

**Minutes**  
**State Board of Education**  
**Monday, January 10, 2005**

The State Board of Education met on Monday, January 10, 2005, in the Auditorium of the State Education Building. JoNell Caldwell, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: JoNell Caldwell, Chairman; Dr. Jeanna Westmoreland, Vice-Chairman; Sherry Burrow; Shelby Hillman; Randy Lawson; MaryJane Rebick; Dianne Tatum; and Dr. Naccaman Williams.

The following Board member was absent: Dr. Calvin King.

Ms. Caldwell noted that High Profile in the *Arkansas Democrat/Gazette* featured Dr. Ken James on Sunday, January 9. She stated it was a very positive reflection of the leadership in the Department of Education.

Ms. Caldwell recognized Dr. James to present a report based on the recommendations from *A Management Appraisal of the Arkansas Department of Education*, which resulted from Act 64 of the Second Extraordinary Session of the 84<sup>th</sup> General Assembly.

Dr. James highlighted each of the recommendations and assigned a priority ranking to each. He noted that most have a priority ranking of "1", which underscores the importance of the report and the needs identified. Dr. James reemphasized that the focus of the work of the Department must be about teaching and learning for students.

Dr. Williams asked about next steps. Dr. James responded that he was working on recommendations for reorganization within the Department to better align for meeting the priorities established in the report and to meet the focus of teaching and learning, communication – both internal and external – and human resources. He projected completing that work at the end of January or early in February. Dr. James stated that a target was to maximize and focus resources, which will lead to more efficient operation with less attention to mundane tasks and more on teaching and learning. Dr. James also noted the interest of the legislature in seeing this work accomplished as soon as possible.

Ms. Rebick inquired about the need at some point to deal with those mundane tasks so that some required report or statute does not get overlooked. Dr. James responded that there would be ways for shifting the responsibility or securing assurances, rather than spending staff time working a checklist. He observed that resources can best be used when energies are focused on teaching and learning.

Ms. Caldwell commended Dr. James for his thoughtful presentation and stated that the Board will be anxious to see the recommendations. She stated that she was pleased to see the focus where it should be.

### **Consent Agenda**

Ms. Hillman moved approval of the Consent Agenda. Mr. Lawson seconded the motion.

Ms. Rebick inquired about the item that appears on every agenda asking the Board to approve actions related to the desegregation settlement. She specifically was interested to know if this action would be required indefinitely. Dr. James responded that this was a condition of the settlement and that Department oversight of monitoring will continue at this time.

The motion was adopted unanimously.

- Minutes – November 8, 2004
- Minutes – December 13, 2004 (teleconference)
- Commitment to Principles of Desegregation Settlement Agreement Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Approve Payment of Stipends and Expenses to Board Members

### **Action Agenda**

Transcripts of Action Agenda Items A – 1 through A – 9 were recorded by a court reporter. The complete text of those items is a separate attachment. The Minutes summarize actions taken.

#### **Review Regarding Open-Enrollment Charter School Application from Sci-Tech Development, Inc.**

Dr. Westmoreland moved that the application from Sci-Tech Development, Inc. be rejected. Ms. Tatum seconded the motion. The motion was adopted 5 yes – 2 no on a roll call vote. (Lawson and Williams voted no.)

Ms. Caldwell noted to the applicant that there were a number of positive components to the application, but enough questions were unanswered, which led to the Board's decision. She suggested that the applicant might consider working to improve the application in the areas questioned by staff and the Board and resubmit the next time a request for proposals is issued.

#### **Review Regarding Open-Enrollment Charter School Application from Arkansas Educational Options, Inc.**

Ms. Rebick moved that the application under consideration be rejected. Ms. Burrow seconded the motion. The motion was adopted unanimously on a roll-call vote.

**Review Regarding Open-Enrollment Charter School Application from Arkansas Schools for a Better Tomorrow, Inc.**

Mr. Lawson moved that the application under consideration be rejected. Ms. Tatum seconded the motion. The motion was adopted unanimously on a roll-call vote.

**Revocation of Teaching License: Margaret M. Hill**

Ms. Hillman moved permanent revocation of Margaret Hill's teaching license. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Revocation of a Teaching License: Patricia Gaddis**

Mr. Lawson moved permanent revocation of Patricia Gaddis' teaching license. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

**Revocation of Teaching License: Ron Chambers**

Consideration of this item was delayed until the February Board meeting.

**Suspension of Teaching License: Joan C. Stuard**

Ms. Hillman moved suspension of Joan Stuard's teaching license until such time as restitution of debt is settled; at that time she may petition the Board for reinstatement of the license. Ms. Tatum seconded the motion. The motion was adopted unanimously.

**Suspension of Teaching License: Twyla Nichols**

The need to consider this item was removed due to complete restitution of amount owed the Department.

**Petition for Voluntary Annexation of the Sulphur Rock School District to the Batesville School District**

Mr. Lawson moved the voluntary annexation be approved effective July 1, 2005. Dr. Williams seconded the motion. The motion was adopted unanimously.

Dr. James commended the districts for the exemplary actions taken to do the right thing for the students in each of these districts.

## **Consideration of Licensure Endorsement for Teaching Grades 5 and 6**

Dr. Angela Sewell was recognized to present this item. Dr. Sewell stated that this item was initially presented at the November 8, 2004, Board meeting. She reported that the recommendation would primarily impact individuals who hold or will hold the P-4 license and want to be able to teach in grades 5 and/or 6 in a K-6 organization.

Dr. Westmoreland asked if the recommendation would impact on those seeking the endorsement while still working to complete certification or those who already hold certification and are returning to get the endorsement. Dr. Sewell responded that it is her understanding that it would apply to either, at least until the requirements of the *No Child Left Behind* requirement for highly qualified teachers takes place. Dr. Westmoreland asked if the recommendation was for three courses or for a body of content that might be addressed in multiple ways or in one or two courses. Dr. Sewell responded that it would be left to the decision of the local university; but it would be three discrete courses at UALR. Dr. Williams inquired as to who made the determination as to the number of courses or number of hours. Dr. Sewell stated that it would be the local campus. Dr. Williams asked who would make the determination as to who met the content requirement, especially if the content can be completed in different ways on different campuses. Dr. Sewell indicated that it would be the Department of Education.

Donna Zornes, ADE coordinator, added that the Department would ask each institution to present its syllabus for the course(s) and that the Department would review the programs in view of the syllabi submitted. Dr. Sewell stated that it is envisioned that the program would be contained in at least three courses or 9 semester hours; however, it might be accomplished in fewer courses.

Ms. Caldwell expressed concern for that degree of flexibility and the potential problems that might occur with different requirements. Ms. Zornes stated that the plan could provide some flexibility to students. Dr. Sewell indicated that it was her understanding that many, if not most, campuses already have such courses approved and they can be submitted to the Department for review and approval.

Dr. James stated that he hopes that some agreement as to the number of courses or hours can be reached among the campuses. Otherwise, there is a disparity in requirement across the institutions. Ms. Zornes implied that there was/would be a cap of 9 hours. Ms. Caldwell asked if there was a minimum. Ms. Zornes responded that that issue has not been considered.

Ms. Rebick moved approval of the proposal. Mr. Lawson seconded the motion. The motion was adopted unanimously.

## **Arkansas Better Chance for School Success Program Update and Proposed Rule Changes for 2005-2006**

Tonya Russell was recognized to present this report. Ms. Russell summarized the information provided in the Agenda Book. She reported that Fulton County was the only area in the state in which pre school programs are not being provided.

She stated that the consideration of the proposed changes in the Rule would be for public comment. The proposed changes merely tweak issues that emerged during the past year of operation.

Ms. Caldwell asked when the process would be established for reviewing and approving future grants. Ms. Russell stated it would be brought to the Board for review and approval prior to funding new awards in June (05). Ms. Caldwell asked for clarification as to who would approve the procedures detailed in Section 4.04. Ms. Russell stated it would be the State Board of Education. Ms. Caldwell suggested that information along with a date be included in the rule. Ms. Caldwell also suggested a new section detailing corrective actions should be added to the Rule.

Ms Caldwell questioned the reported 81% enrollment. Ms. Russell responded that some projects were just beginning operation in January and that number would be increased. With the opening of the additional sites, the number of spaces not filled will be greatly reduced.

Ms. Hillman asked who does the developmental screening referred to on Page A11-16. Ms. Russell responded that all children are screened by the project staff or other trained observers and placement recommendations or referrals are made from the screenings.

Dr. Williams questioned the data that show 100% of the ABC staff have at least a CDA (Certified Daycare Assistant) certificate. Ms. Russell confirmed that was an accurate statement. Dr. Williams asked about the level of similar certification with Head Start workers. Ms. Russell estimated that 50% of the teachers are certified and she estimated that close to 100% of the others would have the CDA certification.

Ms. Burrow noted that some counties are not served by ABC. Ms. Russell indicated that was correct, but other public programs were in place in those counties such as Hippy or Head Start. Only Fulton County does not have some type of public pre-school program operational.

Dr. Westmoreland moved approval of the proposed Rule revisions for public comment. Dr. Williams seconded the motion. The motion was adopted unanimously.

**Request for Approval for Public Comment of the Arkansas Department of Education Proposed Rules Governing the Certification and Continuing Professional Development of Child Nutrition Directors, Managers, and Workers (Act 1220)**

Dr. Bobbie Davis and Wanda Shockey were recognized to present this item. Dr. Davis noted to the Board that these proposed rules were developed subsequent to previous discussion with the Board and in keeping with requirements of Act 1220. She noted that these Rules are one component of the total set of documents that will be forthcoming for this Act.

Ms. Rebick asked where the workers who hold these positions were housed in the school. Ms. Shockey responded that often one staff member acts in more than one role. Generally, she said, in larger districts managers tend to be housed at a central location and serve multiple sites, while in small schools, the manager also functions as a worker in food preparation and serving. Ms. Rebick also asked about background checks for these workers. Ms. Shockey responded that these staff have the same requirement as all classified staff. Dr. Davis affirmed that the background check process was in place and required.

Dr. Westmoreland moved approval for public comment. Ms. Hillman seconded the motion. The motion was adopted unanimously.

**Request Final Approval of Rule Governing Comprehensive Plan for Consistency and Rigor in Course Work (Act 1761)**

Dr. Gayle Potter was recognized to present this item. Dr. Potter stated these Rules were previously approved for public comment and public hearings were conducted with no comments received. Dr. Potter stated that there were no changes to the original document as presented.

Dr. Westmoreland moved final approval. Ms. Hillman seconded the motion. The motion was adopted unanimously.

**Request Final Approval of Revision to Rule Governing the Requirements and Procedures for Renewal of Standard Arkansas Teacher License**

Ron Tolson was recognized to present this item. Mr. Tolson reported that these Rules were approved for public comment in August followed by a public comment hearing on October 12.

Ms. Rebick questioned how these Rules would be applied to private school teachers; would private schools have to get substitute teachers to allow teachers time to earn the 60 hours of professional development. Mr. Tolson responded that the Rules apply to all teachers, that there is no different requirement for

teachers in private schools. He agreed that getting substitute teachers would be one way to meet the requirement.

Dr. Williams ask about the procedure for renewing a license for a teacher who is not currently in a classroom, but wants to maintain the license. Mr. Tolson indicated that they would have to meet one of the requirements. He continued that if the teacher's license is expired more than one year, a provisional license would be issued, and then the candidate would have to earn six (s) semester hours or complete the praxis II in the content if they have not previously taken that test.

Ms. Burrow asked for clarification of the professional development requirement. Mr. Tolson responded that each teacher must document at least 60 clock hours of professional development during the school year.

Dr. Westmoreland moved approval of the Rule as presented. Ms. Burrow seconded the motion. The motion was adopted unanimously.

### **Request Final Approval of Revision to Rule Governing the Standards for Accreditation of Arkansas Public Schools and School Districts**

Annette Barnes was recognized to present this item. Ms. Barnes reported that an additional revision to Section 12.1 is recommended based on public comment. She explained this change is suggested to address concern for conducting parent conferences when parents fail to attend.

Ms. Burrow inquired about the option for offering high school credit for courses taught below the 8<sup>th</sup> grade. Ms. Barnes noted such credit is offered to add flexibility to the curriculum in response to the implementation of the Smart Core Curriculum. Ms. Barnes added that any such arrangement must have prior approval. Dr. Westmoreland asked about the licensure requirement for teachers teaching credit courses below Grade 8. Ms. Barnes reported that the same licensure is required as any high school teacher who teaches the same course.

Dr. Westmoreland asked for clarification of required time for instruction when at specified grade levels students are required to receive instruction annually in a number of areas that seems greater than the number of class periods. Ms. Barnes responded that not all areas of instruction require a full year, some are for a semester, others may be complete in nine weeks. She also stated that all instruction should be linked to the curriculum framework.

Ms. Hillman asked if geography was required for a full year. She stated it was her opinion that geography skills were very important and recent reports suggest that students are not learning geography. Ms. Barnes responded that geography is included in the social studies curriculum framework and is included, but there is flexibility at the school level for how long it is taught each year.

Dr. Westmoreland asked how the Department documented the 20% of instructional time in science classes devoted to lab activities. Ms. Barnes stated this was observed as part of the accreditation team visit to the school.

Dr. Westmoreland asked for clarification as to the length of time a school was in probationary status when they were found not to be teaching the required courses. Ms. Barnes responded that the Board assigns probationary status in April or May of one school year and the school retains that status through the subsequent school year.

Mr. Lawson noted that research is strong that students involved in any extra-curricular activities are more successful in life, whether it is band, drama, athletics, etc. He stated that he has heard from districts around the state expressing frustration and confusion about how some districts are able to count participation in athletic/physical education classes towards physical education credit while some districts have been informed that athletic/physical education classes do not count for a physical education credit. Also, he observed that students who participate in extracurricular activities tend to be more successful in school and stay in school. Obviously it is important to promote all extra-curricular activities. Mr. Lawson inquired about how the ADE can clear up this confusion among districts throughout the state. Ms. Barnes responded that some schools have modified the athletics programs to follow the physical education framework. When those programs are approved, students can count athletics as physical education. Ms. Barnes continued that districts must submit a plan for meeting the physical education framework; approval is not automatic. Mr. Lawson noted that most athletic/physical education classes require more rigorous physical activity than physical education classes. He stated that he does not want students participating in athletic/physical education classes to miss opportunities to take AP, concurrent credit or some other quality academic course or elective because they must take a credit of physical education when that same student may have participated in four full years of athletic/physical education classes. Charity Smith added that when approval is given for athletics to count as physical education, the athletics program must demonstrate that all topics included in the physical education framework must be included. Mr. Lawson urged better ADE communication to all districts throughout the state about physical education frameworks so that all districts may be clear – and equally benefit all students – on how athletic/physical education courses may count toward the required physical education credit.

Ms. Hillman moved approval of the revised standards. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

**Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001**

Dr. Charity Smith was recognized to present this item. Dr. Smith stated that two of the proposed waivers are from Altheimer School District, which is in academic distress. Dr. Smith also noted that not all the data for the requests from North Little Rock was included on the summary. She provided an amended version of the report showing complete data. (Attachment)

Ms. Rebick asked about the total number of waivers for the North Little Rock District. Dr. Smith stated that the total was 18.

Ms. Rebick questioned the role of the regional service cooperatives in helping to supply qualified teachers. Dr. James explained that supplying of certified staff for teaching positions in the local schools was not one of the functions of the cooperatives. He stated that in some instances, the cooperative may have a lead that could identify an applicant, but they do not have a cadre of reserve teachers available to the districts.

Ms. Rebick expressed concern for the seemingly large number of waivers. Dr. James responded that the Department is aware of the looming shortage of teachers and the acute shortage in some content areas such as mathematics, science or special education. He observed that the number of waivers will continue to increase due to a lack of teachers in these high needs areas in the teacher preparation programs. Ms. Rebick stated that there should be a way to predict the teacher needs and find a way to channel students into those areas of study. She also asked about the possibility of distance learning as a resource for meeting the instructional needs. Jim Boardman reported that distance learning options are being considered and that the Department has begun dialogue with the Arkansas Educational Television Network (AETN) to address professional development needs. Mr. Boardman noted that there is interest among legislators to address teacher-training needs through distance learning.

Ms. Hillman questioned how many of the teachers listed on the waiver form were working toward full licensure. Dr. Smith stated that all are pursuing a plan that will lead to full licensure.

Dr. Westmoreland asked for clarification of the requirements for teachers working toward an area of additional licensure compared to those seeking alternative licensure. She highlighted one teacher who was working on both art and music and noted it would probably not be possible for deficiencies to be removed in both areas within the timeline allotted. Dr. Smith responded for that example, not all coursework would be completed within the two years. Clarifying questions were asked about the status of others on the proposed list.

Ms. Hillman moved approval of the waivers as presented. Ms. Tatum seconded the motion. The motion was adopted unanimously.

Ms. Tatum moved adjournment. Ms. Rebick seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 1:05 p.m.

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

  
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Director, Dr. Ken James

  
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Chair, JoNell Caldwell