

**Minutes**  
State Board of Education  
Monday, April 08, 2002

The State Board of Education met on Monday, April 08, 2002 in the Auditorium of the State Education Building. Robert Hackler, Chairman, called the meeting to order at 9:00 a.m.

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

The following members were absent: Claiborne Deming and Lewis Thompson, Jr.

Mr. Hackler announced that Betty Pickett had submitted a letter of resignation from the State Board of Education. Ms. Pickett has announced her candidacy for a position in the Arkansas House of Representatives.

The Board engaged in a work session discussing the Supplemental Instruction Plan (SIP) and the intent of the Arkansas Activities Association to monitor and manage the system. No action was taken.

The Board also engaged in a preliminary discussion of possible revisions to the State Standards for Accreditation of Public Schools in Arkansas. This document was first adopted in 1985 with minor revisions periodically since that time with the latest being in 2000. Mr. Simon noted to the Board that revisions to the Standards will probably be necessary following the decisions of Lake View, the results of the Blue Ribbon Commission and the State Board Advisory Committee on Education. No action was taken.

**CHAIR'S REPORT**

Mr. Hackler reported visits to civic clubs in the North Arkansas area and attendance at meetings of the Blue Ribbon Commission.

**DIRECTOR'S REPORT**

Mr. Simon stated that he did not have additional information to report at this time.

**CONSENT AGENDA**

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

- Minutes – Regular Meeting March 11, 2002
- Newly Employed, Promotions and Separations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Review of Loan and Bond Applications
- Waiver of National Board for Professional Teaching Standards Repayments
- Approval of National Board for Professional Teaching Standards Selection Criteria
- Approve District-Level Administrator School Superintendent Assessment (SSA) Cut-Score Recommendation
- Affirmative Action Report
- Final Approval of Amendments to the Early Childhood Special Education Rules and Regulations

## **ACTION AGENDA**

### **Request for Adoption of Curriculum/Program Administrator Licensure Recommendations**

Kristi Pugh and Donna Zornes were recognized to present this issue. Ms. Pugh summarized the background documentation provided and indicated that these recommendations complete the Administrative Licensure areas begun several months ago. Mr. Simon noted that the ADE Administrative Team reviewed these recommendations and supports the options for licensure of individuals who will be responsible for curriculum issues at the school level. Ms. Hillman moved adoption of staff recommendations. Mr. Gordy seconded the motion. The motion was adopted unanimously.

### **Approve Curriculum/Program Administrator School Leaders Licensure Assessment (SLLA) Cut-Score Recommendation**

Kristi Pugh was recognized to present this issue. Ms. Pugh stated these recommendations follow the previously adopted program and are in keeping with other previously adopted scores. Ms. Jeffries moved adoption of staff recommendations. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

### **Review of Probationary Status – Benton County School of the Arts**

Randall Greenway was recognized to present this issue. Mr. Greenway reported that the Special Education Unit had completed a third monitoring visit. He indicated that progress toward fully meeting criteria for the inclusion of children with handicapping conditions was observed, but all recommendations were not fully in place at this time. Thus, the staff recommendation is to extend the probationary status until September 1, 2002.

Mr. Gordy asked if there was a time when this school would fully meet the expectations expressed by the Special Education Monitoring staff. Marcia Harding responded that it was reasonable to believe September 1 would be a good estimate. She observed that the school understands the expectations and it takes time to fully implement all components of a program. Mr. Gordy inquired if there were other public schools (not charter schools) not in compliance and were they on probationary status. Ms. Harding responded that there were other schools who were not in full compliance and they were expected to meet the criteria in the same way as the Benton County School. Mr. Gordy asked if funds were being withheld from any other public schools. Mr. Greenway stated that it was his office that was withholding federal implementation grant funds, not at the request of Ms. Harding and her staff. Mr. Greenway indicated that with the school in substantial compliance, he saw no reason why those implementation funds could not be awarded.

Ms. Jeffries indicated some confusion on her part as to what was being required of this school. She stated that it was her opinion that the school had made great progress and should not be on probation. Mr. Hackler responded that meeting the needs of special education was an area for which there are no waivers. He recognized the intent of the Governor and legislators for full implementation of moving forward with development of charter schools. However, he expressed the opinion that the Board should not approve charter applications that do not meet the quality criteria. He reiterated it was the Board's position to expect quality in the application and management of these schools.

Mr. Gordy restated that the Board has spent much time learning and understanding the guidelines and requirements. He strongly believes the Board cannot and should not compromise the special education standards set by the federal guidelines.

Dr. King clarified that this school opened in the fall of 2001. Mr. Greenway confirmed. Mr. Greenway further noted that the investigation by special education and standards review were the result of a complaint filed against the school and its meeting the needs of special needs children. Ms. Harding stated it was an assurance that the school would meet all of the requirements of students with disabilities. They must abide by these regulations.

Ms. Hillman questioned if probationary status would impact the school's enrollment potential or its funding. Mr. Greenway noted that funding was not an issue at this point – at least the school's qualification for special grant funds. He also stated that it does not appear that enrollment has been effected.

Ms. Hillman moved that Benton County School of the Arts be continued on probationary status until September 1, 2002. Mr. Gordy agreed to second the motion provided the motion was amended to include the school would have to

have a favorable recommendation from the Special Education Unit to be removed from probationary status in September. Ms. Hillman agreed to the amendment.

Ms. Jeffries requested that the Board hear from Mr. Carpenter, who has served as interim director of the school, to outline what has been done at the school to meet the requirements of previous monitoring reports. Mr. Carpenter stated that the school has attempted to meet all requirements of the Special Education Unit. He did state it was his opinion that communications with the school were not always clearly articulated. Ms. Hillman told Mr. Carpenter that the Board was not trying to close the school, yet the Board is required to assure that all technical guidelines are in place and services to children with disabilities is an essential component. Mr. Carpenter stated that the school's enrollment has continued to be strong and registration for next year is strong.

The motion was adopted with a vote of 4 yes, 1 no. (Jeffries voted no.)

### **Review Facilities Plan for Imboden Area Charter School**

Randall Greenway was recognized to present this item. Mr. Greenway reported that following the Board's approval of this Charter at the March meeting, the entity from which facilities were to be leased decided not to follow through and complete the lease agreement. This left the school with no facility. Mr. Roark (administrator of the school) has indicated that alternative options for facilities are under consideration, but no agreement has been made. Mr. Greenway recommended that the school be given a month to explore options for facilities and report to the Board at the May meeting.

Dr. King reminded the Board that one proposal was denied that technically met all requirements at the March meeting. He expressed concern that the Board was being asked to give more time for this entity that now fails to meet the facility requirement. Mr. Greenway responded that the Imboden Area School met all requirements at the time the vote was taken, this is a new development since the vote.

Mr. Gordy moved acceptance of the recommendation to allow the school until the May meeting to have alternate facilities in place. Ms. Caldwell seconded the motion. The motion was adopted with a vote of 4 yes, 0 no and 1 abstained. (King abstained.)

### **Review and Recommendations of Measuring Performance Honors Report**

Raymond Simon presented this report. Mr. Simon stated that since the initial presentation by Dr. Mulvenon, the Department has worked diligently to communicate the components of the model throughout the state. He listed posting the technical documents on the Web site, a Director's Memo that

summarized the components, conducted two video teleconferences – outside school hours specifically for teachers, and many personal presentations. Mr. Simon recognized that this model is somewhat complex, but this is a complex process. He stated that a less complex document might not adequately address the necessary components and safeguards required in such a model. Also, included in this report is a description of a distribution system of \$400,000 made available by the Walton Family Foundation as a grant to the Department for awards to schools demonstrating high performance. He noted that this round of rewards is based solely on Fourth Grade scores on the Benchmark Exam over the past three years. This year's awards average \$2,898 and include 138 schools. He noted that this is a fair system, but it will be reconsidered as other tests are brought into the mix.

Dr. King stated that the Board should address ways for encouraging schools that are not performing as expected.

Mr. Simon indicated that the reward is designed to recognize those schools that are performing beyond what is expected. He stated that it is the intent of the Department to seek additional funds that can expand the amount available for rewards. He explained that upon adoption of the Model by the Board, schools will be contacted and will be given the opportunity to decide how the reward funds will be used in the school.

Ms. Jeffries moved adoption of the proposed model and distribution of funds. Mr. Gordy seconded the motion. The motion was adopted unanimously.

Mr. Gordy stated that the Board should go on record commending the Walton Family Foundation for the generous grant to support these school rewards.

### **Revocation of a Teaching License – Cortez Smith**

Scott Smith asked the Board to postpone consideration of this action until the May meeting. Mr. Hillman moved to postpone. Mr. Gordy seconded the motion. The motion was adopted unanimously.

### **Revocation of a Teaching License – Wilma Norwood**

Scott Smith summarized the documentation provided in the Agenda Book. He stated that the issue of a previous conviction became evident upon routine background check when Ms. Norwood sought renewal of her license. Mr. Smith stated that Ms. Norwood was present and requested the opportunity to make a statement to the Board. Ms. Norwood was recognized to address the Board. She highlighted events linking members of her family to drug trafficking and confirmed that she served time in federal prison upon pleading guilty. Since her release she has been teaching in east Arkansas schools, most recently in West

Memphis. She confirmed that she was relieved of teaching duties once the school was informed that her license renewal was in question.

Dr. King asked Ms. Norwood if she was aware of what was being transacted by her niece. She replied that the niece did not live with her, but did affirm that on occasion the niece acted from Ms. Norwood's home and she did transport the niece on occasion.

Ms. Hillman asked Mr. Smith to outline the Board's option for action in this case. Mr. Smith stated that the offense is one that is listed in statute that requires revocation. However, he did state that other options available to the Board were to waive the automatic denial, probationary status for a period of time, or suspend for a period of time with the option for further consideration when that time expires.

Mr. Gordy moved revocation. Ms. Hillman seconded the motion.

Dr. King asked for a review of the options available to the Board. Mr. Smith responded.

Ms. Jeffries asked to clarify that at the time of arrest the charge was a misdemeanor, which was later changed to felony. Mr. Smith confirmed. He stated that the federal court recognized this as a felony case and so considered it in determining punishment.

The vote on the motion to revoke was adopted 4 yes and 1 no. (King voted no.)

Dr. King moved that the action to approve the consent agenda be reconsidered to allow for a change in the minutes. Dr. King stated that his question and response to the FOCUS Center of Learning, Inc. Charter School application was not fully covered in the Minutes. Ms. Jeffries seconded the motion. Dr. King further noted that the Minutes as reported did not reflect the question or response by Mr. Greenway regarding the extent to which the application met all required components as presented in the application guidelines. Dr. King requested that the Minutes reflect that the FOCUS Center application did meet all required components. The motion to reconsider was adopted unanimously.

Mr. King moved revision of the March Minutes as described. Ms. Jeffries seconded the motion. The motion was adopted unanimously.

(Dr. Charles D. Watson, Board Liaison, reviewed the tape of the March Minutes and submits the following revision per voice record of the meeting.)

*Dr. King asked for Mr. Greenway to identify components of the proposal that were not met or were not consistent with other Charter proposals recommended for approval. Mr. Greenway noted that the Department does not recommend proposals*

*for approval. The staff does review proposals and asks for additional information or identifies components not in compliance and then advises applicants. At that point applicants are afforded the opportunity to submit revisions. Mr. Greenway listed areas of concern with this proposal and stated that at this time the applicant has addressed each of the issues at least to a minimally acceptable level. Dr. King asked to affirm that the proposal addresses all required components. Mr. Greenway stated that was the case.*

Mr. Gordy moved adoption of the Consent Agenda with the March Minutes as amended. Ms. Hillman seconded the motion. The motion was adopted unanimously.

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

The meeting adjourned at 11:00 a.m.

Minutes recorded and reported by Dr. Charles D. Watson