

Minutes
State Board of Education
February 12, 2001

The State Board of Education met on Monday, February 12, 2001, in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 12:45 p.m.

The following Board members were present: Luke Gordy, Chairman; Jo Nell Caldwell; Bill Fisher; Robert Hackler; Shelby Hillman; Betty Pickett; and Anita Yates.

Members absent: Claiborne Deming. Lewis Thompson, Jr. and Richard Smith attended the Board work session held earlier in the day, but were absent when the meeting was called to order.

Chair's Report

Mr. Gordy reported attending the Milken Awards Presentation Banquet on February 6. He expressed appreciation to the staff and Milken Foundation for the work done on behalf of recognizing outstanding Arkansas educators. Ms. Yates also reported attendance at the Milken event.

Ms. Pickett reported attending a NASBE Committee meeting in Washington, DC.

Consent Agenda

Mr. Gordy reported that Consent Agenda Item C-4, Review of Loan and Bond Applications, and C-5, Personnel Recommendations, were being moved to the Action Agenda.

Mr. Hackler moved adoption of the Consent Agenda as amended by removing items C-4 and C-5. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

- Minutes from January 8, 2001
- Newly Employed, Promotions and Separations
- Approval of K-8 Science Benchmarks

Director's Report

Mr. Simon reported that he attended the opening session for the annual national convocation for Teach for America teachers, which was held in Helena. He indicated that approximately 350 young teachers were in attendance and he was awed by the dedication and commitment of these teachers to their work. (Mr. Fisher noted that in previous years representatives from the Teach for America staff had been invited to attend a Board meeting and be recognized by the Board and perhaps this could be done again at a future meeting.)

Mr. Simon asked that Scott Smith be recognized to give a report of the status of the pending settlement of a long-term suit between the Department and AEA over salary issues. Mr. Smith recapped recent developments and settlement agreements reached by the parties. Mr. Smith indicated that the current agreement provides that the Department fund half of the proceeds needed to settle the suit and legislation has been approved that appropriates those funds. The funds will be paid from surplus reserve funds outside the Public School Fund. This settlement hinges on agreement of the 58 districts. Mr. Fisher inquired as to the amount of funding required to meet the Department's part of the settlement. Mr. Smith indicated approximately \$1.6 million. Mr. Fisher moved that the Board approve the terms of the settlement should the 58 districts agree. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Action Agenda

Mr. Fisher moved that an item be added to the Action Agenda to discuss recommendations for potential School Choice legislation. Ms. Yates seconded the motion. The motion was adopted unanimously.

Ms. Pickett moved that an item be added to the Action Agenda to discuss recommendations for possible revisions in the Fair Dismissal legislation. Mr. Fisher seconded the motion. The motion was adopted unanimously.

Review of Loans and Bonds Applications

Patricia Martin was recognized to provide additional information on this issue. Ms. Martin indicated that staff had reviewed all components of the applications and believes that they meet the rules and regulations. Further, the Department's Fiscal Distress Committee reviewed those requests and recommended approval. Ms. Pickett noted what appeared to be excessive personnel citations in the Forman School District application and indicated that through this review and approval process was the only way that the Board had of monitoring the accreditation status of schools. Ms. Pickett also observed that the information on citations was missing from the Little Rock application. Ms. Martin invited Betty Gale Davis to respond to that omission. Dr. Davis was not aware of this omission, but did indicate that staff had not completed its review of school accreditation status for this year. Dave Floyd (member of the Loans and Bonds Committee) stated that Little Rock does not report via the APSCN system and it takes longer to get information from those few districts that currently do not report through APSCN. In response to a question as to the amount of reserve kept in the revolving loan fund, Ms. Martin indicated that there was no policy that set a minimum balance in the fund.

Ms. Pickett moved approval of the Loans and Bonds proposals as recommended by staff. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Personnel Recommendations

Ms. Pickett inquired about the status of amending the personnel organizational chart for the Department to include the position to be filled by Tristan Greene. Mr. Simon distributed a revised organizational chart reflecting a new office – Special Assistant Statistics and Research (Attachment 1) directly linked to Central Administration. Ms. Pickett moved adoption of the revised organizational chart. Mr. Fisher seconded the motion. The motion was adopted unanimously. Ms. Pickett inquired as to where Mr. Greene would be housed. Mr. Simon indicated his office would remain at the Attorney General’s Office complex to enable his use of the professional library and other resources otherwise not readily available. Ms. Pickett moved adoption of the personnel recommendations. Ms. Yates seconded the motion. The motion was adopted unanimously.

Review of Conversion Charter School Applications

Mr. Randall Greenway was recognized to present this item. Mr. Greenway introduced representatives of the **Fayetteville School District**, Judy Rana, assistant superintendent, and Faye Jones, principal to respond to questions from the Board pursuant to the Fayetteville Charter School Application. Mr. Fisher inquired as to why a Charter School designation was necessary to accomplish the structure proposed for this site. Ms. Jones indicated that the school’s population is very mobile and includes a large percentage of high poverty students, which are currently not being served well. She stated that charter designation provides additional resources and allows flexibility in providing services. Ms. Pickett inquired as to the procedure to reduce class size. Ms. Jones indicated that additional staff would be hired. Ms. Pickett observed that the proposed 5% reduction in students performing below basic was a very low expectation and that all other schools were expected to produce at least a 10% reduction. Rana and Jones both indicated it was the intent to have high expectation, but did not know what was possible due the mobility of at least 40% of the student population during a school year. Mr. Fisher moved approval of the charter application with the condition that the achievement goal be revised to reduce by 10% the number of students below basic. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Mr. Greenway introduced Bruce Daniels, superintendent of the Blytheville School District and Dale Dobbs, assistance superintendent. In response to a question about how the proposed charter school would link to the current system, Mr. Daniels indicated the school would be an alternative school and would provide additional programming to students requiring alternative educational settings. He also noted the working relationship between this campus and the area vocational educational center where students would have the opportunity to complete courses at both campuses. Mr. Dobbs suggested that it was the design of the school to provide services for up to 125 students. Mr. Fisher inquired as to the nature of the instruction to be provided. Mr. Dobbs indicated that students would be required to meet basic core high school graduation requirements, but would also be provided a trade or skill. However, there is no current option for fine arts, which is the reason for the waiver in that area. In response to

questions about support services such as a media center, Mr. Dobbs indicated that it was the intent that the center would meet at least North Central Association guidelines, but the school would have to share media services with another school. Mr. Fisher moved approval of the application. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Ms. Pickett pointed out that the goal of this proposal was to increase student performance by 5% and requested that the school adopt a goal of a minimum of 10% expected growth. Mr. Daniels agreed to the higher expectation. Mr. Fisher and Ms. Hillman agreed to add this condition to the motion for approval of the Charter. The amended proposal was adopted unanimously.

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 noted cooperation from units within the agency on behalf of the districts and schools in Pulaski County in preparing and presenting professional development specifically for these districts. Dr. Smith deferred to Mr. Simon for a report on the progress of a settlement in this case. Mr. Simon reported that ADE staff and others working on this issue were progressing on recommendations in four major areas. Some of the deliberations involve only the Little Rock district while others are broader and impact the entire county. He indicated progress was being made in all areas and it was anticipated that a full report would be made at this meeting. However, that is not the case. He did express optimism that the report could be forthcoming in March. He assured the Board that there is an ongoing dialogue among the parties, but no agreement will be finalized before the Board has an opportunity to be aware of the conditions. He did indicate that the Little Rock district wants out of court, but there are issues related to funding that must be resolved before that will be possible. Specifically, Little Rock is concerned about the negative financial impact on the district when the desegregation funds are no longer available. Mr. Simon reported that Steve Ross and Doug Reeves have been working with the district and department over the past months to structure an acceptable draft of recommendations for a possible revised settlement plan.

Mr. Hackler moved acceptance of the report. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Review Probationary Licensure Status of Sheena Earl

Scott Smith was recognized to present this item. Mr. Smith reviewed the issues in the case including the fact that the Board had approved probationary status for Ms. Earl pending her getting a pardon for charges. Ms. Earl has received the pardon and now meets requirements for full licensure. Mr. Fisher moved that Ms. Earl be issued a full teaching license for areas in which she is qualified. Ms Hillman seconded the motion. The motion was adopted unanimously.

Review Probationary Licensure Status of Donald Wilson

Scott Smith was recognized to present this item. Mr. Smith reviewed the issues in the case and stated that Mr. Wilson had received notice that his record had been expunged. Mr. Smith indicated that under these conditions, Mr. Wilson can apply for a full license and will not be flagged by the background check. Mr. Fisher moved that Mr. Wilson be informed to reapply for licensure and let usual procedures apply. Ms. Yates seconded the motion. The motion was adopted unanimously.

Set the annual required joint meeting with Higher Education, Work Force Education and Career Opportunities, and the State Board of Education

Mr. Gordy reported to the Board that the next regular meeting date for the State Board of Education, March 12, 2001, is recommended for the joint meeting. He reported that the other two Boards have agreed on this date. The meeting will be held at the new Conference Center on the campus of the University of Central Arkansas in Conway. Dr. Watson will coordinate with staffs from the other agencies to set the agenda and make the arrangements.

School Choice Legislation

Mr. Fisher moved that the Board adopt revisions to the School Choice legislation referred to as Draft 2 (Attachment) and actively seek to get these revisions into the legislative process. His motion included the addition to Section B, Page 2, establishing an appeal option by students and their families when local school boards deny a requested transfer. Ms. Hillman seconded the motion. Mr. Simon reminded the Board that students that transfer into a district by choice do not generate personal property tax revenue in the new district, but they will have state aid that follows the student. Ms. Pickett moved to amend the motion by eliminating the entire Paragraph B, which would provide unrestricted choice for any student. The motion died for lack of a second. Ms. Matthews reminded the Board that staff will have to find a sponsor for the bill who will be willing to work it through the legislative process. The original motion passed – five for and one opposed. (Pickett voted no.)

Fair Dismissal Legislation

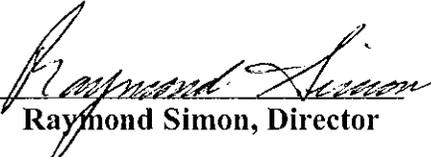
Mr. Fisher moved that the Board support the draft of revisions to the “fair dismissal” legislation submitted by the Arkansas School Boards Association (Attachment) with the following revision. In each section that includes the phrase “just and reasonable cause,” that clause be deleted. The motion implied support for the amended bill if the School Board’s Association sponsored it through the legislative process. Ms. Caldwell seconded the motion. Ms. Pickett stated she supported the Bill in its printed form before the deletion of “just and reasonable cause.” The motion passed – five for and one opposed. (Pickett voted no.)

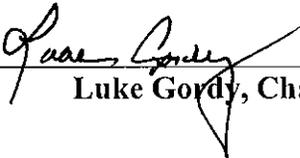
Spring Achievement Testing

Mr. Gordy stated that the issue of spring testing continues to be discussed even with the vote at the January meeting to continue with fall testing next year under the current contract. Ms. Yates stated that she continues to get calls from school administrators who believe spring testing is best for their school. Mr. Simon observed that the state results continue to show gains and we are just now being able to look at 3-year patterns and track student progress over time. He also indicated that 2001-2002 will be the last year for SAT-9. The new test will have many new features and will possibly have more hand-scored sections which require more time for scoring. A new contract will have to be awarded after this year. Mr. Hackler indicated that the total testing program of the Department should be reexamined as new contracts are developed.

Ms. Yates moved adjournment. Ms. Caldwell seconded the motion. The motion was adopted unanimously. The meeting adjourned at 2:15 p.m.

The minutes were recorded and reported by Dr. Charles D. Watson.


Raymond Simon, Director


Luke Gordy, Chairman