

Minutes
State Board of Education Meeting
Monday, July 11, 2011

The State Board of Education met Monday, July 11, 2011, in the auditorium of the Department of Education building. Dr. Ben Mays, Chairman, called the meeting to order at 9 a.m.

Present: Dr. Ben Mays, Chairman; Joe Black; Brenda Gullett; Sam Ledbetter; Alice Mahony; Toyce Newton; Mireya Reith; Vicki Saviers; Dr. Tom Kimbrell, Commissioner; and Kathy Powers, Arkansas Teacher of the Year

Absent: Jim Cooper, Vice Chair

Reports

Chair's Report:

Dr. Mays expressed appreciation to his fellow Board members for the confidence shown in electing him Chairman of the Board. He introduced new Board members Joe Black of Newport and Mireya Reith of Fayetteville. Dr. Mays also welcomed Kathy Powers as the 2011 Teacher of the Year.

Ms. Gullett and Ms. Mahony reported having attended the NASBE Conference on Common Core State Standards where discussion focused eliminating the Carnegie unit and seat time and professional development for teachers and leaders.

Commissioner's Report:

Commissioner Kimbrell reported Department of Education staff working in the Helena-West Helena School District since the state's takeover found no employee contracts for the upcoming school year, no class schedules for high school students and several cases of students not on track for graduation.

Dr. Kimbrell said the Helena-West Helena District contracted with the Great Rivers Educational Cooperative to provide operational guidance and management. Cooperative Director Suzanne McCommon will serve as the district's chief executive officer. Ulicious Reed, former superintendent of the Marvell School District, will assist Ms. McCommon as chief operations officer.

Ms. Newton expressed grave concern that a school district would damage the potential of young people as it relates to vocation and the ability to earn money.

In an update on the Pulaski County Special School District (PCSSD), Dr. Kimbrell said Dr. Jerry Guess resigned as superintendent of the Camden Fairview School District to lead the PCSSD. He announced Bobby Lester, former PCSSD superintendent, would stay on temporarily to assist Dr. Guess. Dr. Kimbrell said he would pursue plans to appoint a

three to five member panel to serve as advisors for Dr. Guess.

To identify and correct as many problems as possible, the Commissioner said Legislative Audit would conduct financial audits in both districts. Additionally, the forensic division of Legislative Audit will conduct further review of PCSSD.

Dr. Kimbrell said he was confident both districts would start school on time with appropriate services for students.

Informational Update on Common Core State Standards and PARCC

In an update on Common Core State Standards, Dr. Laura Bednar, Assistant Commissioner of Learning Services, said the Department's focus was on providing quality professional development for teachers as the state moves forward with implementing the new learning standards. She said the educational cooperatives would play a major role in the delivery of the professional development. School districts will have a leadership team, and individual schools will have leadership teams. Those teams will be trained and then will deliver the skills and knowledge to their colleagues at the district and school levels.

Dr. Bednar emphasized the need for clear, consistent communication internally and externally. She said the state's guiding coalition, formerly referred to as task force, would serve as key communicators in delivering the Common Core Standards updates and messages consistently to the groups they represent statewide.

Dr. Bednar reported the Department had been awarded two grants—\$250,000 from Winthrop Rockefeller Foundation and \$600,000 from the Walton Family Foundation—to assist with statewide communication resources and quality professional development for teachers and leaders.

She also announced Dr. Gayle Potter had been selected to chair PARCC's ad hoc K-2 working group. Dr. Potter's involvement with this group is of great benefit to the state and is indicative of the respect others around the country have for her.

Assessing Performance at Grades 1-2

Dr. Gayle Potter, Director of Assessment, reported that Arkansas was one of a few states that requires first and second grade students to take nationally standardized exams. She said Arizona tests second graders using a test that compares their performance to a national sample. Wyoming tests students in kindergarten through second grade. Other states administer their own tests measuring the mastery of state selected skills.

Commissioner Kimbell said current rules require Arkansas first and second grade students to take either the national norm-reference test or a state criterion-reference test, which would measure the mastery of state identified skills.

Dr. Kimbrell said to switch from the nationally standardized exam to a state test would require altering the state's existing contract with the testing company. He said developing a new state test could take two years and could be more expensive than the current test.

Dr. Potter said PARCC was working to develop appropriate tests to accompany the new Common Core Standards. Dr. Potter stated that she chairs the working group that is considering ways to test kindergarten through second grade in ways appropriate for young children.

Ms. Gullett commented that testing the state's first and second grade students had not been a problem in the past.

Ms. Mahony requested the Department to look into another test for grades 1 and 2.

Dr. Kimbrell said they would and bring back the findings.

Consent Agenda

Ms. Mahony moved, seconded by Ms. Saviers, approval of the Consent Agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the June 13, 2011, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Sanction for Teachers as Recommended by the Professional Licensure Standards Board
 - Clark William Watkins

Action Agenda

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

Review of Year Two Accredited-Probationary Status of Armorel School District for Failure to Meet the Standards for Accreditation for the 2010-2011 School Year

The Armorel School District was identified as Accredited-Probationary (Year Two) in May of 2011. The district failed to meet the requirements of the Standards for Accreditation as they apply to Counselor/Student ratios for the 2010-2011 school year.

Superintendent Bruce Young said the district had corrected the violation by hiring a counselor for the 2011-12 school year.

The Department recommended a follow-up review of the district in September and a report of the findings in October.

Mr. Ledbetter moved, seconded by Ms. Gullett, to accept the Department's recommendation regarding the Armored School District. The motion carried unanimously.

Review of Year Two Accredited-Probationary Status of Cutter Morning Star High School for Failure to Meet the Standards for Accreditation for the 2010-2011 School Year

Cutter-Morning Star High School was identified as Accredited-Probationary (Year Two) in May of 2011. The school failed to obtain a waiver for a teacher to teach out-of-area for the 2009-10 and 2010-11 school year. The school also had a teacher teaching with an expired license during the 2010-11 school year.

High School Principal Mike Hickey said both situations had been corrected. One staff member complied by completing required paperwork. He said the other one was no longer employed by the school district.

The Department recommended a follow-up review of the high school in September and a report of the findings in October.

Ms. Mahony moved, seconded by Ms. Saviers, to accept the Department's recommendation regarding the Cutter-Morning Star High School. The motion carried unanimously.

Appeal of Accredited-Probationary Status of Mayflower Middle School for Failure to Meet the Standards for Accreditation for the 2010-2011 School Year

Mayflower Middle School was identified as Accredited-Probationary in May of 2011. Mayflower Middle School failed to obtain a waiver for a teacher to teach out-of-area during the 2010-2011 school year.

The District wrote a letter appealing the accredited-probationary status but failed to appear for the appeal hearing.

Ms. Mahony moved, seconded by Ms. Gullett, approval of the accredited-probationary status of the Mayflower Middle School. The motion carried unanimously.

Review of 2010-2011 Concurrent Credit

Section 5.0 of the Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade created a concurrent credit pilot project for the 2010-2011 school year. Section 5.04 of the rule requires the Arkansas Department of Education and the Arkansas Department of Higher Education to review the pilot project and present their findings to the

Arkansas State Board of Education in July 2011.

Higher Education Interim Director Shane Broadway, Southern Arkansas University Tech Vice Chancellor and Bearden School District Superintendent Denny Rozenberg reported the success of the pilot project.

Bearden seniors were allowed to take courses at the college's campus in Camden and earn a full high school credit for one college semester. Most of the students were required to take a remedial college-level or career course. The school district provided transportation and paid the cost of tuition, fees and books amounting to approximately \$45,000. It was reported that half of the senior class would enroll at a community college this fall.

Mr. Broadway said he would ask the Board to extend the pilot at their August meeting.

Hearing on Waiver Request for Certified Teacher's License—Charlotte Brown

Katherine Donovan, PLSB staff attorney, presented a request from Charlotte Brown for a waiver of her 2005 conviction for theft of public benefits.

Ms. Brown told the Board she had a Bachelor's and a Master's degree in education but had never applied for a teaching license. She indicated a desire to enter the alternative licensure program and wanted to be sure she would be eligible for licensure upon completion.

The Board advised Ms. Brown because of the degrees she held she did not need to complete the alternative licensure program.

No action was taken on Ms. Brown's request. Ms. Donovan was advised to look at requests carefully before bringing to the Board.

Hearing on Waiver Request for Certified Teacher's License—Virgil Brown

Ms. Donovan presented a request from Virgil Brown for a waiver of his 1998 conviction for possession of a controlled substance.

Mr. Brown told the Board his record had been expunged and wanted to be sure he would be eligible for a teaching license upon completion of the MAT program at UALR.

Dr. Mays commented that Mr. Brown's situation was unusual since the Board usually hears requests for waivers upon a candidate's completion of a required course of study and is ready to be licensed. He said the request puts the Board in a pre-approval position.

Board members suggested the Department encourage schools to use available resources for checking an applicant's background.

Mr. Ledbetter moved, seconded by Ms. Mahony, to grant the waiver contingent upon completion of the MAT program and a two-year probationary period with no other disqualifying offenses or ethics violations. The motion carried

Hearing on Waiver Request for Certified Teacher's License—Karen Green

Ms. Donovan presented a request from Karen B. Green, a licensed educator from Florida, who was seeking an Arkansas license by reciprocity. Ms. Green has a felony drug possession conviction from 2000, a disqualifying offense under Ark. Code Ann. § 6-17-410, unless the Board granted her a waiver.

Ms. Newton moved, seconded by Ms. Saviers, to grant the request for waiver and impose the two-year probationary period with no other disqualifying offenses or ethics violations. The motion carried unanimously.

Hearing on PLSB Case#10-005 A—Alice McConnell; Case #10-005 B—Ruthann Nunnally and Case #T-10-001—Ruthann Nunnally

This item was pulled from the agenda at the request of defendants.

Consideration of Final Approval: Amended Rules Governing Athletic Expenditures by Public Schools

Staff Attorney Mark White said the primary objective of the proposed amendments is to provide a more reasonable allocation method for school districts to use in recording the cost of property insurance, utilities, and other facilities costs that pertain to athletics. Mr. White said a public hearing was held June 20, 2011, with no oral comments received. Written public comments were received and considered. The Department requested final approval.

Ms. Saviers moved, seconded by Ms. Gullett, final approval of the Amended Rules Governing Athletic Expenditures by Public Schools. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules and Regulations Governing Mobile Phone Usage by School Bus Drivers

Mr. White said the State Board adopted these rules in 2001, before the Legislature created the Commission on Public School Academic Facilities and Transportation. Since that time, the rules have been superseded by legislation and by rules adopted by the Commission. Because the rules have been superseded, the Department requested approval and release for public comment the proposed repeal of the rules.

Ms. Gullett moved, seconded by Ms. Newton, approval for public comment Repeal of Current Arkansas Department of Education Rules and Regulations Governing Mobile Phone Usage by School Bus Drivers. The motion carried unanimously.

Consideration of Emergency Adoption: Revisions to Arkansas Department of Education Rules Governing College and Career Readiness Planning Program

In presenting this item, Mr. White said Act 879 of 2011 made significant changes to the postsecondary preparatory programs administered by the Department of Education. The Act had an emergency clause making it effective March 31, 2011. Because of the emergency clause, the Department requested emergency adoption of the rule revisions implementing Act 879.

Ms. Gullett moved, seconded by Ms. Newton, emergency adoption of the Rule. The motion carried unanimously.

Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing College and Career Readiness Planning Program

As reported by Mr. White, Act 879 of 2011 made significant changes to the postsecondary preparatory programs administered by the Department of Education. The Department requested approval and release for public comment the proposed rule revisions.

Mr. Ledbetter moved, seconded by Ms. Gullett, approval to release the rule for public comment. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Governing College Preparatory Enrichment Program

Mr. White said Act 879 of 2011 repealed the statutes authorizing the Department to operate the College Preparatory Enrichment Program in its present form. For this reason, the Board was requested to approve and release for public comment the proposed repeal of the rules.

Ms. Saviers moved, seconded by Ms. Mahony, approval to release the repeal of the rules for public comment. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Identifying and Governing Self-Construction Projects by Public Education Entities

Mr. White reported the State Board adopted the rules in 2001, before the Legislature created the Commission on Public School Academic Facilities and Transportation. Since that time, these rules have been superseded by rules adopted by the Commission. Because the rules have been superseded, the Board was requested to approve and release for public comment the proposed repeal of these rules.

Ms. Gullett moved, seconded by Ms. Saviers, approval to release for public comment the repeal of these rules. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules Governing Waivers of Minimum Salaries for Certified Personnel

In presenting this item, Mr. White said the law on which these Rules were based, Ark. Code Ann. § 6-17-1001, was repealed by the Legislature in Act 74 of the 2nd Extraordinary Session of 2003. Because the underlying statute has been repealed, the Board was requested to approve and release for public comment the proposed repeal of these rules.

Ms. Newton moved, seconded by Ms. Reith, approval to release for public comment the repeal of these rules. The motion carried unanimously.

Consideration of Recommendation for Praxis Test and Cut Score in Latin Effective September 1, 2011

Dr. Karen Cushman, Assistant Commissioner for Human Resources and Licensure, said the Professional Licensure Standards Board recommended the cut score for the Praxis Latin Exam (0600) be changed to 670 effective September 1, 2011.

Ms. Mahony moved, seconded by Ms. Newton, approval of the new cut score for the Latin Praxis exam. The motion carried unanimously.

Adjournment

The meeting adjourned at 1:44 p.m.

These minutes were recorded by Phyllis Stewart.



Dr. Tom W. Kimbrell, Commissioner



~~Dr. Ben Mays, Chair~~
Jim COOPER, Vice CHAIR