

Minutes
State Board of Education
Monday, August 12, 2002

The State Board of Education met on Monday, August 12, 2002, in the Auditorium of the State Education Building. Shelby Hillman, Chairman, called the meeting to order at 9:00 a.m.

The following members were present: Shelby Hillman, Chairman; JoNell Caldwell, Vice-Chairman; Luke Gordy; Robert Hackler; Peggy Jeffries; Calvin King; and Lewis Thompson, Jr.

There were no members absent.

Special Report

Dr. Woodrow Cummins was recognized to present a special report on Arkansas' participation in Just for the Kids. Dr. Cummins noted that this presentation was the culmination of at least 18 months work between the Department and the Just for the Kids organization. He introduced Mr. Tom Luce who introduced the national Web site and demonstrated the type of comparative data available through this site. Mr. Luce stated that the objective of the organizations comprising Just for the Kids is to improve performance and to provide information about successful practices in high-performing schools. Mr. Simon stated that he was very pleased that Arkansas was one of the first six states to be included on the Web site. He noted that currently only Grade 4 data are included, but other grades will be added, as data are available.

Work Session

Mr. Simon stated that the report of the State Board Advisory Committee was completed on Friday (August 9) and thus copies of the report are just being distributed. He did say that there were many similarities between this report and the one completed and previously distributed by the Blue Ribbon Panel. Mr. Simon reported that the Committee did provide some priority organization to this report and was very sensitive to cost of implementation of the recommendations as they were being developed. He noted that a final report from the Board must be forwarded to the General Assembly no later than September 1.

Mr. Simon introduced Senator Jodie Mahony and Dr. Winston Simpson, Co-Chairs of the Advisory Committee. Senator Mahony provided a summary of the Committee's work and commended ADE staff for its work to prepare the draft of the report in a timely fashion. Dr. Ken James and Dr. Simpson highlighted recommendations across each of the major areas of study undertaken by the Committee.

Ms. Hillman noted that the members of the Committee had done a great amount of work over the past year that led up to the report. Members of the Blue Ribbon Commission also spent a year with an equally detailed report. She expressed the opinion that these reports contain very valuable information and should provide background information and guidance for the General Assembly as they consider education legislation beginning in January.

Mr. Simon challenged the Board that their work was just beginning. According to the legislation, the Board must submit a final report on or before September 1. He stated that it would be necessary for the Board to establish its priorities of the work and prepare a report that would include a prioritized list of recommendations. Secondly, he stated that once priorities has been set, it will be necessary to develop a course of action between September 1 and the beginning of the January session.

Mr. Simon stressed that the Committee has 72 specific recommendations. He suggested that the Board should provide a prioritized listing of them in its report to the General Assembly. To accomplish that task, a listing of the recommendations has been prepared and accompanies the report. He suggested that the Board work through this list independently and prepare a list of those recommendations that are a priority. Then Department staff would take each Board member's list and prepare a master list with a collective ranking. Following that the Board could vote on the prioritized list in preparation for the final September 1 report.

Also, Mr. Simon requested that Board members review the suggested revisions to the State Standards for Accreditation of Public Schools and prepare a similar priority ranking of those proposed revisions. This listing will help plan action for the legislative session. He noted that 32 of these standards could be implemented with little or no money.

The following timeline was outlined for completing these tasks: A Department addressed Federal Express envelope is provided for Board members to send their priority listings to the Department.

August 21 – Priority lists due to Mr. Simon's Office

August 24 – Department will summarize lists and return to Board members for further review and consideration.

August 28 – Telephone conference call to finalize report.

Ms. Jeffries inquired if final recommendations were limited to these provided by the Committee. She asked how individual recommendations could be made if an idea was not in the Committee's list. Mr. Hackler suggested that additional recommendations could be made on the lists submitted to the Department. Ms. Jeffries suggested that she did not see a time in the Board's agenda where a discussion on policy issues might be conducted.

Representative Olin Cook noted that the Education Committee would be open to all recommendations. Mr. Simon stated that the September 1 report is due to meet the legislative mandate; however, additional information can be submitted at any time before January. Mr. Simon invited any Board member to call with suggested revisions to the published reports or the Standards under consideration.

Dr. King inquired if the budget reductions earlier had or would affect these recommendations. He noted his tenure on the Board began with a major budget reduction and he was concerned with how these decreased revenues would impact the schools.

Consent Agenda

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

1. Minutes of the July 8, 2002 meeting.
2. Newly Employed, Promotions and Separations Report
3. Commitment to Principles of Desegregation Settlement Agreement Report on the Execution of the Implementation Plan Report
4. Review of Loan and Bond Applications
5. Qualified Zone Academy Bonds (QZAB) Allocation Applications
6. Final Approval of Proposed Rules and Regulations Governing the Process of Submitting a Petition for a Declaratory Order Issued by the Arkansas State Board of Education
7. Final Approval of Proposed Rules and Regulations Governing the Guidelines, Procedures and Enforcement of the Arkansas Public School Choice Act

Action Agenda

Mr. Simon announced that the Heber Springs School District had withdrawn its appeal from being placed on fiscal distress.

Arkansas School Self-Insurance Program Advisory Committee

Patricia Martin was recognized to present this report. Ms. Martin reviewed issues related to the establishment of insurance rates and noted that since September 2001 many companies are no longer writing insurance for public buildings and/or underwriting such coverage. As a result, some coverage areas have increased as much as 125% in the past year. Ms. Martin reported that the Insurance Advisory Committee had reviewed these proposed rates and recommended adoption. Ms. Jeffries moved adoption of the rate structure as proposed. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Request to Change School District Boundary Lines: Deer and Mount Judea District Boundary Hearing

Scott Smith was recognized to present this issue. Mr. Smith reviewed documentation provided with the Agenda and stated that this request is to confirm for the school districts and the local county officials the boundary between these two districts. Both districts concur in the description as described. The Board is asked to affirm the actions of these local boards. Mr. Gordy moved approval of the proposal as presented. Dr. King seconded the motion. The motion was adopted unanimously.

Revocation of a Teaching License – James Jordan

Ken Williams requested that this issue be continued until the September Board meeting. Counsel for Mr. Jordan is unavailable at this time.

Revocation of a Teaching License – Sharon Diaz

Ken Williams was recognized to present this item. Mr. Williams reported that Ms. Diaz was notified of the hearing date and has not responded. Ms. Caldwell moved permanent revocation of Ms. Diaz's licensure. Mr. Hackler seconded the motion. The motion was adopted unanimously.

Revocation of a Teaching License – Jimmy A. Murray

Ken Williams was recognized to present this item. Mr. Williams reported that Mr. Murray was notified of the hearing date and has not responded. Mr. Gordy moved permanent revocation of Mr. Murray's licensure. Ms. Jeffries seconded the motion. The motion was adopted unanimously.

Stipulated Agreement of a Teaching License – Pamela Dickson

Ken Williams was recognized to present this item. Mr. Williams reported that Ms. Dickson applied for renewal of licensure and background check revealed a felony conviction dating back to 1983. Since there was no other record and the charge was not related to students or to the school, Mr. Williams suggested that a negotiated agreement for a one-year probationary period with full licensure to be awarded at the end of that time, assuming no further incidents during the probationary year were consistent with past practice. Ms. Dickson has agreed to such an option. Mr. Gordy moved adoption of staff recommendation for one-year probation followed by full licensure. Dr. King seconded the motion. The motion was adopted unanimously.

Revocation of a Teaching License – Michael Wayne Ball

Ken Williams was recognized to present this item. Mr. Williams indicated that Mr. Ball was represented by Ms. Emily Sneddon who would present witnesses in support of Mr. Ball's request to retain his licensure. Mr. Williams swore in the witnesses scheduled to testify in this hearing.

Ms. Sneddon stated that Mr. Ball has admitted to criminal offense as charged, had paid a fine and repaid all funds which were missing from the Quitman School Activity Fund. She stated that the offense for which he admitted and was charged was not one for which the Board is required to automatically revoke the license. The Board may revoke the license or place Mr. Ball on probationary status for a period of time.

The following individuals provided testimony on behalf of Mr. Ball. Dick Cato, teacher at Quitman High School; Deborah Johnson, treasurer for Quitman School District; Josh Maulden, student who graduated in 2000 from Quitman High School; Amy Wary, student who graduated in 1998 from Quitman High School; Danny Maulden, Former Quitman District School Board member; Brenda Burroughs, teacher's aid at Quitman High School; and Linda Duncan, Quitman High School secretary. Each addressed the popularity of Mr. Ball as a high school teacher and sponsor of the senior class. Each also addressed the issue of the lax operation of the senior class concession stand and its vulnerability for poor accounting for merchandise and proceeds.

Mr. Ball testified that on multiple occasions he would “borrow” money from the concession stand fund with the intent to repay. This practice spanned a period of approximately three years. Following an audit by state auditors, it was determined that \$14,000 was missing or short from the concession stand. Mr. Ball admitted to taking part of the money, but also agreed to repay the entire amount even though some of the shortage should be attributed to students eating and drinking products from the stand. Mr. Ball stated that he agreed to his plea to protect his wife and family and he would not have to spend time in prison.

Ken Williams called Tommy Smith, Deputy Prosecuting Attorney for Cleburne County. Mr. Smith stated he filed the information and handled the case for the State. Mr. Smith cited from a statement prepared by Mr. Ball in which he admitted guilt and assumed responsibility for the “stolen” funds from the student account. He noted some sentiment in the community for required jail time for Mr. Ball in that a former secretary had stolen funds and was required to serve time. Mr. Smith stated that at the time of the trial it was his intent that one of the conditions of the plea was for Mr. Ball to have his license permanently revoked, but he did not know why that had not occurred.

Mr. Gordy moved permanent revocation of Mr. Ball’s license. Mr. Hackler seconded the motion. The motion was adopted four (4) for, one (1) no, and one (1) abstained. (Jeffries voted no and King abstained.)

Mr. Gordy moved adjournment. Ms. Caldwell seconded the motion. The motion was adopted unanimously. The meeting adjourned at 1:20 p.m.

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

Shelby Hillman, Chair

Raymond Simon, Director