

**Minutes**  
**State Board of Education**  
**Monday, December 8, 2008**

The State Board of Education met on Monday, December 8, 2008, 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; Alice Mahoney; Dr. Ben Mays; and Diane Tatum.

The following Board member was absent: Sam Ledbetter.

**Reports**

**Chair's Report:**

The Chair reported on the recent Economics Advocate Award presented to Commissioner Dr. Ken James by Economics Arkansas.

Ms. Burrow reported on a recent visit to Morris Elementary school in Texarkana, Texas, which is in its second year of partnership with Texas A and M University College of Engineering. She noted that this is an excellent example of a higher education institution working in close collaboration with a public school to enhance curriculum and student performance.

Dr. Williams reported on a recent presentation to 350 Upward Bound students at the University of Arkansas Fayetteville campus; a presentation to the National Honor Society induction at Southside High School in Fort Smith where approximately 100 students were inducted; and, attendance at a recognition held at the Governor's Mansion recognizing the success of students attending the KIPP Academy, which is located in Helena.

**Commissioner's Report:**

Dr. James invited Board members to attend the Arkansas Teacher of the Year announcement on Wednesday, December 10, at the Governor's Conference Room at the State Capitol.

Dr. James reported on a recent meeting with a delegation of chief state school officers representing the Council of Chief State School Officers and President-Elect Obama's Education Transition Team. Dr. James is Chairman of the Council of Chief State School Officers.

**Recognition of Norfolk Elementary School**

Dr. Charity Smith recognized staff and administration from Norfolk Elementary School who recently received the 2008 Dispelling the Myth Award given by the Education Trust. This award recognizes schools with high percentages of low-income and/or minority students who demonstrate high achievement. Norfolk Elementary School has 100% of its students either proficient or advanced on the state Benchmark Exams.

### **College and Career-Ready Policy Institute Initiative**

Heather Gage was recognized to provide background and progress notes regarding Arkansas' participation in the Achieve College and Career-Ready Policy Institute Initiative. She reported that Arkansas is one of eight states participating in this work. State Board member Diane Tatum serves on the Arkansas Team.

### **Revised State Equity Plan Pursuant to No Child Left behind**

Beverly Williams was recognized to present an update on the status of the State Equity Plan Pursuant to No Child Left Behind. Ms. Williams provided data supporting the status of highly qualified teachers providing instruction in Arkansas public schools. Among other data she reported that the percentage of highly qualified teachers working in high poverty schools is essentially the same as the percentage working in other Arkansas schools.

### **Consent Agenda**

The Chairman noted that the meeting schedule for 2009 State Board Meetings was part of the Consent Agenda and with approval this schedule sets meeting dates for calendar year 2009.

Ms. Gullett moved approval of the Consent Agenda. Dr. Williams seconded the motion. The motion was adopted unanimously.

- Minutes – November 3 and 4, 2008
- Adoption of Meeting Dates of Arkansas State Board of Education January 2009-December 2009
- Report on Waivers to School Districts for Teachers Teaching Out-of-Area for Longer than Thirty (30) Days, Act 1623 of 2001
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications

### **Action Agenda**

**Review of Probationary Status of Hughes High School for Failing to Meet all Standards for Accreditation for Two (2) Consecutive Years**

Frank Wimer was recognized to present this item. Mr. Wimer reported that Hughes High School's accreditation status for two previous years was probationary. He stated that ADE staff worked with the school and recommends a plan for correcting all deficiencies no later than February 1, 2009. Ray Nassar, superintendent of Hughes School District, reported that the district is working with America's Choice consulting group and that the school will meet expectations of the Department for removal of probationary status.

Belinda Joshua, Pearlie Willis and Shirley Davis, all parents of students enrolled in the Hughes School District, spoke regarding concerns of patrons in the district regarding commitment of the staff and administration for meeting the educational needs of all students.

Mr. Nassar stated that he was in his sixth month as superintendent and affirmed his commitment and that of the Hughes School Board for working to improve the overall educational opportunity for students in the Hughes community.

Ms. Gullett noted that the school continues to lose students, which could present financial issues for the District. Mr. Nassar reported that at this point the district is not experiencing fiscal difficulties and there is a cash reserve.

Ms. Gullett cautioned the superintendent that there are apparently major differences between the school and the patrons in the district. She suggested that the administration should work diligently to build bridges within the community and continue to improve the educational climate within the school.

Mr. Cooper moved acceptance of the Department recommendations. Ms. Burrow seconded the motion. The motion was adopted unanimously.

### **Review of Probationary Status of Anna Strong Middle School of Lee County School District for Failing to Meet all Standards for Accreditation for Two (2) Consecutive Years**

Frank Wimer was recognized to present this item. Mr. Wimer summarized the conditions that resulted in the school's probationary status for two preceding years. Mr. Saul Lusk, superintendent Lee County School District, affirmed that these conditions have been corrected and all faculty at Anna Strong Middle School currently meets Arkansas licensure standards.

Ms. Gullett moved approval of Department of Education recommendations. Ms. Tatum seconded the motion. The motion was adopted unanimously.

### **Review of Probationary Status of Dollarway High School for Failing to Meet all Standards for Accreditation for Two (2) Consecutive Years**

Frank Wimer was recognized to present this item. Mr. Wimer summarized the conditions that resulted in the school's probationary status for two preceding years. Mr. Thomas

Gathen, superintendent of Dollarway School District, affirmed that actions taken at the school and by the district assure that the deficiencies are corrected.

Ms. Burrow moved approval of Department of Education recommendations. Ms. Tatum seconded the motion. The motion was adopted unanimously.

**Review of Probationary Status of Crossett High School for Failing to Meet all Standards for Accreditation for Two (2) Consecutive Years**

Frank Wimer was recognized to present this item. Mr. Wimer summarized the conditions that resulted in the school's probationary status for two preceding years. Ms. Janet Warren, superintendent of Crossett School District, assured the Board that all curriculum and staff deficiencies have been corrected and the school will meet accreditation standards this year.

Ms. Tatum moved approval of Department of Education recommendations. Dr. Williams seconded the motion. The motion was adopted unanimously.

**Review of Probationary Status of Bearden High School for Failing to Meet all Standards for Accreditation for Two (2) Consecutive Years**

Frank Wimer was recognized to present this item. Mr. Wimer summarized the conditions that resulted in the school's probationary status for two preceding years. Mr. Danny Rosenburg, superintendent of Bearden School District, assured the Board that licensure issues were corrected and any teacher not fully certified would be making expected progress toward the approved ALP.

Ms. Tatum moved approval of Department of Education recommendations. Ms. Gullett seconded the motion. The motion was adopted unanimously.

**Request for Approval of Arkansas Better Chance Recommendations.**

Jamie Morrison was recognized to present this item. Ms. Morrison requested permission to provide a supplemental list of recommendations for funding under ABC regulations. Ms. Morrison noted that many of the additional recommendations would provide new classes that could begin in January. She stated that funds were available because some grantees did not fill all approved slots and the funds were being redistributed and there is either a waiting list for slots or the locations are in high priority areas.

Forty-four proposals were recommended for funding in the agenda - \$370,866. Fifteen additional grants were approved for a total allocation of \$839,160.

**Review of Open-Enrollment Charter School: Dreamland Academy of Performing and Communication Arts, Little Rock, AR**

Dr. Mary Ann Brown was recognized to present this item. Dr. Brown stated that administrators of Dreamland Academy were requested to appear before the Board to document the fiscal condition of the charter school. Bill Goff presented fiscal data from the Department of Education describing overdue payments to Internal Revenue Service, the Department of Finance and Administration and Arkansas Teacher Retirement System.

Dr. Carolyn Carter, administrator at Dreamland, provided a history of enrollment and fiscal difficulties experienced by the school during the initial operational phase of the school. Budget proposals were submitted to address payment of funds along with any penalties that will be assessed.

Representatives from the Parent Teacher Organization and service providers provided supporting testimonials as to the impact of the school on students enrolled and especially for students with behavioral problems and students with other special needs.

Dr. Brendly Clark was introduced as president of Wilson Community Development Corporation, which holds the 501(c)3 status for the school. Dr. Clark stated that she would be assuming a leadership role for the school as a transitional role.

Ms. Gullett asked about the funding of psychological services provided through the school. Mr. Hammer stated that such services are provided through Medicaid and to AR-Kids just as such services would be provided through any other school. He stated that it was important for students with behavioral problems to maintain contact with a classroom and they be provided services as part of a school setting.

Ms. Tatum asked for clarification as to the position of Dr. Clark and any future role of Dr. Carter. Dr. Clark stated that she would be assuming administrative duties at the school.

Amy Rudy from the Arkansas Teacher Retirement System (ATRS) stated that missed payments began in August this year and continued through October. She stated that the system has determined the amount the school is behind, but the amount of penalty has not been determined.

Dr. Williams asked Department staff if the proposed repayment plan and budget proposal look reasonable. Mr. Goff responded that they have been reviewed and stated that it is difficult to determine because of continual changes that seem to emerge in the proposal.

Mr. Lawson asked about the established enrollment cap. Dr. Brown affirmed it was 300. It was noted that the school reports having up to 326 students enrolled. Dr. Carter stated that the enrollment coordinator was doing an exceptional job and the administration wanted to keep the enrollment at the max, so overage was accepted because of the frequent transition in and out of students. Dr. Diana Julian stated that regardless of the number of students enrolled the funding would be based on a maximum of 300 students. She also noted that when the enrollment exceeds the 300 maximum, the school is denying

adequate funding to all students enrolled because of the definition of adequate funding adopted by the Arkansas Courts.

Dr. Clark affirmed a change in administration of the school stating that she would become superintendent and the Carters would be receiving no salary.

Jeremy Lassiter advised the Board that based on comments by Dr. Clark as to any administrative change the proposal must be amended to reflect the administrative structure of the school.

Dr. Brown interjected that these latest budget proposals seem to be changing as the hearing moves forward. She also stated that the staff has not had an opportunity to review any of these recent budget revisions.

Ms. Tatum moved that since there is insufficient information for the Board to make a decision and any action should be tabled to allow time for review of these new developments in staffing. The motion was seconded by Dr. Mays.

Dr. Brown asked for specific clarification to be required prior to further Board hearings. Mr. Lawson noted a clear financial package in detail including staffing and all salaries as well as repayments and penalties. Mr. Lawson also noted the need for licensure status of administrators and staff.

Mr. Cooper asked for hearing procedure in January should the motion be adopted. Mr. Lassiter noted that it would not be necessary to review background, but the Board would want to see budgets, staffing, etc., before making any determination on action.

Ms. Gullett stated she failed to see how postponing a decision will make a difference. She questioned the school's ability to become solvent in the near future.

Dr. Williams suggested that the Board should allow Dreamland Academy the same opportunities to overcome financial difficulty as allowed other schools/districts. He cited HAAS Hall, A+ Academy in Maumelle, Bald Knob and Greenland as examples. He stated that closing the school immediately would not be in the best interest of the 300+ students.

Dr. Charles Watson stated that December 30 would be the deadline for receiving background documents to be included in the January State Board Agenda.

Dr. James stated that financial solutions in schools such as this are not going to be fixed in one day just like they were not created in one day. This charter school should have realized they had financial issues and should have not waited until they were called before the Board to begin addressing a solution or solutions to those issues. He affirmed that the staff will get as clear financial picture as possible and bring it back to the Board.

*(Cooper left the meeting before a vote was taken on the motion to table.)*

The motion to table consideration was adopted 4 yes and 2 no (Gullett and Mays voted no)

**Hearing on Revocation of Teacher’s License – Paul M. Knutson**

Tripp Walter was recognized to present this item. Mr. Walter summarized the background information presented in the Agenda packet. The Chair determined that Mr. Knutson was neither present nor represented.

Dr. Williams moved permanent revocation. Ms. Tatum seconded the motion. The motion was adopted unanimously.

**Hearing on Revocation of Teacher’s License – Stacy Lynn Tucker**

Tripp Walter was recognized to present this item. Mr. Walter summarized the background information presented in the Agenda packet. The chair determined that Mr. Tucker was neither present nor represented.

Ms. Tatum moved permanent revocation. Ms. Gullett seconded the motion. The motion was adopted unanimously.

The Chair declared with out objection the meeting is adjourned. The meeting adjourned at 12:45 p.m.

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