

## **Minutes**

State Board of Education  
Monday, January 14, 2002

The State Board of Education met in the Auditorium of the State Education Building on Monday, January 14, 2002. Robert Hackler, Chairman, called the meeting to order at 9:00 a.m.

Members present: Robert Hackler, Chairman; Shelby Hillman, Vice-Chairman; Jo Nell Caldwell; Claiborne Deming; Luke Gordy; Peggy Jeffries; Calvin King; Betty Pickett; and Lewis Thompson, Jr.

Members absent: No members were absent.

### **Work Session**

Raymond Simon reported to the Board that the State's Accountability Program (ACTAAP) is dependent on a point system that is to be applied to common indicators based on a school's performance. He introduced Dr. Sean Mulvenon, Associate Professor, Office of Research, Measurement and Evaluation (ORME) of the University of Arkansas College of Education and Health Professions, who, along with colleagues have designed a model for consideration. Dr. Mulvenon discussed the components of the proposal and addressed questions from the Board and members of the Board's Advisory Committee.

The Board also heard a presentation from Dr. Mulvenon concerning a request for study imposed by the State Legislature through Act 1660 of 2001. This study requests that the Department of Education develop criteria that would identify any school which has a statistically significant variance between grade point average and student performance on the American College Test (ACT) and end-of-course examinations.

No action was taken on these reports.

### **Hearings**

*(Charter School legislation requires that local school boards review and consider approval of petitions for open enrollment charter schools. Should the local board fail to approve the request, the sponsoring entity may appeal the decision to the State Board of Education. The State Board is obligated to provide a public hearing at which time the local board may present its reasons for denial of the request for an open enrollment charter. The purpose of these hearings is to provide an opportunity for both sides to present information that will be considered in making a final decision.)*

The Board conducted hearings related to proposals in the Conway School District, Sloan Hendrix School District and Altheimer/Sherrill School District. A full-text report from these hearings was prepared by a court reporter and is available as a separate document.

### **Pursuant to Conway School District**

During a review of the application document, it was determined that organizers of the Open Enrollment Charter School failed to meet the requirement of a public hearing. Betty Pickett moved that the Board not give further consideration to this application. Mr. Deming seconded the motion. Dr. King inquired as to why such hearing had not been completed. The response suggested a lack of understanding on the part of the developer. Dr. King moved to amend the motion to allow the developer of the proposal additional time to conduct the public hearing with technical assistance provided by Department staff. The proposal would be considered only after such a hearing was completed. Mr. Thompson seconded the amendment. Mr. Gordy suggested that this application should be considered within the timeline of all other applicants, especially given the fact that additional time was given for preparation of applications. The amendment was approved by a vote of 7 – 1 (Deming voted no.)

The amended motion was approved by a vote of 7 – 1 (Deming voted no.)

Ms. Pickett moved that the Board not consider any application for an open enrollment charter school until the requirement for a public hearing has been met. Dr. King seconded the motion. The motion was adopted unanimously.

Ms. Jeffries sought clarification of a tenet that a public hearing held in a previous year might suffice for that requirement. Mr. Greenway offered to review carefully the rules and regulations as well as the application format to determine if any of the requirements, especially those specifying a public hearing, seemed to be misleading.

### **CHAIR'S REPORT**

Mr. Hackler reported on a recent presentation made to senior level students at Arkansas State University.

Ms. Hillman reported that she had accepted an invitation to speak on educational issues at a public meeting in her area of the state.

### **DIRECTOR'S REPORT**

Mr. Simon reported on a recent invitation to participate in a forum with 30 other chief state school officers to be briefed on the new revisions to the Elementary and Secondary Education Act. He noted the opportunity to hear President Bush speak on his vision for education in the nation as outlined in the new legislation and to engage in a dialogue with Secretary Paige about collaborative efforts between the U.S. Department of Education and the states during the implementation phase yet to come. Mr. Simon stressed the firm commitment of Congress and the U.S. Department of Education staff to the principles of accountability and the need for improved performance of all children.

Mr. Simon distributed copies of a recent speech by Governor Huckabee outlining his education program – Next Step.

### **CONSENT AGENDA**

Mr. Hackler reported that Consent Agenda Item #8, Final Approval of Proposed Rules and Regulations for Act 1623, was being withdrawn from consideration.

Mr. Gordy suggested two corrections to the December 10 Minutes. On Page 1, Director's Report, the schools nominated for Blue Ribbon status were Ramsey Junior High School from Fort Smith and Sheridan High School from the Sheridan School District.

Ms. Hillman moved approval of the Consent Agenda with the requested changes in the December 10 Minutes. Mr. Gordy seconded the motion. The motion was adopted unanimously.

- Minutes – December 10, 2001 (as amended)
- Newly Employed, Promotion and Separations
- Authorization for payment of stipend and expenses for members of the State Board of Education
- Report of waivers granted to school districts for teachers teaching out-of-field longer than thirty (30) consecutive days, Act 1623
- Final Approval of Rules and Regulations Governing A Uniform Grading Scale for Non-Traditional High School Courses
- Final Approval of Proposed Rules and Regulations Governing Consistency and Rigor in Course Work
- Final Approval of Proposed Rules and Regulations Governing Ethical Guidelines for Education Administration, Employees and Board Members
- Commitment to Principles of Desegregation Settlement Agreement Report on the Execution of the Implementation Plan

### **ACTION AGENDA**

#### **Licensure Renewal Recommendations**

Donna Zornes was recognized to present this item. Ms. Zornes summarized the recommendations being advanced by staff concerning options for relicensure of teachers currently holding a valid license. Ms. Pickett questioned why such options should be available on a long-term basis given the commitment to the new licensure system. Mr. Gordy moved adoption of the staff recommendation. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

### **Decision on Fall or Spring Testing for the Norm-Referenced Testing Program**

Dr. Gayle Potter was recognized to present this item. Dr. Potter stated that the Board had considered testing dates on numerous occasions in the past. The last vote was to continue fall testing through the contract extension approved last year. She stated that a new request for proposals was being prepared and a decision must be made in order for the bidders to respond. Dr. Potter reported that the Department was recommending a change to spring test dates.

Ms. Pickett inquired as to why the Department was changing its recommendation. Dr. Potter responded that consideration was given to many suggestions and requests for spring testing from school administrators.

Mr. Gordy moved adoption of staff recommendation for spring testing. Ms. Hillman seconded the motion.

Bill Ballard requested the opportunity to address the Board on this issue. Mr. Gordy moved to hear Mr. Ballard. Ms. Hillman seconded the motion. The motion was adopted unanimously. Mr. Ballard informed the Board that he works very closely with schools and cooperatives through providing computer software for scoring and interpretation of results. His tenet was that schools support spring testing because it gives the opportunity to measure a child's progress near the end of a year, not as a year is beginning. He believes that more use can be made of results from spring testing than scores generated in the fall shortly after a child returns from summer break.

The motion to adopt spring testing dates was approved 7-1. (Pickett voted no.)

### **Revocation of a Teaching License – Curtis Keith Holt**

Scott Smith was recognized to present this item. Mr. Smith summarized the information provided in the Agenda materials and distributed one additional court document. He also noted that Mr. Holt was present and had requested the opportunity to present to the Board. Mr. Holt was invited to present his arguments. Mr. Holt stressed the importance of education to him and his love for teaching and working with students. He stated his plea in the case was made upon advice of counsel at the time and based on his lack of money to continue with litigation.

Mr. Hackler asked if Mr. Holt was currently registered as a sexual offender. Mr. Holt answered yes.

Mr. Deming moved permanent revocation of the license. Mr. Gordy seconded the motion. The motion was adopted unanimously.

### **Revocation of a Teaching Certificate – Jamie Lynn Bryant**

Scott Smith was recognized to present this item. Mr. Smith summarized the information in the Agenda materials. He reported that Ms. Bryant had been contacted of the hearing and her opportunity to appear before the Board. Ms. Bryant was not present nor represented. Ms. Pickett moved permanent revocation. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

**Revocation of a Teaching Certificate – Jennifer Williams**

Scott Smith was recognized to present this item. Mr. Smith summarized the information in the Agenda materials. He reported that Ms. Williams had been contacted of the hearing and her opportunity to appear before the Board. Ms. Williams was not present nor represented. Mr. Gordy moved permanent revocation. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Mr. Gordy moved adjournment. Ms Hillman seconded the motion. The motion was adopted unanimously. The meeting adjourned at 1:50 p.m.

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