

**ARKANSAS STATE BOARD OF EDUCATION
July 13, 1998**

**Auditorium
Arch Ford Building
Little Rock, AR
8:00 a.m.**

CONSENT AGENDA

- 1. Minutes (June 8, 1998)**
- 2. Chair's Report --- Ms. Betty Pickett**
- 3. Newly Employed, Promotions and Separations --- Ms. Clemetta HoodC3**
- 4. Final Approval of Waiver Request: Establishment of a Supplemental Support Program within the School Day, Alma School District and Nettleton School District, Barton School District and Huntsville School District --- Dr. Kevin PenixC4**
- 5. NASBE Dues --- Ms. Betty PickettC5**
- 6. Approval of Organizations for Implementation of Community Service Program -- -Dr. Gayle PotterC6**
- 7. Arkansas Department of Education Organizational Change Request--- Dr. Bobbie DavisC7**

ACTION AGENDA

- 1. Director's Report --- Mr. Ray Simon**
- 2. Discussion of State Accountability System --- Mr. Ray Simon**
- 3. Altheimer Unified School District Appeal of Designation as a Phase I Fiscal Distress District --- Ms. Patricia Martin and Mr. Richard McDowell.....A3**
- 4. Commitment of Principles of Desegregation Settlement Agreement --- Dr. Charity SmithA4**
- 5. Request for Waiver on Denial of Application for a Teaching Certificate --- Mrs. Theresa WallentA5**

6. Revocation of a Teaching Certificate --- Mrs. Theresa WallentA6

**7. Request for Waiver on Denial of application for a Teaching Certificate ---
Mrs. Theresa WallentA7**

8. Teacher Licensure --- Mrs. Donna Elliott.....A8

INFORMATION

- 1. Annual Statistical Report and the Ranking of Schools**
- 2. Technology Update**
- 3. Project Management Tool for Major Activities and Projects for the School
Improvement and Instructional Support Section**

State Board of Education

Minutes
July 13, 1998

The State Board of Education met on Monday, July 13, 1998, in the Auditorium of the Department of Education Building in Little Rock. The meeting was called to order at 8:05 a.m. by Betty Pickett, Chair.

Members present: Betty Pickett, Chair; JoNell Caldwell, Vice Chair; Edwin Alderson; Carl Baggett; Martha Dixon; Bill Fisher; Luke Gordy; Robert Hackler; James McLarty; Richard Smith; Lewis Thompson, Jr.; and Anita Yates.

Chair's Report

The Chair introduced Robert (Bob) Hackler, newly appointed Board member. Mr. Hackler is from Mountain Home and has experience as a teacher, school principal, superintendent, and currently affiliated with the Bank of Yellville.

Ms. Pickett reported on a June 15, 1998, meeting with Governor Huckabee. She assured the governor full cooperation of the Board and support for improving education for the children of our state.

Ms. Pickett indicated to Board members that the Department is moving toward electronic submission of travel vouchers (TR-1) forms. The use of those forms requires a signature on file that authorizes staff to move requests for reimbursement forward. Board members who wish to authorize staff members to sign travel requests should sign the form and get it notarized before leaving today.

The Department provides computer training for staff on a regular basis. The training includes word processing, data base, e-mail and Internet use. Board members may participate in any of these training sessions. Any Board member who wants to take advantage of this training may request a schedule from Janinne Riggs.

Ms. Pickett reported that efforts to secure a location for a Board retreat in August had been unproductive. She indicated that staff had blocked space at the Ferndale 4-H Center for the September meeting. She reported individual Board members had indicated an interest in spending less time on determining goals and mission and devote more time to issues and the upcoming legislative agenda.

Ms. Caldwell questioned the need for a retreat at this time. She referred to an e-mail message written to Board members explaining her concern for the use of funds in that way. Ms. Caldwell moved that the Board not pursue the planning for a retreat this fall. Mr. Fisher seconded the motion. The motion passed. (Smith, Alderson, McLarty, and Dixon voted no.) [Attachment #1]

Ms. Pickett requested discretion of the Chair to have Sunday evening or Monday afternoon discussion sessions to cover Board issues.

Ms. Pickett stated that Mr. Fisher requested the consideration of membership dues to NASBE be moved from the Consent Agenda to the Action Agenda.

Mr. McLarty moved the addition of an Action Agenda item to consider a proposal from the University of Arkansas at Fayetteville that would study the issue of school bus liability insurance coverage. Mr. Smith seconded the motion. The motion passed unanimously.

Mr. Fisher moved the adoption of the Consent Agenda as amended by moving the NASBE funding to the Action Agenda. Mr. Gordy seconded the motion. The motion passed unanimously.

CONSENT AGENDA

- ✓ Newly Employed, Promotions and Separations
- ✓ Final Approval of Waiver Request: Establishment of a Supplemental Support Program within the School Day, Alma School District, Nettleton School District, Barton School District, and Huntsville School District
- ✓ Approval of Organizations for Implementation of Community Service Program
- ✓ Arkansas Department of Education Organizational Change Request

ACTION AGENDA

Director's Report

Mr. Simon reviewed for the Board questions that have arisen from interpretation of "career focus" in the Rules and Regulations for Common Core Curriculum. He noted that the standards for *Accreditation of Public Schools in Arkansas* still refers to a tech prep curriculum and requires schools to offer courses within a specified number of vocational clusters. Also, the new guidelines published by the Workforce Education Task Force Program Policies and Procedures includes another list of courses and clusters. Some administrators have questioned which of these should be followed and what requirements must be met in the vocational area. Mr. Simon indicated that staff and Dr. Franks had met and agreed on the requirements placed on schools, but it appears there is still some disagreement. Mr. Simon suggested that the discussion be deferred until copies of the Workforce Education materials can be provided for each Board member.

Mr. Simon requested that Mr. Tim Gauger, counsel from the Attorney General's Office, be recognized to review for the Board the new information in the Pulaski County Desegregation Case. Mr. Gauger reported on a ruling from Eight Circuit Court supporting the school districts in Pulaski County in their suit to recover funding for teacher retirement and insurance coverage for staff. He reported a meeting with Judge Wright and a date of July 24th has been set as the time to determine an appropriate

remedy that would please the court. Gauger advised the Board that there were two options. The state could seek a review by the U.S. Supreme Court or the Board could petition the Eight Circuit Court for a rehearing. It was Gauger's opinion that the Supreme Court would not consider this case given its workload and the nature of cases that it generally chooses to hear. He noted that a petition would have to be filed by Wednesday, July 15, to meet the deadline for response to the ruling should the Board choose to take that course. He recommended the Board consider the petition for rehearing. Mr. Gordy moved the adoption of the recommendation to petition the Eighth Circuit Court for a rehearing. Mr. Fisher seconded the motion. The motion passed unanimously.

Discussion of State Accountability System

The Chair recognized Mr. Simon to present the report on the Accountability System. Mr. Simon referred to the information provided in a special mailing that contained a series of recommendations with rationale for changes in the assessment system. Mr. Simon noted that the accountability system was linked with the Governor's initiative, "Smart Start." Smart Start focuses on the need for all children to be performing at grade level in reading and mathematics by the time they leave the fourth grade. He noted the accountability measures proposed link all grades K-12. Simon stated a number of legislative changes would be necessary for full implementation of the recommendations. Those changes, along with revisions in Rules and Regulations and accreditation standards, would be brought to the Board for consideration over the next few months.

Mr. McLarty questioned the impact of changing the assessment system on Title I funding. Charles Watson stated that the proposed changes are not inconsistent with Title I guidelines in the Improving America's School Act.

Mr. Gordy questioned the additional cost for developing the end of level exams and other changes proposed. Mr. Simon indicated he hoped the costs would not exceed those costs currently incurred. Some changes proposed would eliminate components of the current assessment system thus freeing funds for new development costs.

Mr. Fisher moved that the Board go forward with the Smart Start Program and the revisions in the assessment system with periodic progress reports to the Board. Mr. Smith seconded the motion.

Mr. McLarty observed the performance test started out being an exit exam with passage required for graduation. That requirement was removed, now only noting the score on the transcript. The test was reviewed by a citizens panel and deemed a good measure of what students should know and be able to do. He senses a weakening of standards and thus we should not back off of the mathematics test, but redirect efforts to improve teaching so that students can meet the requirements.

Mr. Simon stated that we are not backing off of high standards. We're keeping the fourth and eight grade benchmark exams. We're testing the frameworks. The problem is teachers are not teaching the frameworks.

Mr. Hackler observed that he believes teachers are teaching what they know and what they think should be taught. If we continue to keep these standards, more time should be allowed for teachers to change what takes place in classrooms.

Mr. McLarty cited the reference on page two of the report that noted a number of districts have not adopted curriculum frameworks and develop district guides. Mr. Simon indicated that the performance test measures application of skills, not just basic facts and "solving of equations." Making this system effective will take the effort of administrators at all levels and teachers will need additional training. He pointed out the accountability system calls for an alert status and there is a plan for providing more monitoring of schools.

Mr. Smith suggested that this system would work only if schools are held accountable for results and getting a job done. All staff will have to buy into the process and be trained for their appropriate role.

Mr. Fisher's motion to move forward with the Smart Start Program and assessment system passed. (Mr. McLarty voted no.)

Alzheimer Unified School District Appeal of Designation as a Phase I Fiscal Distress District

The Chair recognized Patricia Martin to introduce new staff assigned to assist schools experiencing Fiscal Distress and to summarize the current status of the Alzheimer Unified School District. Richard McDowell reported that the Agency Fiscal Distress Committee voted unanimously to deny Alzheimer's request to be removed from fiscal distress status. He noted that end-of-year budget balances have increased, however, the committee felt the district should demonstrate sustained balances without harming on-going expenses.

Mr. Ross Bolding, superintendent of the Alzheimer Unified District was invited to present any additional information to the Board. Mr. Bolding indicated a balance of \$472,000 at the end of the fiscal year; progress had been made on implementing an accounting system that allows for accountability of funds spent; repairs have been made to buildings, and one campus was closed. He noted that additional renovation was planned for next year in the elementary school. Mr. Bolding stated that faculty morale was low, in part to the work being done and no recognition of progress and linked to no staff salary increases in recent years. The district continues in Phase II academic distress and Phase I fiscal distress. Bolding noted that the legislation provides for removal of fiscal distress designation when balances are increasing. He requested from the Board a written statement of conditions which must be met for the district to be removed from fiscal distress.

Mr. Fisher indicated the awareness of the Board of the increase in balances this year. However, Fisher moved that Altheimer continue on Phase I fiscal distress. The motion includes the provision that staff will prepare a list of criteria that must be met prior to the District being removed from the fiscal distress designation. Mr. Alderson seconded the motion. Mr. Fisher questioned the extent to which academic programs were in jeopardy due to cuts in spending to build the end-of-the-year balance. The motion passed unanimously.

Commitment of Principles of Desegregation Settlement Agreement

The Chair recognized Dr. Charity Smith to make the report. Dr. Smith highlighted meetings with the parties in the case and noted that work was progressing on identification of measures to determine progress of the Little Rock School District toward meeting the loan forgiveness threshold of the Settlement Agreement.

Mr. Fisher moved the acceptance of the report. Mr. McLarty seconded the motion. The motion passed unanimously.

Request for Waiver on Denial of Application for a Teaching Certificate

The Chair recognized Theresa Wallent to present these cases. Ms. Wallent reported counsel for Mr. Samuel Avery, Jr. had contacted the Department indicating that Mr. Avery would be surrendering his teaching credentials. She requested postponement of any decision on Mr. Avery's request until further information is received. Ms. Wallent reviewed for the Board the background information pertaining to the request of Kerry Eppinette. Mr. Smith observed the Board has tremendous power in its authority to rule that a person can never get a license to teach in Arkansas. When we deny a person a license we deny that person their livelihood. Mr. Smith moved that the Board grant a two-year probationary license after which time the Board would review the case and make further recommendations. The motion includes the provision – should Ms. Eppinette violate any part of the parole agreement, the license will immediately be suspended. Mr. Fisher seconded the motion.

Mr. McLarty asked Ms. Eppinette about the repayment plan and the approximate balance yet to be paid. She responded that monthly payments of \$180 were being paid and it was her intent to make larger payments as soon as she was working full time.

The motion passed. (Alderson and Hackler voted no.)

Ms. Wallent reviewed issues in the request for waiver requested by Roy Howard King. She stated that as of June 29 the Department had received no additional information. Mr. King was present and was given the opportunity to address the Board. Mr. King stated the incident which lead to a conviction occurred while he was in the military and stationed at Fort Knox, KY. Upon questioning by members of the Board, Mr. King admitted not knowing the difference between a felony and a misdemeanor and thus did not understand the nature of the conviction. In response to further questioning, Mr. King

stated that he had received an honorable discharge from the U.S. Military and was not aware of the consequences of the record. Mr. McLarty asked if he had attempted to have the record changed and he responded that he had not and that he did not have the funds to secure an attorney to assist with the matter.

Mr. King stated he had been working in the alternative education program, substitute teaching and driving a school bus in the Lake View School District. In response to further questions by Mr. Fisher, King stated that had voted and that he owned a fire arm.

Mr. Alderson stated this issue centers on sexual misconduct and we are being asked to vote to place a convicted individual in the classroom. Alderson stated the Board needs more information from Kentucky to support this case. Mr. McLarty moved to table the issue and give the Department counsel more time to get complete records from Kentucky. Ms. Yates seconded the motion. Mr. Smith made a substitute motion to grant Mr. King a certificate pending presentation of evidence of an honorable discharge from the military. Mr. Fisher seconded the substitute motion.

Ms. Wallent advised the Board to table and allow time to get additional information.

The vote on the substitute motion failed. (Smith and Fisher voted yes.)

The vote of the motion to table passed. (Dixon abstained)

Teacher Licensure

Donna Elliott was recognized to present information in this report. Ms. Elliott recapped activities of the Teacher Licensure Advisory Committee with particular emphasis on the types of assessment under consideration that would be required of all new teachers. Those instruments to assess content knowledge and pedagogy are being selected from tests and assessment tools currently in place. No new development of test instruments is being proposed. Mr. Gordy commended the Committee for focusing on instruments already available. Ms. Elliott indicated the cost of assessment under this system would be the responsibility of the candidate.

The Board took no action on this report.

NASBE Dues

Mr. Fisher suggested the Board consider carefully issues of paying dues to NASBE. He asked how many other states were members of the organization and questioned the open policy for allowing all Board members the option of attending the meetings as opposed to sending a representative or a delegation from the Board. Ms. Caldwell stated that the Board spends over \$34,500 per year in dues and travel associated with NASBE and questions the value received from those expenses.

McLarty and Smith stated that NASBE membership provides a wealth of resources to Board members and provides an opportunity for interaction with other states that generally are considering similar issues.

Mr. Alderson moved that the Board pay NASBE dues and continue participation as we have in the past. Mr. Smith seconded the motion. Mr. Hackler inquired if the motion meant to pay dues only or if it also implied continuing the practice of allowing any Board member the option of attending meetings. Mr. Alderson responded it was his intent to pay dues and allow any Board member to attend the sessions. Mr. Fisher offered a substitute motion to pay annual dues to NASBE and to consider attendance at meetings at a future time. Ms. Yates seconded the substitute motion. The substitute motion passed. (Caldwell voted no.)

Mr. Fisher requested that the Department furnish information at the next meeting pertaining to Board travel so that the operating budget for the board can be developed for the year. Mr. McLarty requested that the Board look at travel for Department staff as well.

Other Business

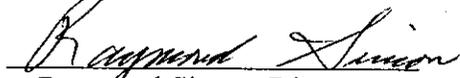
Mr. McLarty distributed copies of a letter to Craig Schulamn at the University of Arkansas in which he invited a proposal to conduct a study and submit a plan under which local school districts would provide school bus insurance coverage beyond minimum limits. He also distributed a proposal titled, "Alternatives for Expanded School Bus Liability Insurance Coverage," to be conducted by the staff of the Bureau of Business and Economic Research of the University of Arkansas. Mr. Fisher moved the approval of the proposal and funding \$4974 to pay for the study. Mr. Gordy seconded the motion. The motion passed unanimously. (Attachment #2)

Mr. Simon distributed copies of the Workforce Education Program Policies and Procedures manual [Attachment #3] and a section from the *Standards for Accreditation of Public Schools* [Attachment #4] describing the current requirements for vocational courses. Mr. Simon indicated that the primary concern is to determine if all of the documents addressing career focus and vocational course requirements are consistent; or, to determine if there are conflicts among the three documents. Mr. Fisher stated that he sees no conflict. Mr. Fisher stated the Board's position should be to support our guidelines as contained in the Common Core Curriculum that we adopted recently. Mr. Simon suggested that the Board should not require schools to adopt anything that goes beyond our Standards. Mr. Fisher moved that the Board reaffirm the Accreditation Standards and Common Core Curriculum Rules and Regulations, as defining required curriculum offerings. He also suggested that staff seek to clarify the number of curricular offerings being required by Workforce Education. Mr. McLarty seconded the motion. The motion passed unanimously.

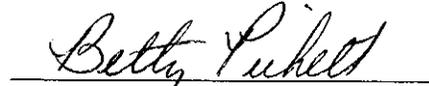
Mr. Gordy noted the information about Smart Start and other topics currently on the Web page.

Mr. Fisher moved adjournment. Mr. Smith seconded the motion. The motion passed unanimously. The meeting adjourned at 11:45 a.m.

Recorded by Dr. Charles D. Watson



Raymond Simon, Director



Betty Pickett, Chair