

Minutes
State Board of Education Meeting
Monday, November 8, 2010

The State Board of Education met Monday, November 8, 2010, in the auditorium of the Department of Education building. Dr. Naccaman Williams, Chairman, called the meeting to order at 8 a.m.

Present: Dr. Naccaman Williams, Chairman; Dr. Ben Mays, Vice-Chairman; Sherry Burrow; Jim Cooper; Brenda Gullett; Sam Ledbetter; Alice Mahony; Vicki Saviers; Dr. Tom Kimbrell, Commissioner; and Vandy Nash, Arkansas Teacher of the Year

Ms. Toyce Newton participated via conference call.

Absent: None

Reports

Chair's Report:

Chairman Williams announced the Coordinated School Health report would be postponed until the December meeting, and Report 4 would be moved to later in the agenda.

Commissioner's Report:

There was no report from the Commissioner.

Consent Agenda

Ms. Mahony noted the number of waivers requested for teachers teaching out of area—over 200 in November and 500 in October. She expressed concern for the challenges school leaders faced in obtaining teachers.

Mr. Cooper moved approval of the Consent Agenda, seconded by Ms. Gullett. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the October 11, 2010, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers to School Districts for Teachers Teaching Out of Area for Longer than 30 Days
- Progress Report on the Status of Districts Classified in Fiscal Distress—

Armored, Forrest City, Helena-West Helena, Mansfield, McGehee, Osceola and Yellville-Summit

Action Agenda

(Complete records of the hearings are available in the State Board office.)

Consideration of Report on the Status of the Arkansas Public Charter Schools Program

Charter School Coordinator Dr. Mary Ann Duncan presented a report on the status of public charter schools in the state. The report included school profiles, financial reports and test results for the open enrollment charter schools. School profiles and test scores for 2009-2010 were included for district conversion public charter schools. Also included was the current demographic enrollment data for each of the charter schools.

Mr. Cooper moved, seconded by Ms. Gullett, acceptance of the report and approval for submission to the General Assembly. The motion carried unanimously.

Hearing of Open Enrollment Charter Application Appeal and ADE Review: Miller-McCoy Academy for Mathematics and Business, Forrest City, Arkansas

Dr. Duncan introduced an open enrollment charter school application from the Miller-McCoy Academy for Mathematics and Business to be located in Forrest City.

Dr. Jerry Woods, Superintendent in the Forrest City School District, spoke in opposition to the application. Dr. Woods stated his district was in fiscal distress and feared the loss of funding that would occur if students left to attend the proposed charter school. He said the district was providing services to prepare students for college and careers and noted its own conversion charter school.

Keith Sanders and Dr. Tiffany Hardwick with the Miller McCoy Network discussed the proposal for serving Grades 5-12 with a maximum enrollment of 400 students.

Ms. Mahony moved, seconded by Ms. Newton, to deny the application for the Miller-McCoy Academy for Mathematics and Business. The motion carried unanimously.

Hearing of Open Enrollment Charter Application Appeal and ADE Review: Gillett Heritage Academy, Gillett, Arkansas

Dr. Duncan presented an open enrollment charter school application from the Gillett Heritage Academy to be located within the DeWitt School District.

DeWitt School District Superintendent Gary Wayman and Betty Brewer with the Dumas School District spoke against the proposed charter school.

Jennifer Menard with Gillett Civic Group and George Tanner, Director of Entrepreneur Education at the Northwest Arkansas Community College in Bentonville, explained options the proposed charter school would offer students. The school was projected to serve a maximum of 450 students in Grades K-12.

Board members expressed concern regarding the ability of the school to offer the 38 required units with a small enrollment.

Ms. Burrow moved, seconded by Dr. Mays, to deny the application of the Gillett Heritage Academy. The motion carried unanimously.

Hearing of Open Enrollment Charter Application Appeal and ADE Review: SIATech, Little Rock, Arkansas

Dr. Duncan presented an open enrollment charter school application from the SIATech to be located within the Little Rock School District.

Chris Heller, attorney for the Little Rock School District, spoke in support of the proposed charter on behalf of the district. He said the proposed school's targeted population would benefit from the nontraditional approach.

Board members had concerns with the plan that allows students to enter and exit the program at any time of the year. Their questions included how the school would teach the 38 required units and how students would take state-mandated tests given only one time per year.

Representatives of the sponsoring entity, New Education for the Workplace (NEWCorp), said the proposed charter would serve a maximum enrollment of 275 former high school dropouts in Grades 9-12. The school would be located at the Little Rock Job Corps Center.

Ms. Gullett moved, seconded by Ms. Newton, to deny the application of the SIATech. The motion failed five (5) to three (3) in a roll call vote.

Cooper—No
Burrow—No
Gullett—Yes
Ledbetter—No
Mahony—Yes
Mays—No

Newton—Yes
Saviers—No

Mr. Ledbetter moved, seconded by Ms. Saviers, to table the application to allow ADE time to provide SIATech technical assistance to try to resolve the issues. The motion carried unanimously.

Hearing of Open Enrollment Charter Application Appeal and ADE Review: Pine Bluff Lighthouse Charter, Pine Bluff, Arkansas

Dr. Duncan presented an open enrollment charter school application from the Pine Bluff Lighthouse Charter School to be located within the Pine Bluff School District.

Frank Anthony, Pine Bluff School District Superintendent, warned the approval of the proposed charter and the potential loss of students could cause his district to be placed in fiscal distress. He said the failure of the Pine Bluff district could result in the consolidation of the four school districts in Jefferson County.

Dr. Phillis Nichols Anderson, Lighthouse Academies Vice President, said the proposed charter school would serve a maximum of 650 students in Grades 7-12. She said the school will feature a 190-day school year, eight hour school days and a curriculum focus on the arts.

Ms. Saviers moved, seconded by Ms. Burrows, to approve the application of the Pine Bluff Lighthouse Charter. The motion carried unanimously.

Hearing of Open Enrollment Charter Application Appeal and ADE Review: e-Blast Academy, McNeil, Arkansas

Dr. Duncan presented an open enrollment charter school application from the e-Blast Academy Charter School to be located within the Stephens School District.

Representing the Stephens School District, Gene Bramblett spoke in opposition saying there was no significant difference between the proposed charter and what Stephens offered students.

Allen Roberts, attorney for the Camden Fairview School District, said the proposed charter school would adversely impact the desegregation efforts of area schools.

Representatives of the South Arkansas Foundation on Education (S.A.F.E.) said the proposed charter school would be located within the Stephens School District and serve Grades K-8 with a maximum enrollment of 300 students.

Board members expressed concern that the proposed charter would not offer services that are not currently available at local schools.

Ms. Mahony moved, seconded by Mr. Cooper, to deny the application of the e-Blast Academy. The motion carried unanimously.

Ms. Newton ended her participation in the meeting after the vote.

Consideration for Final Approval: Rules Governing Supplemental Education Service Providers

Dr. Laura Bednar, Assistant Commissioner of Learning Services, said federal law requires the Department's approval of external providers for supplemental educational services to schools and the proposed Rules were an updated version of the Department's existing withdrawal standards.

Mr. Ledbetter moved, seconded by Ms. Gullett, final approval of Rules Governing Supplemental Education Service Providers. The motion carried unanimously.

Consideration for Final Approval: Rules Governing Federal Program Complaint Resolution

Dr. Bednar said the proposed Rules were an updated and streamlined version of the Department's existing procedures for resolving complaints.

Mr. Cooper moved, seconded by Dr. Mays, final approval of Rules Governing Federal Program Complaint Resolution. The motion carried unanimously.

Consideration for Final Approval: Repeal of Rules Governing School District Audits Not Conducted by Legislative Audit

Bill Goff, Assistant Commissioner of Finance, said the Rule was not consistent with current law and would be replaced with the proposed new Rule Governing Publicly Funded Educational Institution Audit Requirements.

Mr. Ledbetter moved, seconded by Ms. Saviers, final approval to repeal Rules Governing School District Audits Not Conducted by Legislative Audit. The motion carried unanimously.

Consideration for Final Approval: Repeal of Rules Governing Audit Requirements for School Districts

Mr. Goff said this Rule would be replaced with the new Rule Governing Publicly Funded Educational Institution Audit Requirements.

Mr. Cooper moved, seconded by Mr. Ledbetter, final approval to repeal Rules Governing Audit Requirements for School Districts. The motion carried unanimously.

Consideration for Final Approval: Rules Governing Publicly Funded Educational Institution Audit Requirements

Mr. Goff explained the Rule was to establish the requirements for the completion, filing and review of financial audits for all publicly funded educational institutions including school districts, open enrollment charter schools and education service cooperatives.

Mr. Ledbetter moved, seconded by Ms. Burrow, final approval of Rules Governing Publicly Funded Educational Institution Audit Requirements. The motion carried unanimously.

Consideration for Public Comment: Repeal of Rules Governing Limited English Proficiency

Mr. Goff explained that limited English proficiency funding was no longer in law and recommended repeal of the Rule.

Mr. Cooper moved, seconded by Dr. Mays, approval for public comment the repeal of Rules Governing Limited English Proficiency Funding. The motion carried unanimously.

Consideration for Final Approval: Rules Governing the Arkansas College and Career Readiness Program

In response to public comment, the Rules Governing the Arkansas College and Career Readiness Program were amended and presented for final approval.

Ms. Burrow moved, seconded by Ms. Mahony, final approval of Rules Governing the Arkansas College and Career Readiness Program. The motion carried unanimously.

Consideration for Final Approval: Rules Governing Initial and Standard/Professional Administrator and Administrator-Arkansas Correctional School License

Beverly Williams, Assistant Commissioner of Human Resources, explained a public hearing was held October 27, 2010, on the proposed Rules and the comments were taken into consideration during revision.

Mr. Cooper moved, seconded by Ms. Saviers, final approval of Rules Governing Initial and Standard/Professional Administrator and Administrator-Arkansas Correctional School License. The motion carried unanimously.

Consideration of Recommendation to Replace Praxis Test and Approve Cut Score in Social Studies to be Effective September 1, 2011

Ms. Williams presented a recommendation from the Professional Licensure Standards Board to discontinue social studies test #0081 Content Knowledge and #0082 Analytic Essays at the end of the 2010-2011 testing year. The two tests will be replaced with social studies test #0086 Social Studies Content and Interpretation with a cut score of 153.

Ms. Saviers moved, seconded by Ms. Burrows, to replace social studies tests #0081 and #0082 with #0086 Social Studies Content and Interpretation with a cut score of 153 effective September 1, 2011. The motion carried.

Review of High School Rating System to Comply with Act 35 of 2003

As required by Act 35, Dr. Charity Smith, Assistant Commissioner of Accountability, provided a progress report of the high school rating system. The report will be presented for approval at the December 13 meeting.

Adjournment

The meeting adjourned at 2:45 p.m.

These minutes were recorded by Phyllis Stewart.