

Minutes
State Board of Education
Monday, March 10, 2008

The State Board of Education met on Monday, March 10, 2008, in the Auditorium of the State Education Building. Diane Tatum, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Diane Tatum, Chairman; Randy Lawson, Vice-Chairman; Sherry Burrow; Jim Cooper; Brenda Gullett; Dr. Tim Knight; Dr. Ben Mays; MaryJane Rebick; and Dr. Naccaman Williams.

No members were absent.

There was no Chair's Report

There was no Commissioner's Report

Special Reports

Ms. Tatum introduced Mr. Raymond Simon, Deputy Secretary, U.S. Department of Education. Mr. Simon commended the Board for the progress of education in Arkansas and noted that many states were taking notice of the work being done in the State to improve the quality of education for all students. Mr. Simon also addressed the reauthorization of the federal No Child Left Behind legislation and requested input into the dialogue leading up to legislative action.

Dr. Charity Smith was recognized to present recognition plaques to seventeen Arkansas high schools that made significant progress in increasing the college readiness of their graduates as demonstrated by the increase in ACT scores over the past five years.

Arkansas College Readiness Recognition Award

High School	School District	2007	2003	Gain
Dewitt High School	Dewitt	20.6	19.2	1.4
Bentonville High	Bentonville	22.7	21.7	1.0
Gravette High School	Gravette	21.5	20.4	1.1
Siloam Springs High School	Siloam Springs	21.8	20.5	1.3
Arkadelphia High School	Arkadelphia	20.3	19.2	1.1
Cedarville High School	Cedarville	20.0	18.9	1.1
Dumas High School	Dumas	19.0	18.0	1.0
Monticello High School	Monticello	21.1	20.1	1.0
Spring Hill High School	Spring Hill	19.5	17.4	2.1
Midland High School	Midland	21.6	19.7	1.9
Ashdown High School	Ashdown	19.9	18.7	1.2
Central High School	Helena-West Helena	17.6	16.2	1.4

Des Arc High School	Des Arc	20.5	19.4	1.1
Horatio High School	Horatio	20.0	17.8	2.2
Greenland High School	Greenland	20.5	18.7	1.8
Prairie Grove High School	Prairie Grove	21.1	19.8	1.3
Dardanelle High School	Dardanelle	22.1	20.7	1.4

Dr. Charity Smith was recognized to describe the standard setting process and to provide supporting documentation for future action in the setting of Annual Improvement Gains for Grades 3-8. Dr. Smith noted that the Board would be asked to act on these recommendations at the April meeting.

Consent Agenda

Ms. Rebrick asked for clarification regarding the request for waiver days by the Clinton and Mountain View School Districts and how such requests related to inclement weather in addition to days missed related to the tornado damage. Dr. James indicated that request for waiver relate only to tornado damage and were not otherwise weather related. He noted that days missed for snow or other missed instructional days must be made up by the districts. Dr. James also indicated that an additional district will have requests in April.

Ms. Burrow moved approval of the Consent Agenda as presented. Mr. Cooper seconded the motion. The motion was adopted unanimously.

- Minutes February 11, 2008
- Commitment to Principles of Desegregation settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Reports on Waivers to School Districts for Teachers Teaching Out-of-Area for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001
- Consideration of Request for Waiver of Three Days Missed by Clinton School District Due to Tornado Damage
- Consideration of Request for Waiver of Five Days Missed by Mountain View School District Due to Tornado Damage

Action Agenda

2007-2008 Arkansas Better Chance Recommendations for Funding

Carol Archer was recognized to present this item. Ms. Archer identified the grant requests under consideration. Ms. Tatum asked about the proposal for contracting funds to SWEDA, given the cancellation of funds action from February. Ms. Archer noted that this grant reduces the award to SWEDA the level of funding as of the February meeting and this proposed action and that all activity related to ABC projects is shutting down. Dr. Williams asked if the contracted services were to be designated for individuals or institutions. Ms. Archer responded that contracted services proposed were for individuals.

Ms. Rebrick moved approval as presented. Dr. Williams seconded the motion. The motion was adopted unanimously.

Consideration for Public Comment: Proposed Arkansas Annual State Application Under Part B of the Individuals with Disabilities Education Act (IDEA) as amended in 2004 for Federal Fiscal Year 2008

Donald Watkins was recognized to present this item. Mr. Watkins stated that federal guidelines require states to submit the state application form for public comment and review prior to adoption. He indicated that the application forms are related to the proposed revision to the rule, which was approved for public comment in February.

Ms. Gullett moved approval for public comment. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Consideration for Public Comment: Proposed Rules Governing the Code of Ethics for Arkansas Educators

Beverly Williams was recognized to present this item. Ms. Williams indicated that this rule is presented in response to legislation requiring the development of a code of ethics for educators and she identified specific components of the proposed rule that might raise questions. Ms. Rebick asked what condition would require State Board of Education action as stated in Section 5.05. Ms. Williams responded that it would be related to cases in which employees of the local district were relatives of members of the elected local board members.

Mr. Cooper opined that these guidelines should generate considerable public comment. He asked about the issue of local districts incorporating these policies, once adopted, into local faculty handbooks. Ms. Williams indicated that such policies should become a part of the local handbook, but that would continue to be a local decision. Scott Smith noted that these rules are not structured to regulate employment except when an educator's license would be revoked for cause under the Code.

Ms. Rebick asked about the many letters received from parents regarding acts or actions of educators and how this Code might address some of those issues. Ms. Williams stated that most actions from situations like those described should be addressed at the local level. If the accusations are covered by the Code Rule, then the review could be covered and addressed by processes outlined in the Code.

Mr. Cooper asked is the legislature approved any funds to support costs incurred by adoption of the code. Ms. Williams stated no funds were appropriated. However, the law did provide the option for a fee structure for obtaining or renewing a professional teaching license.

Mr. Lawson moved to approve for public comment. Ms. Gullett seconded the motion. The motion was adopted unanimously.

Request from Strong-Huttig School District for Approval to Close an Isolated School (Huttig Elementary School)

Scott Smith was recognized to present this item. Mr. Smith reported that the local school board from the Strong-Huttig School District met all statutory requirements for closing Huttig Elementary School. However, the local board vote was not unanimous,

thus required a review and action by the State Board of Education. Mr. Saul Lusk, superintendent of Strong-Huttig School District was recognized. Mr. Lusk reported that enrollment continues to drop and expenses are not decreasing at this campus, thus the district cannot continue to operate the school.

Mr. Lusk asked that a member of the local board, who is a member of the Huttig community be allowed to speak. Barbara Furlough was recognized. Ms. Furlough indicated that she knows the school is small, it is losing students, but she supported keeping the school, because the people of Huttig “deserved” to have a school in the community. She noted that travel for the small students should be considered in any action to close this school.

Ms. Burrow asked about the travel distance. Mr. Lusk indicated it was approximately 11.5 miles.

Mr. Cooper noted that a recent millage proposal was defeated by a large margin. He asked approximately how much money would that proposal have generated. Mr. Lusk responded \$356,000 per year. Mr. Lusk also confirmed that those funds could have been used to support the declining balances.

Dr. Williams asked about the current enrollment at Huttig. Mr. Lusk responded 69 students, Grades K- 5. Dr. Williams asked if the Strong Elementary School would be able to accommodate the increased number of students. Mr. Lusk answered yes.

Dr. Mays observed that several faculty positions would no longer be needed. Mr. Lusk indicated that many have indicated intent to retire or relocate and that he felt this transition would be smooth for both faculty and students.

Dr. Mays asked if the district gave any consideration to save funds by eliminating any athletics expenditures. Mr. Lusk responded no.

Ms. Rebick moved to approve the closing of Huttig Elementary School as of the close of the current school year. Dr. Knight seconded the motion. The motion was adopted on a vote of 7 yes, 1 no. Mays voted no.

(A complete transcript of the following items was recorded by a court reporter and that transcript is available through the State Board of Education Office at the Arkansas Department of Education)

Renewal of District Conversion Charter School Application: Academic Center of Excellence, Osceola, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown provided a brief overview of the proposal and introduced Milton Washington, superintendent of schools, Osceola School District. Mr. Washington described the successes of the charter school and noted the revisions approved over the life of the charter.

Mr. Lawson moved approval of the renewal application for a period of five years. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Renewal of District Conversion Charter School Application: Blytheville Charter School and ALC, Blytheville, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown provided a brief overview of the proposal and introduced Ann Lewis, administrator of the Blytheville charter school. Ms. Lewis noted many individual student successes and affirmed that the focus of the school is to provide an alternative learning environment for students who have not been successful in the traditional school setting.

Dr. Mays moved approval of the renewal application for a period of five years. Ms. Rebick seconded the motion. The motion was adopted unanimously.

Note: Board member Jim Cooper left the meeting leaving eight Board members voting.

Renewal of District Conversion Charter School Application: Felder Alternative Learning Academy, Little Rock, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown provided a brief overview of the proposal and introduced Dr. Linda Watson, interim superintendent of the Little Rock School District. Dr. Watson noted that some of the partners in the original application, including the Pulaski County Special School District, were no longer willing to participate. She did affirm the continued partnership of the North Little Rock School District, which was confirmed by Mr. Ken Kirspel, superintendent of schools, North Little Rock. Dr. Watson requested that the Board only consider approval of continuation for one year.

Ms. Rebick moved approval of the renewal application for a period of one year. Dr. Williams seconded the motion. The motion was adopted unanimously.

Renewal of Open-Enrollment Charter School Application: Imboden Area Charter School, Imboden, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown provided a brief overview of the proposal and introduced Scott Rorek, one of the original developers of the charter and Judy Warren, administrator of the charter school. Mr. Rorek and Ms. Warren stated that enrollment had increased, thus revenue increased and the financial status of the school is more stable. Ms. Warren indicated that transportation of students is a positive factor and she believes that providing transportation is the key to keeping students enrolled. Ms. Warren did affirm that a greater than expected number of the students enrolled have some handicapping condition. She stated that these students seem to perform better in this school due to the individualized instruction provided.

Dr. Williams moved approval of the renewal application for a period of five years. Mr. Lawson seconded the motion. The motion was adopted with a vote of 5 yes and 2 no. Ms. Gullett voted no citing the reference to serving students who are "mentally retarded," and referring to program as "special education." She noted that these references to students with handicapping conditions should not be used. Ms. Rebick voted no citing her concern for a renewal of five years, which she believes is too long given the charter's history of low enrollment and financial difficulties over the past three years.

Renewal of Open-Enrollment Charter School Application: KIPP Delta College Preparatory, Helena, AR

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown provided a brief overview of the proposal and introduced Scott Shirey, administrator of the charter school. Mr. Shirey noted some of the accomplishments of students over the past years in operation and cited the community and foundation support to expand the facilities at the school to support a broader program in the future.

Ms. Gullett moved approval of the renewal application for a period of five years. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Certified Teacher's License – Andrea Vancil

Tripp Walter was recognized to present this item. Mr. Walter stated that Ms. Vancil is seeking initial licensure. He noted that she currently has completed eligibility for a license, but the background check revealed the previous conviction. Ms. Vancil was accompanied by Mr. Dennis Truxler, superintendent of the Hoxie School District, who testified that she was recently hired to complete the remainder of the school year as a biology teacher and was doing a commendable job. He requested that a waiver be awarded in support of her work and given that her conviction was many years ago when she was part of a previous marriage. Ms. Vancil responded to the Board members questions about the incident and affirmed that there were no other convictions or other arrests.

When asked about the option for a stipulated agreement, Mr. Walter indicated that staff had not had time to work through such an agreement.

Ms. Rebick moved that Ms. Vancil be granted a waiver with no further stipulations. Dr. Mays seconded the motion. The motion was adopted unanimously.

Ms. Rebick moved adjournment. Mr. Lawson seconded the motion. The motion was adopted unanimously. The meeting adjourned at 2:35 p.m.

Dr. Mays asked for a copy of the recent legislative report detailing local school district expenditures for athletics.

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