

Minutes
State Board of Education Meeting
Monday, October 14, 2013

The State Board of Education met Monday, October 14, 2013, in the auditorium of the Department of Education building. Chair Brenda Gullett called the meeting to order at 9 a.m.

Present: Brenda Gullett, Chair; Sam Ledbetter, Vice-Chairman; Alice Mahony; Dr. Jay Barth; Mireya Reith; Vicki Saviers; Toyce Newton; Diane Zook; Joe Black; Dr. Tom Kimbrell, Commissioner; and Alexia Weimer, Teacher of the Year

Reports

Chair's Report

Ali Weimer recognized the top four finalists for 2014 Arkansas Teacher of the Year: Lisa Gray, Debra Lamb, Sue Johnston, and Jonathan Crossley. The 2014 Arkansas Teacher of the Year winner will be announced at a later date.

Commissioner's Report

Dr. Tom Kimbrell recognized the 2013 Arkansas AP Scholars, Arhita Dasgupta and Rafeh N. Qureshi.

Dr. Karen Walters recognized new PLSB investigators, Bryan Presley and April Daniels. Dr. Walters also recognized the PLSB team for their dedicated work.

Update on Common Core State Standards, PARCC and School Improvement

Dr. Megan Witonski, Assistant Commissioner, reported the Division of Learning Services is designing a communication plan and working on a digital learning strategic plan. Dr. Witonski introduced Kevin Beaumont as the new Coordinator of Professional Development.

The Educator Leader Cadre recently met in Chicago to consider how to better communicate the connections between Common Core State Standards and next generation assessments. The cadre will work on videos of what CCSS looks like in ELA and math classrooms.

21 videos of STEM Classrooms will be released in November 2013 through a partnership with Arkansas IDEAS. Cohort Three LDC/MDC training is beginning for priority schools. This will bring the total to 145 schools implementing LDC/MDC.

PARCC field-testing will begin Spring 2014. Of the districts included in the random sample, 96.7% of districts agreed to participate. Laura Slover has been selected as the new CEO of PARCC, Inc. PARCC professional development modules will be released 2014-2015.

2013 AAIMS Report

Dr. Ken James, President of AAIMS, provided an overview of the 2013 AAIMS results. He introduced Lynn Harrison, Program Manager of AAIMS. Dr. James recognized the 89th General Assembly, Dr. Kimbrell and Dr. Abernathy for their support of recent legislation and appropriation for AAIMS.

34th Arkansas Governor's School Report

Director Lyle Rupert reported the Arkansas Governor's School, held at Hendrix College, is a six-week program that integrates curricular, co-curricular and extra-curricular activities at no cost to 400 gifted and talented students. The schools will strive to get more students and more counties involved. More information is available at www.hendrix.edu/ags.

Report on Act 1280

Cathi Swan, State Coordinator for Distance Learning, reported ADE is accepting online provider applications until January 17, 2014.

Additional Announcement

Dr. Kimbrell reported no furloughs of federal-funded employees at ADE at this time of the federal shutdown. ADE was able to access forward-funded federal programs. Food services are not forward-funded; instead they are on a reimbursement basis. Schools will have to carry the balance until federal reimbursements are available.

Consent Agenda

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart reported the September minutes reflect a correction relating to a PLSB case, Jonathan Gosdin, in that his original PLSB sanction was misidentified as suspension. It was, in fact, probation and the September 9, 2013 minutes reflect that correction.

Ms. Reith moved, seconded by Dr. Barth, to approve the consent agenda. The motion carried unanimously.

Item included in the Consent Agenda:

- Minutes - September 9, 2013
- Review of Loan and Bond Applications
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations

- Waivers Request for the Month of October
- Report on the Cross County Elementary Technology Academy Class Size Waiver
- Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Three (3) Years, Drug and Alcohol Rehabilitation Treatment, and a Fine of \$100 for Case #13-011 – Justin Blake Gregory
- Consideration of the Recommendation of the Professional Licensure Standards Board for Probation of License for One (1) Year and a fine of \$75 for Case 13-070 – James Eric Cannon
- Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Two (2) Years and a Fine of \$100 for Case #13-114 – Rhett Alan Kelley
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Reprimand and a Fine of \$50 for Case #13-113 – Melville H. Hall
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Warning for Case #13-128 – Irma White
- Consideration of the Recommendation of the Professional Licensure Standards Board for Probation of License for Two (2) Years and a Fine of \$75 for Case 13-137– Bonnie Gail Moody
- Consideration of the Recommendation of the Professional Licensure Standards Board for Probation of License for Three (3) Years and a fine of \$75, as well as Social Media Training for Case 13-142 – Sean Roberts Ryan
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Reprimand and a Fine of \$50 for Case #13-157 – James Robert Wilson
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Reprimand and a Fine of \$50 for Case #T13-004 – Marcia Lynn Scott
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Reprimand and a fine of \$50 for Case #T13-009 – Carolyn Rae Johnson
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Warning and Training on Proper Testing Procedures for Case #T13-010 – Paulette Hurt
- Consideration of the Recommendation of the Professional Licensure Standards Board for a Written Warning for Case #T13-014 – Robin Leann Tate
- Consideration of Voluntary Surrender of Arkansas Educator's License – Case # 13-179 – Nicholas Wayne Wooster

Action Agenda

Embedded Courses for Schools in the New Tech Network

ADE Public School Program Manager Thomas Coy reported Act 421 of 2013 allows curriculum frameworks from two (2) separate courses to be taught in a single course, known as a combined or embedded course. Several school districts made application to

the Curriculum and Instruction Unit for approval of the combined or embedded course and assured in writing that the curriculum frameworks for both courses will be fully taught in the combined or embedded course. Department staff requested the Board approve the embedded courses for Oral Communication with English 9/10, understanding that when the curriculum frameworks for either of the courses is revised, a new course approval request must be submitted and approval must be requested at that time from the Board.

COHORT I (Began 2011-12)
Cross County High School
Lincoln High School

COHORT II (Began 2012-13)
Arkadelphia High School
Dumas High School
El Dorado High School
Highland High School
Hope High School
Marked Tree High School
Riverview High School
Van Buren High School

COHORT III (Began 2013-14)
Blytheville High School
Hillcrest High School
Trumann High School
Rogers New Technology High School

Ms. Saviers moved, seconded by Ms. Newton, to approve the embedded courses for schools in the New Tech Network. The motion carried unanimously.

The Board considered A-2, A-6 and A-7 together.

A-2 Consideration for Public Comment: Repeal of Rules and Regulations for Teacher Evaluation

The Department recommended the repeal of the Rules and Regulations for Teacher Evaluation, as the rules have been replaced and superseded by the Rules Governing the Teacher Excellence and Support System. The Department staff respectfully requested that the State Board authorize the release of the proposed repeal of the rules for public comment.

A-6 Consideration for Public Comment: Proposed Revisions to the Arkansas Department of Education and Arkansas State Board of Nursing Rules Governing the Administration of Glucagon to Arkansas Public School Students Suffering from Diabetes

Act 1232 of 2013 amended Ark. Code Ann. § 17-87-103 regarding the administration of glucagon by trained volunteer school personnel. Revisions to these rules include the

necessary changes as the result of Act 1232. Department staff requested the State Board approve these proposed revisions for public comment.

A-7 Consideration for Public Comment: Proposed Rules Governing the Code of Ethics for Arkansas Educators

The Department recommended changes to the Rules Governing the Code of Ethics for Arkansas Educators adopted by the Professional Licensure Standards Board to revise the wording of Standard 2 and its accompanying guideline, revise Standard 6 and create a new Standard 7 out of the former Standard 6 and revise the wording of the accompanying guidelines, and renumber and revise the wording and accompanying guideline of Standard 8. The changes also implement a technical change in Act 454 of the 2013 Regular Session and new provisions in the Code of Ethics under Act 1323. The allegation of violation form is attached as an appendix to the rules. The Department staff requested the State Board authorize the release of the proposed rules for public comment.

Mr. Ledbetter moved, seconded by Ms. Newton, to approve (A-2) for Public Comment: Repeal of Rules and Regulations for Teacher Evaluation, (A-6) for Public Comment: Proposed Revisions to the Arkansas Department of Education and Arkansas State Board of Nursing Rules Governing the Administration of Glucagon to Arkansas Public School Students Suffering from Diabetes, and (A-7) for Public Comment: Proposed Rules Governing the Code of Ethics for Arkansas Educators. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing Nontraditional Licensure Programs

The Department recommended changes to the Arkansas Department of Education Rules Governing Nontraditional Licensure Programs, to implement Acts 413 and 454 of the 2013 Regular Session of the Arkansas General Assembly, and to update other provisions. The State Board released the proposed rules for public comment on August 12, 2013. A public hearing was held August 27, 2013. Department staff received public comments on the proposed rules and after careful consideration of the public comments made revisions to the proposed rules. The Department staff requested the State Board give its final approval to the proposed rules.

Dr. Barth moved, seconded by Ms. Zook, to not approve the Rules Governing Nontraditional Licensure Programs. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing Background Checks and Licensure Revocation

The Department recommended changes to the Arkansas Department of Education Rules Governing Background Checks and Licensure Revocation to implement Act 455 of the 2013 Regular Session of the Arkansas General Assembly, to update other provisions, and to streamline the rules and for clarity. The State Board released the

proposed rules for public comment August 12, 2013. A public hearing was held August 27, 2013. Department staff received public comments on the proposed rules and after careful consideration of the public comments made revisions to the proposed rules. The Department staff requested the State Board give its final approval to the proposed rules.

Ms. Zook encouraged superintendents to require contracted food workers and bus drivers to meet background checks.

Mr. Ledbetter moved, seconded by Ms. Newton, to approve the Rules Governing Background Checks and Licensure Revocation. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing Professional Development

The Department recommended changes to the Arkansas Department of Education Rules Governing Nontraditional Licensure Programs, to implement Acts 413 and 454 of the 2013 Regular Session of the Arkansas General Assembly, and to update other provisions. The State Board released the proposed rules for public comment on August 12, 2013. A public hearing was held August 27, 2013. Department staff received public comments on the proposed rules and after careful consideration of the public comments made revisions to the proposed rules. The Department staff respectfully requests that the State Board give its final approval to the proposed rules.

Ms. Mahony moved, seconded by Dr. Barth, to add anti-bullying to 8.0 and approve the Rules Governing Professional Development. The motion carried unanimously.

Hearing on Waiver Request for Teaching License – Karen Donnell Kloss

Karen Donnell Kloss is a licensed educator. On August 28, 2013, the Department advised Ms. Kloss that a background check revealed an offense that disqualifies her for a teaching license. The State Board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of a person who has pled guilty or nolo contendere to or has been found guilty of a disqualifying offense listed in Ark. Code Ann. § 6-17-410(c). Ms. Kloss was found guilty of, pled guilty to or pled nolo contendere to a disqualifying offense in 2000. Ms. Kloss requested a waiver of the disqualifying offense, and was represented by Attorney Greg Alagood.

Ms. Mahony moved, seconded by Ms. Reith, to approve a waiver with a two-year probation, required monthly counseling with quarterly reports to PLSB, and a background check for Karen Donnell Kloss. The motion carried unanimously.

Hearing on Waiver Request for Teaching License – Varna Ray Penix

Varna Ray Penix requested a waiver of the grounds for denial of his application for a teaching license by reciprocity. The state board shall not issue a first-time license nor renew an existing license and shall revoke any existing license not up for renewal of a person who has pled guilty or nolo contendere to or has been found guilty of a

disqualifying offense listed in Ark. Code Ann. § 6-17-410(c). Mr. Penix was notified on June 3, 2013, that his background check revealed a disqualifying offense. However, on June 13, 2013, a teaching license was issued to Mr. Penix in error and rescinded on August 22, 2013. On August 22, 2013, Mr. Penix requested a hearing before the State Board to seek a waiver of the offense. Mr. Penix represented himself.

Ms. Reith moved, seconded by Dr. Barth, to approve a waiver with a two-year probation and a background check for Varna Ray Penix. The motion carried unanimously.

Consideration of the Recommendation of the Professional Licensure Standards Board for a One-Year Probation and Fine of \$75 for Case # 13-099 – Lori Michelle Butler

Lori Michelle Butler is a licensed educator. The Professional Licensure Standards Board Ethics Subcommittee recommended the probation of Ms. Butler's license for one (1) year and the assessment of a fine of seventy-five dollars (\$75.00) for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom. Ms. Butler was notified of the Professional Licensure Standards Board's recommendation by certified mail and regular mail dated May 21, 2013. Ms. Butler accepted the recommendations of the PLSB Ethics Subcommittee on June 7, 2013. Ms. Butler's case came before the State Board as a consent agenda item on August 12, 2013; the State Board removed the item from the consent agenda and requested that it be placed on the action agenda for a hearing.

Ms. Newton moved, seconded by Ms. Saviers, to approve a one-year suspension and \$100 fine for Lori Michelle Butler. Six Board members voted yes. Dr. Barth and Mr. Ledbetter voted no. The final vote was 6-2. The motion carried.

Proposed Broadband Resolution Proposed Broadband Resolution

Dr. Tom Kimbrell requested the Board adopt a broadband resolution. The Board adopted *"The vision of the Arkansas State Board of Education is that all public schools are connected to a robust broadband infrastructure necessary for instructional Internet access and student participation in a world-class online learning experience"*.

Ms. Saviers moved, seconded by Ms. Newton, to adopt a broadband resolution. The motion carried unanimously.

Additional Announcements

Dr. Kimbrell announced the next State Board meeting would be November 4, 2013.

Dr. Kimbrell announced National Principal's Month.

Dr. Kimbrell explained Mineral Springs is under state takeover for fiscal distress. A resolution from the city of McNab was included in the State Board packet.

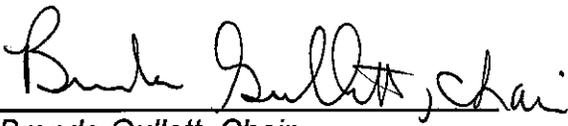
Ms. Gullett proposed the November work session finish the study of *Our Responsibility, Our Promise*. The work session will be held Sunday, November 3, 2013 at the DoubleTree Hotel from 6:00 to 8:00 p.m. and is open to the public.

Ms. Zook shared that she attended a meeting and heard a report from Dr. Matt McClure regarding Cross County School District. The district included parents in the decision making process. Ms. Zook recommended sharing examples of effective practices at future board meeting.

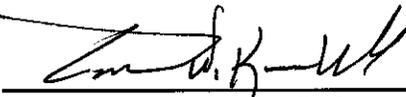
Adjournment

The meeting adjourned at 1:43 p.m.

Minutes recorded by Deborah Coffman.



Brenda Gullett, Chair



Dr. Tom W. Kimbrell, Commissioner

AMENDED