

Minutes
State Board of Education Meeting
Thursday, February 11, 2016

The State Board of Education met Thursday, February 11, 2016, in the Arkansas Department of Education Auditorium. Chair Toyce Newton called the meeting to order at 10:03 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

Consent Agenda

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

Items included in the Consent Agenda:

- Minutes - January 14, 2016
- Minutes - January 15, 2016
- Review of Loan and Bond Applications
- Newly Employed, Promotions and Separations
- 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 the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Kellie LaMonica
- Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Mary Gibson
- Consideration of Recommendation of the Department of Education for Suspension of License for Failure to Reimburse NBPTS Program Funding – Michelle McCoy
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-039 - James Mathis Raper
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-166 - Kim Rochelle Holland
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-179 - Barbara Lee Hildebrand
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-193 - Michael David Allison
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-001 - Heather Leigh Peters
- Consideration of the Recommendation of the Professional Licensure

Standards Board for Case #16-030 - Melinda Lea Frizzell

- Consideration for Public Comment: Section 9.13.1 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program
- Consideration for Public Comment: 2016 Open Enrollment Charter School Application
- Consideration for Public Comment: 2016 District Conversion Charter School Application
- Consideration for Public Comment: Arkansas Department of Education Rules Governing Distance and Digital Learning
- Consideration of Helena-West Helena Community Advisory Board Membership

Action Agenda

A-1 Consideration of the Little Rock School District Report of Progress

Little Rock School District Civic Advisory Committee Co-Chairs Dr. Dionne Jackson and Mr. Greg Adams said the LRSD Civic Advisory Committee continued to meet monthly. Mr. Adams said five community engagement forums are planned across the district. Dr. Jackson said the Committee was tasked with identifying actions to move the district forward in meeting the needs of the schools in academic distress. She said the Committee was against the expansion of charter schools and Teach for America within the district. Mr. Adams said he is concerned about the number of students the district may lose and the impact on the academic distress schools.

Little Rock School District Associate Superintendent for Accountability Mr. Dennis Glasgow reported the pre- and post-test mean results for the third quarter, unit 1. He said the assessments reflected teacher made tests that aligned with what was taught in the unit including both background knowledge and the related standards. He said the intent was to measure the growth in understanding as well as determining levels of proficiency on the standards identified in the pacing guide.

Little Rock School District Deputy Superintendent Mr. Marvin Burton said he reached out to the Marvel-Elaine School District to learn about how the district increased parent engagement at parent-teacher conferences. He said the school improvement specialists have been hired for each school that was required to have a full-time specialist. He said the school improvement specialists reported directly to him. Mr. Burton said that he monitored the work of the specialists to evaluate the changes in the schools. He said the pre- and post-test aligned to state standards.

President of the Little Rock Education Association Ms. Cathy Koehler said from an employee's point of view that previous leadership was confusing and ever changing. She said the current leadership was doing the right things for students. She said the LRSD educators are willing to do their part to help the district succeed. She said Mr. Whitehorn and Mr. Kurrus have been working to improve school climate and teacher attendance. Ms. Koehler said the pre- and post-assessment system was helping to better identify the intervention needs for students.

Little Rock School District Superintendent Mr. Baker Kurrus said the foundation was in place for improving the district. He said difficult decisions are being made in the best interest of students and for a fiscally prudent district. He said the district adjusted to a 190-day contract for teachers. He said the district hired Mr. Jason Pickering as principal for the new West Little Rock Middle School. He said the district was working to reduce transportation costs. Mr. Kurrus said the district would be making decisions that would put students in world-class buildings with student support systems. He will have a facilities report by August 15.

Commissioner Key said Ark. Code Ann. § 6-15-430 provided the guidance for returning the district to local control.

Ms. Reith moved, seconded by Dr. Barth, to accept the Little Rock School District Report. The motion carried unanimously.

A-2 Consideration of the Dollarway School District Report of Progress

Superintendent of the Dollarway School District Ms. Barbara Warren said she was very encouraged about the 1,366 students in the Dollarway School District. She said the district challenges include the lack of functioning and effective systems; emergencies and urgent matters; staff recruitment and retention; facilities; and communication.

Ms. Warren said in response to these challenges, the leadership team was addressing the emergencies and urgent matters through training and a systems approach. She said the team was conducting a needs assessment by talking with partners, district leaders and school leaders. She said the site visit reports, monitoring reports and audit reports were very helpful. She said the needs assessment with teachers, students, and community would be the next steps.

Ms. Warren said the district was working on a Standards Operating Procedures Manual. She said in setting priorities and developing strategies the next step would be to study the whole child tenets and assess the implementation within the district.

Ms. Warren said this is a state partnership - not state takeover. She introduced the leadership cabinet, Ms. Tammie Dockett-Wilson and Dr. Melvin Bryant.

Dollarway Assistant Superintendent of School Improvement Ms. Tammi Dockett-Wilson said the district was improving with the assistance of the Office of Intensive Support.

Dollarway Deputy Superintendent Dr. Melvin Bryant said the team could accomplish the goals for the district. He said he has seen the systems approach working.

Ms. Warren said the community was patient about the district changes but has been very clear about the expectations for success.

Superintendent of the Office of Intensive Support Mr. Andrew Tolbert submitted a written report on the progress of the Dollarway School District.

Commissioner Key said Ms. Warren was the right choice for this district. He said a district under state authority was supported through a whole school approach.

Ms. Saviers moved, seconded by Ms. Zook, to approve the Dollarway School District Report. The motion carried unanimously.

A-3 Consideration of Request for Waiver from Repayment of NBPTS Program Funding- Cynthia Walker

Professional Licensure Standards Board (PLSB) Attorney Ms. Cheryl Reinhart said Cynthia Walker is a licensed educator who received funding under the Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification Program but did not complete certification. Ms. Walker has requested a waiver from her obligation to repay NBPTS program funding in the amount of \$2,665.00 but she did not appear today. She said the Department recommended suspension of Ms. Walker's license until she completes her obligation to repay the NBPTS program funding.

Ms. Saviers moved, seconded by Mr. Black, to suspend Ms. Cynthia Walker's license until she completes her obligation to repay the NBPTS program funding. The motion carried unanimously.

A-4 Consideration for Final Approval: Proposed Arkansas Department of Education Rules Governing Ethical Guidelines

Staff Attorney Ms. Jennifer Davis said Act 846 of 2015 revised Arkansas laws pertaining to the ethical guidelines and prohibitions for educational

administrators, employers, and board members, changing the requirements for contracting with interested party of board members and employers from \$5,000 to \$10,000. She said on December 10, 2015, the Board approved these rules for public comment. A public comment hearing was held on January 4, 2016. No public comments were received. She said Governor's approval was received on January 4, 2016. She requested the State Board of Education give final approval for these rules pending Legislative Council approval.

Dr. Barth moved, seconded by Ms. Dean, to approve the Arkansas Department of Education Rules Governing Ethical Guidelines. The motion carried unanimously.

A-5 Consideration for Final Approval: Proposed Arkansas Department of Education Rules Governing Education Service Cooperatives

Staff Attorney Ms. Jennifer Davis said Act 846 of 2015 revised Arkansas laws pertaining to education service cooperative distribution of assets of a dissolved education service cooperative. She said on December 10, 2015, the Board approved these rules for public comment. A public comment hearing was held on January 4, 2016. Public comments were received, but no substantive changes were made. She said the Governor's approval was received on January 4, 2016. She requested the State Board of Education give final approval for these rules pending Legislative Council approval.

Ms. Reith moved, seconded by Ms. Chambers, to approve the Arkansas Department of Education Rules Governing Education Service Cooperatives. The motion carried unanimously.

A-6 Consideration for Final Approval: ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites

Deputy Counsel Ms. Lori Freno said the ADE proposed revisions to these rules to bring them in compliance with Acts 44, 993, 1087, and 1177 of 2015. She said the State Board released these rules for public comment on December 10, 2015. A public hearing was held on January 4, 2016. The public comment period expired on January 12, 2016. As a result of public comment, the rules were revised to add Sections 7.06 and 7.07, which mirror the language in Act 993 of 2015 allowing teachers to voluntarily teach more students per day than permitted under the Standards for Accreditation for extra compensation. She requested the State Board give final approval to the rules pending Legislative Council review.

Assistant Commissioner for Public School Accountability Ms. Annette Barnes

said if the ADE received information that a teacher was required to teach more students than permitted the ADE would investigate.

Mr. Williamson moved, seconded by Ms. Dean, to approve the ADE Rules Governing School District Requirements for Personnel Policies, Salary Schedules, Minimum Salaries, and Documents Posted to District Websites. Dr. Barth abstained. The motion carried.

A-7 Consideration for Emergency Approval: Section 9.13.1 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program

General Counsel Ms. Kendra Clay said Act 854 of 2015 amended Ark. Code Ann. § 6-15-2017 to provide for public schools to be eligible for the Arkansas School Recognition Program based on high student performance and high student academic growth. She said changes to this section of the rules are necessary to implement this change. She requested the State Board give emergency approval to this rule.

Dr. Barth moved, seconded by Ms. Saviers, to approve Section 9.13.1 of the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) and the Academic Distress Program for emergency approval. The motion carried unanimously.

A-8 Consideration for Emergency Adoption: 2016 Open Enrollment Charter School Application

Staff Attorney Ms. Jennifer Davis said the 2016 Open Enrollment Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updates the submission deadline for the 2016 application cycle.

Charter School Director Ms. Alexandra Boyd said the Open Enrollment Charter School Application required information about the students that will be targeted for enrollment.

Dr. Barth moved, seconded by Ms. Reith, to approve the 2016 Open Enrollment Charter School Application for emergency adoption. The motion carried unanimously.

A-9 Consideration for Emergency Adoption: 2016 District Conversion Charter School Application

Staff Attorney Ms. Jennifer Davis said the 2016 District Conversion Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updates the submission deadline for the 2016 application cycle.

Ms. Saviers moved, seconded by Ms. Chambers, to approve the 2016 District Conversion Charter School Application for emergency adoption. The motion carried unanimously.

A-10 Consideration for Emergency Approval: Arkansas Department of Education Rules Governing The Public School Rating System on Annual School Report Cards

General Counsel Ms. Kendra Clay said Arkansas Code Annotated §§ 6-15-2105 and 6-15-2106 require that each public school receive annually a letter grade score of "A" through "F." The law sets forth a default method for grade assignment but further authorizes the State Board of Education to approve an alternate method. The method set forth in these rules was revised by the University of Arkansas Office of Innovation for Education, in consultation with the Arkansas Department of Education. She requested the State Board give emergency approval to these rules.

Commissioner Key said the ADE would provide communication tools to help educators and communities understand the letter grades. He said the ADE would be requesting additional changes during the next legislative session to better bring the accountability measures into alignment and, thus, limiting the confusions felt by the public.

Office of Innovation for Education Director Dr. Denise Airola said in 2014 the A-F school rating components were performance, improvement, graduation rate (if applicable), and achievement gap adjustment. She said the change in assessment and feedback from stakeholders caused the rating components to need revision. She said the 2015 A-F school rating components are performance (adjusted for five PARCC performance levels), improvement (growth model), graduation rate, achievement gap adjustment (updated cut points), and added challenge points. Dr. Airola said this calculation took out much of the bias toward schools with students who may be more challenging to educate. She also said that only students who were enrolled October 1 continuously through testing are included in the accountability measures.

Assistant Commissioner of Public School Accountability Ms. Annette Barnes said the total challenge points added could assist a school but would not pad or hide the school's grade.

Commissioner Key said schools and communities should consider this letter grade as one measurement. He encouraged the schools and parents to have additional conversations about what the letter grades mean and the work that needs to be done to improve.

Ms. Dean moved, seconded by Ms. Zook, to approve the Arkansas Department of Education Rules Governing The Public School Rating System on Annual School Report Cards for emergency approval. The motion carried unanimously.

Reports

Report-1 Chair's Report

Dr. Barth said the National Association of State Boards of Education (NASBE) was sponsoring a meeting on the Every Student Succeeds Act (ESSA) at the end of the month. He said he would bring a report back to the Board.

Ms. Reith said she would apply for a NASBE grant to study career readiness. She said the proposal is due February 12.

Ms. Reith attended the National Skills Coalition Meeting. She said Arkansas was seeking public comment through March 10 for the Workforce Innovation and Opportunity Act (WIOA) State Plan. The plan is available at <http://www.arkansas.gov/esd/AWDB/PublicNotice.htm>.

Ms. Newton said the Winthrop Rockefeller Foundation has launched the Expect More campaign. More information is available at <http://www.wrfoundation.org>.

Report-2 Commissioner's Report

Commissioner Johnny Key said the public school budget hearing would be held in the Big Mac Building, One Capitol Mall, Room A on March 9, 2016.

Commissioner Key said the Special Education Committee was working to reduce paperwork.

Commissioner Key introduced the fifth video in the Innovation in Arkansas Education series. Flippin High School and students are the focus of the video, available at <http://www.arkansased.gov/divisions/learning-services>.

Report-3 Appointments to Nominating Committee

Pursuant to the State Board of Education Operating Procedures, on or before March of each year, the Chair shall appoint a Nominating Committee to secure

nominations for Chair and Vice Chair for the upcoming year. The Committee shall consist of three (3) Board Members, who have served at least two years on the Board. The Committee will report to the Board at its May meeting, and the election shall take place by voice vote at the June meeting. Chair Newton appointed Ms. Saviers, Ms. Zook, and Mr. Black to serve on the nominating committee.

Report-4 2015 Arkansas Teacher of the Year Report

2015 Arkansas Teacher of the Year Ms. Ouida Newton said her blog was focused on disciplinary literacy. She said content teachers are asked to include activities within their lessons that assist their students in how to read and write like a mathematician, scientist, or historian. The blog is available at <http://arkansased.edublogs.org>.

Ms. Newton attended a panel discussion at the Arkansas Leadership Academy hosted by the Impact Institute.

Report-5 Concordance Methodology for Academic Distress Determinations 2015

Assistant Commissioner for Public School Accountability Ms. Annette Barnes said the ADE received a pause or reprieve from federal accountability for 2014-2015 but no relief from state accountability. She said the Accountability Technical Advisory Committee (TAC) recommended a concordance methodology be utilized for academic distress determinations for 2015. She said the TAC was comprised of experts and practitioners in statistics, assessment and accountability.

Office of Innovation for Education Director Dr. Denise Airola recognized Dr. Feng Jiang, Research Associate, for his work on the concordance calculations.

Dr. Airola said there is a precedent for using a concordance methodology as concordance has been used before for K-2 transition among norm-referenced tests and establishing students' need for intervention and remediation in math and reading. She explained that the major steps in establishing the concordant scores are 1.) selecting stable schools for each grade/test based on 2012 to 2014 student achievement on the ACTAAP test; 2.) for Grades 3 through 8, Algebra I End of Course and Geometry End of Course calculate propensity score weights using students level covariates (based on the characteristics of students in 2014) to condition the student distribution in the 2015 stable school sample; and use equal percentile to calculate 2015 PARCC cut score with propensity score weights; and 3.) for Grade 9 and Grad 10 English Language Arts, calculate 2015 PARCC cut scores based on vertical moderation.

Dr. Airola said propensity score weighing was used to establish statistical equivalence on important background characteristics between 2014 ACTAAP and 2015 PARCC concordant student samples; corrects for differences, if any, between these two groups on important characteristics; and was selected so that all students comprising the concordant samples would be included in the determination of the final concordant cut scores. In addition, propensity score matching to establish equivalent groups was run to compare to propensity score weighting with virtually the same results, but propensity score matching excluded students who could not be matched.

Assessment Director Ms. Hope Allen said the ACT Aspire contract included a concordance methodology for next year that would be verified by the Assessment and Accountability Technical Advisory Committee. She said students would be assessed on grade level standards.

Report-6 Learning Services Report

Interim Assistant Commissioner of Learning Services Ms. Stacy Smith said she included a very rough draft of the standards revision for mathematics with the Learning Services Report. The Learning Services report is available at <http://edboard.arkansas.gov/ItemAttachments.aspx?itemid=4629&meetingid=275>

Report-7 Discipline Report

On August 13, 2015, Office for Education Policy Faculty Director Dr. Gary Ritter and Research Assistant Ms. Kaitlin Anderson provided a State Discipline Report. Act 1329 of 2013 required the ADE to evaluate the impact of school discipline on student achievement and report findings to the State Board of Education and school districts. The State Board requested additional information.

Dr. Ritter presented data to address five questions:

- I. What are the disciplinary rates (incidences per 100 students) overall and for various subgroups of students? *Are there any important trends over time?*
- II. Do certain students just attend "high-discipline" schools? *What are the school-level disciplinary rates for the "average" student in different subgroups?*
- III. Are certain types of infractions (subjective v. objective) more subject to subgroup disparities?
- IV. What can we learn about the population of students who are expelled?
- V. How does exclusionary discipline relate to student academic performance?

Dr. Ritter said key takeaways from the data are that African-American students are disproportionately represented in in-school suspension and out-of-school suspension rates. He said African-American students are disproportionately represented in expulsion rates and corporal punishment rates.

Commissioner Key said there should be a behavioral component in schools' Response to Intervention Process.

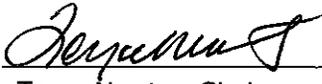
Ms. Anderson recommended changes to state data collection that included expansion of data cells that better differentiate "other."

Adjournment

Dr. Barth moved, seconded by Ms. Saviers, to adjourn. The motion carried unanimously.

The meeting adjourned at 5:40 p.m.

Minutes recorded by Deborah Coffman.



Toyce Newton, Chair



Johnny Key, Commissioner of Education