

Minutes
State Board of Education
Monday, May 8, 2006

The State Board of Education met on Monday, May 8, 2006, in the Auditorium of the State Education Building. Dr. Jeanna Westmoreland, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Dr. Jeanna Westmoreland, Chairman; Diane Tatum, Vice-Chairman; Sherry Burrow; Shelby Hillman; Dr. Calvin King; Randy Lawson; Dr. Ben Mays; MaryJane Rebick and Dr. Naccaman Williams.

No Board members were absent.

Dr. James read a letter from Governor Mike Huckabee recognizing the service of Dr. Jeanna Westmoreland as a member of the State Board of Education and her service as chair of the Board this year. He also presented a Board resolution and plaque recognizing Dr. Westmoreland's service to the Board.

Consent Agenda

Randy Lawson requested a revision to the Minutes from April 13, 2006, that would remove two paragraphs and other discussion wording under the item, "Request for Final Approval of Proposed Revisions to the Arkansas Department of Education Rule Governing the Non-Traditional Licensure Program (NTLP)." Mr. Lawson so moved. Ms. Hillman seconded the motion. The motion to revise the Minutes was adopted unanimously.

Ms. Hillman moved approval of the Consent Agenda with the revision to the April 13, 2006, Minutes as adopted. Ms. Tatum seconded the motion. The motion was adopted unanimously.

- o Approval of Minutes – April 13, 2006 (as amended)
- o Newly Employed, Promotions and Separations
- o Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than (30) Consecutive Days, Act 1623 of 2001
- o Consideration of Waivers from Standards for Accreditation for Marmaduke School District as a Result of Damage by a Tornado in that Community on April 2, 2006

(A transcript of the deliberation of the following items was recorded by a Court Reporter and that transcript will be attached to the official minutes for the record.)

Request from the Bryant School District for Approval to Close an Isolated School: Paron High School

Following presentations by parties involved and a question and answer session by the Board, Ms. Rebick moved adoption of the Bryant School District request to close Paron High School effective July 1, 2006. Ms. Hillman seconded the motion. The motion was adopted 7 yes and 1 no on a roll-call vote. Dr. Mays voted no.

Request from Smackover School District for Approval to Close an Isolated School: Mount Holly Elementary School

Following presentations by parties involved and a question and answer session by the Board, Ms. Tatum moved approval of the Smackover School District request to close Mount Holly Elementary School. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Consideration of the Petition for Voluntary Annexation of the Lockesburg School District into the DeQueen School District

Following presentations by parties involved and a question and answer session by the Board, Ms. Hillman moved approval of the Voluntary Annexation of Lockesburg School District into the DeQueen School District. Mr. Lawson seconded the motion. The motion was adopted unanimously.

(End court Reporter transcript)

Request Approval of a Final Revision of the FY06 Public School Fund Budget

John Kunkel was recognized to present this item. Mr. Kunkel reported that a revision to the Public School Fund Budget was necessary due to expenditures that are formula driven or due to legislation enacted during the recent special session of the Arkansas General Assembly. Mr. Kunkel asked that an additional amount (\$115,000) be added to the line item "Consolidation Incentive." He noted that this additional amount is necessary to accommodate the consolidations under consideration.

Ms. Hillman moved approval of the revisions to the Public School Fund Budget as proposed and revised by Mr. Kunkel. Dr. Williams seconded the motion. The motion was adopted unanimously.

Identification of School Districts in Fiscal Distress

Dr. Bobbie Davis was recognized to present this item. Dr. Davis summarized the Department's process for review of local school district budgets. She noted that the major factor that suggests a school district's financial status is in jeopardy is a continuing declining balance: one that would lead a district to a zero balance if continued in a similar pattern for three years. Dr. Davis also stated that audit findings and other fiscal issues contribute to the overall fiscal assessment of local districts. She stated that this year the four districts that are listed in the materials have been notified of pending fiscal distress identification and that these districts have 30 days to provide additional evidence or appeal the findings. Dr. Davis informed the Board that at the June meeting, the Board will be presented either additional information or hear appeals from the districts documenting why the district should not be classified in fiscal distress. She noted that districts under review include: Cross County School District, Hughes School District, Omaha School District and Turrell School District.

Dr. Mays expressed concern that not all school districts may be reporting total athletics expenditures as outlined in Act 52, which would be cause for a school district to be classified as fiscal distress. Dr. Davis stated that she was not aware of any district that failed to meet the conditions of that legislation that would lead to fiscal distress designation. She also noted that Act 52 only requires reporting of state funds, not funds from other sources such as booster club or activity fund accounts.

Mr. Lawson moved to accept the report as presented. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Consideration of Proposed Performance Rating System and Report from Standard Setting Session

Dr. Charity Smith was recognized to present this item. Dr. Smith stated that this discussion is a continuation from her presentation in April. She summarized the procedure used by the Standard Setting Committee and outlined the options for Board consideration – to calculate performance using the median score or an average score.

Ms. Rebick asked if there was a recommendation from the Standard Setting Committee. Dr. Smith responded that the Committee worked with both values and did not express a preference.

Dr. Williams moved that the average statistic be adopted as the metric for calculating performance ratings for schools. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Approval of Science Performance Level Descriptors for the Grade 5 and Grade 7 Science Benchmark Examinations, Limited English Proficiency Alternate Science Portfolio (Grade 5 and Grade 7), and Special Education Alternate Science Portfolio (Grade 5 and Grade 7)

Dr. Gayle Potter was recognized to present this item. Dr. Potter stated that science assessment has been administered for the first time in the 2005-2006 school year and that descriptors of the performance levels must be determined. She noted that a committee of practitioners drafted the proposed descriptors and that the committee relied on national documents such as the National Assessment of Educational Progress (NAEP) to perform that work.

Ms. Rebick moved approval of the performance level descriptors as presented. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Request for Approval for Public Comment of Proposed Revisions to the Arkansas Department of Education Rule Governing Eye and Vision Screening Report in Arkansas Public Schools

Dee Cox was recognized to present this item. Ms. Cox stated that these are new Rules required by legislation and that the Department utilized a collaborative process to

establish the proposed document. She stated that public hearings would be held and comment requested from the public during the review process.

Mr. Lawson moved approval of the Rule for Public Comment. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Site Selection, Arkansas Governor's School 2007-2009

Ann Biggers was recognized to present this item. Ms. Biggers reported that requests for proposals and the Rules for selection previously adopted by the Board were distributed last November and that two (2) proposals were received: one from Hendrix College in Conway and one from Southern Arkansas University in Magnolia. She stated that a selection committee reviewed the written proposals and made site selection visits to each of the sites. She reported that the Committee unanimously recommended Hendrix College.

Dr. Williams inquired if any information would be provided to the schools pursuant to the Committee's review. Ms. Biggers stated that the "side-by-side" review that was provided to the Board had already been sent to the two applicants.

Ms. Hillman moved acceptance of the Hendrix College proposal for Governor's School site for 2007-2009. Mr. Lawson seconded the motion. The motion was adopted unanimously.

(A transcript of the deliberation of the following items was recorded by a Court Reporter and that transcript will be attached to the official minutes for the record.)

Consideration of Financial Status of Academics Plus Open-Enrollment Charter School in Maumelle

During the dialogue, Dean Elliott, Chairman of the Academics Plus Board of Directors, reported that funds have been raised that will assure the school can pay all its obligations, including payments to Department of Agriculture, and finish the fiscal year June 30, 2006, with a fund balance of approximately \$25,000.

Mr. Elliott also informed the Board that the Academics Plus Board of Directors has adopted a resolution stating that unless the school enrolls a minimum of 286 students on or before July 1, the school will surrender its Charter on July 1, 2006.

Mr. Lawson moved that Academics Plus be required to submit to the Department of Education a report on the enrollment status in keeping with their resolution and that report be provided to the Board at the first meeting scheduled after July 1 at which time the Board would determine what, if any, further action may be warranted. Dr. Williams seconded the motion. The motion was adopted on a 7 yes, 0 no, 1 abstain vote. (Rebick abstained)

Annual Review of HAAS Hall Academy Open-Enrollment Charter School

Dr. Martin Shoppmeyer reported that both the academic and fiscal status of HAAS Hall Academy have improved over the past year. Enrollment has increased and a benefactor has been identified who is willing to provide financial backing as well as assistance with fiscal management. John Scott, Vice President of Hanna's Candle Company located in Fayetteville affirmed his company's commitment to partner with HAAS Hall and to assist with management of the school.

Mr. Scott provided documentation noting outstanding debt of the school including back payments to Arkansas Teacher Retirement System and other government entities. He stated that the school with Hanna's Candles assistance would establish a plan that will assure debt replacement during the coming year.

No action was taken.

Upon inquiry by the Board Dr. Bobbie Davis stated that she was not aware of the debt reported by HAAS Hall and her office had not seen reports that were presented at the last minute. Mary Ann Brown also stated that the Charter School Office was not informed of the debt report that was presented.

The Board requested that Dr. Bobbie Davis follow up with HAAS Hall on financial matters and pursue any issues to her satisfaction and report any findings to the Board prior to any charter renewal process by HAAS Hall. The Board also emphasized the need for any documents that are requested for presentation to the Board must be provided to the Department at least two weeks prior to the scheduled meeting date.

Consideration of Renewal of FOCUS Academy Open-Enrollment Charter School

Dr. Bobbie Davis reported to the Board that fiscal reports and state audit reports from FOCUS Academy were just received and the Department staff has not had time to review the reports. She requested that no action be taken pursuant to this item.

Revocation of Licensure: Gayla Chalmers

Tripp Walter was recognized to present this item. Mr. Walter stated that attempts to contact Ms. Chalmers have been unsuccessful. Ms. Chalmers was not present nor was she represented at the meeting.

Ms. Burrow moved permanent revocation of teaching license for Gayla Chalmers. Ms. Tatum seconded the motion. The motion was adopted unanimously.

Other Business

Dr. James was asked for an update on the Helena/West Helena School District. He reported that Dr. Bobbie Davis and Beverly Williams have been working with staff and the School Board. He stated that the School Board has not been reinstated at this time, but Board members are participating in training provided by the Arkansas School Board's Association. Dr. James stated that the Department is asking the interim

superintendent to stay on for the 2006-2007 school year and indications are positive that he will accept that responsibility. He also noted that there is a Grand Jury investigation pending that involves that district and he is waiting on the report to determine the next steps.

Dr. James suggested that a meeting in July appears necessary and that the Liaison will be contacting members to determine the best date.

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

The meeting adjourned at 2:15 p.m.

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