

ARKANSAS STATE BOARD OF EDUCATION
November 8, 1999

WORK SESSION

8:00 a.m., Arkansas Department of Education Auditorium

- W1 Rules and Regulation for Public Comment Act 1382---Dr. Charity Smith
- W2 Tobacco Settlement---Mr. Luke Gordy
- W3 Bentonville School District Presentation---Mr. Luke Gordy
- W4 Discussion : State Board District Visits---Mr. Luke Gordy
- W5 State Board Operating Guidelines---Mr. Luke Gordy

REGULAR AGENDA

Auditorium, immediately following Work Session

Chair's Report --- Mr. Luke Gordy

CONSENT AGENDA

- C1 Minutes (October 11, 1999)
- C2 Newly Employed, Promotion and Separations---- Ms. Clemetta Hood
- C3 Final Approval of Rules and Regulations Governing Parents As Teachers---
Ms. Mary Kaye McKinney
- C4 Final Approval of the Rules and Regulations for the Parent Involvement Grant
Program---Ms. Mary Kay McKinney

Director's Report----Mr. Ray Simon

ACTION AGENDA

- A1 Request for Waiver on the Denial of Renewal of a Teaching Certificate---
Ms. Theresa Wallent
- A2 Request for Waiver on the Denial of a Teaching Certificate---
Ms. Theresa Wallent
- A3 Report: Audit Finding/Desegregation Plan---Mr. Tim Gauger
- A4 Approve for Public Comment Rules and Regulations Governing Distance Learning---
Mr. Jim Boardman
- A5 Final Approval of the Desegregation Monitoring and Assistance Plan---
Mr. Tim Gauger
- A6 Commitment to Principles of Desegregation Settlement Agreement:
Report on the Execution of the Implementation Plan ---Mr. Edwin Strickland

State Board of Education

Minutes

November 8, 1999

The State Board of Education met on Monday, November 8, 1999, in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 9:40 a.m.

The following members were present: Luke Gordy, Chairman, Jo Nell Caldwell, Bill Fisher, Robert Hackler, Shelby Hillman, Betty Pickett, and Lewis Thompson, Jr.

Members absent: Claiborne Deming, James McLarty, Richard Smith, and Anita Yates.

The Chair invited Board members to share activities since the previous meeting.

Caldwell: Attended meeting conducted by the Arkansas Policy Foundation concerning assistance to entities preparing petitions for Charter Schools. She has accepted the invitation to serve on a teacher licensure advisory panel. She attended the Accountability Summit.

Hillman: Attended the Arkansas Policy Foundation Charter Schools conference and the Accountability Summit.

Hackler: Met with cooperative staff and local area superintendents. He's a program participant for the Rural Education Seminar in Hot Springs and attended the Accountability Summit.

Thompson: Visited the alternative learning center in the Texarkana School District. He reported having to cancel plans to attend the NASBE Fall Conference.

Pickett: Attended a seminar sponsored by Southwest Educational Development Laboratory in Dallas related to Study Circles. She reported that the Arkansas School Board's Association has committed to taking over that project for Arkansas. She attended the Accountability Summit. She also attended the NASBE Fall conference and distributed a summary of sessions attended. (Attachment #1)

Gordy: Attended Character-Centered Teaching Day at Tyson Elementary School in Springdale. He participated in the Accountability Summit and was pleased to hear the Governor make such a firm commitment to holding the entire educational system accountable.

Mr. Fisher moved that the Board add an item to the Action Agenda for approval of Rules and Regulations Governing Waivers for Substitute Teachers (pursuant to Act 1382 of 1999) for public comment. Ms. Pickett seconded the motion. The motion passed unanimously.

Mr. Gordy informed the Board that Consent Agenda Item C3, Final Approval of Rules and Regulation Governing Parents as Teachers, was being moved to the Action Agenda.

Ms. Caldwell moved adoption of the Consent Agenda with the removal of Item C3, Final Approval of Rules and Regulation Governing Parents as Teachers. Mr. Hackler seconded the motion. The motion passed unanimously.

CONSENT AGENDA

- Minutes October 11, 1999
- Newly Employed, Promotions and Separations
- Final Approval of the Rules and Regulations for the Parent Involvement Grant Program

Mr. Gordy expressed appreciation to Mr. Simon for the written response to his evaluation and for his willingness to respond to issues raised by the Board during the evaluation.

Director's Report

Mr. Simon's report included the following:

- Provided a list of locations for public hearings on the proposed revisions to the Standards for Accreditation of Public Schools. He noted that all hearings would be held simultaneously on November 30, 1999, from 7:00 – 8:00 p.m. Board members are invited to attend the hearing in their region of the state.
- Reported that November 1 was the deadline for a letter of intent for Charter School Petitions and that 20 letters were received. Those letters indicated that 12 petitions would be received for district conversion schools and 8 for open enrollment. A list of developers was distributed. (Attachment #2). Mr. Simon noted one question needs to be resolved, specifically can a local district apply for an open enrollment charter.
- Reported that the 2000 Arkansas Teacher of the Year was named at a Governor's Press Conference on Friday, November 5 at which time 16 teachers were recognized as regional finalists, 4 of those were state semi-finalists, each received a check in the amount of \$1,000. Patti Meeks, a biology teacher from Hamburg High School was named as the 2000 Arkansas Teacher of the Year. Ms. Meeks received an additional cash award of \$14,000. Awards were made possible by a grant from the Walton Family Foundation.
- Reported on the Governor's Press Conference to release the "Refrigerator Curricula" which was staged at Crystal Hill Elementary School. He indicated this event received good media coverage.

- Participated in the Governor’s Community Forum in Mt. View in which he had an opportunity to be present when the Refrigerator Curricula were distributed to parents in that community.
- Noted a number of professional development conferences scheduled in November – Regional International Reading Association, Arkansas Education Association, K-4 Principals.
- Noted that the invited speakers at the Governors Accountability Summit were very consistent with direction of the Department’s Accountability Plan and the ACTAAP document. Mr. Simon stated that this confirmation further documents the appropriateness of the Agency’s direction in the area of accountability.
- Introduced Dr. Steve Franks, Director of Workforce Education. Dr. Franks indicated that activities in the Department of Workforce Education should be done in cooperation with the Department of Education and he thinks this is happening. He stated that one of his goals was for the two agencies to link student achievement and curriculum alignment and that be supported wherever possible by workforce education. He noted the working relationship with Dr. Cummins on accountability issues, the cooperation between the two agencies on Family Literacy Grant issues and on career planning. John Davidson, former principal of West Campus of Fayetteville High School was introduced as Deputy Director.

ACTION AGENDA

Request for Waiver on the Denial of Renewal of a Teaching Certificate

Theresa Wallent was recognized to present this item. Ms. Wallent summarized the information provided in the Board materials. She indicated that Karen Albritton and her attorney were present and wished to speak to the Board. Ms. Albritton was represented by Richard Roachell who outlined the instance that resulted in the conviction. Ms. Albritton told the Board she was a single parent with three teenage children. She teaches and occasionally receives a small amount of child support. She told the Board she purchased an item for her daughter’s prom dependent on a child support payment that never was delivered. A check was written to the store for which she did not have funds to cover. Ms. Albritton told the Board she paid the store, but was later arrested and convicted of writing a check with insufficient funds. She stated that this was the only incident of such occurrence. Mr. Roachell presented a packet of letters from school officials and other community leaders in El Dorado supporting Ms. Albritton and her position as a teacher in the El Dorado School District.

Mr. Fisher moved that Ms. Albritton be issued a probationary license for the period of one year and that license be converted to full licensure at the end of the year provided that there are no other occurrences during the one-year period. Ms. Caldwell seconded the motion. The motion passed unanimously.

Request for Waiver on the Denial of Renewal of a Teaching Certificate

Theresa Wallent informed the Board that Deanna Ellis's attorney requested that her hearing be postponed.

Report: Audit Finding/Desegregation Plan

Mr. Tim Gauger was recognized for this report. Mr. Gauger concurred with the observation made at the October Board Meeting which cited the exception to a statement in the Department 1998 Audit Report indicating an agreement on the Stanford 8 Test to measure student achievement for determination of loan forgiveness in the Little Rock Desegregation Case. Mr. Gauger stated that a letter from Mr. Simon noting the exception had become a permanent attachment to the audit report.

Mr. Fisher asked if further documentation, specifically a letter from the Board, noting the lack of agreement were necessary. Mr. Gauger indicated that such action was not necessary, but would be appropriate if the Board so desired. Ms. Pickett moved that the Board reaffirm the lack of agreement with the Little Rock District and state that no decision has been made on a test for determination of loan forgiveness. The motion provides that such a statement be drafted and attached to the 1998 Audit Report. Mr. Fisher seconded the motion. The motion passed unanimously.

Final Approval of the Desegregation Monitoring and Assistance Plan

Mr. Tim Gauger was recognized to present this item. Mr. Gauger stated that a revised monitoring plan is presented that has acceptance of the parties and redesigns many monitoring activities of the Department in this case. He indicated that the Attorney General's Office supports this plan. He indicated that this plan replaces the Allen Letter, which has been the accepted standard for monitoring for several years. Gauger stated that the new plan would provide a more meaningful report to the state and to the districts. The proposed plan, unlike the Allen Letter, is a true monitoring plan that requires data collection, analysis, and a structure for use of the data in meeting the conditions of desegregation in the districts. The new plan is truly a monitoring and assistance plan, which calls for an annual report on October 1 of each year. He stated that the districts and the Department support the plan and want it to work. Gauger noted that the new plan defines the Department obligation under the court order. However, if the Board so chose, additional information could be collected even though it might not be specified in the Plan. The plan does not prohibit collection of information from any of the parties or the Office of Desegregation Monitoring.

Mr. Gauger requested that the Board approve the plan in its entirety and that it be submitted to Judge Wright for approval.

Ms. Pickett, referring to Page A5-3, asked how "grade level" would be determined on the Criterion Referenced test. Dr. Charity Smith responded that grade level would be

students performing at the “proficient” level. Pickett suggested that this be clarified in the Plan.

Ms. Pickett noted in several instances, for example Page A5-5, there are specific actions to be performed or completed by Department staff. She inquired if any cost analysis had been done to determine the amount of money the Agency would be required to spend to complete these tasks. Smith indicated that there had been no attempt to determine cost of implementation of the Plan. Pickett indicated that she would like to see some cost data before the plan is approved since it goes beyond the previous Plan. Smith responded that monitoring would be factored into services already provided to the District in a number of ways. She did not foresee any new staff being required to meet the intent of the Plan. She stated that this was a way to tie monitoring and technical assistance together. Mr. Gordy observed that the activities described seemed to be similar to activities provided to other districts. Smith agreed.

Mr. Fisher inquired as to what assistance was provided by the three districts in developing the Plan. Gauger indicated that the parties worked long and hard and there was an air of cooperation throughout the development of the Plan. Gauger also recognized the work of Dr. Smith in structuring the Plan’s development.

Mr. Fisher moved approval of the proposed plan as it is presented. Ms. Caldwell seconded the motion. The motion passed 5-1. (Pickett voted no.)

Approve for Public Comment Rules and Regulations Governing Distance Learning

Jim Boardman was recognized to make this presentation. Mr. Boardman noted that the request is to approve for public comment. He stated it was his intent to bring these rules and regulations back for consideration at the January meeting. Mr. Boardman noted that many opportunities have emerged for students to engage in distance learning and these take many different formats. The intent is to provide guidance for schools to assure that student needs are addressed with the least number of constraints as possible. Ms. Pickett asked if the same guidelines were being imposed on required courses and those considered as electives. Mr. Boardman indicated that more restrictions (quality control) should be placed on required courses than on electives and that standards should not be compromised just to provide a course through distance learning. Ms. Pickett inquired about the flexibility that seemed to be provided in Section 5.00. Boardman indicated qualification of instructor would be one area that could be different. For example, the instructor could have licensure from another state. Also, there could be some flexibility in the number of students per teacher.

Ms. Pickett moved approval of these rules and regulations for public comment. Ms. Caldwell seconded the motion. The motion passed unanimously.

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

Mr. Edwin Strickland was recognized for this report. Mr. Strickland noted this report was consistent with the report from Mr. Gauger earlier in the session. The Department recommends adoption of the new monitoring Plan. Ms. Pickett requested a presentation from staff on test scores being recommended as part of the new Plan. She indicated this would be good background information for the Board prior to final consideration of the Plan. Mr. Hackler moved acceptance of this report. Ms. Pickett seconded the motion. The motion passed unanimously.

Approval for Public Comment of Rules and Regulations Governing Waivers for Substitute Teachers

Mr. Fisher moved approval of the proposed Rules and Regulations Governing Waivers for Substitute Teachers for public comment. These were presented as part of the Work Session. Ms. Caldwell seconded the motion. The motion passed unanimously.

Final approval of Rules and Regulations Governing Parents as Teachers

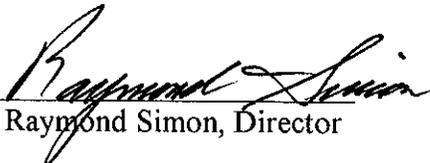
Mary Kaye McKinney was present to respond to question concerning this issue. Ms. Pickett asked if staff had included a process to determine if the program is effective. Ms. McKinney responded that each grant is required to submit evaluation data. She also indicated that there is impact data and the program is evaluated using the model from the National Parents and Teachers Program which is located in Missouri. Ms. McKinney noted that most of the children in the program over the past two years are just now in kindergarten and it is too early to determine performance.

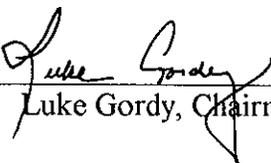
Ms. Pickett moved final approval of these Rules and Regulations. Mr. Thompson seconded the motion. The motion passed unanimously.

Mr. Simon distributed a list of schools and other entities submitting Charter School letters of intent. (Attachment #3)

Mr. Hackler moved adjournment. Ms. Caldwell seconded the motion. The motion was adopted unanimously. The meeting adjourned at 11:05 a.m.

Minutes recorded by Dr. Charles D. Watson


Raymond Simon, Director


Luke Gordy, Chairman

State Board of Education

Work Session Notes

November 8, 1999

The State Board of Education met on Monday, November 8, 1999, in the Auditorium of the State Education Building for a work session. Luke Gordy, Chairman, called the meeting to order at 9:40 a.m.

The following members were present: Luke Gordy, Chairman, Jo Nell Caldwell, Bill Fisher, Robert Hackler, Shelby Hillman, Betty Pickett, and Lewis Thompson, Jr.

Members absent: Claiborne Deming, James McLarty, Richard Smith, and Anita Yates.

Rules and Regulations for Public Comment Act 1382

Dr. Charity Smith was recognized to present proposed Rules and Regulations Governing Waivers for Substitute Teachers. Dr. Smith informed the Board that these rules and regulations are developed as a part of Act 1382 of 1999. Other parts of the Act require action linked to teacher licensure at specified periods. However, this section of the Act does not have a date set, so staff assumes that it was the intent to have this component in place this year.

Gordy: Has staff sought to clarify the legislation or to determine if the missing date might be an oversight. Smith: No inquiry has been made.

Knox: The Administrator's Association believes that development and approval of these rules and regulations will cause negative reflection on the Report Card of many schools. He noted that the Administrators Association believes that the interpretation of staff that this must be done at this time is not in keeping with the intent of the legislation, rather all provisions in the Act should become effective at the same time. He requested that staff go back and seek guidance from those who supported the Bill.

Fisher: Is this something that can be deferred until December? Simon: On another matter, the Agency got in trouble by assuming and delaying. His position is that if we err, it should be on the safe side. He noted that approval is being requested for public comment and requested Board approval.

Fisher: Will make the motion for approval at the Agenda Session.

Tobacco Settlement

Gordy: Several meetings are taking place regarding this issue. The Department is part of a proposal being advanced through the Department of Health and the Medical Center.

Simon: Indicated that Dr. Boseman from the Department of Health and Dr. Ward from the Medical Center will be jointly submitting a proposal for use of the tobacco funds based on a health education program. He noted that there is a role for the Department of Education in

this effort. There is to be a locally generated curriculum for health and health related issues. Also, he noted another proposal that would be submitted from the Washington Regional Hospital in Fayetteville, which is not related to the previous proposal.

Gordy: Informed the Board that McLarty, acting on behalf of the Board, made a presentation to the Task Force suggesting billboards be designed to inform the public and especially students about prevention of health issues related to tobacco use. McLarty suggested a cost of up to \$10.00 per student/year was appropriate to support the billboard idea. At the Task Force meeting McLarty heard a number of other proposals, one of which was from Washington Regional Hospital. McLarty's report noted that the Washington Regional program had won national recognition for curriculum. Nurses go into the schools and provide instruction. He referred to it as an impressive program that could be expanded and carried out in other areas of the state. No one knows for sure what the process will be or who will be making the final decision about programs for implementation. The cost of the Washington Hospital program is about \$60.00 per student.

Pickett: If the Health Department includes an education package, they should be linked closer to the Board or to the Department and seek input. She requested that representatives from the Health Department and from Washington Regional be invited to present at the next meeting.

Otistine Smith: Stated to the Board that the Department of Health has created a new position – Tobacco Use Specialist. That person is in communication with her office. There is a good history of working together on health related issues.

Gordy: Will be in contact with staff at Washington Regional and seek their participation at the next Board meeting.

Bentonville School District Report

Mr. Gordy recognized Dr. Lewis Holloway, Superintendent at Bentonville, to describe the accountability program developed and being implemented in the Bentonville School District. Dr. Holloway's report centered on the use of data to make educational decisions. He believes that the Bentonville District is ahead of most, if not all, schools in the state in the analysis and interpretation of student achievement data for decision making. The program provides incentives for teachers whose students' progress well. The District estimates approximately \$9.00 per student is spent on development and administration of the program.

Caldwell: How many students in the District? Holloway: About 6500.

Gordy: How difficult is it to get building administrations and teacher to use the data?

Holloway: The staff generally does not like the program, but most have bought into it and it is working well.

Pickett: What have you done with schools that are not performing up to expectation?

Holloway: In the school that had the poorest performance, there has been an administration change and we expect to see greater growth this year.

Hackler: At the Governor's Accountability Summit, one presenter indicated that accountability should be addressed at the teacher level. Are you doing that? Holloway: Basically yes. He indicated that it is harder to collect and track student progress in high school by teacher than at the elementary level. However, we have to do that.

Hackler: Observed if data cannot be linked to teachers, then there is a comfort level for those who are not productive.

State Board District Visits

Caldwell: Stated that school visits are more productive when made by individuals rather than in groups. She personally does not gain as much when the Board meets at a site as she does when she makes an individual visit into a school.

Pickett: Sees value in the Board meeting at locations across the state. She cited the visit to Oark as an example. Unless it was scheduled, Board members would not pick Oark for a visit. She sees value in group as well as individual school site visits.

Fisher: Agrees that group and individual visits are important.

Gordy: In selecting sites, consideration should be given to staff needs as well as travel expenses incurred with large numbers of staff required to go to remote sites.

Fisher: Two alternative learning sites are Wynne and Glencoe, which is located at Highland. Both of these would be good sites for a Board meeting.

Gordy: If we visit one of these, when should it be scheduled? Pickett: at the March meeting.

Simon: March is when the Board is to make final determination of Charter School Petitions.

Gordy: The Board can make a decision at the December meeting for a spring session away from Little Rock.

Fisher: Requested that Department staff be prepared to make recommendations for a site at the next meeting and that April be considered the best date for a remote meeting.

The Session adjourned at 9:25 a.m.

Recorded by Dr. Charles D. Watson.