

Minutes
State Board of Education
Monday, July 9, 2001

The State Board of Education met on Monday, July 9, 2001, 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; Claiborne Deming; Luke Gordy; Betty Pickett; and Lewis Thompson, Jr.

The following members were absent: Anita Yates.

Mr. Hackler opened the meeting by reading a letter from Anita Yates stating due to her health conditions she was resigning from the Board. In the letter Ms. Yates reiterated her commitment to public schools and their role in providing quality learning for all children of the state.

Following a brief work session Mr. Hackler called the Agenda Meeting to order.

Chair's Report

Mr. Hackler reported that he had made presentations to civic clubs in the northern part of the state. He indicated that conversations with citizens from that area of the state showed awareness for the recent Judge's ruling concerning funding for public schools in Arkansas.

Ms. Hillman reported attending the Blue Ribbon Panel organizational meeting.

Mr. Gordy reported attending the Blue Ribbon Panel organizational meeting and the national conference hosted by the Milken Family Foundation.

Ms. Pickett attended a NASBE Technology Committee meeting which discussed the potential impact of distance learning – Web-based courses – on student offerings and the availability of courses via the Internet. She suggested that additional work is needed in Arkansas to establish a firm position on electronic learning and to develop guidelines for course approval. She noted that this area of education is expanding rapidly and the State should be on alert to address issues as they arise as well as become proactive.

Ms. Caldwell attended a conference that focuses on professional development.

Director's Report

Mr. Simon indicated that in the special Board Meeting on June 20 Board members were invited to submit additional names for the Advisory Committee that will be working with and parallel to the Blue Ribbon Task Force. He stated that to date no additional recommendations had been received. Mr. Simon suggested that given the potential impact of the work of this Advisory Committee and its possible link to areas of education broader than

K-12, he recommended the following additions to the Advisory Committee: Dr. Steve Franks or his designee from Workforce Education, Mr. Lu Hardin or his designee from Higher Education, and Dr. Winston Simpson who is leading the P-16 partnership.

Mr. Simon reported that some members from the Advisory Committee were able to meet with the Blue Ribbon Task Force at its organization meeting. However, due to short notice, some were unable to attend. A second meeting is scheduled for July 19, which will also be a joint session. Following the joint meeting, the Advisory Committee will convene for an organizational session to elect a chair and discuss the group's charge.

Mr. Simon complimented Mr. Gordy and the other members of the delegation attending the Milken Family Foundation conference. The group took full advantage of information about the Teacher Advancement Program (TAP) and the possibilities of further expansion of that program in Arkansas.

Board members were invited to attend all or part of the Smart Start/Smart Step conferences being staged July 10-12 at the Statehouse Convention Center.

CONSENT AGENDA

Ms. Pickett moved approval of the Consent Agenda. Mr. Gordy seconded the motion. The motion was approved unanimously.

- Minutes – June 11, 2001
- Minutes – June 20, 2001
- Newly Employed, Promotions and Separations
- Approval of Organizations for Implementation of Act 648 Community Service Program

ACTION AGENDA

Request for Approval of Permanent Amendments to Rules and Regulations Governing the Certification Laws and Regulations

Dr. Charity Smith was recognized for this presentation. Dr. Smith stated that the purpose of this item was to make permanent a number of revisions adopted previously as emergency amendments to these rules and regulations – specifically those policies linked to reciprocity from other states and other countries. Ms. Pickett inquired about the requirement for Praxis or some other test for an out of state candidate when many Arkansas teachers are not held to that standard. Dr. Smith indicated that a candidate would be approved if the applicant could produce any acceptable set of test scores. She explained that in years past some states licensed with no test to determine proficiency. Arkansas teachers have been required to pass some test for many years. She stated it was not the intent of the revisions to issue licenses to candidates with no test at some point in their professional preparation. Mr. Deming inquired as to the number of applicants expected from other countries and if the state had experienced such requests in the past. Ron Tolson, Coordinator of Teacher Licensure, stated that he did not have any data to respond to this issue. There have been some requests, but not many.

Mr. Gordy moved approval of these amendments for public comment. Ms. Pickett seconded the motion. The motion passed unanimously.

Request for Approval of Additional Facilities for the Benton County School of the Arts (Charter School)

Randall Greenway was recognized to present this request. Mr. Greenway summarized information presented in the Agenda Book and indicated the facility in question did meet minimum building guidelines. In response to a question about previous use of this facility, the school administrator, Mr. Osborne stated it had been used as a warehouse, but it did have restrooms and minimal kitchen facilities. Mr. Gordy moved approval of the request. Ms. Caldwell seconded the motion. The motion passed unanimously.

Request for Name Change – Blytheville Charter School

Randall Greenway was recognized to present this request. Mr. Greenway summarized a letter received from the Blytheville School District explaining the request for a name change was due to a relocation of the school to a different building to better accommodate students. Mr. Deming moved approval of the request. Ms. Caldwell seconded the motion. The motion passed unanimously.

Mr. Greenway informed the Board that it appears there are fiscal issues related to overpayment based on enrollment at the Gateway Charter School. Further review will determine the recommended course of action.

Marked Tree School District Appeal of Classification of Fiscal Distress Phase I

Patricia Martin was recognized to present this item. Ms. Martin informed the Board that following notification to the Marked Tree School District of the Board's action in June placing Marked Tree District on Fiscal Distress the district requested a hearing to present additional information pursuant to this issue. Ms. Martin introduced Mr. Gary Masters, Superintendent of the Marked Tree School District. Mr. Masters stated that he had assumed the leadership role of superintendent in the district only one year ago. At the time he was hired, he determined there were serious fiscal issues in the district primarily linked to a continuing decline in student population of the district. Thus, revenues had declined over the past years and fiscal decisions to reduce staff and restructure obligations were not made. These previous decisions led to the decreasing balance over the past three years. He noted the policies and strategies implemented during the past year to reverse the trend and to have the district become more fiscally responsible. It was his observation that the district has been disciplined beyond expectation and this designation (fiscally distressed) paints a further negative picture for the district.

Mr. Gordy inquired about the impact of removing the district from the distressed list as far as services from the Department of Education staff. Ms. Martin indicated that there were set interventions and technical assistance prescribed by the rules and regulations that would be provided by staff for all districts on the distress list. Services are available to other districts, but not with the same rigor.

Mr. Simon stated that some of Mr. Masters' projections, specifically the salary obligations under the new legislation, were inconsistent with earlier projections and expectations of local districts.

Mr. Gordy inquired as to what would be gained for the District by keeping them on the distress list. Ms. Martin responded that the district would receive more intense and focused work with staff specialists and that the Department would be consistent with the requirements of the law and rules and regulations.

Ms. Pickett asked about the potential of passing the proposed millage in the September election. Mr. Masters summarized work he and the Board were doing to inform the community and to work with community leaders to explain the dire needs and condition of school funding in the district. He suggested that it's difficult to predict any election, but community leaders are supporting the request and are helping inform the voters. Ms. Pickett suggested that it might be more appropriate for this request to be tabled until after the millage election in September. Scott Smith, Department attorney, suggested that the District could waive the requirement for the Board to hear and respond to the appeal within 60 days as stated in the rules and regulations. Thus, the affirmative vote on the millage could swing the opinion in the favor of the District's request.

Mr. Gordy asked Mr. Masters if the District would be willing to continue the discussion beyond the 60-day requirement and delay a decision until after the millage vote. Mr. Masters indicated that he would prepare a letter to that effect before leaving today. No further action was taken.

Rules and Regulations Establishing the Academic Standards for Student Participation in Competitive Interscholastic Activities

Janinne Riggs was recognized to present this item. Ms. Riggs indicated that this issue provides the Board an opportunity to review policy and reconsider options that address the required 2.0 Grade Point Average (GPA) for participation in interscholastic activities. Ms. Pickett indicated that when this issue was last considered in 1997, the position was adopted that provided options for schools to work with students who did not meet the 2.0 GPA requirement by establishing supplemental instructional programs. It has become apparent that these programs have not been monitored and as a result the intended opportunities are not being implemented across the state. Ms. Pickett suggested that policy should be strict compliance with the 2.0 GPA requirements and not provide the option for supplemental instructional programs. It was her opinion that this course of action would require less monitoring and there would be less opportunity for abuse through self-reporting. She did suggest that strict compliance would not negate a district's options for supplemental instruction to help athletes meet the 2.0 GPA requirement.

Mr. Gordy supported Ms. Pickett's conjecture and suggested that the issue was lack of monitoring and regulation of the program as previously adopted. He continues to believe that the supplemental instruction policy was a good option, but coaches and schools abused it.

Mr. Deming noted that any program like the supplemental instruction program is easily subject to abuse. He continued that a 2.0 GPA is not an unreasonable expectation and he supports requiring strict compliance. Ms. Caldwell suggested that, as a Board, priority

should be given to academics rather than athletics and supporting the 2.0 GPA should help motivate students to achieve higher standards.

Mr. Hackler noted there were two proposals in the Agenda materials. He suggested that the Board should select one and put it out for public comment. Ms. Riggs indicated that due to timing of the public hearings, the September meeting would be the earliest time that the Board could give further consideration to this issue. She also noted that Section 6.03 was the requested penalty clause and that section was in both options. Ms. Pickett moved acceptance of Plan B (strict adherence to the 2.0 GPA without reference to a supplemental instruction program) for public comment. Mr. Deming seconded the motion. The motion was adopted on a 5-1 vote. (Gordy voted no.)

Commitment to Principles of Desegregation Settlement Agreement: Report of the Execution of the Implementation Plan

Dr. Charity Smith introduced Mr. Willie Morris who has assumed the responsibilities for desegregation monitoring. Mr. Morris summarized points from the printed report and noted that teachers and other administrative staff from all three districts were scheduled to participate in Smart Start and Smart Step professional development later in the month. Ms. Pickett asked about the number of minority individuals attending the Job Fair held earlier in the spring. Mr. Morris did not know, but agreed to provide that information. Ms. Pickett moved that the Board receive this report. Ms. Hillman seconded the motion. The motion passed unanimously.

Revocation of a Teaching License – Mr. Walatha Love

Scott Smith was recognized to present this item. Mr. Smith stated that Mr. Love had been informed of his option for attending the meeting. He was not present nor represented. Ms. Pickett moved that the license of Mr. Love be revoked. Ms. Caldwell seconded the motion. The motion passed unanimously.

Waiver of National Board for Professional Teaching Standards Repayments

Donna Zornes was recognized for this presentation. Ms. Zornes indicated that two individuals who previously received financial support for registration and assessment for National Board Certification have been unable to complete the process due to major health issues. Each provided a statement from a physician indicating the nature of the illness and verifying the inability of the individual to continue the certification process. She indicated that rules and regulations provide for a waiver of repayment of funds in such cases. Mr. Gordy moved approval of staff recommendation for waiver of repayment. Ms. Hillman seconded the motion. The motion passed unanimously.

Other Business

Staff indicated that Richard Hutchison, representing the Arkansas Education Association (AEA), had requested the opportunity to speak to the Board on the topic of professional development. Mr. Gordy moved that Mr. Hutchison be given 3 minutes to address the Board in keeping with current guidelines. Ms. Hillman seconded the motion. The motion passed unanimously.

Mr. Hutchison stated it was the AEA's opinion that current Board policy allowing teachers to count college courses for only 3 clock hours of professional development was unfair to teachers and did not promote college/university coursework as professional development options. He suggested the Board study this issue and revisions to the policy be given consideration by the professional development task force.

Mr. Gordy moved that an item be added to the Agenda to consider additional members to the Board's Advisory Committee for Improving Education. Mr. Deming seconded the motion. The motion passed unanimously. Mr. Simon recommended that three individuals be added to the Advisory Committee: Winston Simpson, coordinator of the P-16 Task Force; Steve Franks, Director of Workforce Education or his designee; and Lu Hardin, Director of the Department of Higher Education or his designee. Mr. Hackler also indicated this was the time for other nominations from Board members. No other suggestions were offered. Mr. Gordy moved approval of these additions to the Advisory Committee. Ms. Hillman seconded the motion. The motion passed unanimously.

Ms. Pickett moved adoption of a resolution recognizing the contribution of Anita Yates to the Board during her years of service. Ms. Hillman seconded the motion. The motion passed unanimously. The resolution along with an appropriate plaque will be delivered to Ms. Yates by Luke Gordy as soon as the plaque is received.

Mr. Gordy moved adjournment. Ms. Hillman seconded the motion. The motion passed unanimously. The meeting adjourned at 11:00 a.m.

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

Raymond Simon, Director

Robert Hackler, Chairman