

**ARKANSAS STATE BOARD OF EDUCATION  
APRIL 12, 1999**

**REGULAR SESSION.....12:00 p.m.**

Chair's Report----Ms. Betty Pickett

**CONSENT AGENDA**

1. Minutes (March, 1999)
2. Newly Employed, Promotion and Separations----Ms. Clemetta Hood.....C2
3. Gifted and Talented Program Approval Standards---Ms. Ann Biggers.....C3
4. Arkansas Department of Education Organizational Change Request---  
Dr. Bobbie Davis.....C4
5. Personnel Recommendation---Ms. Clemetta Hood.....C5
6. Review of Loan and Bond Applications---Mr. Kent Douglas.....C6

Director's Report

**ACTION AGENDA**

1. A Progress Report: Academic Distress-----Dr. Charity Smith .....A1
2. Probationary Teacher Status Report to the Board ----Dr. Charity Smith .....A2
3. Report: Title II Grant Teacher Quality Enhancement ----Dr. Woody Cummings.....A3
4. Workforce Data Report ----Ms. Clemetta S. Hood.....A4
5. Legal Update---Ms. Theresa Wallent.....A5
6. Commitment to Principles of Desegregation Settlement Agreement: Report on the  
Execution of the Implementation Plan --- Charity Smith.....A6

**ARKANSAS STATE BOARD OF EDUCATION  
APRIL 12, 1999**

**WORKING SESSION ...8:00 am – 11:15 am**

8:00 - 9:00----Early Childhood.....Ms. Mary Kaye McKinney

9:00 – 9:30----Health School Network.....Ms. Otistene Smith

9:30 –9:45-----Break

9:45 – 10:15----Fall/Spring Testing---Mr. Ray Simon

10:15 – 11:15---Charter School---Mr. Ray Simon

**State Board of Education**  
**Minutes**  
April 12, 1999

The State Board of Education met on Monday, April 12, 1999, in the Auditorium of the State Education Building. The meeting was called to order at 12:05 p.m. by Betty Pickett, Chair.

The following members were present: Betty Pickett, Chair; JoNell Caldwell, Vice Chair; Carl Baggett; Martha Dixon; Luke Gordy; Robert Hackler; James McLarty; Richard Smith; Lewis Thompson, Jr.; and Anita Yates.

The following members were absent: Edwin Alderson and Bill Fisher

The Chair reported that Consent Agenda Item #3, Gifted and Talented Program Approval Standards and Consent Agenda Item #5, Personnel Recommendation were being moved to the Action Agenda.

Mr. McLarty moved the addition of an item to the Action Agenda to discuss fall/spring testing. Ms. Yates seconded the motion. The motion passed unanimously.

Mr. Gordy moved the addition of an item to the Action Agenda to discuss Rules and Regulations for Arkansas Early Childhood (K-4) Network of Curriculum Specialists. Mr. Smith seconded the motion. The motion passed unanimously.

Mr. Gordy moved the adoption of the amended Consent Agenda. Mr. Hackler seconded the motion. The motion passed unanimously.

**CONSENT AGENDA**

- Minutes (March, 1999)
- Newly Employed, Promotions and Separations
- Department of Education Organizational Change Request
- Review of Loan and Bond Applications

**Director's Report**

Mr. Simon expressed his appreciation to the Department staff for their work during the legislative session. He stated that working through the session was, for him, a personally and professionally rewarding experience. He recognized the contribution of Brenda Matthews who directed the work of the staff through the session. She spent many hours at the Capitol working with legislators and staff in tracking actions and making contacts on behalf of the agency.

Simon reported that the Public School Fund had a good session amid talk of tax cuts. Tax cuts were structured to protect public education.

Despite having increased funding, Mr. Simon noted that more appropriation bills were passed than funding bills. Dr. Bobbie Davis has estimated the difference between appropriation bills and funding bills for the first year of the biennium of approximately \$47 million. The difference for the second year is \$49 million. Mr. Simon advised the Board that some difficult choices will have to be made over the next 60 days. He indicated that he and the staff would frame recommendations to the Board and the Board will ultimately have to make the hard decisions as to final budgeting for the biennium. Simon stated that revenue projections vary between a low of \$40 million deficit to \$20 million balance over the biennium. He noted that there are many factors that have to enter into budget recommendations and the final budget levels.

## ACTION AGENDA

### **A Progress Report: Academic Distress**

Dr. Charity Smith was recognized to make this report. Dr. Smith commended the work of Mr. Bob Maddox and the field staff for their work with these schools during the past year.

Dr. Smith reviewed the background of the Academic Distress requirements and distributed a report for the 1999-2000 school year. ([Attachment #1](#)). The following summarizes changes to the Academic Distress list.

- Remove Palestine/Wheatley from the Watch List
- Remove Osceola from Phase I and add to the Watch List
- Add Kingsland, Pine Bluff, and Stamps to the Watch List

The following is a complete list of districts in the various levels of Academic Distress for 1999-2000.

Academic Distress Watch List	Academic Distress Phase I
Augusta Cotton Plant Dermott Helena/West Helena Hughes Kingsland Lee County Osceola Pine Bluff Stamps Waldo	Gould Marvell Saratoga  Academic Distress Phase II  Altheimer Crawfordsville Elaine Parkin

### **Probationary Teacher Status Report to the Board**

Dr. Charity Smith was recognized to make this presentation. Dr. Smith informed the Board that a letter had been received from Mr. William H. Clemmons who had been placed on probationary status one year ago. At that time Mr. Clemmons was given one year to demonstrate that he could get clemency from previous convictions. His letter dated April 6, 1999, ([Attachment #2](#)) demonstrated a pardon by the state of New York and cited his intent to seek a presidential pardon. Based on this progress Mr. Clemmons requested an extension of the probationary license to pursue the presidential pardon.

Mr. Smith moved that the Board continue Mr. Clemmons' probationary status for one additional year. Ms. Yates seconded the motion. The motion passed unanimously.

### **Report: Title II Grant Teacher Quality Enhancement**

Dr. Woody Cummins was recognized to make this report. Dr. Cummins informed the Board that the Department of Education was working in partnership with the Department of Higher Education to submit a grant proposal to the U.S. Department of Education under Title II of the Higher Education Act. The purpose of the proposal is to pursue and expand Arkansas' new teacher licensure system. Staff from both Departments worked with Jackie Cox New of Fayetteville to prepare the proposal.

Ms. Pickett stated that she thought this was a good idea and that she had been requested to submit a letter of support from the Board. Mr. McLarty moved that the Board adopt a resolution supporting the grant application. Mr. Smith seconded the motion. The motion passed unanimously. ([Attachment #3](#))

### **Workforce Data Report**

Clemetta Hood was recognized to make this report. Ms. Hood summarized the information provided in the attachment to the Agenda which describes the Department workforce composition over the past year. There were no questions about the report.

### **Legal Update**

Ms. Pickett informed the Board that this item was being removed from the Agenda due to the absence of the staff attorney.

### **Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan**

Dr. Charity Smith was recognized for this report. Dr. Smith reported that due to spring breaks, no meetings had been scheduled during March. The next meeting is scheduled for April 14, 1999. There will be a detailed report to the Board after this meeting.

Mr. McLarty asked Dr. Smith when the test committee would be meeting. Dr. Smith indicated that group was required to complete its work by December 1999 and would be meeting very soon. Mr. McLarty asked about the composition of the committee. Dr. Smith replied representatives of the Little Rock District and Department staff. The Joshua Intervenors are always invited to attend the meetings.

### **Review of Loan and Bond Applications**

Mr. Kent Douglas was recognized to make this presentation. Mr. Douglas highlighted information sent to the Board in separate mailing adding these requests to the Action Agenda. Mr. Douglas was asked to explain the Federal Range Ratio which disqualified the application from Marked Tree. He stated that if that request were approved, it would put the state out of compliance with federal regulations. They can reapply after the beginning of the new fiscal year when ratios are recalculated.

Mr. Gordy moved acceptance of the staff recommendations. Mr. McLarty seconded the motion. The motion passed unanimously.

### **Gifted and Talented Program Approval Standards**

Ann Biggers was recognized for this presentation. Ms. Biggers stated that a revision of the Gifted and Talented Program Approval Standards is required to meet legislative changes. She stated that the document had not been revised since it was adopted in 1986 and program modifications were needed to up date the policies under which the Gifted and Talented program operates. Ms. Biggers emphasized that these revised guidelines impose no new or additional standards for administration of the Gifted and Talented program.

Ms. Pickett noted that language in Paragraph 3.1 and other places referring to licensure requirements should reflect that performance standards are set by the State Board of Education, not the Professional Licensure Office of the Department of Education.

Mr. McLarty moved the adoption of the revised Standards (Rules and Regulations) for public comment. The motion included the requested changes to Paragraph 3.1 and other references to licensure requirements being set by the Board. Mr. Gordy seconded the motion. The motion passed unanimously.

### **Fall/Spring Achievement Testing Dates**

Mr. McLarty made the following motion based on information provided and discussion during the Work Session held earlier on this date. McLarty moved that the statewide administration of the Stanford Achievement Test continue in the fall, as opposed to spring, and that individual schools may seek a waiver of the fall testing requirement. Any waivers would be reviewed and considered on an individual basis and would require no additional funding from the state. Also, administration and reporting must be in a

manner consistent with guidelines approved by the Department of Education. Mr. Smith seconded the motion. The motion passed unanimously.

**Rules and Regulations for Arkansas Early Childhood (K-4) Network of Curriculum Specialists**

Mr. Gordy made the following motion based on discussion during the Work Session held earlier on this date. Mr. Gordy moved the approval for public comment the repeal of Rules and Regulations for Arkansas Early Childhood (K-4) Network of Curriculum Specialists. Mr. Hackler seconded the motion. The motion passed 8-0, McLarty abstained. ([Attachment #4](#))

**OTHER BUSINESS**

Mr. McLarty moved the Board go into executive session to discuss personnel issues. Mr. Gordy seconded the motion. The motion passed unanimously.

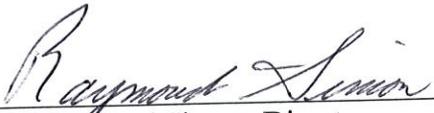
Mr. McLarty moved the session reconvene. Mr. Gordy seconded the motion. The motion passed unanimously.

Ms. Pickett stated that only personnel issues were discussed during the executive session.

Ms. Yates moved the approval of the Department's personnel recommendation as distributed by mail. Mr. Smith seconded the motion. The motion passed unanimously.

Mr. Gordy moved adjournment. Mr. Hackler seconded the motion. The motion passed unanimously. The session adjourned at 1:30 p.m.

Minutes reported by Dr. Charles D. Watson

  
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Raymond Simon, Director

  
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Betty Pickett, Chair

# State Board of Education

## Work Session Notes

### April 12, 1999

The State Board of Education met on Monday, April 12, 1999, in Room 201A of the State Education Building for a Work Session. The meeting was called to order at 8:05 a.m. by Betty Pickett, Chair.

The following members were present: Betty Pickett, Chair; JoNell Caldwell, Vice Chair; Carl Baggett; Martha Dixon; Luke Gordy; Robert Hackler; James McLarty; Richard Smith; Lewis Thompson, Jr.; and Anita Yates.

The following members were absent: Edwin Alderson and Bill Fisher

#### Chair's Report

- Met on March 16, 1999, with the Board of Trustees for the Arkansas Schools for the Deaf and Blind. There were a number of concerns discussed that impact the school's ability to serve their students: (1) the ability to attract and hold teachers who are blind or deaf who can serve as mentors to students; (2) some feel that the qualifications for handicapped teachers are more stringent than they should be – less stringent standards would make it easier to hire blind or deaf teachers. Dr. Sydoriak agreed to research what was happening in other states before any decisions are made. Possibly some waivers could be considered for qualifications of deaf or blind teachers.
- Attended many sessions during the Legislative session. Believes it was a very good session for education. There were some very good bills. The Department may have more work than anticipated due to the seemingly large number of studies and new legislation requiring rules and regulations.

#### Board Member Reports

Yates: Attended the Academic Banquet in Bentonville.

Smith: Attended and spoke at a Junior High Career Day.

Gordy: Presented Blue Ribbon Awards to two schools in Fort Smith. Spent time with Dr. Doug Reeves when he visited in Van Buren.

McLarty: Attended NASBE meeting. It was one of the best he had ever attended. Some topics included the reauthorization of the federal Elementary and Secondary Education Act. Currently, education is the number one topic of discussion "on the hill." The sessions he attended did not see the federal surplus coming into play as far as increased education spending. He attended a presentation on National Assessment of Educational

Progress (NAEP) and a description on what the testing could do for the states. State Board members can have a big impact on how our representatives in Washington vote. We need to educate them on issues that impact our state.

Baggett: Attended ground breaking for Rogers High School and spoke on behalf of the Board.

McLarty: The school bus insurance bill ran into opposition from the School Boards Association. It is now Act 1123. Requests that the Department put out a request for proposals to meet the July deadline. The tobacco bill ran into more trouble. It did not get assigned to an education committee. It went to the Rules Committee.

Pickett: We can be very proud of the work of the Board members on legislation.

Gordy: One of the reasons this session was good for education was the respect of the legislators for the leadership of the agency and its staff. It was an outstanding session for education.

Pickett: It appeared that all of the education agencies worked together to make this a strong session.

**Mary Kaye McKinney** recognized to report on Early Childhood Education. Ms. McKinney reviewed the history of the Early Childhood Office and its programs. Additionally, she highlighted programs that were developed by the staff for had been adapted for training of teachers in the state. The Department is requesting the opportunity to restructure the Section to provide more services and to be more efficient. In order to make the changes, it will be necessary to repeal the Rules and Regulations as proposed for action at the Agenda meeting.

Gordy: Questioned the extent to which the coop directors were involved in the recommended staff changes. McKinney affirmed that their opinions had been sought before any recommendations were made. Gordy: We're not saying Reading Recovery is not a good program are we? McKinney: No, we're just suggesting a shift in some of the training that the staff provides.

Hackler: Doesn't ELLA and Effective Literacy closer align with that as opposed to the narrow focus of Reading Recovery? McKinney: ELLA prepares teachers to work with children in the classroom where Reading Recovery prepares specialist teachers to work with one child at a time.

Pickett: In the previous Rules and Regulations we defined staff members as Literacy Specialists. We adopted these policies in 95. What has changed? What training will be different? We do not want to lower quality for quantity. McKinney: Assured her that there is no intent to lower quality.

McLarty: Are the requests for service different from different regions of the state?

McKinney: Yes. In some regions the Literacy Specialists are very well prepared and do an excellent job, but there just is not much interest for Reading Recovery training in some areas of the state. Schools cannot or do not want to commit to having a staff member serving only one child at a time.

Dr. Leon McLean: In the OUR Cooperative area, there is not a perceived need for Reading Recovery training. Our specialist cannot generate interest from schools sufficient to keep her busy. On the other hand our reading specialist cannot possible meet the requests. He believes the recommended changes is staffing would be positive for his area of the state.

Simon: In the budget there are \$8.5 million for Smart Start this year. This includes the positions for specialists as described. He supports the repeal of the Rules and Regulations to better serve all areas of the state.

Pickett: The Rules and Regulations were perceived as needed because the specialists were to be employees of the cooperatives.

Yates: We need to add an item to the agenda today to begin the repeal process of these Rules and Regulations.

McLarty: What would be the result if we waited a month? Simon: This is the time when schools are hiring staff. We need to be able to attract quality staff and not upset employees once they have signed a contract.

Gordy: We are just putting this out for public comment. Let's get comments to help us with the decision.

Pickett: The employees are paid by Department funds, but supervised by the cooperatives.

Gordy: Suggested that Board add to agenda today for public comment.

Simon: The staff will work closely with UALR to offer Reading Recovery Training. Currently what we have is a formal process that requires a lot of work and agreement.

### **Healthy School Network – Otistine Smith**

R. Smith: Introduced Otistine Smith and indicated that he had represented the Board on the NASBE Healthy School Network task force. This has been a hard working group that routinely meets prior to the annual session of NASBE. He stated that this work supports the idea that the health of a child is critical to a good learning environment.

The state has been receiving funding since 1992 to support the work of the state team. We are in the seventh year of continuous funding. Staff and Board members have

worked together as a state team to develop an action plan for implementation within the state.

Pickett: Is outreach dependent on federal funding? Smith: Yes. Pickett: Is there any state funding? Smith: No.

Gordy: How is the cooperation between agencies? Smith: It is improving.

McLarty: When did the state stop putting money into the program? Smith: 1991 or 92.

McLarty: Senate Bill 790 (Smoking) requires stickers be placed on school building outside doors. Is there any money in the Health program to deal with that issue? Smith: We have to be careful about supplanting.

Pickett: We are all aware of the role of good health to learning. In Texarkana we saw how the local hospital put a clinic in school. What can we do to provide new or additional services to schools on a broader base to focus on healthy kids in schools?  
Smith: Everyone understands the problem we need to know more about how to access resources.

R. Smith: What does the Board need to do? O. Smith: Stay with Board issues. Perhaps the Tobacco money can be used. Simon: Some of these funds will be reserved for education.

Pickett: Can we incorporate some Healthy Schools initiatives into Smart Start. We would need to develop an action plan. There needs to be some overall coordination of the programs.

McLarty: There is a program at UAMS about tobacco and chewing. The problem with getting it into the schools is with transportation of the program. Researchers have the program that could be offered to schools.

Pickett: Requested Mr. Simon prepare a report to the Board in July or August about the link of Healthy Schools in the schools.

R. Smith: Indicated that a speaker, Dr. Symons, is excellent and would be a good speaker to have in the state to discuss Healthy Schools.

McLarty: We should revisit this issue again in June to begin a plan.

### **Fall/Spring Testing – Simon and Charity Smith**

Simon: We have a contract with Psychological Corporation that covers state Norm-Referenced testing. It began in 1995 and continues through the fall testing 2000. There are requests for spring testing from schools.

C. Smith reported on the rationale for fall testing. The Board adopted this as policy in May 1994. The primary reason for fall testing is to have results for full class groups for teacher use in designing instruction for the current school year. Spring testing does not provide class information for the current cohort.

Yates: Why can you not configure the class profile if you test in the spring? C. Smith: Fall testing a class profile is given for present class. Spring testing teachers would have to take individual student data and compile class profiles.

Gordy: There are equally compelling arguments on the other side. Your arguments are based on a perfect world. Spring testing has buy in on the part of teachers in preparing children for the test.

Hackler: What is the real purpose of testing? Emphasis should be placed on helping students. It is the responsibility of the administrators to provide support to teachers.

R. Smith: We need to be able to help kids, not teachers.

Simon: Bentonville has purchased software to reconfigure classes. Noone has used test results for the purposes for which they are designed. We must get away from the printing in the paper syndrome. There is a need to help districts use data in the most effective way.

Simon: We need to honor the contract for the next two years. But, we need to allow waivers if the districts can document the use of data and support the uses of the tests. Psychological Corporation has quoted us \$10.40 per child to move from fall to spring testing under this contract. Currently, the contract is \$0.28 per child for state contracted testing. We should be cautious of changing contract in the interim.

Dr. Holloway, Supt. Bentonville Schools was recognized for a statement. He stated that the district had software that allows the configuration of student data in different ways. They test each child in grades 1-10 every year. The test is given in the spring and reformatted for new teachers in the fall.

McLarty: How much did the program cost? Holloway: \$31,000. McLarty: Does anyone else have this program? Holloway: Did not know.

Holloway: If we went to spring testing and collected Social Security or a student number, the same type reconfiguration of class groups could be done in the fall.

McLarty: What are the problems of using spring testing for distressed districts? Simon: A waiver would not allow schools to be in the school-wide reporting. Distress schools would have to keep testing in the fall to compare student progress.

Simon: Allow us to use the waiver system in the interim. All schools need this type of system. The new accountability system will dictate the future. We have a new law and the system will change. Give us some time to get out from under this present contract.

Gordy: We need to be sure that we're not driven by the test company. We should not be making decisions based on a contract.

McLean: The Cooperatives have the capability of providing the same services as Dr. Holloway described.

Simon: The state requires that mandated grades, (Grades 5,7, and 10), be scored by the test company.

Mr. Simon distributed copies of the legislation affecting assessment, accountability and the Charter Schools Bill.

Simon: There is not much to say about the Charter Schools Bill. It was only passed the last week of the session because of funding. It was worked on for several months. There is a request for \$4 million, but \$2.5 million was approved for the second year of the biennium. No money was actually funded. The Board will have to decide on this in the future. The earliest a Charter School could be funded would be 2000-2001. We must draft rules and regulations. There can be no more than a total of 12 with no more than 3 in any congressional district. We have to determine a selection process.

Pickett: We need to get a copy of the budget as soon as it is available.

Reported by Dr. Charles D. Watson