

Minutes
State Board of Education Meeting
Monday, July 8, 2013

The State Board of Education met Monday, July 8, 2013, in the auditorium of the Department of Education building. Brenda Gullett, Chair, called the meeting to order at 9 a.m.

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

Reports

Chair's Report

Ms. Gullett introduced Diane Zook of Melbourne, new board member. Ms. Gullett welcomed Ali Weimer, Teacher of the Year.

Commissioner's Report

Commissioner Kimbrell introduced Deborah Coffman, Chief of Staff; Dr. Megan Witonski, Assistant Commissioner of the Division of Learning Services; and Mike Hernandez, Assistant Commissioner of Finance and Administrative Services. Commissioner Kimbrell also welcomed Ms. Diane Zook and Ms. Ali Weimer.

Ms. Reith was delayed in traffic and will join the Board soon.

Informational Update on Common Core State Standards, PARCC and School Improvement

Assistant Commissioner Dr. Megan Witonski said ADE is seeking to fill the position vacated by Deborah Coffman. She also said Commissioner Kimbrell and Melody Morgan, Director of Student Assessment, attended PARCC's governing Bmeeting June 26, 2013. The governing board approved the release of grade level and content specific descriptors for ELA and Math and the first edition accessibility/accommodation manual. PARCC field-testing will be administered Spring 2014, with schools to be selected Summer 2013. PARCC will notify Arkansas schools. Most students participating in the field-testing will take only a portion of the test. PARCC will administer the full test Spring 2015.

Consent Agenda

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

Items included in the Content Agenda:

- Minutes of the June 10, 2013, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Sanctions for Teachers as Recommended by the Professional Licensure Standards Board
 - Sandra Leigh Broberg (Lee)
 - Anita Cooper
 - Jerry Louis Thompson
 - Ronnie Joe Stratmoen
 - Jerry Louis Thompson
 - Rosie L. Slaughter
 - Renee Jean Elliott
 - Paula Sue Pate-Muncy
 - Elizabeth Diana Newlun
 - LaSonya Denise Clary
 - Timothy Lee Fulks
 - Renee Jean Elliott
 - Jason Scott Shepherd
 - Heidi Leigh Brewington
 - Lori Janee Rice
 - Dean Richard Livingston
 - Mary Beth Stivers

Ms. Reith joined the Board meeting in progress.

Action Agenda

(Complete records of the hearings are available in the State Board office.)

Consideration of Approval of Arkansas Better Chance Grants

Paige Cox, Administrator of the Arkansas Better Chance (State Pre-K) and Professional Development/Program Support of the Division of Child Care and Early Childhood Education at the Arkansas Department of Human Services, presented 2013-2014 Arkansas Better Chance Grants of \$1,992,090.00 for approval.

Mr. Black moved, seconded by Ms. Saviers, to approve the 2013-2014 grants. The motion carried unanimously.

Consideration of Petition for Detachment – Jacksonville Community Group

Pursuant to Ark. Code Ann. § 6-13-1501 et seq., members of the Jacksonville Community seek permission from the State Board of Education to create a new school district by detaching territory from the Pulaski County Special School District.

Mr. Patrick Wilson, representing the Jacksonville Community Group, requested the Board declare the petition valid. Mr. Wilson presented the voter signatures to the Board reporter.

Ms. Saviers moved, seconded by Dr. Barth, to declare the petition valid. The motion carried unanimously.

Consideration of Appeal from Denial of School Choice Application – Goodall (A-3), Moffett (A-6), and White (A-8)

The Board agreed to consider action items A-3, A-6 and A-8 together.

Mr. George Rozzell, attorney for the clients, asked the Board to appeal the denial of school choice applications for Goodall (A-3), Moffett (A-6), and White (A-8).

John Estes, Superintendent of Palestine Wheatley, said Palestine-Wheatley School District denied the school choice applications because the Forrest City School district has filed an exemption based on a desegregation order.

Sam Jones, attorney for the Forrest City School District, asked the Board to deny the school choice applications. He stated Forrest City School District has filed an exemption based on a desegregation order.

Ms. Goodall shared testimony about her children and their experiences at Palestine Wheatley School District. She moved into the Forrest City School District but wants her children to continue to attend Palestine-Wheatley School District.

Ms. Moffett, parent of one student requesting school choice, shared testimony about her child. Ms. Moffett's other son is grandfathered into the Palestine Wheatley School District under a previous school choice application.

Ms. White, parent of one student requesting school choice, shared testimony about her child. Ms. White's other child is grandfathered into the Palestine-Wheatley School District under a previous school choice application.

Board members voiced concerns about meeting the needs of students within the law.

A-3 Consideration of Appeal from Denial of School Choice Application – Goodall

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, Mr. George Rozzell, on behalf of the Goodall Family, filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice applications of A. Goodall (5); E. Goodall (8); A. Goodall (9); and A. Goodall (11).

Dr. Barth moved, seconded by Ms. Reith, to deny the request for appeal from denial of school choice application – Goodall (A-3). Ms. Zook opposed. The motion carried.

A-6 Consideration of Appeal from Denial of School Choice Application – Moffett

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, Ms. Amanda Moffett filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice application of J. Moffett.

Mr. Ledbetter moved, seconded by Ms. Newton, to deny the request for appeal from denial of school choice application – Moffett (A-6). Ms. Zook opposed. The motion carried.

A-8 Consideration of Appeal from Denial of School Choice Application – White

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, Ms. Stephanie White filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice application of J. White.

Mr. Ledbetter moved, seconded by Ms. Reith, to deny the request for appeal from denial of school choice application – White (A-8). Ms. Zook opposed. The motion carried.

Consideration of Appeal from Denial of School Choice Application – Harbin

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, John and Carrie Harbin filed an appeal of the decision of the Palestine-Wheatley School

District to deny the school choice application of T. Harbin and S. Harbin.

John Harbin, parent, asked the Board to consider an appeal from denial of school choice application.

John Estes, Superintendent of Palestine-Wheatley, said Palestine-Wheatley School District denied the school choice applications because the Forrest City School district has filed an exemption based on a desegregation order.

Sam Jones, attorney for the Forrest City School District, asked the Board to deny the school choice applications. He stated Forrest City School District has filed an exemption based on a desegregation order.

Ms. Newton moved, seconded by Mr. Ledbetter, to deny the request for appeal from denial of school choice application - Harbin. The motion carried unanimously.

Consideration of Appeal from Denial of School Choice Application – Jackson

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, Cody and Cory Jackson filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice application of T. Jackson.

Cody and Cory Jackson, parents, asked the Board to consider an appeal from denial of school choice application.

John Estes, Superintendent of Palestine-Wheatley, said Palestine-Wheatley School District denied the school choice applications because the Forrest City School district has filed an exemption based on a desegregation order.

Sam Jones, attorney for the Forrest City School District, asked the board to deny the school choice applications. He stated Forrest City School District has filed an exemption based on a desegregation order.

Ms. Reith moved, seconded by Dr. Barth, to deny the request for appeal from denial of school choice application - Jackson. The motion carried unanimously.

Consideration of Appeal from Denial of School Choice Application – Scaife-Hardin

Pursuant to Act 1227 of 2013 and the Arkansas Department of Education Emergency Rules Governing the Public School Choice Act of 2013, Ms. Tonja

Scaife-Hardin filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice application of E. Wilkins.

Tonja Scaife-Hardin, parent, asked the Board to consider an appeal from denial of school choice application.

John Estes, Superintendent of Palestine-Wheatley, said Palestine-Wheatley School District denied the school choice applications because the Forrest City School district has filed an exemption based on a desegregation order.

Sam Jones, attorney for the Forrest City School District, asked the Board to deny the school choice applications. He stated Forrest City School District has filed an exemption based on a desegregation order.

Ms. Reith moved, seconded by Dr. Barth, to deny the request for appeal from denial of school choice application – Scaife-Hardin. The motion carried unanimously.

Hearing on Written Reprimand and \$50 Fine for Teacher's License – Cynda Bellamy

Cynda Bellamy is a licensed educator. The Professional Licensure Standards Board's Subcommittee on Ethics recommended a written reprimand and a fine of fifty dollars (\$50.00) for violation of Standard 1: An educator maintains a professional relationship with each student, both in and outside the classroom; and Standard 6: An educator keeps in confidence information about students and colleagues obtained in the course of professional service, including secure standardized test materials and results, unless disclosure serves a professional purpose or is allowed or required by law. Ms. Bellamy was notified of the Professional Licensure Standards Board's recommendation by certified mail and regular mail dated November 16, 2012. Ms. Bellamy made a timely request and on January 11, 2013, received an evidentiary hearing before the Subcommittee on Ethics. On February 18, 2013, Ms. Bellamy requested a hearing before the State Board.

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart reviewed the recommendation of the Professional Licensure Standards Board.

Mr. Gilliam, attorney representing Ms. Bellamy, alleged the student was attempting to defraud the school and state and Ms. Bellamy is a whistle blower. He stated his client and the student did not have an inappropriate relationship. He stated communication with another adult on the IEP team was appropriate.

Ms. Reinhart clarified this case is about failing to maintain a professional relationship, not an inappropriate relationship. She stated the Whistleblower Act

does not apply to this case. Ms. Reinhart asked Ms. Tara Amuimuia, PLBS investigator, to read email/text communications between Ms. Bellamy and other adults.

Mr. Gilliam objected to all testimony outside of the actual reading of the email/text communications. Mr. Gilliam questioned Ms. Amuimuia.

Ms. Reinhart and Mr. Gilliam questioned Ms. Bellamy. Ms. Bellamy stated she did email/text other adults regarding the student.

Courtney Salas-Ford, attorney for the Special Education Unit of the Arkansas Department of Education, said the Department does provide training to teachers regarding Special Education and IEP requirements. Ms. Amuimuia stated Ms. Bellamy attended ethics training from the School for the Blind.

Ms. Newton moved, seconded by Dr. Barth, to approve the recommendation of the Professional Licensure Standards Board (PLSB) for a Written Reprimand and a \$50 fine for Case # 13-007 – Cynda Bellamy. The motion carried unanimously.

PLBS Hearing – Request for Consolidated Hearing for Case 12-145 – Veda Ann Struble and Case 12-146 – Teresa Dee Keiter for a Written Reprimand and Fine of \$50

Valerie Bailey, ADE attorney, stated that these two cases have been consolidated at the consent of the educators and their attorneys. Mike Bearden is representing Dee Keiter and James Harris is representing Veda Struble. The PLSB Ethics Subcommittee conducted an evidentiary hearing and subsequently recommended reprimands and a \$50 fine to each educator for violations of Standards 1 and 3.

Jeremy Lasiter presented the settlement agreement to the Board.

The Attorney's Office advised the Board that based on a thorough review of the record, the Subcommittee's Findings and Recommendations appeared to be based on a significant misunderstanding or mistake of fact. For that reason, the Attorney's Office, in consultation with the PLSB Attorney Cheryl Reinhart, and the attorneys for the educators, a Settlement Agreement and Release were negotiated.

The Agreement dismissed all Findings and Recommendations as to Standard 1 and Standard 3 against Veda Struble, including the reprimand and \$50 fine, and agreed to take no disciplinary action against the license of Veda Struble.

The Agreement also dismissed the Findings and Recommendations against Teresa Keiter as to Standard 3. As to Standard 1, the Agreement modified the

Subcommittee's decision in regard to Teresa Keiter, and states a Letter of Caution will be issued instead of the reprimand and \$50 fine. A Letter of Caution is not a disciplinary action.

Finally, the Agreement contains a release by each educator as to any and all future claims, appeals or actions against the SBE, including attorney's fees.

Ms. Zook moved, seconded by Mr. Ledbetter, to accept the settlement agreement for Case 12-145 – Veda Ann Struble and Case 12-146 – Teresa Dee Keiter, taken together as PLSB Case No. 12-146. The motion carried unanimously.

Hearing on Waiver Request for Teacher's License – Robert Jason Camden

Ms. Reinhart stated that Robert Jason Camden has requested a waiver of the grounds for denial of his application 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). Mr. Camden was convicted of felony theft of property in Arkansas in 2000.

Mr. Camden shared his background regarding the disqualifying offense. He asked the Board to waive the grounds for denial of his application for a teaching license.

Mr. Ledbetter moved, seconded by Ms. Newton, to approve the waiver request for Teacher's License with a two (2) year probation for Robert Jason Camden. The motion carried unanimously.

Hearing on Waiver Request for Teacher's License – John Fitzgerald Madlock

Ms. Reinhart stated that John Fitzgerald Madlock has requested a waiver of the grounds for denial of his application 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). In 1982 and 1983, Mr. Madlock was convicted in Wisconsin of robbery-strong arm and robbery-party to a crime, both felonies in Wisconsin, and both similar to offenses enumerated under Ark. Code Ann. § 6-17-410(c)(30) and (26), respectively. Mr. Madlock represented himself.

Mr. Madlock shared his background regarding the disqualifying offense. He said

the offense listed should be corrected to be one offense, not two. He asked the Board to waive the grounds for denial of his application for a teaching license.

Ms. Saviers moved, seconded by Mr. Black, to approve the waiver request for Teacher's License with a two (2) year probation for John Fitzgerald Madlock. The motion carried unanimously.

Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Nonpayment of Fine A-13, A-14, A-15

The Board agreed to consider action items A-13, A-14 and A-15 together.

A-13 Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Nonpayment of Fine in Case # T12-011, Debra Ann Cowart

Debra Ann Cowart is a licensed educator. On October 8, 2012, the State Board placed Debra Ann Cowart's license on probation for one (1) year and assessed a fine of \$50 in this case. The Professional Licensure Standards Board's Ethics Subcommittee is recommending the suspension of the teaching license of Debra Ann Cowart for failure to pay the \$50 fine assessed against her. The State Board may suspend an educator's license for nonpayment of a fine or failure to comply with sanctions imposed as the result of a violation of the Code of Ethics for Arkansas Educators until the educator has complied in full with all applicable sanctions imposed, under the authority of the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-217(d), and the Rules Governing the Code of Ethics for Arkansas Educators. Ms. Cowart was first notified of the fine on October 9, 2012. On May 24, 2013, Ms. Cowart was notified by certified mail and regular mail that the fine remained unpaid and the Professional Licensure Standards Board would recommend her license be suspended and not renewed until the fine is paid. Ms. Cowart has not responded or paid the fine.

Ms. Newton moved, seconded by Dr. Barth, to approve the suspension of license for nonpayment of fine in Case #T12-011, Debra Ann Cowart. The motion carried unanimously.

A-14 Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Nonpayment of Fine in Case # 12-051, Kevin Wayne Moore

Kevin Wayne Moore is a licensed educator. On October 8, 2012, the State Board issued a written reprimand to Kevin Wayne Moore, and assessed a fine of \$50 in this case. The Professional Licensure Standards Board's Ethics Subcommittee is recommending the suspension of the teaching license of Kevin Wayne Moore for

failure to pay the \$50 fine assessed against him. The State Board may suspend an educator's license for nonpayment of a fine or failure to comply with sanctions imposed as the result of a violation of the Code of Ethics for Arkansas Educators until the educator has complied in full with all applicable sanctions imposed, under the authority of the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-217(d), and the Rules Governing the Code of Ethics for Arkansas Educators. Mr. Moore was first notified of the fine October 9, 2012. On May 24, 2013, Mr. Moore was notified by certified mail and regular mail that the Professional Licensure Standards Board would recommend his license be suspended and not renewed until the fine is paid. Mr. Moore has not responded or paid the fine.

Ms. Newton moved, seconded by Dr. Barth, to approve the suspension of license for nonpayment of fine in Case #12-051, Kevin Wayne Moore. The motion carried unanimously.

A-15 Consideration of the Recommendation of the Professional Licensure Standards Board for Suspension of License for Nonpayment of Fine in Case # 12-072, Kim Patrick Garner

Kim Patrick Garner is a licensed educator. On January 14, 2013, the State Board placed Kim Patrick Garner's teaching license on probation for one (1) year and assessed a fine of \$75 in this case. The Professional Licensure Standards Board's Ethics Subcommittee is recommending the suspension of the teaching license of Kevin Patrick Garner for failure to pay the \$75 fine assessed against him. The State Board may suspend an educator's license for nonpayment of a fine or failure to comply with sanctions imposed as the result of a violation of the Code of Ethics for Arkansas Educators until the educator has complied in full with all applicable sanctions imposed, under the authority of the Arkansas Administrative Procedures Act, Ark. Code Ann. § 25-15-217(d), and the Rules Governing the Code of Ethics for Arkansas Educators.

Mr. Garner was first notified of the fine January 15, 2013. On May 24, 2013, Mr. Garner was notified by certified mail and regular mail that the Professional Licensure Standards Board would recommend his license be suspended and not renewed until the fine is paid. Mr. Garner has not responded or paid the fine.

Ms. Newton moved, seconded by Dr. Barth, to approve the suspension of license for nonpayment of fine in Case #12-072, Kim Patrick Garner. The motion carried unanimously.

Consideration for Approval: New Contracts for Charter Schools

Ark. Code Ann. § 6-23-104 requires a charter for a public charter school to be in the form of a written contract signed by the Commissioner of Education and the

chief operating officer of the public charter school. Consideration of approval of revised contracts for open enrollment and district conversion public charter schools is requested.

Mr. Black moved, seconded by Ms. Zook, to approve the revised contracts for open-enrollment and district conversion public charter schools. The motion carried unanimously.

Consider Recommendation for Praxis Test Updates on Middle School Subjects, Elementary Education Multiple Subjects Tests, Secondary English, Secondary Math and Secondary Pedagogy Tests

Michael Rowland presented the recommendation of new Praxis assessments and appropriate cut scores as follows:

- 1) Praxis II Middle School Multiple Subjects Tests will be replaced with the following individual tests:
 - a. Praxis II Middle School English Language Arts (5047) with a recommended cut score of 164 and an effective date of September 1, 2013.
 - b. Praxis II Middle School Mathematics (5169) with a recommended cut score of 165 and an effective date of September 1, 2013.
 - c. Praxis II Middle School Science (0439) with a recommended cut score of 146 an effective date of September 1, 2013.
 - d. Praxis II Middle School Social Studies (5089) with a cut score of 149 and an effective date of September 1, 2013.
- 2) Praxis II Early Childhood: Content Knowledge #0522 will be replaced with an Elementary Education Multiple Subjects Test (0531) with the following subtests:
 - a. Reading and Language Arts (5032) with a cut score of 165.
 - b. Mathematics (5033) with a cut score of 164.
 - c. Social Studies (5034) with a cut score of 155.
 - d. Science (5035) with a cut score of 159.

The effective date for this multi-subject test is September 1, 2013.

- 3) Principles of Learning and Teaching (PLT): Grades K-6 (0622/5622) with a cut score of 160 and an effective date of September 1, 2013. There is no current Principles of Learning and Teaching (PLT) for Grades K-6.

- 4) Praxis II English Language, Literature and Composition: Content and Analysis #0044/5044 will be replaced with Praxis II English Language Arts: Content and Analysis (5039) with a recommended cut score of 168 and an effective date of September 1, 2014.

- 5) Praxis II Mathematics: Content Knowledge #0061/5061 will be replaced with Praxis II Mathematics: Content Knowledge (5161) with a cut score of 160 and an

effective date of September 1, 2014.

6) Principles of Learning and Teaching (PLT): Grades 7-12 (0624/5624) that is currently available with a cut score of 157 and an effective date of September 1, 2013 will replace the pedagogy tests in English Language, Literature and Composition: Pedagogy #0043; Life Science: Pedagogy #0234; Mathematics: Pedagogy #0065; and Physical Science: Pedagogy #0483 that are being discontinued.

Department staff recommends adopting the above Praxis tests and the effective dates as listed above.

Dr. Barth moved, seconded by Ms. Newton, to approve the adoption of the Praxis tests and the effective dates as presented. The motion carried unanimously.

Consideration for Public Comment A-18, A-19, A-21, and A-22

The board agreed to consider action items A-18, A-19, A-21 and A-22 together.

A-18 Consideration for Public Comment: Proposed Revision of the Arkansas Department of Education Rules Governing Special Education and Related Services

On February 14, 2013, amendments to § 300.154(d) of the federal regulations implementing the Individuals with Disabilities Education Act (IDEA) were published in the Federal Register. These amendments, which became effective March 18, 2013, impose new and different requirements regarding consent and notice when billing Medicaid for health services provided to students with disabilities by a local education agency (LEA). Amendment to the Arkansas Department of Education (ADE) rules is necessary to achieve compliance with the new federal requirements. ADE staff respectfully requested the State Board approve the proposed rule for public comment.

Mr. Ledbetter, moved, seconded by Ms. Newton, to approve the proposed revision of the Arkansas Department of Education Rules Governing Special Education and Related Services for public comment. The motion carried unanimously.

A-19 Consideration for Approval for Public Comment: Proposed District Conversion and Limited Public Charter School New Application

Ark. Code Ann. § 6-23-201 requires the State Board to adopt an application form for those wishing to apply to open a district conversion or limited public charter school. Consideration of approval of this application form for public comment was requested.

Mr. Ledbetter, moved, seconded by Ms. Newton, to approve the proposed district conversion and limited public charter new school application for public comment. The motion carried unanimously.

A-21 Consideration for Public Comment: Revisions to the Arkansas Department of Education Rules Governing School District Educational Excellence Trust Funds

Acts 1138 and 1278 of 2013 amended Arkansas law related to Educational Excellence Trust Funds. Additionally, the current version of the Arkansas Department of Education Rules Governing School District Educational Excellence Trust Funds has not been revised since 1996. Accordingly, Department staff respectfully requested the State Board approve the proposed rules for public comment.

Mr. Ledbetter, moved, seconded by Ms. Newton, to approve the proposed revision of the Arkansas Department of Education Rules Governing School District Educational Excellence Trust Funds for public comment. The motion carried unanimously.

A-22 Consideration for Public Comment: Proposed Rules Governing Educator Licensure

The Department recommends changes to the Rules Governing Educator Licensure to implement Acts 413, 454, 455, 969, and 1073 of the 2013 Regular Session of the Arkansas General Assembly, to update the sections concerning mentoring, and make corrections to Appendix A – Levels and Areas of Licensure. Accordingly, Department staff respectfully requested the State Board approve the proposed rules for public comment.

Mr. Ledbetter, moved, seconded by Ms. Newton, to approve the proposed Rules Governing Educator Licensure for public comment. The motion carried unanimously.

Consideration for Emergency Approval: District Conversion and Limited Public Charter School New Application

Ark. Code Ann. § 6-23-201 requires the State Board to adopt an application form for those wishing to apply to open a conversion public charter school. According to the schedule previously adopted by the State Board, letters of intent to apply are due August 31 and applications for conversion charter schools are due October 31. Because of the short amount of time until the due dates and changes to the application form, consideration of this application form on an emergency basis was requested.

Ms. Saviers moved, seconded by Ms. Newton, to approve the district conversion and limited public charter school new application. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing the Code of Ethics for Arkansas Educators

The Professional Licensure Standards Board has adopted and recommends a reduction in the fee to receive a standard license from \$100 to \$75 as reflected in the fee table in Appendix B. The fee table was also revised to eliminate the three-year initial license and the advanced license, which are no longer issued by the Department. No other substantive changes were made. The State Board released the proposed rules for public comment April 8, 2013. A public hearing was held May 8, 2013. The public comment period expired May 13, 2013. Department staff received public comments on the proposed rules and after careful consideration of the public comments, made no revision to the proposed rules. The Department staff respectfully requested the State Board give its final approval to the proposed rules.

Dr. Barth moved, seconded by Ms. Newton, to approved the proposed Rules Governing the Code of Ethics for Arkansas Educators. The motion carried unanimously.

Consideration for Final Approval: Arkansas Department of Education Rules Governing the Arkansas Opportunity Public School Choice Act

Acts 600, 1227 and 1429 of 2013 significantly amended Arkansas law concerning Opportunity School Choice. Ark. Code Ann. § 6-18-227 authorizes the State Board of Education to promulgate rules to administer the requirements of the Opportunity Public School Choice Act. The current rules should be replaced to be in accordance with more recent enactments of the Arkansas General Assembly. The State Board of Education approved the proposed rules for public comment May 13, 2013. A public hearing occurred on May 30, 2013. The public comment period expired June 21, 2013. The Arkansas Department of Education received public comments regarding these proposed rules and amended the proposed rules accordingly. Arkansas Department of Education staff respectfully requested the State Board of Education grant final approval to the proposed rules as revised.

Mr. Ledbetter moved, seconded by Ms. Saviers, to approve the Arkansas Department of Education Rules Governing the Arkansas Opportunity Public Choice Act. The motion carried unanimously.

Consideration for Final Approval A-25, A-26, and A-27

The board agreed to group action items A-25, A-26, and A-27 together.

A-25 Consideration for Final Approval: Arkansas Department of Education Rules Governing the Public School Choice Act of 2013

Act 1227 of 2013 repealed Ark. Code Ann. § 6-18-206 and replaced it with the Public School Choice Act of 2013. Act 1227 of 2013 authorizes the State Board of Education to promulgate rules to administer the requirements of the Act. The State Board of Education approved the proposed rules for public comment May 13, 2013. A public hearing occurred May 30, 2013. The public comment period expired June 21, 2013. The Arkansas Department of Education received no public comments regarding these proposed rules. Accordingly, Arkansas Department of Education staff respectfully requested the State Board of Education grant final approval to the proposed rules.

Mr. Black moved, seconded by Dr. Barth, to approve the Arkansas Department of Education Rules Governing the Public Choice Act of 2013. The motion carried unanimously.

A-26 Consideration for Final Approval: Repeal of the Arkansas Department of Education Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act (December 12, 2011 version)

Acts 600, 1227 and 1429 of 2013 significantly amended Arkansas law concerning Opportunity School Choice. Ark. Code Ann. § 6-18-227 authorizes the State Board of Education to promulgate rules to administer the requirements of the Opportunity Public School Choice Act. The current rules should be replaced to be in accordance with more recent enactments of the Arkansas General Assembly. The State Board of Education approved the proposed repeal for public comment May 13, 2013. A public hearing occurred on May 30, 2013. The public comment period expired June 21, 2013. The Arkansas Department of Education received no public comments regarding these proposed repeal. Accordingly, Arkansas Department of Education staff respectfully requested the State Board of Education grant final approval to the proposed repeal.

Mr. Black moved, seconded by Dr. Barth, to approve the repeal of the Arkansas Department of Education Rules Governing the Guidelines, Procedures and Enforcement of the Arkansas Opportunity Public School Choice Act (December 12, 2011 version). The motion carried unanimously.

A-27 Consideration for Final Approval: Repeal of the Arkansas Department of Education Rules Governing the Guidelines, Procedures, and

Enforcement of the Arkansas Public School Choice Act (October 2007 Version)

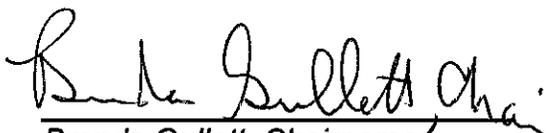
Act 1227 of 2013 repealed Ark. Code Ann. § 6-18-206 and replaced it with the Public School Choice Act of 2013. Act 1227 of 2013 authorizes the State Board of Education to promulgate rules to administer the requirements of the Act. Arkansas Department of Education staff respectfully requested the State Board of Education repeal the current rules because those rules were promulgated to implement a law (Ark. Code Ann. § 6-18-206) that has been repealed by the Arkansas General Assembly. The State Board of Education approved the proposed repeal for public comment May 13, 2013. A public hearing occurred May 30, 2013. The public comment period expired June 21, 2013. The Arkansas Department of Education received no public comments regarding these proposed repeal. Accordingly, Arkansas Department of Education staff respectfully requested the State Board of Education grant final approval to the proposed repeal.

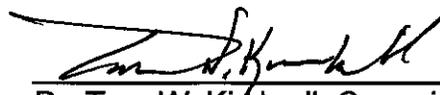
Mr. Black moved, seconded by Dr. Barth, to approve the repeal of the Arkansas Department of Education Rules Governing the Guidelines, Procedures, and Enforcement of the Arkansas Public School Choice Act (October 2007 Version). The motion carried unanimously.

Adjournment

The meeting adjourned at 4:03 p.m.

These minutes were recorded by Deborah Coffman.


Brenda Gullett, Chairperson


Dr. Tom W. Kimbrell, Commissioner