganization bill focuses on consolidation of districts, not schools. It calls for a redesign of the regional service cooperatives into regional service centers that will be directly linked to the Department of Education for the purpose of professional development and other direct services to schools and their staffs. The accountability legislation addresses student performance and builds on the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP). It also puts back into law the authority of the State Board of Education to consolidate schools. Mr. Simon noted that frequently the Department and the State Board have been criticized for failure to act in a timely manner to address failing schools and districts. He stressed that the Agency has performed within the authority given to it by the legislature and former administrations. The legislation caused the Department to be liberal with enforcement of standards, as they existed. Mr. Simon announced that he would present a review of current education standards for the Joint Education Committee of the Senate and House of Representatives.

Mr. Simon discussed the intent of the Governor's reorganization plan. The plan addresses the structure of districts, not schools. This proposed legislation is directed to districts, not about closing schools. Often, there is a misunderstanding between these two issues. Mr. Simon linked this misunderstanding to the fact that in many of the smaller districts, the administration office for the district is located in the high school building. Thus, when consolidation of district functions is discussed, there is a tendency to link this to the resident high school. He stressed that schools that meet the curriculum, facilities, salary and efficiency standards will continue to exist. He noted that it was too early to know exactly what those standards were. Such definition would be determined, in part, by the work of the adequacy study.

Mr. Simon stated that it appears as if this current session might recess sometime around the first week of April. It is difficult to put a definite date on when the recess might begin. The staff is working hard to pass as many of the bills as possible before the recess.

Ms. Jeffries inquired if distance-learning options would be available for districts as an option for increasing the number of units. Mr. Simon responded yes also he noted that other options such as two-year colleges and universities would be available for concurrent credit as well. Ms. Jeffries stated that parents should be made aware of all available options for students to earn credits. She believes communications from schools

about alternate ways of earning credit has been lacking. Mr. Simon noted that in the Governor's bill there is a parent participation clause that seeks to provide such information.

Ms. Jeffries noted that distance learning has been an option for some time. However, it appears that students and some schools have not taken full advantage. Some options for delivery of distance learning are less expensive than others and the amount of interactivity provided is linked to student success. Ms. Hillman noted that some superintendents have not opted to use distance learning due to the costs of the program and the equipment needed. She reported on observing a seminar provided by Mr. Boardman. Following further discussion, the Board requested that Mr. Boardman be invited to report the current use of technology-delivered instruction at the April meeting.

Mr. Gordy supports the tenets of the policy statement, but wants to be sure that it is understood that current policy is sufficient.

Dr. King questioned the accessibility of courses provided through two- and four-year colleges. He was assured that transportation is provided for students to attend when the classes are part of the school's curriculum offerings.

Chair's Report

Ms. Hillman reported attending a symposium at which Mr. Simon and Governor Huckabee were among the presenters. She noted that the audience was invited to engage in question and answers. She also observed that many in the audience were surprised by the content being presented.

Director's Report

Mr. Simon stated that he had no further report.

Consent Agenda

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

- Minutes – February 10, 2003
- Newly Employed, Promotions and Separations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Affirmative Action Report
- Report of Waivers to School Districts for Teachers Teaching Out-of-Field for longer than Thirty (30) Consecutive Days, Act 1623

Action Agenda

Adopt ParaPro Assessment Cut Score

Janinne Riggs was recognized to present this item. Ms. Riggs stated that under the No Child Left Behind Legislation paraprofessionals who are engaged in any way with the instructional delivery system in the schools must meet conditions outlined in the legislation as being “highly qualified.” Among the options, paraprofessionals may take a state-approved assessment and make a score set by the state. At the time of enactment there was not such an instrument, but Educational Testing Service has recently released an assessment tool known as ParaPro. Arkansas participated with a group of southern states to establish recommended scores that could become a standard for defining “highly qualified” as required by the statute. Barbara Patty was introduced and provided a summary of steps involved in establishing the recommended cut score. She stated that the recommended score is approximately equivalent to a candidate getting 63% of the total items correct on the test. She also emphasized this was a minimum standard, but was consistent with that adopted by the other states.

Mr. Gordy inquired as to the type of services these individuals provided in the school. Ms. Riggs indicated they served as tutors, teaching assistants, library aides, computer lab technicians, and perhaps translators for non-English speaking students.

Ms. Rebick inquired as to when this standard would begin. Ms. Riggs indicated immediately. She further noted that under No Child Left Behind, many of the requirements were mandated the first year after enactment – January 2002.

Ms. Caldwell inquired if paraprofessionals sought to meet the requirement by completing courses at an institution of higher education, would a minimum GPA be required. Ms. Riggs responded, no. Ms. Jeffries asked at what level in the school do these employees serve. Ms. Patty indicated most were in the elementary school. She also noted that the test was primarily a test of basic skills in reading and mathematics.

Ms. Riggs also indicated that for early childhood paraprofessionals, the training program Child Development Associate (CDA) has been established as meeting the required training.

Ms. Caldwell moved adoption of the proposed cut score. Ms. Rebick seconded the motion. The motion was adopted unanimously.

Request for State Board of Education to Approve Parental Request to Transfer Children from Randolph County District to the Pocahontas School District

Scott Smith was recognized for this item. Mr. Scott observed that generally, issues such as this are resolved at the district level, but in this case that was not possible. He indicated that these children in question live in the Randolph County District, but have

been attending in Pocahontas for several years. This fall the Randolph County District required the children to attend in their home district even though they meet the conditions of ACA 6-16-307. (Travel distance to the Pocahontas school is less than travel distance to Randolph County School.) Mr. Smith reported that a request to Randolph County for a legal transfer was made, but was denied by that district.

Mr. Gordy asked if anyone from Randolph County School District was present. Mr. Baker, superintendent indicated his presence in the audience. Mr. Gordy asked why the transfer was denied. Mr. Baker stated that it was policy of the Board to deny any and all requests for transfer, regardless of the issue or situation.

Mr. Smith noted that all conditions of the statute had been met for the legal transfer under ACA 6-16-307.

Ms. Jeffries moved approval of the transfer. Mr. Thompson seconded the motion. The motion was adopted unanimously.

Status Report on Phase III Districts (Academic Distress)

Dr. Charity Smith was recognized to make this report. Dr. Smith also introduced Dr. David Fetterman from Stanford University, who serves as a consultant to the department in evaluating these schools. Dr. Fetterman reported that the schools complete a self-assessment considering several domains that have been determined as major weaknesses of the efficient operation of these districts. He noted that the report is a synthesis of data taken at two different times during the school year. He observed progress on each of the issues studied. He indicated that these domains for study were somewhat alike between these two districts, but also unique due to the perceived needs of the districts. Recommendations for each of the districts were suggested.

Mr. Gordy inquired as to when these “recommendations” become requirements. Dr. Smith stated that under the conditions of these schools, the recommendations are requirements and would be treated that way by ADE staff.

Mr. Hackler inquired if these schools perceived these studies as important and would they have an impact on any future ratings of the schools. Dr. Fetterman responded yes, in general. He also observed that these schools have received a lot of publicity, mostly adverse, which contributes negatively to the morale of students and faculty. He observed that among the staff, particularly those who have been in the district for some time, there is a sense of resiliency and pride in their school and their work. They want to bounce back and become a high performing school.

Review of Conversion Charter School Renewal Application/Letter

Dr. Michael Scoles, UCA consultant, was recognized to present this issue. Dr. Scoles reported that one of these two conversion charter schools, Grace Hill in Rogers, had

submitted a letter stating the district did not wish to renew the charter, and West Woods in El Dorado had completed its application for continuation.

Mr. Gordy asked about evaluation data from West Woods. Dr. Scoles reported that the evaluators believed that the objectives were too vague and the school should be more precise in framing its objectives. These comments were based on observations from the Northwest Laboratory and its early implementation data. Improvements have been made. This school seems to be meeting or exceeding its goals in all areas except one.

Ms. Hillman noted that Grace Hill was one of the early adopters of the TAP model, which introduced a number of new ideas, including the implementation of merit pay. Mr. Gordy responded that Grace Hill adopted components of the TAP model, but did not embrace it fully and it was unfair to judge the TAP model on its history at Grace Hill.

Ms. Rebick moved acceptance of the withdrawal of Grace Hill Elementary as a charter school. Mr. Gordy seconded the motion. The motion was adopted unanimously.

Ms. Rebick moved extension of the charter agreement for an additional three years for West Woods. Mr. Hackler seconded the motion. The motion was adopted unanimously.

Dr. Scoles reported that 130 participants attended the recent Charter School Conference. Speakers included Governor Huckabee, Mr. Simon, a panel of legislators and featured Chester Finn on the closing day.

Proposed Revision of Public School Fund Budget

John Kunkel was recognized to present this issue. Mr. Kunkel reminded the Board that state statutes require that the state cannot go into deficit spending. When there is a documented shortfall in revenue, agency budgets must be adjusted so that expenditures are kept in line with revenue. He observed that two weeks prior, the Department of Finance and Administration reported an anticipated \$62 million shortfall between then and the end of the fiscal year, which is June 30. Education's share of the state budget is 48%, thus the Department of Education and the Public School Fund budgets must be decreased to accommodate reductions. He also reminded the Board that so many of the budget categories are "locked" based on previous-year expenditures and other factors impacted by the formula. There are so few categories left that have not been already reduced or allocated funds have already been sent to districts. One category that is always first to consider is fund balances. Mr. Kunkel explained that category started the biennium with \$42 million, but increased expenditures in the Pulaski County desegregation obligation and other cuts have reduced this to \$2 million currently.

Mr. Kunkel stated that required reduction in the State Operating Budget would be absorbed in salary savings. Unlike some other agencies, the Department is in a position where no employees will have to be cut.

Mr. Kunkel referred to the material distributed and the proposed revisions. Proposed cuts have been recommended to meet the decrease in projected budget revenue. These recommendations will not be popular, but there is almost no other option at this time. Mr. Kunkel stated that the Department is seeking legislative approval for some flexibility in the level of expenditures for some categories in the budget. It's too early to know if these will be approved. If so, then staff may be able to restore some of these proposed cuts and take them in some areas with mandated minimum expenditures. Mr. Simon stated that the Department is required to file a revised budget, but expenditures will not be completely made until the end of the fiscal year.

Ms. Rebick inquired about expenditures for the Department of Correction schools. Mr. Simon noted that the Department of Correction operates a full array of classes for any inmate that has not completed a high school degree or a GED. The budget for these operations has been in the Department of Education budget. Mr. Kunkel noted that next year the Department of Corrections was opening three new units, each of which will have to be funded for operation of the education program.

Mr. Gordy moved approval of the proposed budget revisions as made by staff. Ms. Rebick seconded the motion. The motion was adopted unanimously.

Revocation of a Teaching License, Mr. Michael Bradshaw

Scott Smith was recognized to present this issue. Mr. Smith reported that Mr. Bradshaw had agreed, through his attorney, to a permanent revocation of the license and had surrendered his current certificate. Ms. Rebick moved permanent revocation of Mr. Bradshaw's license. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Other Business

Mr. Gordy moved that a new item be added to the Action Agenda to consider for adoption a resolution presented by Mr. Simon to clarify the phase in of units of credit in the proposed revision to the Accreditation Standards as adopted for public comment in February. Mr. Hackler seconded the motion. The motion was adopted unanimously.

Mr. Gordy moved adoption of the resolution. Dr. King seconded the motion. The motion was adopted unanimously.

It will be the policy of the State Board of Education to enforce the current Standards for Accreditation of Arkansas Public Schools during the 2003-2004 school year. Any revision to these Standards will include a directive that school not be required to offer students in Grades 9-12 more than 50 units of courses for the 2004-2005 school year and more than 60.5 units of courses for the 2005-2006 school year. The exact number and name of such courses will be determined following a period of public comment and upon completion of the adequacy study.

Ms. Caldwell moved adjournment. Mr. Gordy seconded the motion. The motion was adopted unanimously. The meeting adjourned at 11:10 a.m.

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

Raymond Simon, Director

Shelby Hillman, Chair