

**Minutes  
State Board of Education  
Monday, November 8, 2004**

The State Board of Education met on Monday, November 8, 2004, in the Auditorium of the State Education Building. JoNell Caldwell, Chairman, called the meeting to order at 9:00 a.m.

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

No members were absent.

**Chair's Report**

Ms. Caldwell invited Board members to report on recent activities or events related to Board duties.

Ms. Rebick commented on a recent article that appeared in the National Council of Teacher Accreditation newsletter.

Mr. Lawson reported that Dr. James recently spoke at the Northwest Arkansas Rotary Club and that he made a commendable presentation. Mr. Lawson expressed appreciation to Dr. James for traveling to northwest Arkansas for that meeting.

Ms. Tatum thanked Dr. James for speaking to the LEADOR group recently on a Saturday morning. She noted that the group asked thought-provoking questions and were appreciative for his attending this meeting.

Ms. Caldwell noted a letter to the editor concerning school bus safety submitted by Dr. James. She expressed concern for the lack of attention paid by patrons when the "STOP" sign is displayed by school buses.

**Director's Report**

Dr. James reported that the Department is working diligently to prepare for the coming session of the General Assembly. He noted that staff members are engaged in conversations with legislators and attending committee meetings. He observed that much of the focus of this year's legislative agenda would be to "clean up" language from previous sessions. Dr. James indicated that one of the primary educational issues for this session would be directed to facilities and how to pay for improvements that must be made.

## **Work Session**

### **Consideration of Licensure Endorsement for Teaching Grades 5 and 6**

Dr. Angela Sewell was recognized to make this presentation. Dr. Sewell stated that she is appearing as chairman of the Professional Educational Development Laboratory (PEDLAB), which is charged with studying and making recommendations regarding issues of professional licensure. She stated that this report and request focuses on the needs of local districts to provide teachers licensed to teach middle-grade children and to help those teachers meet the No Child Left Behind requirements for being Highly Qualified by next year.

Dr. Sewell indicated that this proposal provides a process by which teachers licensed as P-4 could be “endorsed” to teach in grades 5 and 6. She summarized the components of the proposed requirements that P-4 teachers would have to complete to qualify for the endorsement. She also stated that such provisions may only be necessary for a short time because more students are entering the college/university teacher education programs with the intent to be licensed for middle grades.

Ms. Rebick asked if the proposal would result in special designation for Grades 5 and 6. Dr. Sewell responded that those who elect to complete these requirements would maintain their P-4 license and would have an endorsement for Grades 5 and 6.

Dr. Westmoreland asked when the proposed course work might be completed. Dr. Sewell responded that teachers currently employed would complete the course requirements either during the summer or in the evenings and would receive the endorsement when all requirements are complete. She also suggested that education students could also complete those requirements as an ad-on to their current program and graduate with the endorsement. Dr. Westmoreland also asked how long the PEDLAB felt this endorsement would be needed. Dr. Sewell responded that it was too early to know for sure; however, middle-level licensure is getting more emphasis at the pre-service level. Middle-level has been approved as one of the priority areas for the STAR scholarships and as a result there seems to be migration of students into this area of licensure.

Dr. Westmoreland asked how this recommendation might impact a teacher who comes to licensure through the alternate route. Dr. Sewell said she did not see any difference in the options available.

Dr. Williams ask for clarification on the definition of middle grades. Dr. Sewell noted that there is an overlapping of grades in the licensure scheme, but that was by design.

Dr. Westmoreland suggested that this item be added to the Board agenda for January for further consideration.

Ms. Caldwell asked if the PEDLAB committee had sought input from local school districts, teachers and/or administrators. Dr. Sewell noted that the Committee includes representatives from all areas and that the Committee had endorsed this proposal unanimously. She also stated that there opportunities for input from educational groups regionally. Dr. Sewell indicated that all response to the proposal was positive except for one recommendation, which suggested that Grade 6 should not be included in the option for endorsement.

Ms. Caldwell asked about concerns expressed for the lack of content emphasis in the proposed course of study. She noted that principals have expressed a concern for additional content in the program. Dr. Sewell stated that all P-4 teachers would have some content, but that it was her understanding that content knowledge would be provided in other ways.

Ms. Caldwell requested that this item be added as an action item for the January Board meeting.

### **Update on the Status of Implementation of Act 1220**

Dr. Bobbie Davis was recognized to present this item. Dr. Davis stated that in past meetings, the Department has been presenting supporting materials related to the four areas of recommendations. She introduced Wanda Shockey to present a summary of work by the Department's School Food Service staff. Ms. Shockey outlined a training program for food-service staff in the schools that is designed to help assure high quality food preparation and service for school food service programs.

Ms. Rebick asked if any food service programs were contracted to private vendors. Ms. Shockey responded that private vendors provide services, and supply food and supplies, but she is not aware of any that are totally contracted to a private vendor. Ms. Rebick also asked if food items came pre-prepared or if they were prepared at the school site. Ms. Shockey responded that some food items are prepackaged, but the school staff also prepares many items that are served daily. Ms. Shockey emphasized the importance of training regardless of the way food items are prepared and served.

Ms. Hillman stated that she hoped sanitization is one of the areas for training. Ms. Shockey assured he that it is the staff's intent to always assure sanitization.

Dr. King asked if there was a program for training or screening substitute workers in the school food service program. Ms. Shockey stated that that was not one of the main training programs of the Department, but they certainly encourage local school program directors to provide training for anyone who works in this program.

Dr. King also asked about the process of menu preparation and any training that would increase the staff awareness of preservatives, sugar, sodium, etc. Ms. Shockey responded that was included at least for directors.

Ms. Burrow asked about the extent of monitoring of the menus and planning. She observed that often menus printed in the media seem not to be well-balanced or are high in fat content. Ms. Shockey responded that some monitoring does occur; however, she also suggested that often the printed version of some menus does not include all of the items served, thus the reader may not have full information about the menu.

Dr. Davis stated that the Department intends to bring proposed rules to the Board at its January meeting for consideration and public comment.

### **Consent Agenda**

Ms. Hillman moved adoption of the Consent Agenda. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

- Minutes: October 11, 2004
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations

### **Action Agenda**

Ms. Hillman moved that an item be added to the Action Agenda to consider meeting dates for calendar year 2005. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

### **Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001**

Dr. Charity Smith was recognized to present this report. Dr. Smith distributed a summary report reflecting additional information as requested by the Board at the October meeting. Dr. Smith also reported findings about physical education teachers on the October list. She stated that those teachers only teach one class and it was assigned at the option of the local district to cover a class rather than hire an additional teacher for one class period. This condition arises when there are class size limits set by the Standards.

Ms. Hillman stated that the additional information was helpful and will enable her to make more informed decisions.

Ms. Caldwell asked if districts were, "getting the information" about what data to supply with the waiver requests. Dr. Smith responded that the information is

better, but will probably not be completely corrected until next year in that many already have the forms that were previously provided by the Department. Ms. Caldwell asked if schools were asked to supply the areas of licensure with the request. Dr. Smith responded that was not in the original request for information, but it can be supplied.

Dr. Westmoreland asked if the information collected included the total number of teachers in the district. Dr. Smith responded that was not collected, but it could be assimilated easily. The Board agreed on a request to add the number of students and teachers to the revised matrix.

Dr. Williams expressed concern that the additional information was very helpful, but he also noted it raised questions in additional areas. For example, he stated, some teachers are asked to teach in a content area not anywhere near their area of preparation. He asked if those teachers were engaged in a training program to assist them with content knowledge for that additional area. Dr. Smith affirmed that each person on the list would have an Alternate Learning Plan in the additional area. Those teachers, she said, would have up to three years to get training and remove the deficiency or become fully licensed.

Dr. Westmoreland asked if coursework were required for all ALP plans. Dr. Smith said yes, but it could also require other types of training as well. Dr. Westmoreland asked if it were possible for teachers to take an exam and be licensed in an additional area. Dr. Smith said it was possible to be license by taking a test, however, not for those teachers licensed in this program.

Dr. James stated that one primary area of concern for schools is the requirement for Highly Qualified teachers as required by No Child Left Behind (NCLB) legislation. He predicted that the state will see increased waivers and increased potential for citations as time progresses toward the end of the 2005-2006 school year. He cautioned the Board that this issue of waivers will not go away.

Ms. Rebick asked to include with the waiver information the grade level the teachers are working. Dr. James responded that information will be provided.

Dr. Westmoreland asked if schools were given a citation when the teacher is approved for a waiver. Dr. Smith responded that the first year a teacher gets a waiver, the school is not cited; if the teacher is working on an extended time ALP, then the school is cited during year two; the school would receive probation for year three.

Dr. Williams asked about the situation of a special education teacher under the Highly Qualified definition as outlined in NCLB. Dr. James responded that at the secondary level NCLB expects teachers to be Highly Qualified in the discipline, not in the broad area of special education. Dr. James further noted that this is a continuing debate for NCLB administrators and extends beyond our state; it's nationwide. He indicated at this time secondary special education teachers

teaching in a content area, mathematics for example, would not be considered as Highly Qualified.

Ms. Burrow moved approval of the waivers as presented. Dr. King seconded the motion. The motion was adopted unanimously.

### **Hearings Regarding Open Enrollment Charter School Applications**

Scott Smith was recognized to outline the procedure for review of the Charter School Applications and this round of hearings. Mr. Smith stated that the hearings to be conducted today were the result of local district action to reject the establishment of the proposed charter school within the district. In each case the applicant has requested the opportunity for a hearing before the Board, which is provided by the Rule. Mr. Smith affirmed that the hearings to be conducted will not result in action to approve or not approve the application at this time. He did state that a review of the applications is in progress by Department staff and that results of those reviews would be provided to the Board in time for study before a decision must be made. Mr. Smith stated that the formal reviews will probably be set for the January Board meeting.

Ms. Rebick stated that she had questions about some of the applications, but asked if it would be more appropriate to save those questions until later. Mr. Smith responded that questions about the proposals should be saved until the formal review. Ms. Caldwell suggested that Board members might begin to review the proposals that were provided in the Board Agenda Book and could direct specific questions to Department staff.

Dr. James confirmed that Department staff will complete the internal reviews in sufficient time for them to be sent to the Board by mid December at the latest. This should allow adequate time for thorough review before the January meeting.

Scott Smith reported that the Rule does not specify a month or deadline for completing a review of the applications. Mr. Lawson responded that when final decisions are made late in the spring, the applicants find it difficult to get everything completed to assure opening in the fall. He noted such a situation occurred last spring with a charter application from northwest Arkansas. Dr. James agreed that a timely decision is important, but suggested if an applicant knows the disposition of the application by January or February, that should provide sufficient time for planning.

A complete transcript of the proceedings was recorded by a court reporter. A copy of the transcript is attached. The Board took no actions subsequent to the presentations by the school district representatives and the charter school applicants.

**Meeting Dates for 2005**

Dr. Williams moved that the Board schedule a monthly meeting on the second Monday of each month for the calendar year 2005. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

Mr. Lawson moved adjournment. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 12:30 p.m.

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