

State Board of Education
Work Session Minutes
May 8, 2000

The State Board of Education met for a Work Session prior to the Agenda Meeting on Monday, May 8, 2000, in the auditorium of the State Education Building. Luke Gordy, Chairman called the meeting to order at 8:00 a.m.

The following members were present: Luke Gordy, Chairman; Anita Yates, Vice Chairman; JoNell Caldwell; Claiborne Deming; Bill Fisher; Robert Hackler; Shelby Hillborn; James McLarty; and Lewis Thompson, Jr.

The following members were absent: Betty Pickett and Richard Smith.

Procedures for Reporting Teacher Certification Violations

Dr. Charity Smith was recognized to present this item. Dr. Smith also indicated that Bob Maddox, Coordinator of Standards and Assurance would also be available for questions and comments. Dr. Smith reviewed information presented in the Agenda Book and indicated that there was more information that is routinely presented in support of Loans and Bonds recommendations. Mr. Maddox added that Department staff is working with the Arkansas Public School Computer Network (APSCN) to build a three-year profile for each school. He stated that certification issues will become increasingly more critical as more teachers and administrators opt for early retirement.

Mr. Gordy observed that this issues continues to be a major frustration for the Board. The only information provided is what is included on the Loans and Bonds background form. He requested that a summary report of the accreditation situation, especially as it pertains to licensure be presented to the Board on an annual basis.

Mr. McLarty stated that staff could prepare a report based on information currently available.

Mr. Deming suggested that as staff is preparing the report, it should also look at critical licensure areas such as science, mathematics and foreign languages. He said business and industry are keenly interested in those areas for well qualified workers.

Arkansas Teacher Quality Grant Recommendations

Dr. Woody Cummins was recognized to present this report. He stated that the purpose of his report is to bring Board members up-to-date on the work being done in the area of teacher quality and especially in licensure through the grant jointly received by the Department and the Department of Higher Education approximately one year ago. The grant was one of 20 funded in as many states. Dr. Cummins referred to the conversations about teacher shortage as a dilemma rather than a total shortage. He explained that some

areas of the state (northwest central Arkansas) have an abundance of well qualified teachers while other areas, such as the more rural areas of the state and the Arkansas delta are experiencing a severe shortage of teachers, especially math and science teachers. One strategy is to gather data over a two year period and study the patterns that seem to exist. Also, he indicated that fewer students are entering teacher education programs in colleges and universities. It is his belief that if the state is to meet the teacher needs over the next few years, much work will have to be done to turn around the trend of fewer teachers entering the workforce and consideration must be given to more efficient alternative means of licensing teachers.

Dr. Cummins shared a prepared slide presentation describing the work of the many task forces and study groups at work under the Title II grant. He noted that as reports and summaries of working groups are completed, they will be shared with the Board in a timely fashion.

Other Business

Mr. Gordy stated that some Board members have suggested starting the meetings at 9:00 a.m. instead of 8:00 a.m. The later starting time would be more convenient for those who opt to drive to Little Rock on the day of the meeting rather than drive down and spend the night on the day before.

Ms. Caldwell asked if the starting time might be flexible depending on the length of the agenda and that would be announced with the delivery of the Agenda.

Mr. Deming inquired if this would mean more meeting time in the afternoon. Mr. Gordy indicated that it might, depending on the agenda.

Mr. McLarty indicated that such a schedule would be more accommodating for those who drive in.

The Chairman declared a recess prior to opening the Agenda meeting. The work session adjourned at 8:45 a.m.

Meeting notes reported by Dr. Charles D. Watson.

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Chair's Report

Mr. Gordy reported that he spent time during the previous week in Washington, DC, while there he visited in the offices of Arkansas' Senators and Congressmen. He noted that the Senate was debating the reauthorization of the Elementary and Secondary Education Act and was in discussion about other issues impacting teachers.

Ms. Yates attended a recognition banquet for the Bentonville School District. Teachers of the Year from each school were recognized and announcements were made concerning competitive grants awarded to teachers.

Mr. Hackler visited in one school and met with two administrator groups from the north central area of the state.

Mr. Thompson visited in schools in the Texarkana School District. He reported a concern among school personnel for discipline in the schools.

Mr. McLarty reported completing his commitment to serve as a volunteer tutor in mathematics for students in the Newport Schools who were behind. He will be attending a NASBE Board meeting in Alexandria and will be chairing a committee meeting due to the chair's recent resignation.

Ms. Hillman visited with staff from Portland Elementary School.

CONSENT AGENDA

Mr. McLarty requested that the section describing the report and discussion on the Commitment to Principles of Desegregation Settlement Agreement (Page 7) be amended as follows. The Minutes currently state, "staff would explore the possibilities of preparing such a report." He requested that the minutes be revised to read, "staff would prepare a report."

Mr. McLarty moved approval of the Consent Agenda with the amendment to the April Minutes. Ms. Hillman seconded the motion. The motion passed unanimously.

Consent Agenda Items

- Minutes (April, 2000) – As revised
- Newly Employed, Promotions and Separations
- Final Approval of Regulations to Implement the Application for Educational Services for Students in Youth Shelters
- Final Approval of Regulations Governing the Education of Children with Disabilities, Ages 3-21.

Director's Report

Mr. Simon made the following introductions:

Terri Hardy – new Education Liaison from the Governor's Office. Ms. Hardy is a special education teacher in the Bryant School District. (Mr. Simon recognized the work of Luke Heffley who assumed those duties in the interim since the resignation of Margaret Gammill.)

Scott Smith – new staff attorney for the Department. Mr. Smith comes to the Department from the Department of Finance and Administration and today (May 8) is his first day on the job.

Mr. Simon reported that the Smart Step Summit held on May 1 and 2 was attended by approximately 1500 teachers and administrators representing schools that include Grades 5 through 8. He announced the Getting Smarter and Smart Step Conferences will be conducted simultaneously on July 10-13 at the Statehouse Convention Center. A concurrent meeting will allow consultants to work with both groups.

The quarterly Smart Start distance-learning meeting was just completed. Staff from North Little Rock traveled with Department staff to Phoenix where the session originated.

ACTION AGENDA

Approval of Proposed Changes in the Open-Enrollment and the Conversion Charter School Applications

Randall Greenway was recognized to present this item. Mr. Greenway explained that much was learned about the application and approval process for Charter School applications during the first year of operation. He reported that staff recommends a number of changes based on issues and concerns raised during the recent application process. Among the changes noted is the renaming of the process to an application rather than a petition and reducing the number of pages from 50 to 30. The reduction is

accomplished by the elimination of redundancies throughout the application. Mr. Greenway referred to a letter from the Arkansas School Boards Association that addresses the need for a fiscal impact statement. (Attachment #1)

Mr. McLarty inquired as to the staff response to the issues raised in the letter from the School Boards' Association. Mr. Greenway responded that staff agrees in principle, however, there does not appear any statutory guidance in the area of "self dealing." Mr. Gordy affirmed that the applications must respond to the issue of self-dealing. Mr. Reidenhour (representing the Attorney General's Office) informed the Board that there was general legislation on self-dealing. Brenda Matthews reported that Legislative Audit Division is researching this issue. They report statutes dealing with school board members, but not employees.

Mr. McLarty stated the application process should require those preparing the application to divulge such information and the Board would have the opportunity to consider the impact. Mr. Hackler indicated that such information should be considered a requirement.

Mr. Gordy inquired about the timeline for approval of the revised application format. Mr. Greenway indicated that the timeline was "tight" and development of any new language would slow the process of application thus reducing the time for preparing the application. He offered to develop new wording and submit it to the Board within two weeks. Mr. Reidenhour informed the Board that any action would have to be taken in a formal meeting, although it would not have to be a regular meeting. Mr. Gordy indicated that a conference call would be sufficient to give approval to the application. Mr. Greenway agreed to prepare additional language and send it to the Board. A conference call is to be scheduled within two weeks.

Mr. McLarty questioned the process for determining if the application meets the requirements for accommodations of handicapped students. He noted that in the previous application process that information was not available until the question arose in the interview process. Mr. Greenway noted that such issues are dealt with in the rules and regulations by stating that all applications must meet federal guidance for accommodations for handicapped students. He suggested that staff could visit each site to verify compliance with federal guidelines.

Mr. Gordy noted that one applicant requested a waiver from this issue due to the structure of the proposed facilities. He suggested that the application include a sentence that would request a description of accommodations to be made for handicapped students. Mr. McLarty suggested that the application request a description of accommodations necessary in the building to meet the federal guideline. Mr. Reidenhour suggested that an assurance in the application rather than a description might be more appropriate. That way it would put the burden on the school, not the Board to determine the extent to which accommodations were made.

Ms Caldwell moved approval of the application format as presented with the pending addition of self-dealing and accommodations for handicapped students. Ms. Yates seconded the motion. The motion passed unanimously.

Approval for Public Comment the Proposed Replacement Rules and Regulations Governing Charter Schools

Randall Greenway was recognized for this presentation. He indicated these rules and regulations were considerably shortened. Much of the language in the current document was a mere restatement of the Act and was removed. It was the intent of the staff in developing the new rules and regulations to supplement and clarify the Act, not simply restate the Act.

Mr. Hackler moved approval for public comment. Ms. Hillman seconded the motion. The motion passed unanimously.

2000-2001 Fiscal Distress Status Report

Donna Ralph was recognized to make this report. She noted that in May 1999, six districts were designated in fiscal distress. The Department and its staff provided technical assistance in many ways to these districts. All were reviewed periodically to monitor progress. The Fiscal Distress Committee met in April to determine progress and to consider additional districts. She reported the following:

Recommendation to be removed from fiscal distress:

Pine Bluff School District
Turrell School District

Recommendation to be moved to Phase II

Lake View School District

Recommendation to continue in Phase I

Alzheimer School District
Cross County School District
Winslow School District

Recommendation to be added to Phase I

Magnet Cove School District

Albert Hogan, Superintendent of Turrell School District and Frank Anthony, Superintendent of Pine Bluff School District were recognized and invited to share their success strategies with the Board. Both indicated a strong commitment on the part of the

local board, staff and community and a willingness of the district to make major fiscal adjustments.

Mr. McLarty inquired as to the consequences for the Lake View District being moved into Phase II and what would happen with the district that would be different. Ms. Ralph indicated that in Phase I, the school makes a plan, submits it to the Department and works throughout the year with support from the state. In Phase II, the state takes much more of a hands-on approach. Staff is involved in preparing the improvement plan, more frequent visits to the school are made and much more intensive intervention and monitoring will occur.

Mr. McLarty moved the removal of Pine Bluff and Turrell from fiscal distress. Ms. Hillman seconded the motion. The motion passed unanimously. Mr. Hackler moved approval of staff recommendations for fiscal distress (Phase I and Phase II) for 2000. Ms. Caldwell seconded the motion. The motion passed unanimously.

Arkansas Better Chance Grant Recommendations

Cathy Stegall representing the Division of ChildCare and Early Childhood Education was recognized to make this presentation. Ms. Stegall discussed the following recommendations:

- 91 grantees are being recommended for continued funding. These projects have been in operation since the 1991-92 school year and continue to meet the evaluation requirements for continued funding.
- 8 sites (as listed in the Agenda Book) are recommended for probationary status and will be operating under a program improvement plan.
- 2 sites (Pine Bluff and Batesville) have withdrawn or did not submit a request for continued funding. Staff recommends a request for proposals be submitted for a new service provider in these two communities.
- 1 program (Asberry Program in Marvel – Phillips County) is being recommended for non renewal due to their failure to submit fiscal reports in a timely manner or not at all. Staff recommends that a request for proposals be submitted for a new service provider in the Phillips County area.

Mr. Deming asked why some programs, such as Beebe, were funded for a higher amount than others. Ms. Stegall responded that the Beebe project served the entire service cooperative area, not just one school district or limited service area, thus greater funding was warranted based on the number of children served.

Mr. Deming asked if the programs were monitored. Ms. Stegall responded that they were monitored at least two times each year and that those in program improvement would be monitored on a monthly basis.

Mr. Fisher moved approval of all recommendations as presented. Mr. Thompson seconded the motion. Mr. McLarty referenced a publication from the Southern Region

Educational Board (SREB) that described programs in their member states for getting children ready for first grade. He stated that report gives a good overview of what other states are doing in this area. He cited Georgia and North Carolina as states having advanced programs that serve all 4-year-old children in their states. He observed that Arkansas is making good progress in serving the needs of young children, but we still have a long way to go. The motion was adopted unanimously.

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

Edwin Strickland was recognized for this report. Mr. Strickland noted that the most recent report was filed with the court on April 28, 2000. Mr. Fisher noted that the report indicates that the Test Selection Committee last met on June 30, 1998. He inquired as to the status of that committee and if anyone was pursuing the charge of that committee. Mr. Strickland responded that the work of that committee was being redirected and the Tim Gauger from the Attorney General's Office was handling some of the work of that committee. Mr. Fisher observed that the Test Selection Committee as developed no longer exists. He stated if this is true, then the structure should be revised to reflect what is currently in place. It looks bad to report that there has been no action in such an important area for two years. Mr. Simon indicated that there had been no formal meetings, but some informal discussions have taken place. Mr. Simon indicated that actions are taking place, but they are just not being reported. He stated that committees are meeting, but often it is difficult to report actions. Mr. Fisher suggested that Mr. Simon and the committee might document meetings held and any progress that is made.

Mr. Fisher also noted that under the Data Collection Activity, the last reported action was November 99. He suggested that section also needs updating.

Mr. Strickland responded that unless new actions are complete, the report reflects the last action taken.

Mr. McLarty agreed with Fisher and suggested that the process for reporting leaves the impression that little or nothing is being done in some of these areas. He suggested that all actions or meetings should be appropriately reported. Mr. McLarty indicated that he hoped the Board would make a decision in this area soon, such a decision would also be important to the Little Rock District.

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

Board of Education Nominating Committee Recommendations

Mr. Gordy reminded the Board that Operating Guidelines provide for a report of the Nominating Committee at the May meeting and officers for the following year are elected in June. The Nominating Committee members were Bill Fisher, Chair, Jo Nell Caldwell, and Richard Smith. Mr. Fisher made the following committee report: Luke

Gordy – Chairman; Richard Smith – Vice-Chairman. Mr. Gordy indicated that no further action was needed at this meeting.

National Board for Professional Teaching Standards

Mr. Gordy indicated that the Board would be recognizing teachers who have met the demanding requirement for National Board Certification. He reported that 151 teachers are pursuing requirements. At present there are 11 teachers who have completed the requirements and hold National Board Certification. These teachers, their families and administrators from their schools will be guests of the Board at lunch following the meeting.

Martha Simpson	Bryant School District
Jean Gibson	Fayetteville School District
Debbie Bean	Nettleton School District
Phyllis Wofford	Nettleton School District
Wallece Brewer	Northeast AR Rural Institute (formerly Jonesboro Public Schools)
Retha Gipson	Westside School District – Jonesboro
Michael Shepherd	Marion School District
Suzanne McPherson	Fort Smith School District
Linda Tullos	Hamburg School District
Toni Lockhart	Van Buren School District
Alene Bynum	Russellville School District

Other Business

The Arkansas Education Association (AEA) requested time to make a presentation to the Board. Ms. Linda Pondexter, AEA President was recognized. Ms. Pondexter with assistance from Tony Beavers presented information concerning the cost of insurance coverage and a list of schools making only minimum employer contributions for staff participating in the insurance program. AEA requests the Board give consideration to an increase in the minimum employer contribution. (Attachment #2)

Mr. McLarty noted that Governor Huckabee and others have advocated for increased salary for teachers in the next legislative session. He observed that the Board is the only policy-making body that has not spoken to that issue. He thinks a position from the Board would help with that issue.

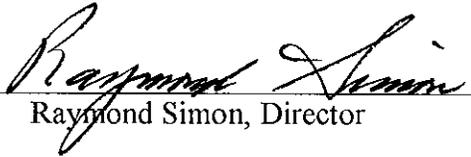
Mr. McLarty indicated that there was business that needs attention concerning the school bus liability insurance issue. He requested that this item be added to the meeting agenda. Mr. Fisher moved addition of the additional item to discuss school bus liability insurance. Mr. Thompson seconded the motion. The motion passed unanimously.

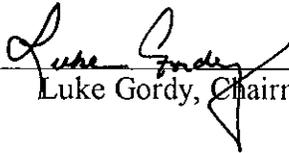
Mr. McLarty stated that Grace Insurance Company has raised an issue that needs attention. He reminded the Board that this coverage was approved under ACA §6-18-118

adopted in the last session of the Legislature. He reported that recently two children have been injured or killed either exiting or entering the bus. The way coverage is currently written, it applies to children who are on the school bus, but not if they are off the bus. This coverage should be expanded to include children exiting or entering the bus, perhaps a child would be covered if he/she were within a ten-foot perimeter around the bus. The carrier has requested clarification to make an adjustment in the premium to accommodate this concern. Since this is currently in law, an amendment would be necessary and would have to be adopted by the Legislature. He reiterated that the carrier is requesting this action. Mr. McLarty moved that the Board seek an amendment to the legislation that would cover children entering and exiting the bus and when they are within a ten-foot perimeter of the bus. Mr. Thompson seconded the motion. The motion was adopted unanimously. Mr. McLarty requested permission to report the Board's action to the carrier.

Mr. Hackler moved adjournment. Mr. McLarty seconded the motion. The motion passed unanimously.

Minutes recorded and reported by Dr. Charles D. Watson.


Raymond Simon, Director


Luke Gordy, Chairman