

**Minutes**  
**State Board of Education Meeting**  
**Monday, June 10, 2013**

The State Board of Education met Monday, June 10, 2013, in the auditorium of the Department of Education building. Jim Cooper, Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Chair; Brenda Gullet, Vice Chair; Dr. Jay Barth; Joe Black; Sam Ledbetter; Alice Mahony; Mireya Reith; Vicki Saviers; Dr. Tom Kimbrell, Commissioner; and Kim Wilson, Teacher of the Year

Absent: Toyce Newton

**Reports**

**Chair's Report:**

Ms. Mahony said the 2013 GLAMS (Girls Learning About Math and Science) Conference was well attended by schools from five counties. In addition, the Covenant Keepers Charter School in Little Rock was represented.

Ms. Reith acknowledged the schools in Springdale and Fayetteville for facilitating collaborative learning among diverse student populations.

**Commissioner's Report**

Commissioner Kimbrell expressed appreciation to Chairman Jim Cooper for excellence in service on the State Board of Education and dedication to the students of Arkansas.

Dr. Kimbrell introduced Ali Weimer, Arkansas's 2013 Teacher of the Year. Ms. Weimer is a kindergarten teacher at Avondale Elementary in the Marion School District.

He recognized Kim Wilson, Arkansas's 2012 Teacher of the Year, and acknowledged her outstanding service and leadership over the past year.

Dr. Kimbrell acknowledged the retirement of Rich Nagel, Executive Director of the Arkansas Education Association. He thanked Mr. Nagel for his service to the teachers of Arkansas and for his friendship over the years.

Commissioner Kimbrell lauded the service of staff members Dr. Laura Bednar, Jared Cleveland and Phyllis Stewart. Dr. Bednar, Assistant Commissioner of Learning Services, will leave her post to become Deputy Superintendent in the Pulaski County Special School District. Jared Cleveland, Assistant Commissioner of Fiscal and Administrative Services, will be moving on to become Deputy Superintendent in the Springdale School

District. Phyllis Stewart will leave her Chief of Staff assignment to join the Arkansas School Boards Association as Chief of Staff.

Mike Hernandez, currently Superintendent in the Danville School District, was introduced as Assistant Commissioner of Fiscal and Administrative Services effective July 1.

### **Report from 2012 Teacher of the Year**

In her summary of the year she spent representing Arkansas as Teacher of the Year, Kim Wilson thanked the State Board and Commissioner Kimbrell for the many opportunities she was provided to extend her professional learning. She said this prestigious recognition program for teachers honored her profession and afforded her experiences of a lifetime.

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

Assistant Commissioner Dr. Laura Bednar said Commissioner Kimbrell and Melody Morgan, Director of Assessment, would be attending PARCC's governing board meeting June 26 and would probably have more information to report in July.

Dr. Bednar said the 2013 spring Benchmark results would likely show an implementation dip. She said district and school leaders would need a clear and concise communication plan to help parents and community leaders understand the transition to Common Core State Standards and why the dip is a natural occurrence.

### **Consent Agenda**

Ms. Mahony moved, seconded by Ms. Reith, approval of the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the May 13, 2013, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers for Teachers Teaching Out of Area for Longer than 30 Days
- Review of Loan and Bond Applications
- Final Report Fiscally Year 2012-13 Summary of Activities for the Standards Assurance Unit

- Sanctions for Teachers as Recommended by the Professional Licensure Standards Board
  - Rebekah Avery
  - Jessica Lynn McCormick
  - Linda Diane Underwood

### **Action Agenda**

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

#### **Consideration of Approval of Arkansas Better Chance Grants**

Mr. Ledbetter moved, seconded by Ms. Saviers, approval of the 2012-13 grants. The motion carried unanimously.

Ms. Gullett moved, seconded by Ms. Reith, approval of the 2013-14 grants. The motion carried unanimously.

#### **Consideration of Petition for Detachment-Jacksonville Community Group**

This item was postponed until the July meeting.

#### **Consideration of Request for Renewal of Open-Enrollment Public Charter School: Imboden Area Charter School**

Charter School Coordinator Mary Perry said Imboden Area Charter School, an open-enrollment public charter school serves students in grades K-8 with an enrollment cap of 150 students. The applicant requested a 10-year renewal period.

Judy Warren, Director of Imboden Charter, said the school was small but was also one of the oldest charters in the state.

Board members voiced concern about the school's small enrollment but also called the school unique because of its remote location and its willingness to work with a high percentage of students with special needs.

Mr. Ledbetter moved, seconded by Ms. Gullett, approval of a three-year renewal. The motion carried unanimously.

#### **Consideration of Voluntary Surrender of District Conversion Public Charter School: Oak Grove Elementary Health, Wellness and Environmental Science School in the Paragould School District**

Paragould Superintendent Debbie Smith said the district was requesting to surrender the charter because of a grade configuration change. Ms. Smith also cited financial concerns as a reason.

Ms. Mahony moved, seconded by Ms. Reith, to accept the surrender of the charter. The motion carried unanimously

**Review of Probationary Status: Jessieville School Central Office for Failure to Meet Standards for Accreditation for the 2012-13 School Year**

This item was pulled at the request of the school district.

**Final Report Fiscal Year 2012-13 Summary of Accreditation for Arkansas Public Schools and School Districts**

Johnie Walters of the Standards Assurance Unit reported that no school or district violated standards for a second consecutive year. However, the report revealed 30 schools and one central office were cited for violating state accreditation standards.

The list includes: Jessieville School District Central Office; Bentonville High School, Old High Middle School, Ruth Hale Barker Middle School and Bright Field Middle School (Bentonville School District); Valley Springs High School; Kingsland Elementary School; Morrilton High School; Fordyce High School; Spring Hill High School; Broadmoor Elementary School, Greenville Elementary School, Oak Park Elementary School, 34<sup>th</sup> Avenue Elementary School, Southwood Elementary School, W.T. Cheney Elementary School and Pine Bluff High School (Pine Bluff School District); Lee High School; Hoxie Elementary School; Hoxie High School; Foreman High School; Brinkley High School; Stephens High School; KIPP Delta High School; Harmony Grove High School; Arkansas School for the Deaf High School; Hall High School; McClellan High School, Shirley High School and Riverview High School.

Board members questioned the nature of the violation of KIPP Delta High School. Mr. Walters said transcript irregularities were found during the fall semester that had since been corrected.

Commissioner Kimbrell said the school gave some students a fine arts credit for a drama course that did not meet the fine arts requirement. Additionally, some students graduated without a required health credit.

Ms. Mahony commented that it bothered her that KIPP's charter was renewed for an extended period in light of the violations.

Dr. Kimbrell said KIPP's Executive Director Scott Shirey mentioned the possibility of probationary status when the Board considered the renewal in March.

Ms. Reith moved, seconded by Ms. Gullett, approval of the report. The motion carried unanimously.

### **Consideration of Removal of Bismarck School District from Fiscal Distress Classification Effective June 10, 2013**

The Bismarck School District was classified in fiscal distress for the 2012-13 school year. The Department reported the district had currently corrected all criteria for being removed from fiscal distress and recommended State Board approval.

Dr. Barth moved, seconded by Mr. Black, to remove the Bismarck School District from fiscal distress classification effective June 10, 2013. The motion carried unanimously.

### **Consideration of Removal of Cutter-Morning Star School District from Fiscal Distress Classification Effective June 10, 2013**

The Cutter Morning School District was classified in fiscal distress for the 2012-13 school year. The Department reported the district had currently corrected all criteria for being removed from fiscal distress and recommended State Board approval.

Ms. Gullett moved, seconded by Ms. Reith, to remove the Cutter Morning Star School District from fiscal distress classification effective June 10, 2013. The motion carried unanimously.

### **Hearing on Waiver Request for Teacher's License – David F. Westenhover**

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said David Westenhover requested a waiver of his disqualifying conviction for holding a teacher's license. According to records provided to the PLSB by the Arkansas Department of Correction, Mr. Westenhover pleaded guilty, nolo contendere, or was found guilty of a disqualifying offense listed in Ark. Code Ann. § 6-17-410(c) in 1987. Additionally, Mr. Westenhover did not disclose the convictions on previous applications for a license. Mr. Westenhover was previously granted a license and Arkansas Department of Education records indicate that his initial background check information that reflected a conviction was incorrect due to a clerical error. The precise nature of the clerical error is unknown.

Mr. Ledbetter moved, seconded by Ms. Saviers, to grant the waiver with no restrictions or probation. The motion carried unanimously.

### **Hearing on Waiver Request for Certified Teacher License – Robert Starr Gibson**

Ms. Reinhart said Robert Starr Gibson requested a waiver of the grounds for denial of his application for a teaching license. Mr. Gibson pleaded nolo contendere to felony distributing/delivering/manufacturing a controlled substance in Missouri in 1992. He was placed on probation, which was successfully completed.

Mr. Ledbetter moved, seconded by Dr. Barth, to grant the waiver and to place Mr. Gibson on probation for a period of two years with the stipulation of no other disqualifying conviction or violation of code of ethics. The motion carried unanimously.

Ms. Gullett moved, seconded by Ms. Reith, to approve the critical shortage areas as presented. The motion carried unanimously.

**Consideration for Public Comment: Revisions to the Arkansas Department of Education Rules Governing Public Charter Schools—(A-14)**

Act 509 of 2013 amended Arkansas law related to public charter schools. The current Arkansas Department of Education rules should be updated in accordance with Act 509 of 2013. Department staff requested State Board approval of the proposed rules for public comment.

**Consideration for Public Comment: Proposed Open-Enrollment Public Charter School New Application—(A-15)**

Ark. Code Ann. § 6-23-301 requires the State Board to adopt an application form for those wishing to apply to open an open-enrollment public charter school. State Board approval of the application form for public comment was requested.

Ms. Mahony moved, seconded by Dr. Barth, approval of Agenda Items A-14 and A-15. The motion carried unanimously.

**Consideration for Emergency Approval: Open-Enrollment Public Charter School New Application**

Ark. Code Ann. § 6-23-301 requires the State Board to adopt an application form for those wishing to apply to open an open-enrollment public charter school. According to the schedule previously adopted by the State Board, letters of intent to apply are due June 30 and applications for open-enrollment charter schools are due August 31. Because of the short amount of time until the due dates and changes to the application form, the State Board approval on an emergency basis was requested.

Dr. Barth moved, seconded by Ms. Gullett, approval on an emergency basis. The motion carried unanimously.

**Consideration of Resolution-Delegation of Authority to the Commissioner of Education**

General Counsel Jeremy Lasiter presented a resolution authorizing the Commissioner of Education to assume the authority of a board of directors as may be necessary for the day-to-day governance of school districts classified as being in academic or fiscal distress. State Board approval was requested.

Mr. Ledbetter moved, seconded by Ms. Saviers, to amend the resolution by deleting academic distress and to grant authority to the Commissioner to act as a board of directors in school districts classified as being in fiscal distress. The motion carried unanimously.

## **Election of Officers: State Board of Education for 2013-2014**

Mr. Cooper presented the nominating committee's recommendation for Brenda Gullett-Chairman, and Sam Ledbetter, Vice-Chairman.

Ms. Mahony moved, seconded by Ms. Saviers, approval. The motion carried unanimously.

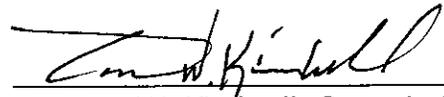
### **Adjournment**

The meeting adjourned at 1:36 p.m.

*These minutes were recorded by Phyllis Stewart.*

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Mrs. Brenda Gullett, Chairperson



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Dr. Tom W. Kimbrell, Commissioner