

Minutes  
State Board of Education  
August 14, 2000

The State Board of Education met in the Auditorium of the State Education Building on Monday, August 14, 2000. Luke Gordy, Chairman, called the meeting to order at 10:15 a.m.

The following members were present: Luke Gordy, Chairman; JoNell Caldwell; Claiborne Deming; Bill Fisher; Robert Hackler; Shelby Hillman; Betty Pickett; and Lewis Thompson, Jr.

The following members were absent: Richard Smith, Vice Chairman and Anita Yates.

Mr. Gordy reported that Richard Smith was involved in an automobile accident on Saturday and would not attend today's meeting.

Mr. Hackler moved that three items discussed during the work session be added to the action agenda which included: 1) declaring the existence of an emergency throughout the public schools of the State concerning the need to change the timing of the licensure testing procedure requirements for selected provisional and probationary paths to teacher licensure; 2) approval of Emergency Amendments to Rules and Regulations Governing the Certification Laws and Regulations; and 3) that the Board change and reinstate the Board policy concerning the timing of the testing requirement for entrance into the Alternative/Non-Traditional Teacher Licensure Program to be stated as it was prior to the 1998 change. Ms. Pickett seconded the motion. The motion passed unanimously.

Mr. Gordy announced that the following Consent Agenda Items were being moved to the Action Agenda:

- Review of Loan and Bond Applications
- Arkansas Better Chance Income Eligibility Guidelines

**CONSENT AGENDA**

Ms. Pickett moved approval of the Consent Agenda as amended. Mr. Thompson seconded the motion. The motion passed unanimously.

- Minutes July 20, 2000 and July 28, 2000
- Newly Employed, Promotions and Separations
- Arkansas Better Chance Grant Recommendations

## **Director's Report**

Mr. Simon distributed copies of a recent report released by the Arkansas Business and Education Alliance and commended the group for its dedication and support for public education. He affirmed the status report of education reported in the document and stated that he viewed the report as a plea to mobilize citizens of the state to support education in Arkansas. He noted that the data presented are not a surprise, the information has been apparent for some time. Simon suggested that the initiatives advocated by the Department such as Smart Start, Smart Step and the accountability program help move the state forward. Smart Start and Smart Step need time to work. The Department needs time to demonstrate that these initiatives will produce higher test scores, better attendance, and safe schools. He affirmed that the professional development model – Smart Start and others – are becoming national models. States are contacting our state seeking information as to how the state is mobilizing these efforts. (Attachment)

Mr. Gordy affirmed that the Board appreciates the work of the Alliance and its work to profile education in Arkansas.

## **Arkansas Better Chance Income Eligibility**

Ms. Pickett observed that the focus of this issue seems to be raising the income level for families to participate in the programs funded through ABC. Kathy Stegall responded that by raising the income level for participation, more children would be eligible and thus greater participation. These income levels as proposed are in keeping with guidelines for child-care services, head start and other federally funded programs. The intent is to serve as many children through these programs as possible.

Mr. Hackler moved adoption of the guidelines as presented. Ms. Caldwell seconded the motion. The motion was approved unanimously.

## **Final Approval of the Proposed Revisions to the Rules and Regulations Establishing the Academic Standards for Student Participation in Competitive Interscholastic Activities**

Brenda Matthews was recognized to present this item. Ms. Matthews indicated that these rules and regulations had been reviewed in draft form, were presented at a public hearing and reflect changes requested by the Board at the previous meeting. Ms. Pickett observed that up to 60% of the schools are seeking a waiver from various components. If the number of waivers were that great, there must be something wrong with the policy – why would we even have such a policy. Ms. Matthews indicated that it is the intent of the rules and regulations that schools offer a supplemental instructional program outside the regular school day for students who fail to meet the grade expectations, but waivers may be granted as to when that instruction takes place. Ms. Pickett noted that as many as 60% of the schools seek waivers. She questioned the existence of such a regulation if so many schools were seeking and being approved for waivers. Ms. Caldwell suggested that the focus of this program should be accountability and student performance, not an intense

focus on the rules and regulations. Mr. Fisher moved approval of amended rules and regulations as presented. Ms. Caldwell seconded the motion. Mr. Deming asked about the nature of the waivers. Ms. Matthews indicated that many schools seek to provide supplemental instruction via alternative classrooms during the school day. Also, Section 5 of the rules and regulations outline the parameters for waivers. The motion was adopted on a 6-1 vote. (Pickett voted no)

Ms. Pickett stated that if large numbers of waivers are to be granted in this program, there should be some sort of guidance that would require self-monitoring to track student progress/performance. She recommends that the Board review this issue again next year.

### **Petition to Approve the Corporate Name Change for the Clay County Central School District**

Brenda Matthews was recognized to present this item. Ms. Matthews indicated that a petition had been received from the Board of the Clay County Central School District requesting a name change to Rector School District. The petition indicates a unanimous vote of the Board in favor of this action. Mr. Gordy asked if anyone was present who wished to speak to this petition – there was no response. Ms. Pickett moved approval. Mr. Fisher seconded the motion. The motion was adopted unanimously.

### **Stipulated Agreement in the Matter of a Teaching Certificate: Deanna Ellis**

Scott Smith was recognized to present this item. Mr. Smith informed the Board that the Department has reached an agreement with Ms. Ellis that she be issued a probationary license for the period of one year after which time she may apply for full licensure. Mr. Fisher moved approval of staff recommendation to issue a one year probationary license. Ms. Pickett seconded the motion. The motion passed unanimously.

### **Stipulated Agreement in the Matter of a Teaching Certificate: Joseph Barnes**

Scott Smith was recognized to present this item. Mr. Smith informed the Board that staff became aware of a felony conviction 27 years ago in routine background check for license renewal. Mr. Barnes has held a teaching license for a number of years. Mr. Smith informed the Board that the Department has reached an agreement with Mr. Barnes that he be issued a probationary license for the period of one year after which time he may apply for full licensure. Mr. Hackler moved approval of staff recommendation. Mr. Thompson seconded the motion. The motion passed unanimously.

Ms. Pickett inquired if it were necessary for these individuals to appear before the Board at the end of the year. Mr. Smith indicated that would not be necessary if there were no further cause.

### **Consider Addendum to the Grace Hill Elementary Charter Regarding Daily Schedule**

Randall Greenway was recognized to present this item. Mr. Greenway indicated that his office had received a request from the Grace Hill Elementary Charter School (Rogers School District) to add 30 minutes to the beginning and ending of each school day for faculty and teaching staff. This would allow for additional planning and preparation time for teachers. Ms. Hillman moved approval of the request. Ms. Caldwell seconded the motion. The motion passed unanimously.

Mr. Greenway distributed packets to Board members that included applications from seven (7) applicants for open-enrollment charter schools that propose to open for the 2001-2002 school year. He noted that 15 letters of intent were received and seven full applications resulted. Of the seven, six are from entities that applied previously and were not recommended; one is a new entity. He reminded the Board that the timeline calls for review and disposition of these applications by January 10, 2001.

### **Emergency Amendment to Rules and Regulations Governing the Certification Laws and Regulations**

Mr. Fisher observed, based on the discussion of teacher quality issues, that there exists a teacher shortage in the public schools (K-12) in the state and the Board finds imminent peril exists to the public education health, safety and welfare of the school children of this state. He moved that the Board declare that an emergency exists for the potential to secure a licensed teacher for classrooms in the state and thus consider amendments to existing rules and regulations that would allow for a teacher candidate to qualify to obtain a probationary or provisional license without first passing certain testing requirements. Mr. Hackler seconded the motion. The motion passed unanimously.

### **Emergency Amendments to Rules and Regulations Governing the Certification Laws and Regulations**

Brenda Matthews was recognized to present amendments to existing rules and regulations. Ms. Matthews distributed a packet that outlined "Emergency Amendments to Rules and Regulations Governing the Certification Laws and Regulations," and explained that under the Administrative Procedures Act, rules and regulations could be declared an emergency and put into affect for 120 days. She further explained that these amendments do not remove the testing requirements for teacher candidates in these selected areas, but the amendments allow that the required tests can be taken and should be passed within the first year of teaching rather than prior to teaching. The sections being amended deal with the provisional license paths for teachers or teacher candidates from other states based on reciprocity or reciprocity program deficiencies and the probationary path to licensure. Staff requested that these emergency amendments be adopted for 120 days to address the situation and to allow time for a more thorough discussion and hearings on this issue through the normal process of amending regulations.

Mr. Hackler moved approval of the emergency amendments to existing regulations. Mr. Deming seconded the motion. The motion passed with a 6-1 vote. (Pickett voted no.)

### **State Board Policy Concerning Timing of Required Testing Requirement for Entrance into the Alternative/Non-Traditional Teacher Licensure Program**

Brenda Matthews was recognized to present the Department of Education's recommendation that the State Board of Education consider reinstating the timing of the testing requirement for entrance into the Alternative/Non-Traditional Teacher Licensure Program as it was prior to the 1998 change in Board policy. Ms. Matthews requested the Board approve the recommended language to read, "These tests must be successfully completed during their first year in the program."

Mr. Deming moved adoption of this recommendation. Ms. Hillman seconded the motion. The motion passed with a 6-1 vote. (Pickett voted no.)

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

Charity Smith was recognized for this report. Dr. Smith reported that all parties, except the Joshua Group met on August 2 to reengage in negotiations. At that meeting all the parties except Little Rock agreed to accept the original plan. Little Rock requested 60 days for further review of that plan. Subsequent to that meeting Joshua has indicated agreement with the original plan. The parties have agreed to meet on October 2. Ms. Pickett inquired as to the progress of selecting a test to determine loan forgiveness. Dr. Smith indicated that Harcourt (the testing company) apprised the Department that they could provide data, but further analysis was not within that company's scope of work. They suggested pursuing an independent consultant for such work. The Department is seeking such expertise. Ms. Caldwell moved acceptance of the report. Ms. Hillman seconded the motion. The motion passed unanimously.

### **Review of Loan and Bond Applications**

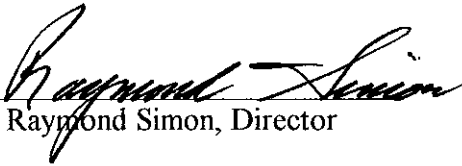
Ms. Pickett requested this item be moved from Consent to Action. She requested additional information about the construction of facilities for vocational education in the West Fork District and why this would be coming to this Board rather than to Workforce Education. Patty Martin responded that this facility was for high school students and was operated as part of the regular school day program in the West Fork District. Ms. Pickett stated that she was not aware of furniture manufacturing being an area of the curriculum and inquired as to which agency would approve such a program. Ms. Martin indicated it would be necessary for her to contact the school to get responses to those questions. Following a break, Ms. Martin reported that the school was seeking to construct a facility that would contain instructional space for woodworking programs as part of the school's overall curriculum offerings. She also reported that all programs are monitored and approved by Workforce Education. Mr. Hackler moved approval of all loan and bond applications as presented by staff. Mr. Deming seconded the motion. The motion passed unanimously.

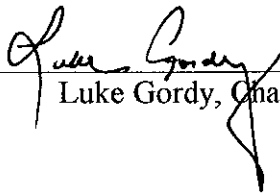
**Adjournment**

Ms. Hillman moved adjournment. Mr. Hackler seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:00 a.m.

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

  
Raymond Simon, Director

  
Luke Gordy, Chairman