

**Minutes  
State Board of Education  
Monday, February 9, 2009**

The State Board of Education met on Monday, February 9, 2009, in the Auditorium of the State Education Building. Chairman, Randy Lawson, called the meeting to order at 9:00 a.m.

The following Board members were present: Randy Lawson, Chairman; Dr. Naccaman Williams, Vice-Chairman; Sherry Burrow; Jim Cooper; Brenda Gullett; Sam Ledbetter; Alice Mahony; Dr. Ben Mays; and Diane Tatum.

No Board members were absent.

**Reports**

Dr. Ken James introduced Dr. Jerry Guess, superintendent, Camden-Fairview School District and presented a plaque in recognition of the award Arkansas Superintendent of the Year.

**Chair's Report**

Brenda Gullett reported attending a meeting of the National Association of State Boards of Education in Washington.

**Commissioner's Report**

Dr. James reported progress on the federal stimulus package and its potential impact on education in Arkansas. He stated that funds may be added to the federal funding formulas and to construction projects across the state. Dr. James added the caution that stimulus money will be one-time funds that should not be considered continuing and discretion would need to be considered in the ways the funds would be used across the state.

Dr. James also noted the Department has received numerous contacts regarding the number of school days missed due to ice conditions across the state. He stated that a Commissioner's Memo would be posted later in the week to provide guidance to local district administrators as to procedures for make-up days and how any requests for waivers might be considered. Dr. James reported that he has been in contact with Commissioners from other states, specifically Kentucky, so that states might advance concern to the federal level together rather than as independent requests. Dr. James also cautioned that final decisions may not be totally appropriate at this time because of the potential for snow and storm conditions later in the winter.

**Status of the Designation of Facility Distress for the Hermitage School District**

Doug Eaton presented this report and noted that the Hermitage School District is currently working to comply with state recommendations and appears to be on a path to meet the facilities requirements.

## **Consent Agenda**

Dr. Williams asked about the projected end-of-year balance for the Murfreesboro School District. Mr. Goff stated that that balance is estimated to be approximately \$150,000.

Ms. Tatum asked for clarification of the role of Dee Cox as special assistant to the Commissioner to work with the Smart Accountability Program. She asked how this position related to the work of Dr. Charity Smith, associate commissioner of accountability. Dr. James responded that none of Dr. Smith's duties were impacted and that the Smart Accountability program deals with supporting schools in the implementation of No Child Left Behind and differentiated sanctions for schools with varying status for school improvement. Dr. James stated that Dr. Smith's work focuses on the school report card.

Dr. Williams moved to approve the Consent Agenda as presented. Mr. Cooper seconded the motion. The motion was adopted unanimously.

- Minutes – January 12, 2009
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Progress Report on the Status of Districts Classified in Fiscal Distress for 2008-2009
- Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
- Consideration of Report on the Status of the Arkansas Public Charter Schools Program

## **Action Agenda**

### **Petition for Voluntary Administrative Annexation of the Cushman School District into the Batesville School District**

Tripp Walter was recognized to present this item. Mr. Walter summarized the enrollment status of the Cushman School District and affirmed that the enrollment for the two previous years has been less than 350. Mr. Walter introduced Dr. Ted Hall, superintendent of the Batesville School District, who affirmed that the Batesville School District and the Cushman School District have reached mutual agreement for the voluntary annexation to occur if approved by the Board. Dr. Hall stated that the deliberations and ultimate decision have been difficult for the Cushman community, its local board, the current administration and faculty. He assured the Board that the Cushman leaders were very professional in making the decision. No other parties wished to speak to the proposal.

Mr. Cooper stated that he lives in an adjoining district and he commended the Cushman Board and Mr. Gary Anderson, superintendent, for their ability to make difficult decisions in a most professional manner.

Mr. Walter informed the Board that the Department legal staff had contacted other contiguous districts regarding the annexation and no other districts requested the opportunity to enter into the discussion and that those other districts were supportive of the annexation of Cushman to the Batesville District.

Dr. Mays asked about the potential for maintaining a school site in the Cushman Community. Dr. Hall responded that the Batesville District will close all school operations in the Cushman community. Dr. Hall noted that was made clear to the Cushman community during the deliberations. He stated that all students will be transported to the Batesville campuses, which have adequate space to accommodate those students with minimal restructuring. Dr. Hall also stated that the Batesville Districts will only hire Cushman faculty as they may be needed to cover classes in Batesville and there are no guarantees for employment.

Ms. Tatum asked if travel would be a problem between the two communities. Dr. Hall responded that the travel distance is 13 miles or less for most of the students impacted.

Ms. Burrow asked why Batesville. Mr. Anderson responded that Batesville Board and administration made us feel welcome, many of our patrons work in the Batesville area, and the travel time is less to Batesville than to the other contiguous districts. Mr. Anderson noted that the Cushman Board did visit with other districts before a final decision was made.

Ms. Mahony asked Mr. Anderson if he would have a position in the Batesville District. Mr. Anderson responded that a position had not been discussed. Ms. Mahony asked about the remainder of his contract with Cushman. Mr. Anderson responded it has two years remaining.

Mr. Cooper moved to accept the proposed voluntary annexation of the Cushman School District into the Batesville School District effective July 1, 2009. Ms. Gullett seconded the motion. The motion was adopted unanimously.

*(A complete transcript of the following deliberation was recorded by the court reporter. That transcript is available for review from the State Board Office.)*

**Hearing of District Conversion Public School Charter School Application and ADE Review: Oak Grove Elementary Health, Wellness, and Environmental Science School – Paragould School District**

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown summarized the Oak Grove Elementary application and introduced Dr. Aaron Hoffman, superintendent, and Mr. Nicholas Jancoviak, principal. Mr. Jancoviak presented an overview of the proposal and described the changes that would occur at the school should the proposal be approved.

Dr. Mays asked if this school would be a new elementary school in the district. Mr. Jancoviak responded that the Oak Grove Elementary School has been part of the Paragould School District for many years, but it would become a charter school, which would be a new venture for the Paragould School District. Mr. Jancoviak added that he has been a fan of charter schools and he believes the additional focus and visibility of

the conversion charter will be good for Oak Grove Elementary as well as for the rest of the District.

Ms. Gullett asked about funding to carry out all of the changes that are proposed. Mr. Jancoviak responded that a number of grants would be sought. Grant funds would be essential for the overall implementation of the program.

Ms. Gullett asked about the recent observed decline in Benchmark Test scores. Mr. Jancoviak stated that the faculty was working very hard to get the scores to improve. He stated that this was his first year at the school and he believes that with the charter status and his leadership, the scores will improve.

Dr. Mays asked about the use of proposed grant funding that was written into the budget. Dr. Brown stated that if the proposal were approved, state charter start-up funds would be available to the school. Mr. Jancoviak stated that the funds, if available, would be used to supplement materials and supplies, conversion of the gym into a cardiovascular classroom, the construction of an outdoor classroom, and additional playground equipment.

Mr. Ledbetter noted that grant funds are one-time funds and asked about funds for the project for continuation of the work once it is started. There were no specific responses to this question.

Ms. Tatum noted that the sign-in sheet for the public meetings had a very few names. Mr. Jancoviak stated that advertisements were sent home, but few people did attend the information sessions.

Dr. Williams moved approval of the conversion charter school as proposed. Ms. Burrow seconded the motion. The motion was adopted 5 yes, 3 no. (Gullett, Mahony and Mays voted no.)

Stated reasons for no votes:

Gullett: Believed there should be more documentation provided on the proposed curriculum.

Mahony: The principal has only one year at the school to establish a program and believes more data about the school and proposed programs are needed.

Mays: Concerned about the instruction in basic skills – sees scores declining. Believes any new money should be used to reduce student-teacher ratios, not add extra programs. He believes this program is contrary to what experts state increased funds should be used to do.

### **Consideration for Approval to Create Two New Licensure Areas: Speech 7-12 and Drama 7-12**

Beverly Williams was recognized to present this item. Ms. Williams stated that currently teachers working in either of these content areas are licensed by endorsement but there is not an option for teachers who wish to seek full licensure in one or both of these areas. She also believes that these options will address teacher shortages in these areas. Ms. Williams noted that colleges and universities that intend to recommend

individuals for licensure in either of these areas will have to develop a program of study and submit it for approval through the Department of Education.

Dr. Williams asked if the speech were related in any way with speech pathology. Beverly Williams responded that both speech and drama are content courses offered in high schools across the state.

Ms. Gullett moved approval of the proposal. Mr. Ledbetter seconded the motion. The motion was adopted unanimously.

### **Consideration for Adoption: Interstate School Leadership Licensure Consortium (ISLLC) Standards for Educational Leadership Programs of Study**

Beverly Williams was recognized to present this item. Ms. Williams introduced Dr. Mary Gunter, associate professor of educational leadership, Arkansas Tech University, who worked on the national panel that developed the latest revision of these Standards. Dr. Gunter stated that the Standards should be considered a guide to college and university leadership administrative training programs.

Mr. Cooper moved adoption of the ISLLC Standards as proposed. Ms. Gullett seconded the motion. The motion was adopted unanimously.

### **Request for Approval of 2008-2009 Arkansas Better Chance Grants**

Jamie Morrison was recognized to present this item. Ms. Morrison requested and was granted permission to submit additional grant proposals funding consideration.

Twenty-three proposals totaling \$111,369 were presented with the Agenda. Seven additional requests were submitted with total grant funds requested \$74,185.

Dr. Williams moved approval with the additional proposals as submitted. Ms. Tatum seconded the motion. The motion was adopted unanimously.

### **Consideration for Approval: Pass Cut Score and Pass Performance Level for the Arkansas Algebra I End-of-Course Examination**

Dr. Gayle Potter was recognized to present this item. Dr. Potter introduced members of the advisory panel that reviewed the data and shared in the development of the recommended cut scores. Dr. Potter stated that the recommended cut score for pass performance level should be considered as a very minimal score not as a desired performance level, but as a score below which any student should not meet graduation requirements.

Dr. Williams moved adoption of the cut scores as proposed. Ms. Tatum seconded the motion. The motion was adopted unanimously.

### **Consideration for Removal of Bismark School District from Fiscal Distress Classification**

Bill Goff was recognized to present this item. Mr. Goff summarized the progress made by the Bismark School District toward meeting the plan for removal from classification in

fiscal distress. Mr. Goff recognized Dr. David Hopkins, superintendent Bismark School District. Mr. Hopkins noted the hard work of faculty, the Board and patrons of the Bismark District to make great progress in meeting the recent fiscal challenges.

Ms. Burrow asked about strategies used to accomplish approval of a 12 mill tax increase. Dr. Hopkins stated it was a work of meetings, visiting with patrons, speaking to civic groups and church groups: the community literally rose to meet the need and to get the district on positive fiscal standing.

Ms. Tatum moved approval of the recommendation to remove Bismark from fiscal distress classification. Ms. Burrow seconded the motion. The motion was adopted unanimously.

### **Consideration for Removal of Clinton School District from Fiscal Distress Classification**

Bill Goff was recognized to present this item. Mr. Goff summarized the progress made by the Clinton School District toward meeting the plan for removal from classification in fiscal distress. Mr. Goff introduced James McGaha, superintendent Clinton School District. Mr. McGaha noted that recent consolidations/annexations of school districts in the area contributed to the initial financial status because of personnel and facilities costs. He noted that progress has been made in re-establishing a positive carry-over account (approximately \$1.7 million by June 2009).

Dr. Mays moved to approve the request to remove the Clinton School District from fiscal distress classification. Ms. Gullett seconded the motion. The motion was adopted unanimously.

### **Hearing on Waiver Request for Teaching License – Willie Archer Branch**

Jennifer Flinn was recognized to present this item. Ms. Flinn summarized the background status of Mr. Branch who is seeking a waiver to enable him to acquire a teaching license. Mr. Branch was present and requested the opportunity to represent himself before the Board.

Mr. Branch stated that as a young person he did commit the crimes as charged and served time and spent the required time on probation. During the time since the conviction he noted that he has changed his behavior and priorities in his life. He entered college and is currently pursuing a degree in teacher education hoping to earn a license to teach.

Ms. Gullett asked about the content area for licensure. Mr. Branch responded that he was preparing for middle school or high school mathematics. He also noted that he has a letter of recommendation from a school superintendent agreeing to hire him as a teacher upon securing the waiver and the eligibility to receive a teaching licensure.

Dr. Williams moved that the waiver be granted and Mr. Branch be awarded a probationary license for three years with the provision that no crime be committed during the three year probationary time. Ms. Burrow seconded the motion. The motion was adopted unanimously.

## **Appointment of Nominating Committee for 2009-2010**

The Chair announced the following as members of the Nominating Committee: Diane Tatum, Chair; Sherry Burrow and Jim Cooper. The Nominating Committee is to bring a recommended slate of officers to the May meeting.

Dr. Mays asked about considerations of waiver days for schools that were out due to ice and disruption of electrical service. Dr. James stated that staff members were collecting requests from school administrators. He noted that a Commissioner's Communication would be issued providing guidance to school administrators about options for making up days and seeking any waivers. He stated that the Department would be bringing recommendation to the March meeting.

Dr. James reminded Board members that the March Board meeting would be on March 16, not on the regular meeting date.

The Chair declared without objection the meeting is adjourned. The meeting adjourned at 11:55 a.m.

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

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Ken James, Commissioner of Education

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Randy Lawson, Chair Board of Education