

**ARKANSAS STATE BOARD OF EDUCATION**  
**September 14, 1998**

*Auditorium*  
*Arch Ford Building*  
*Little Rock, AR*  
*11:30 a.m.*

Chair's Report --- Ms. Betty Pickett

***CONSENT AGENDA***

1. Minutes (August 10, 1998)
2. Newly Employed, Promotions and Separations --- Ms. Clemetta Hood  
.....C-2
3. Final Approval of Waiver Request: Establishment of a Supplemental  
Support Program within the School Day, Stuttgart School District ---  
Dr. Kevin Penix ... C-3
4. Arkansas Better Chance Program Recommendation --- Ms. Kathy  
Stegall .....C-4
5. Recommendation of Curriculum & Instruction --- Dr. Gayle Potter  
.....C-5
6. Personnel Recommendations--- Ms. Clemetta Hood.....C-6

Director's Report --- Mr. Ray Simon

***ACTION AGENDA***

1. Request for Waiver on Denial of Application for a Teaching  
Certificate ---Ms. Theresa Wallent.....A-1
2. Teacher Licensure Advisory Committee Report Assessment Option  
Recommendations---Ms. Donna Elliott.....A-2

3. Report From Professional Development Committee --- Dr. Gayle Potter .....A-3
4. Approval of Rules and Regulations Governing the Distribution of Alternative Learning Program Grants for Fiscal Year 1999. --- Dr. Kevin Penix and Mr. Richard McDowell .....A-4
5. Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan --- Dr. Charity Smith.....A-5
6. Discussion: ADE Policy on District's Needing to Report Employees Found Guilty of Wrong Doing --- Ms. Theresa Wallent .....A-6
7. Discussion: Lakeview Case --- Mr. Tim Gauger .....A-7
8. Report: Study Circles---Mr. Dan Farley.....A-8
9. Initial Discussion: Repeal of Rules and Regulations To Implement the Appropriation for the Students At-Risk, K-3 Funding --- Mr. Ray Simon.....A-9

ARKANSAS STATE BOARD OF EDUCATION  
September 14, 1998

**WORKING SESSION**

Room 201A  
Arch Ford Building  
Little Rock, AR  
8:00 a.m.

**TOPICS FOR DISCUSSION**

State Board of Education

- A. Mission Statement
- B. Goals

Professional Development

Department Reorganization

Status Report

- A. School Finance Study
- B. Transportation Funding Commission

Legislative Review

# State Board of Education

Minutes  
September 14, 1998

The State Board of Education met in the Department of Education Board Room on Monday, September 14, 1998. The meeting was called to order by Betty Pickett, Chair at 11:30 a.m.

The following members were present: Betty Pickett, Chair; JoNell Caldwell, Vice Chair; Edwin Alderson; Martha Dixon; Luke Gordy; James McLarty; Richard Smith; Lewis Thompson, Jr.; and Anita Yates.

Members absent: Carl Baggett, William Fisher, and Robert Hackler.

Ms. Pickett recognized Edwin Alderson to propose resolutions from the Board's work session conducted earlier in the day (September 14, 1998).

Mr. Alderson presented the following revision to the Board's Mission Statement and moved its adoption. "Be it resolved that the State Board of Education adopt the following revised Mission Statement." The mission of the Arkansas State Board of Education is to provide students with the opportunity to learn; to create the expectation that students will achieve at a high level; and to provide well prepared teachers and proper learning environment.

Mr. McLarty seconded to motion to adopt the resolution. The motion passed unanimously.

Mr. Alderson moved the adoption of the following resolution. "Be it resolved that the UALR Report, having been substantially implemented, where appropriate, be removed from the official Goals of the Board, but continue to be a guiding force and reference tool for the Department which shall report on its implementation at least on an annual basis." Mr. Smith seconded the motion. The motion passed unanimously.

Ms. Pickett appointed a committee to actively work on a legislative agenda. Members of the committee are Anita Yates, Chair; Edwin Alderson; Martha Dixon; and Luke Gordy. Ms. Yates moved the adoption of the charge given to the Committee during the work session. Mr. Alderson seconded the motion. The motion passed unanimously. (Attachment #1 – Charge to Committee)

## CONSENT AGENDA

Mr. McLarty noted on Page 4 of the August Minutes that he was listed as seconding the motion to accept the report from the item "Commitment to Principles of Desegregation Settlement Agreement..." which was in error and should be removed. Mr. Alderson

moved that the minutes be amended to read, “the motion was duly seconded,” and with the stated correction, the August Minutes and the remainder of the Consent Agenda be approved. Mr. Gordy seconded the motion. The motion passed unanimously.

- Minutes (August 10, 1998)
- Newly Employed, Promotions and Separations
- Final Approval of Waiver Request: Establishment of a Supplemental Support Program within the School Day, Stuttgart School District
- Arkansas Better Chance Program Recommendations
- Recommendation of Curriculum and Instruction
- Personnel Recommendations

### ACTION AGENDA

Ms. Pickett announced the postponement of Action Agenda Item #8, Report: Study Circles, due to the illness of Mr. Dan Farley who was scheduled to present the item.

#### Request for Waiver on Denial of Application for a Teaching a Certificate – Theresa Samuelain

Theresa Wallent was recognized to present this item. Ms. Wallent summarized the materials provided for the Board with the Agenda and outlined possible actions that the Board might take.

Ms. Samuelain was present and requested the opportunity to address the Board. She indicated to the Board that this incident occurred when she was 19 years of age. Since the single incident, she has completed college and held teaching credentials in Arizona and Oregon. In response to questions from the Board, she affirmed the conviction was based on possession of marijuana with the intent to distribute. She stated that she does not use drugs and this was a single incident.

Mr. Smith moved that the Board approve Ms. Samuelain for a one-year probationary certificate with the option of a full certificate at the end of the year provided there is no further incidents. Mr. Thompson seconded the motion. Ms. Yates offered a substitute motion to grant a full certificate. Mr. Smith, with the agreement of Mr. Thompson, withdrew his motion and seconded Ms. Yates substitute motion. The substitute motion passed unanimously.

#### Teacher Licensure Advisory Committee Report Assessment Option Recommendations

Donna Elliott introduced members of the Licensure Advisory Committee to make the report to the Board. Ms. Elliott stated that the report was to inform the Board and to bring to them recommendations being formulated. The Committee is not seeking approval or adoption of the report at this session.

Dr. Dennis Fleniken, Dean of College of Education at Arkansas Tech University; Dr. Jim Worthington, John Brown University; Dr. Fred Litton, University of Central Arkansas; and Mr. Richard Hutchinson, Arkansas Education Association reviewed the recommendations being considered and elaborated on materials provided in the Board Agenda.

Following the report, Mr. McLarty commended members of the committee for completing a big job within the time line given. Ms. Pickett also thanked committee members. No action was taken.

#### Report From Professional Development Committee

Dr. Gayle Potter summarized recommendations presented in the Board Agenda. The following questions and or comments were made concerning components of the report.

- Mr. Gordy expressed concern that no reference was made to National Board Certification and the eligibility of those hours to count toward professional development credit. Dr. Potter indicated this could be a consideration.
- Ms. Pickett asked if any consideration had been given to linkage with the Smart Start Program. Dr. Potter responded that it had not.
- Mr. McLarty asked if a funding base for professional development could be structured so that teachers could select professional development activities from a variety of sites where courses and/or activities are provided. Dr. Potter responded that funding had been a concern of the Committee, but no such recommendation was made.

Dr. Potter introduced two teachers who worked on the Committee. Ms. Pickett thanked the teachers and Dr. Potter for their work. No action was taken.

#### Approval of Rules and Regulations Governing the Distribution of Alternative Learning Program Grants for Fiscal Year 1999.

Dr. Kevin Penix and Mr. Richard McDowell presented this item. Dr. Penix stated to the Board that emergency Rules and Regulations were drafted and approved last year so that funds could be distributed to schools. It was recommended that these Rules and Regulations, with the following change, be approved for the purpose of public comment. The suggested change is in Paragraph 4.01. Currently this sections reads, “ On or before June 30, 1999, ....” It is recommended that this be changed to read, “ On or before June 30 of each year, .....

Mr. McLarty requested clarification of the definition of an Alternative Learning program. Dr. Penix responded that programs are varied and may be structured to meet needs of individual schools. Mr. McLarty asked if there were common characteristics of such programs or if there were operational guidelines. Dr. Penix informed the Board that a consultant, Dr. Jim Fenton, has just been retained to conduct a study of the Alternative Learning programs in the state and make recommendations. Dr. Fenton has administered

successful Alternative Learning programs in other states and served in a consultative capacity in several mid-western states.

Mr. Simon stated the Department seeks to develop a profile of a successful Alternative Learning program and prepare recommendations for developing a minimal, acceptable program. Dr. Fenton will be charged with preparing this report and assisting with informing schools of best practices in this area.

Mr. Smith moved approval of the proposed Rules and Regulations for public comment. Ms. Caldwell seconded the motion. The motion passed unanimously.

#### Commitment to Principles of Desegregation Settlement Agreement Report on the Execution of the Implementation Plan

Dr. Charity Smith introduced Ernest Huff as an internal auditor in the Desegregation Office. Dr. Smith reported that responses to the proposed monitoring plan were received on September 1. Her office will analyze the responses as the revised monitoring plan is developed. Mr. McLarty requested information concerning the implementation date of the Standardized Test Selection to Determine Loan Forgiveness.

No Action was taken.

#### Discussion: ADE Policy on District's Needing to Report Employees Found Guilty of Wrong Doing

Theresa Wallent presented this item. She indicated a need to understand what the Board expects from districts under these guidelines. Mr. McLarty noted that Rules and Regulations guiding such incidents are somewhat lax and not specific. For example, in Paragraph 6.01 it is not clear whether the responsibility lies with the superintendent or with the school board. However, upon reading the legislation on which the Rules and Regulations are based, it is clear that it is equally ambiguous. McLarty suggested that this issue is one which should be referred to the Board Legislative Committee for study and to seek clarification from the Legislature. McLarty suggested that the superintendent should be the responsible party for reporting such incidents.

Mr. McLarty also suggested that there may be an inherent conflict of interest on the part of the Department when such reports are received, especially if the incident involves a student who has been wronged by a staff member. We're in the business of defending districts, not students. He stated we should be looking after the best interest of students.

Ms. Wallent asked to what extent the Department should be involved in civil liabilities programs. She noted that this may not be the best use of staff time nor are we the most appropriate agency.

Mr. Alderson sees this request to clean up the statute as "housekeeping." That can be accomplished at our next meeting when we will address needed changes in legislation.

No action was taken.

Discussion: Lakeview Case

Mr. Tim Humphries was recognized to make this report. Mr. Humphries reported that deliberations in the court system continue to focus on awarding of attorney fees in the case. It was his opinion that no decision would be final until the middle of next year.

Initial Discussion: Repeal of Rules and Regulations to Implement the Appropriation for the Students At-Risk, K-3 Funding

Mr. Simon stated that he requested that this item be included on the agenda. As the Department has reviewed programs seeking funding for Smart Start activities, the mandatory summer school program and the Rules and Regulations for funding of the training program have been identified as programs to be redirected in keeping with Smart Start recommendations. Local districts should be given flexibility for developing programs consistent with Smart Start programs without the requirement to conduct summer school. These Rules and Regulations establish funding guidelines for training that could be more effectively used to support programs affecting all children.

Mr. Gordy indicated a concern for a change in the summer school programs that were viewed very successful by schools. Mr. Simon indicated that the decision to have summer school would be at the discretion of the district. Districts do not get additional funding for summer school, but may use any resources to conduct such summer programs.

Mr. Simon noted that if programs are not required by the state, many sources of funding can be directed toward meeting needs of children – especially federal funds. This is a way of utilizing broad-based funding sources to meet the educational needs of children. The Department seeks to broaden the audience while continuing those practices that have been demonstrated effective.

No action was taken.

Mr. McLarty asked the Board to rethink the decision made in the June meeting concerning the funding of employee insurance. We need to determine how many districts have elected to fund all or part of the increases. His rationale included an observation since that decision was made, there are large fund balances that are not obligated and it appears that we will not have to spend those balances on the Lakeview case.

Mr. Alderson also suggested the Board should rethink that decision.

Mr. McLarty moved to put the reconsideration of the funding of employee insurance on the October agenda. Mr. Smith seconded the motion.



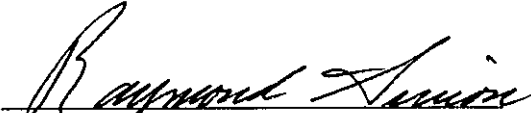
Dr. Bobbie Davis informed the Board that there was no separate line item in the budget for insurance – such funding comes through the equalization formula.

Ms. Pickett requested that the Department determine how many districts voluntarily increased funding for employees insurance. Dr. Davis will collect this information for review in October.

Vote on the motion to reconsider – passed unanimously.

The meeting adjourned at 1:40 p.m.

Minutes Reported by Dr. Charles D. Watson.

  
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Raymond Simon, Director

  
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Betty Pickett, Chair