

State Board of Education
Minutes
Monday, March 13, 2000

The State Board of Education met on Monday, March 13, 2000, in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 10:10 a.m.

Members present: Luke Gordy, Chairman; Anita Yates; Vice Chairman; Robert Hackler; Shelby Hillman; James McLarty and Richard Smith.

Members absent: JoNell Caldwell, Claiborne Deming, William Fisher, Betty Pickett and Lewis Thompson, Jr.

Mr. McLarty moved approval of the Consent Agenda. Mr. Hackler seconded the motion. The motion was approved unanimously.

Consent Agenda

- Minutes (February 2000)
- Newly Employed, Promotions and Separations
- Approve for Public Comment Rules and Regulations for the Distribution of Funds for Approved Youth Shelters
- Workforce Data Report

Action Agenda

The Agenda moved to Charter School Appeal Hearings. A court reporter's transcript of these hearings is attached as part of these minutes.

Order of hearings:

- Appeal Request for Extension Open Enrollment Charter School Wings of Eagle, Little Rock
- Academics Plus (A⁺) Charter School, Maumelle
- The Center for Student Excellence, West Memphis
- Arkansas Charter School, Osceola
- Benton County School of Arts, Rogers

Special Report – Lake View Case

Mr. Simon requested that Brian G. Brooks, Assistant Attorney General, be recognized for an update of the recent court actions pertaining to the Lake View case. Mr. Brooks informed the Board that the case had been reversed and remanded to the trial court by the Arkansas Supreme Court for a hearing on compliance with then-Chancellor Imber's 1994 Order and a hearing on attorneys' fees. Mr. Brooks reported that the two pending Lake View cases (the one filed in 1992 and the one filed in 1999) will likely be consolidated into one case.

Mr. McLarty asked if the source of funds for fees had been decided. Mr. Brooks indicated that no determination had been made, but that the Court briefly mentioned two possible sources: "the State" generally or a pro rata payment from amounts school districts that benefited from the 1994 Order received. The issue of attorneys' fees is one that will have to be litigated and decided initially by the trial court before the Supreme Court will address it.

Status of Alma Charter School Review, Western Arkansas Child Development, Inc.

Mr. Gordy stated that the Western Arkansas Child Development, Inc. submitted a new petition, which proposes to serve only kindergarten students. The original petition submitted from this entity was turned down at the last meeting because it proposed to serve pre school age children. Mr. Hackler moved that since this was essentially a new petition, the Board should not consider it at this time. Mr. Smith seconded the motion. Mr. McLarty supported the motion by stating that if this entity were to be allowed to submit a revised petition after denial by the Board, it would set a precedent that might allow for any petitioner to revise and resubmit a petition that was turned down by the Board. The motion was adopted unanimously. Mr. McLarty suggested that the Alma entity be encouraged to continue to improve on its proposal and submit the new proposal at the next application period.

(Refer back to the court reporter's transcript for proceedings on the Gateway Charter School Petition hearing.)

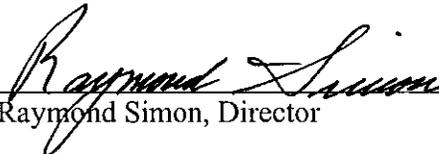
Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

Mr. Edwin Strickland was recognized to make this report. Mr. Strickland reminded the Board that this report was made on a monthly basis to inform Board members of activities and events pursuant to the court settlement. He reported that the Project Management Tool was filed with the court on February 29. That report contained a detailed summary of actions taken by the Department since the last report. Mr. Smith moved acceptance of the report. Ms. Yates seconded the motion. Mr. McLarty noted that Section 15 on Page A1-4 indicates that the last meeting of the Test Validation Committee was held on June 30, 1998. He suggested that committee should meet and make a recommendations about an acceptable test instrument, or declare it cannot complete its task and cease to exist. The motion to accept the report passed unanimously.

Mr. Hackler moved adjournment. Ms. Hillman seconded the motion. The motion passed unanimously.

The meeting was adjourned at 6:00 p.m.

Minutes recorded by Dr. Charles D. Watson.


Raymond Simon, Director


Luke Gordy, Chairman