

Minutes
State Board of Education Meeting
Thursday, June 9, 2016

The State Board of Education met Thursday, June 9, 2016, in the Arkansas Department of Education Auditorium. Chair Toyce Newton called the meeting to order at 10:33 a.m.

Present: Toyce Newton, Chair; Mireya Reith, Vice-Chair; Vicki Saviers; Joe Black; Diane Zook; Dr. Jay Barth; Susan Chambers; Brett Williamson; Charisse Dean; Ouida Newton, Teacher of the Year; and Johnny Key, Commissioner.

Absent: none.

Reports

Public Comment from Elected Official Representative Grant Hodges said he supported the expansion of Haas Hall Academy.

Chair Newton said the Arkansas Association of Supervisors of Curriculum and Development (ASCD) New Leaders received a national advocacy grant from national ASCD. She said part of the grant is dedicated to visiting and learning from state policy makers by attending state level meetings. She recognized Dr. Mary Gunter, Mr. Dustin Parsons, Ms. Ashton Fonville, and Mr. Michael Hensley for their attendance.

Recognition

Report-1 Recognition: Ms. Jimmie Roark

Hampton School District Superintendent Mr. Jimmy Cunningham recognized Ms. Jimmie Roark for 60 years of teaching service. She started her teaching career in 1955. She has served the students of the Hampton School District since 1967. Dr. Sarah Moore read a letter from Governor Asa Hutchinson to Ms. Roark.

Consent Agenda

Ms. Zook moved, seconded by Mr. Black, to approve the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes - May 12, 2016
- Minutes - May 13, 2016

- Newly Employed, Promotions and Separations
- Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
- Review of Loan and Bond Applications
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-022-Kelly Ann Evans
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-043- Jessica Lee Lindstrand
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-059 - Kristofer George Zajkowski
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-066 - Amy Lee Buth
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-077 - Tami Ann Honea
- Community Service Learning Application
- Consideration for Public Comment: ADE Rules Governing Home Schools

Action Agenda

A-1 Consideration of AR Better Chance Enhancement Grants for Summer Services 2

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said as a result of the final reconciliation for the end-of-year expenditures for the 2015-2016 school year, a recommendation to use the AR Better Chance Program (ABC) remaining funds was requested to support a second round of summer services to support services for ABC programs.

Dr. Barth moved, seconded by Mr. Black, to approve the Arkansas Better Chance enhancement grants for Summer Services 2 less the Arkadelphia School District for a total of \$276,003.00. The motion carried unanimously.

A-2 Consideration of the AR Better Chance 2016-2017 Renewal Grants Revision

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, requested approval of the recommendation to allow the Ozarks Unlimited Resource (O.U.R.) Education Service Cooperative to release forty (40) AR Better Chance (ABC) funded slots and to transfer the slots to the Harrison School District ABC Program. As per the letter submitted to the Division of Child Care and Early Childhood Education, the O.U.R. Board of Directors approved this transfer on Wednesday, May 18, 2016, and the Harrison Board of Directors approved the acceptance of the ABC slots on Tuesday, May 17, 2016. She said if approved, the new 2016-2017 grant award

for the O.U.R. Cooperative center based services would reflect \$1,521,180.00 and the Harrison School District grant award would be increased by \$194,400.00 for a total grant award of \$291,600.00.

Ms. Zook moved, seconded by Ms. Chambers, to approve Arkansas Better Chance 2016-2017 renewal grants revision. The motion carried unanimously.

A-3 Consideration of AR Better Chance 2016-2017 Reallocation Grant Awards

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said pursuant to the authority granted to the State Board of Education, the Division of Child Care and Early Childhood Education requested approval for the reallocation of the AR Better Chance funding for the purpose of expanding existing programs or the development of new programs. She said the funding for these grants resulted from programs either relinquishing their slots or being placed in re-competition.

Ms. Dean moved, seconded by Dr. Barth, to approve Arkansas Better Chance 2016-2017 reallocation grant awards for a total of \$1,302,480.00. The motion carried unanimously.

A-4 Consideration of the Little Rock School District (LRSD) Report of Progress

Little Rock School District Superintendent Baker Kurrus provided a monthly progress report to the State Board. Mr. Kurrus said approximately 600 grades K-5 students will participate in summer schools at King, Otter Creek, Washington and McDermott Schools. He said the school improvement process map has guided the interactions needed for progress.

Deputy Superintendent Dr. Marvin Burton provided a vision for the proposed Southwest Little Rock High School. He said through collaboration a 21st century building design and an academy structure was being developed. He said the team considered five (5) structures for academies including a ninth grade academy, health professions, engineering & computer science, business, and arts & humanities.

Pinnacle View Middle School Principal Dr. Jay Pickering said he has been meeting with students that will attend the new school. He said the construction was on schedule to open the school this fall to sixth graders.

Mr. Kurrus said the first and second grade Iowa assessment scores were showing great improvement from the previous year's scores.

Bale Elementary Principal Dr. Ericka McCarroll said the school provided individualized instruction for students.

Rockefeller Elementary Principal Ms. Shoutell Richardson said the school leadership team makes data driven decisions regarding the needs of students.

Mr. Kurrus said the district still struggled to address a good balance in teacher absenteeism. He said more consideration for improvements at Hall High School are needed. He said the district was working on transitions to reduce the loss of students at sixth grade.

Ms. Reith moved, seconded by Ms. Chambers, to hear public comment. The motion carried unanimously.

Public Comment from Elected Official Senator Joyce Elliott recognized the work of Mr. Kurrus. She said a two-year legislative study would provide a report regarding the opportunities for education.

The Board recognized the final report from the LRSD Civic Advisory Board and asked the Commissioner to send a letter of appreciation to the members. The Board recognized the work and contribution of Mr. Kurrus.

The Board will hold a special meeting on Monday, June 27, 2016 at 5:00 pm to hear from applicants for the LRSD Community Advisory Board. Board Members requested a map of the LRSD zones, presentations by zones, and an overview of the responsibilities of the Community Advisory Board.

Dr. Barth moved, seconded by Ms. Reith, to approve the Little Rock School District report of progress. The motion carried unanimously.

A-5 Consideration of Appeal from Denial of School Choice Application - Bopp

Staff Attorney Ms. Jennifer Davis said pursuant to Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2015; the Bopp family appealed the decision of the Cabot School District to deny a school choice application for the 2016-2017 school year. She said the family resides in the Jacksonville North Pulaski School District.

Cabot School District Assistant Superintendent Dr. Tammy Tucker said the Cabot School District denied the school choice application because the Jacksonville North Pulaski School District was a party in an active desegregation lawsuit.

Jacksonville North Pulaski School District (JNPSD) Attorney Scott Richardson said the JNPSD was under a current desegregation lawsuit.

Dr. Barth moved, seconded by Ms. Reith, to deny the appeal from denial of School Choice Application for the Bopp family. Ms. Zook and Mr. Williamson voted no. The final vote was 6-2. The motion carried.

A-6 Consideration of Appeal from Denial of School Choice Application - Ruple

Staff Attorney Ms. Jennifer Davis said pursuant to Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2015; the Ruple family appealed the decision of the Cabot School District to deny

a school choice application for the 2016-2017 school year. She said the family resides in the Jacksonville North Pulaski School District.

Cabot School District Assistant Superintendent Dr. Tammy Tucker said the Cabot School District denied the school choice application because the Jacksonville North Pulaski School District was a party in an active desegregation lawsuit.

Jacksonville North Pulaski School District (JNPSD) Attorney Scott Richardson said the JNPSD was under a current desegregation lawsuit. He said the desegregation lawsuit also applied to opportunity school choice.

Mr. Williamson moved, seconded by Ms. Zook, to approve the appeal from denial of School Choice Application for the Ruple family. Ms. Chambers, Ms. Saviers, Ms. Reith, Dr. Barth and Ms. Dean voted no. The final vote was 3-5. The motion failed.

Ms. Reith moved, seconded by Ms. Chambers, to deny the appeal from denial of School Choice Application for the Ruple family. Mr. Williamson and Ms. Zook voted no. The final vote was 6-2. The motion carried.

A-7 Consideration of Waiver Request for Teaching License - Christie Lyn Proffitt

Professional Licensure Standards Board (PLSB) Attorney Ms. Jennifer Liwo said Ms. Christie Lyn Proffitt was seeking a teaching license. She said on January 11, 2016, the Department notified Ms. Proffitt that she was ineligible for licensure and employment in an Arkansas public school based on a disqualifying offense enumerated in Ark. Code Ann. § 6-17-410. Ms. Proffitt requested a waiver of the disqualifying offense. Ms. Liwo recommended approval of the waiver.

Mr. Williamson moved, seconded by Ms. Saviers, to grant the waiver requested for teaching license for Ms. Christie Lyn Proffitt. The motion carried unanimously.

A-8 Consideration of Waiver Request for Teaching License - Nicole Annette Francis

Professional Licensure Standards Board (PLSB) Attorney Ms. Jennifer Liwo said the Department received information that Ms. Nicole Annette Francis' name appeared on the Child Maltreatment Central Registry. She said on August 21, 2012, the Department notified Ms. Francis of her disqualification from holding a teaching license under Ark. Code Ann. § 6-17-410. She said Ms. Francis requested a waiver of the disqualifying offense.

Ms. Francis' attorney Mr. Richard Mays, Sr. said the dispute was about how the incident occurred. Mr. Mays read a letter from Ms. Francis.

Dr. Barth moved, seconded by Ms. Reith to deny the waiver for teaching license for Ms. Nicole Annette Francis. The motion carried unanimously.

A-9 Consideration of Revocation of Teaching License - Breonna Nicole Eddings

Professional Licensure Standards Board (PLSB) Attorney Ms. Jennifer Liwo said Ms. Breonna Nicole Eddings is a licensed educator. She said the Department received information that Ms. Eddings' name appeared on the Child Maltreatment Central Registry. She said on February 17, 2016, the Department notified Ms. Eddings of her disqualification from holding a teaching license under Ark. Code Ann. § 6-17-410. Ms. Eddings did not respond or request a waiver of the disqualification from the State Board.

Ms. Zook moved, seconded by Ms. Chambers, to revoke the teaching license for Ms. Nicole Annette Francis. The motion carried unanimously.

A-10 District Request for Waivers Granted to Open-Enrollment Charters: Clarendon School District

Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to open-enrollment public charter schools that serve students who reside in the school district.

Clarendon School District Superintendent Mr. Lee Vent requested waivers for teacher licensure, planned instructional time, career and technical education, and gifted and talented education. He said the district needed these waivers to maximize student learning.

Clarendon High School Co-Principal Ms. Cathy Tanner said teacher turnover and lower teacher salaries are issues in the district. She said the High School uses one-to-one devices for students. She explained the need for each waiver. She said the district had withdrawn the request for gifted and talented education waivers.

Ms. Zook moved, seconded by Ms. Dean, to grant the requested waivers granted to Open-Enrollment Charters for the Clarendon School District for five (5) years. The motion carried unanimously.

Public Comment Arkansas for Gifted and Talented Education (AGATE) Legislative Advocate Mr. Davis Hendricks said the AGATE Organization was pleased that ADE and the Clarendon School District worked together to withdraw the request for gifted and talented education waiver(s).

A-11 District Request for Waivers Granted to Open-Enrollment Charters: Malvern School District

Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers

granted to open-enrollment public charter schools that serve students who reside in the school district.

Malvern High School Principal Ms. Jennifer Shnaekel explained the process for determining the needs of students and the reasons for the requested waivers. She requested waivers from A.C.A. § 6-16-102; § 6-18-213; § 6-18-210; Rules governing mandatory attendance for grades 9-12; and Section 10.01.4 of the Rules for Accreditation.

Malvern High School Student Mr. Tucker Norris said the opportunity to seek a career should improve participation and attendance in the core classes.

Malvern High School Student Christina Harris said she wanted more experience in her chosen field of interest and the waivers would provide that opportunity.

Ms. Chambers moved, seconded by Mr. Williamson, to approve the requested waivers granted to Open-Enrollment Charters for the Malvern School District for five years. The motion carried unanimously.

A-12 District Request for Waivers Granted to Open-Enrollment Charters: Poyen School District

Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to open-enrollment public charter schools that serve students who reside in the school district. She said representatives of the Poyen School District appeared before the Board with a petition for waivers.

Poyen School District Superintendent Mr. Jerry Newton said the waivers are requested to serve the needs of students. He said the waivers were requested for five (5) years.

Poyen High School Principal Mr. Dennis Emerson said the school provided many opportunities for students but was always seeking to be more responsive to student needs.

Poyen School District Assistant Superintendent Ms. Laura Daniel said the Exploring Potential Learning Opportunities and Resources for Excellence (EXPLORE) would be for students in grades 11-12. She reviewed the waivers requested, removed, and added. She said the waivers requested included school day hours, teacher licensure, library media services, and counseling services.

Dr. Barth moved, seconded by Ms. Reith, to approve the requested waivers for teacher licensure granted to Open-Enrollment Charters for the Poyen School District for five (5) years. The motion carried unanimously.

Ms. Dean moved, seconded by Mr. Williamson, to approve the requested waivers for instructional time granted to Open-Enrollment Charters for the Poyen School District for five (5) years. The motion carried unanimously.

Ms. Chambers moved, seconded by Mr. Black, to approve the requested waivers for library media granted to Open-Enrollment Charters for the Poyen School District for five (5) years. The motion carried unanimously.

Ms. Zook moved, seconded by Ms. Chambers, to approve the requested waivers for counseling services granted to Open-Enrollment Charters for the Poyen School District for five (5) years. Dr. Barth and Ms. Saviers voted no. The final vote was 6-2. The motion carried.

A-13 Charter Authorizing Panel Action on Open-Enrollment Amendment Request: Haas Hall Academy, Fayetteville and Bentonville Charters

Public School Program Coordinator Ms. Alexandra Boyd said on May 18, 2016, representatives of Haas Hall appeared before the Charter Authorizing Panel requesting amendments to their charter. By a 6-to-1 vote, the Panel denied an increase in the enrollment cap for Haas Hall Academy, Fayetteville. By a 5-to-2 vote, the Panel approved a sibling enrollment preference for both the Fayetteville and Bentonville charters. By a unanimous vote, the Panel denied the Haas Hall Academy, Fayetteville license request. She said Haas Hall has submitted a request for the State Board of Education to review the denial decisions made by the Panel.

Attorney for Haas Hall Academy Mr. Mark Henry said the Jones Center was willing to hold the location to open in Fall 2017. He requested a hearing before the State Board of Education. He asked to skip a review by the Charter Authorizing Panel regarding the new timeline.

Springdale School District Deputy Superintendent Dr. Jared Cleveland said the district appreciated the change in requested start time to Fall 2017.

Springdale School District Assistant Superintendent Dr. Megan Slocum asked the Board to consider the location of the Fayetteville Academy and understand that the students are coming from the Springdale School District. She said the Charter Authorizing Panel asked appropriate questions.

Mr. Williamson moved, seconded by Ms. Zook, to review the Charter Authorizing Panel action on Open-Enrollment Amendment Request for the Haas Hall Academy, Fayetteville and Bentonville Charters for all three requests.

Charter School Coordinator Ms. Alexandra Boyd asked the State Board to identify any additional information to be presented at the July State Board Meeting. The following requests were made:

- An explanation of how invoking sibling preference will likely impact the diversity of the student body at the Fayetteville and Bentonville campuses.
- A comparison of the student demographics to that of the community in Fayetteville and Bentonville.
- A resident district report for each campus, which shows the localities and school districts from which the schools are drawing students.

- Any communication between Haas Hall and the ADE regarding the lottery.
- Any documented complaints about the lottery since the inception of Haas Hall.
- Graduation cohort analyses that provide overall graduation rates and list graduation requirements for each year that Haas Hall has produced a graduating class.
- Plans agreed upon by Haas Hall and the Springdale School District to meet the needs of the students through active collaboration.
- A written plan developed by Haas Hall, which ensures that all of their schools are prepared to serve all student populations represented in the surrounding communities.

A-14 Charter Authorizing Panel Action on Open-Enrollment Amendment Request: Arkansas Connections Academy

Public School Program Coordinator Ms. Alexandra Boyd said on May 18, 2016, representatives of Arkansas Connections Academy appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request. She said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Dean moved, seconded by Dr. Barth, to not review the Charter Authorizing Panel action on Open-Enrollment Amendment Request for the Arkansas Connections Academy. The motion carried unanimously.

A-15 Charter Authorizing Panel Action on Open-Enrollment Amendment Request: Little Rock Preparatory Academy

Public School Program Coordinator Ms. Alexandra Boyd said on May 18, 2016, representatives of Little Rock Preparatory Academy appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a 5-to-2 vote, the Panel approved the request. She said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Saviers recused.

Dr. Barth moved, seconded by Mr. Williamson, to review the Charter Authorizing Panel action on Open-Enrollment Amendment Request for the Little Rock Preparatory Academy. Ms. Zook voted no. The final vote was 6-1. The motion carried.

Charter School Coordinator Ms. Alexandra Boyd asked the State Board to identify any additional information to be presented at the July State Board Meeting. The following requests were made:

- A map of attendance zones, showing from where the charter is currently receiving students.
- A description of the potential fiscal impact on LRSD if the charter increases current student enrollment and reaches its enrollment cap.

**A-16 Charter Authorizing Panel Action on District Conversion Amendment
Request: Mountain Home High School Career Academies**

Public School Program Coordinator Ms. Alexandra Boyd said on May 18, 2016, representatives of Mountain Home High School Career Academies appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request with the provision of including a written summary report describing the impact the waivers have on ninth grade students to be submitted by June 1, 2017. She said no request for the State Board of Education to review the decision made by the Panel was submitted.

Mountain Home School District Superintendent Dr. Long said the amendment did include the ninth grade.

Ms. Zook moved, seconded by Dr. Barth, to review the Charter Authorizing Panel action on District Conversion Amendment Request for the Mountain Home High School Career Academies. The motion carried unanimously.

Charter School Coordinator Ms. Alexandra Boyd asked the State Board to identify any additional information to be presented at the July State Board Meeting. The following requests were made:

- Rationale for including ninth graders in the programming that the amendment request will afford, including a discussion of the emotional maturity of ninth graders that would participate in this programming.
- Any Arkansas focused research on ninth graders, and/or similarly aged students, participating in higher education courses.

**A-17 Charter Authorizing Panel Action on District Conversion Amendment
Request: Springdale School of Innovation**

Public School Program Coordinator Ms. Alexandra Boyd said on May 18, 2016, representatives of Springdale School of Innovation appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request. She said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Zook moved, seconded by Ms. Saviers, to not review the Charter Authorizing Panel action on District Conversion Amendment Request for the Springdale School of Innovation. The motion carried unanimously.

**A-18 Consideration of Final Accreditation Report Fiscal Year 2015-2016 -
Summary of Accreditation for Arkansas Public Schools and School Districts**

Public School Program Manager Mr. Willie Morris requested the Board accept the report as submitted.

Mr. Black moved, seconded by Ms. Dean, to approve the Final Accreditation Report Fiscal Year 2015-2016 – Summary of Accreditation for Arkansas Public Schools and School Districts. The motion carried unanimously.

A-19 Consideration for Final Approval: ADE Rules Governing How to Meet the Needs of Children with Dyslexia

A-19 was pulled from the agenda.

A-20 Consideration of Request for Approval of Nominated Members for the Professional Licensure Standards Board to Replace Members Whose Terms are Vacant or Expiring June 30, 2016

Professional Licensure Standards Board (PLSB) Attorney Ms. Jennifer Liwo said under Ark. Code Ann. § 6-17-422 members of the PLSB serve rotating terms, and are appointed by the State Board from nominations made by professional education associations. She said the following persons have been re-nominated for new terms:

Ms. Lisa Baker, Director of Personnel at Cabot School District was nominated by the Arkansas Association of Educational Administrators and the Arkansas Association of School Personnel Administrators for a term to begin on July 1, 2016 and end on June 30, 2019;

Ms. Kathy Howell, Library/Media Specialist in the Clarksville School District, was nominated by the Arkansas Education Association to represent teachers in grades K-6 for a term to begin July 1, 2016 and end on June 30, 2019;

Ms. Cindy Romeo, 8th Grade English teacher in the Conway School District was nominated by the Arkansas Education Association to represent teachers in grades 7-12 for a term to begin July 1, 2016 and end on June 30, 2019.

Dr. Barth moved, seconded by Ms. Saviers, to approve the nominated members for the Professional Licensure Standards Board to replace members whose terms are vacant or expiring June 30, 2016. The motion carried unanimously.

A-21 Election of Officers for State Board of Education for 2016-2017

Ms. Vicki Saviers said in accordance with the Board Operating Guidelines, Chair Newton selected a nominating committee to include Ms. Saviers, Mr. Black, and Ms. Zook. The Nominating Committee reported their recommended slate of officers on May 13, 2016. She said nominations included Chair, Ms. Mireya Reith and Vice-Chair, Dr. Jay Barth.

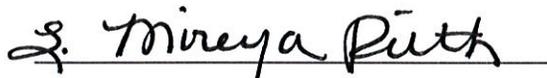
Ms. Chambers moved, seconded by Mr. Williamson, to accept the slate of officers as presented by acclamation, effective July 1, 2016.

Adjournment

Ms. Reith moved, seconded by Ms. Dean, to adjourn. The motion carried unanimously.

The meeting adjourned at 4:08 pm.

Minutes recorded by Deborah Coffman.



Mireya Reith, Chair



Johnny Key, Commissioner of Education

Work Session

W-1 Act 1240 Overview Work Session

Staff Attorney Ms. Jennifer Davis and Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allows school districts to be granted the same waivers that are granted to open-enrollment charter schools that draw students from the district. The Board requested the work session be rescheduled for August.

W-2 9:00 a.m. Reception and Congratulatory Remarks

A reception was held in the ADE Auditorium celebrating the service to the State Board of Education for Ms. Toyce Newton, Chair of the State Board; Ms. Vicki Saviers, State Board Member and Chair of the Special Committee on Academic Distress; and Ms. Ouida Newton, 2015 Arkansas Teacher of the Year. Dr. Sarah Moore, representing the Governor's Office; Dr. Tom Kimbrell, former Commissioner of Education and current Superintendent of the Bryant School District; Mr. Sam Ledbetter, former State Board Member; and Commissioner Johnny Key provided congratulatory remarks.

Ms. Toyce Newton, Ms. Vicki Saviers, and Ms. Ouida Newton introduced members of their friends and family that participated in the celebration.

Board Members reflected on the experiences and service the ladies exemplified during their tenures on the State Board. Ms. Toyce Newton, Ms. Vicki Saviers, and Ms. Ouida Newton expressed their thanks to everyone and shared the impact of the support they received.