

Minutes  
State Board of Education  
Monday, October 8, 2007

The State Board of Education met on Monday, October 8, 2007, 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, Chair; Randy Lawson, Vice-Chair; Sherry Burrow; Brenda Gullett; Dr. Tim Knight; Dr. Ben Mays; MaryJane Rebick; and Dr. Naccaman Williams.

The following Board members were absent: Jim Cooper and Justin Minkel (non-voting) 2007 TOY.

**Chair's Report**

Ms. Tatum reported attending events during the Central High School Celebration and visiting in the South Conway County School District.

Ms. Rebick attended the Joint Interim Committee on Education meeting in Fayetteville, which included a tour of two new facilities in Springdale. Also, she visited HAAS Hall Academy in Farmington. Ms. Rebick also reported that she would be attending the NASBE annual meeting in Philadelphia later in the week.

Mr. Lawson attended a Teacher of the Year event in Rogers.

Dr. Williams visited the KIPP Academy Charter School in Helena and Beech Crest Elementary School, which is part of the Helena-West Helena School District.

Ms. Gullett attended the Joint Interim Committee on Education meeting in Fayetteville.

**Commissioner's Report**

Dr. James reported on the following:

- Interim studies are underway as a result of legislative action from the 2007 Session of the General Assembly. He noted that formative assessment is the topic of study this week with Dr. Margaret Heritage from UCLA leading the discussions.
- A state delegation participated in a conference hosted by the American Diploma Project, which highlighted the Algebra II assessment. He reported that the Arkansas Model continues to be highlighted.
- Participation in the NASBE annual meeting.

The Board heard reports from Dr. Tommie Sue Anthony, President, Arkansas Advanced Initiatives for Math and Science (AAIMS) Grant and from Paul Lazenby program officer for Arkansas Better Chance Program (ABC). Each of these speakers provided program update information and summarized ongoing activities.

Consent Agenda

Dr. Williams asked for additional information regarding the purchase of a house by the Wicks School District. Dr. Bobbie Davis reported that in rural areas, such as Wicks, there is a shortage of quality housing and school districts often provide housing as part of a salary agreement to attract well qualified

administrators into the district. She also reported that in this case the superintendent is paying monthly rent to the district and paying all of the utilities for the house.

Dr. Mays asked about the issue of debt ratio on various loan and bond items. Dr. Davis responded that as a result of legislation in the 2007 session, there is no limit on debt ratio for local school districts. She noted that the Committee, which reviews bonded indebtedness proposals, continues to report the debt ratio, but that it is no longer a factor in approval of the request.

Ms. Tatum asked about the denial of waivers and what would trigger a denial. Beverly Williams responded that most of the denials in this list tend to be that teachers failed to earn the hours as required on the deficiency removal plan or teachers failed to remove the cited deficiency within the required three-year time limit.

Dr. Mays asked about the definition of “multi-purpose” facility. He asked about the Board’s responsibility, if any, for approving facilities and funding for facilities in local districts. He also asked for more specific information about the use of facilities that are proposed for funding under the loan and bond program.

Ms. Tatum asked about evaluation of the regional service cooperatives and if there was accountability beyond the five-year study. Dr. Charles Watson responded that there is no legislative requirement for evaluation other than the self-study and peer review every five years. He also noted that each cooperative prepares an annual report of activities and was reviewed as part of the visiting committee’s documentation.

Dr. Williams moved to approve the Consent Agenda as presented. Ms. Burrow seconded the motion. The motion was adopted on a vote of 7 yes, 1 no (Mays voted no). Dr. Mays explained his no vote as based on the lack of information for review and approval of the proposed multi-purpose facility in the Loan and Bond section of the Consent Agenda.

- Minutes – September 10, 2007
- Minutes – Specially called meeting – September 24, 2007
- Newly Hired, Promotions and Separations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Report on Waivers to School Districts for Teachers Teaching Out-of-Area for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001
- Review of Loan and Bond Applications
- Report on Five-Year Evaluation of Regional Service Cooperatives
- Consideration of Waiver of Mandatory Attendance Days – Little Rock Central High School
- Consideration of Work Force Data Report

#### **Action Agenda**

#### **Request for Approval of 2007-2008 Arkansas Better Chance Grants – Round #4**

Paul Lazenby was recognized to present this item. Mr. Lazenby reported that additional grants have been submitted, reviewed and are recommended for approval.

Mr. Lawson moved approval as presented. Dr. Knight seconded the motion. The motion was adopted unanimously.

Mr. Lazenby reported that he is assuming new duties in the Department of Human Services and will no longer be the primary contact for the ABC program. He introduced Jane Morrison who will be the new program officer.

**Consideration for Final Approval: Proposed Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Public School Choice Act**

Scott Smith was recognized to present this item. Mr. Smith reported that a public hearing was conducted and no comments were received and as a result no changes to the previously approved text are suggested.

Ms. Gullett moved approval as presented. Ms. Rebick seconded the motion. The motion was adopted unanimously.

**Request for Final Approval: Proposed Rules Governing the Reimbursement by School Districts for Election Expenses**

Dr. Bobbie Davis was recognized to present this item. Dr. Davis reported on the public hearing, but stated that no changes are being recommended to the previously reviewed document.

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

**Request for Final Approval: Proposed Rules Governing the Quality, Security, Validation, and Timeliness of Public School Data in the Arkansas Public School Computer Network**

Dr. Bobbie Davis was recognized to present this item. Dr. Davis reported that no one attended the public hearing nor submitted comments during the open hearing process.

Dr. Williams moved approval as submitted. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Consideration for Final Approval: Rules Governing the Requirements and Procedures for Renewing a Standard Arkansas Teaching License**

Beverly Williams was recognized to present this item. Ms. Williams reported that no one attended the public hearing nor submitted comments during the open hearing process.

Mr. Lawson moved approval as submitted. Dr. Williams seconded the motion. The motion was adopted unanimously.

**Consideration for Final Approval: Proposed Rules Governing Arkansas Alternative Pay Programs**

Beverly Williams was recognized to present this item. Ms. Williams reported that revisions as outlined are suggested based on comments at the public hearing and written suggestions.

Mr. Lawson moved approval as revised. Ms. Gullett seconded the motion. The motion was adopted unanimously.

**Consideration for Final Approval: Proposed Rules Governing the Rewarding Excellence in Achievement Program**

Beverly Williams was recognized to present this item. Ms. Williams reported that revisions as outlined are suggested based on comments at the public hearing and written suggestions. Additionally, Ms. Williams presented suggested revisions to further clarify the procedure for applying this rule. Ms. Burrow asked about funding for programs supported by this rule. Ms. Williams stated that this was part of the Governor's legislative package, which had funding attached. In response to a question from Ms. Gullett, Ms. Williams noted that district activities funded under this rule for this year will be considered as pilot programs.

Ms. Burrow moved approval as amended. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Consideration for Final Approval: Proposed Rules Governing Incentives for Teacher Recruitment and Retention in High Poverty Districts with an Average Daily Membership of 1,000 or Fewer**

Beverly Williams was recognized to present this item. Ms. Williams reported that there were no comments received and no one attended the public hearing.

Dr. Williams moved approval as presented. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Request for Denial of Waiver Request for Certified Employee: Michael Allen Rains**

*(A transcript of the proceedings of this item was recorded and reported by a court reporter. That transcript is available from the State Board Office in the Department of Education.)*

Tripp Walter was recognized to present this item. Mr. Walter reviewed the charges leading to the recommendation to deny a waiver that would lead to alternate licensure for Mr. Rains.

Mr. Rains was represented by counsel, William Pearson. Mr. Pearson cited youth and bad decisions that led to the arrests and convictions and stressed that the record had been ordered sealed. Scott Smith stated that the Arkansas Attorney General has opined that in matters of license, State agencies have the right to receive all court documents. Mr. Walter noted an additional arrest and conviction that occurred in late 2006 with disposition in early 2007.

Ms. Rebick noted that references were from close acquaintances, not from any current or previous employer.

Ms. Rebick moved to approve the request for denial of licensure. Ms. Gullett seconded the motion. The motion was adopted unanimously.

Dr. Knight moved adjournment. Mr. Lawson seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 11:30 a.m.

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