

Minutes
State Board of Education
Monday, December 11, 2006

The State Board of Education met on Monday, December 11, 2006, in the auditorium of the State Education Building. Diane Tatum, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Diane Tatum, Chairman; Randy Lawson, Vice-Chairman; Sherry Burrow; Jim Cooper; Dr. Calvin King; Dr. Tim Knight; Dr. Ben Mays; MaryJane Rebick; and Dr. Naccaman Williams.

No Members were absent.

Chair's Report

Ms. Tatum reported on a recent conference attended in Washington hosted by the National Association of State Boards of Education (NASBE). She noted that her attendance at this meeting affirmed that the direction of educational reform in Arkansas is on the right path and the State should be proud of the work being accomplished by the Department.

Ms. Rebick reported that she will serve on a NASBE study committee that will meet for the first time in January. Also, Ms. Rebick reported that she attended the Bessie Moore Economic Education Award Luncheon.

Dr. Williams reported his attendance at the northwest Arkansas Next Step (High School) Summit held in Springdale. He stated the event was well received and included a number of business and professional representatives as participants.

Dr. Williams reported attending the recognition of the Arkansas Teacher of the Year press conference hosted by Governor Huckabee.

Commissioner's Report

Dr. James recognized Tom Kimbrell, Executive Director of the Arkansas Association of Educational Administrators (AAEA), to make a special presentation. Mr. Kimbrell recognized Frank Anthony, Superintendent of Schools, Pine Bluff, as the 2007 Arkansas Superintendent of the Year and noted that Mr. Anthony would be Arkansas' representative in the national recognition program.

Dr. James reported successful meetings at four High School Summit meetings with one scheduled for later in the week.

Consent Agenda

Ms. Tatum noted the item of the 2007 Schedule of Meetings and reminded Board members this item is included each year in the December meeting.

Ms. Rebick moved approval of the Consent Agenda. Ms. Burrow seconded the motion. The motion was adopted unanimously.

- Minutes – November 13, 2006
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Act 648 Community Service Sites
- Newly Employed, Promotions and Separations
- Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001
- Adoption of Calendar of Meetings – 2007

Action Agenda

Request to Consider Approval of Bryant School District's Petition to De-Annex the Former Paron School District

Scott Smith requested that the Board table action of this item for 60 days to allow Dr. James and Dr. Richard Abernathy, Superintendent of Bryant School District, additional time to consider alternative options. Dr. Williams moved to table action for 60 days. Dr. Knight seconded the motion. The motion was adopted unanimously.

Request for Consideration of 2006-2007 Arkansas Better Chance Grants – Round #5

Paul Lazenby was recognized to present this item. Mr. Lazenby stated that this grant is recommended late due to changes in the facility of a previously funded project. He noted that this site is in an area of high poverty and the area is not being served by other grants. Ms. Burrow moved approval of the grant. Dr. King seconded the motion. The motion was adopted unanimously.

Request for Amendments to 2006-2007 Arkansas Better Chance Grants

Mr. Lazenby noted that the reason for each of the proposed amendments was detailed in the Agenda attachments and that ABC staff has reviewed each of the revisions. Ms. Rebick moved approval of the amendments as presented. Dr. Williams seconded the motion. The motion was adopted unanimously.

Consideration of Establishing the Minimum Passing Score of 156 on the Content Area, Gifted Education Test (#0357) of the Praxis II Examination Series for Licensure of Arkansas Gifted and Talented Teachers

Beverly Williams was recognized to present this item. Ms. Williams stated that gifted education is a new area of licensure and this is the first time for full licensure of gifted education teachers. She noted that committees of practitioners participated in the setting of the recommended cut score. Dr. Mays moved adoption of the cut score as presented. Mr. Cooper seconded the motion. The motion was adopted unanimously.

Consideration for Adoption and Implementation with the Beginning of 2007 – 2008 School Year the Amended Grade 9-12 English/Language Arts Frameworks and the Algebra I, Geometry and Algebra II Mathematics Frameworks that have been Aligned to the American Diploma Project (ACHIEVE)

Dr. Gayle Potter was recognized to present this item. Dr. Potter noted that the work to conduct the alignment and to revise these frameworks was conducted over several months with a large number of Arkansas practitioners participating. Dr. James acknowledged the hard work of those participating and the staff in getting these documents to the present status.

Dr. Williams asked about the Algebra II test. Dr. Potter indicated that with the current alignment, the framework would be consistent with the ACHIEVE documents that are being used to select a vendor that will develop the Algebra II test as part of a national consortium.

Ms. Rebick asked about professional development activities for teachers to help understand the new frameworks and when such training might take place. Janinne Riggs responded that planning for such training is underway and will begin in late winter and early spring. She also noted that training would utilize professional development networks already in place such as Arkansas Association of Supervision and Curriculum Development (AASCD) and the network of literacy and mathematics specialists employed by the Department.

Mr. Lawson commended the staff on the work accomplished and moved adoption as presented. Dr. Williams seconded the motion. The motion was adopted unanimously.

Consideration of Request for Public Comment on the Proposed Rule Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards (NBPTS)

Beverly Williams noted that revisions to this rule are based on recent legislation that will allow the Arkansas Teacher of the Year to become part of the Department staff for a year and to become a non-voting member of the Board. She emphasized the importance of teachers serving in this capacity continuing their eligibility to receive salary incentive based on the National Board licensure.

Mr. Lawson moved adoption for public comment. Mr. Cooper seconded the motion. The motion was adopted unanimously.

The following Agenda items were recorded and are reported under separate cover by a court reporter. Readers of the minutes are directed to the court reporter's report for full text of the discussion of each of these hearings.

Dr. Williams stated that his employer, Walton Family Foundation, supports charter schools throughout the nation including Arkansas. He noted that he personally does not benefit from any charter school that is funded either by the Foundation or from the State with some Foundation support. He stated that he does not believe there to be a conflict of interest for him to review and vote on the charter school applications under consideration.

Hearing of Open Enrollment Charter School Application Appeal and ADE Review: School of Excellence, Humphrey

The Board heard a presentation from Tom Wilson, Superintendent of DeWitt School District, stating the district's opposition to the location of the proposed charter school in that district. The Board also heard a presentation from Dr. Richard Wilson representing the application. Following a question and answer session, Ms. Rebick moved to table further consideration of the application until the January 8, 2007, meeting. Dr. Knight seconded the motion. The motion was adopted unanimously.

Hearing of Open Enrollment Charter School Application Appeal and ADE Review: Hope Academy, Pine Bluff

Frank Anthony, Superintendent of Pine Bluff School District, presented that district's opposition to the location of Hope Academy in the Pine Bluff School District. Mr. Anthony suggested that the district experienced a severe decrease in enrollment and an open enrollment charter would further erode attendance in the district, which he felt would diminish program opportunities for all students in the district. Amanda and Earl Glass presented information pursuant to the Hope Academy charter application.

Following a period of questions to representatives of the Pine Bluff School District and the Hope Academy, Ms. Rebick moved approval of the charter for a period of three years. The motion died for lack of a second.

Scott Smith reminded Board members that initial charter applications are for a period of five (5) years.

Ms. Rebick moved approval of the Hope Academy for a period of five (5) years. Mr. Lawson seconded the motion.

Dr. Knight asked for documentation that will support accountability for program and financial operation. Dr. James responded that the Department monitors all schools – including charter schools – on an annual basis and accountability and quality of results is understood. Dr. James also noted that the Board may review the performance of the charters annually as well.

The motion was adopted on a roll-call vote 5 yes and 4 no. (Burrow, Cooper, King, and Mays voted no – the chair voted yes)

**Hearing of Open Enrollment Charter School Application Appeal and ADE
Review: Northwest Academy of Fine Arts, Rogers**

No one was present to represent the Rogers School District, the local district in which the proposed charter is to be located. A. J. Hatley presented information and responded to questions regarding the proposal.

Mr. Cooper moved to table action on this proposed open enrollment charter until January 8, 2007. Dr. King seconded the motion. The motion was adopted with a vote 6 yes and 2 no (Lawson and Williams voted no).

**Hearing of Open Enrollment Charter School Application Appeal and ADE
Review: The University School, Blytheville**

Dr. Bruce Daniels, Superintendent of Blytheville School District, presented information from the Blytheville School District and the Blytheville local school board in opposition to the approval of the University School charter application. Kathleen Dean presented information about the proposed charter application. Daniels and Dean responded to questions from Board members.

Mr. Lawson moved to deny the University School charter application. Dr. Mays seconded the motion. The motion was adopted on a unanimous roll-call vote. Scott Smith reminded Board members that a vote of no requires justification or a statement of reasoning that led to the no vote.

- Lawson: Expressed concern for a sound management plan to operate the charter, expertise of the proposed staff and administrators to carry out the day-to-day operation, and the potential for negatively impacting the desegregation efforts of the Blytheville School District and surrounding districts.
- Burrow: The potential for negatively impacting the desegregation efforts of the Blytheville School District and surrounding districts.
- Cooper: Does not believe that the proposed charter school will offer a program beyond that already available in the Blytheville School District and surrounding districts.
- King: Does not believe the facility is adequate to operate a charter school and questions the ability and intent of the city to make necessary facility modifications.
- Knight: Believes approval of the charter would hamper desegregation efforts in the area; expressed concern for the discrepancies in the proposed transportation system; expressed concern that any modifications to the old building would be impacted by exposed asbestos.
- Mays: Negative impact on desegregation efforts in the local district and surrounding districts

- Rebick: Concerned about the viability of the corporation that holds the 501(c) 3 document and the transfer of that status to the charter school administration.
- Williams: Concerned about the desegregation status, if approved, and observed a number of components of the proposal that were not fully developed.

Hearing of Open Enrollment Charter School Application Appeal and ADE Review: Grace Academy, Gosnell

Stan Williams, Superintendent of the Gosnell School District, presented a packet of information about the potential negative impact of the proposed charter school on the Gosnell School District and the surrounding districts. A. J. Hatley presented information about the charter application and responded to Board members questions.

Dr. Mays moved that the proposed charter be denied. Ms. Burrow seconded the motion. The motion was adopted unanimously on a roll-call vote.

Cited reasons supporting the vote to deny:

- Lawson: The documented expertise of the proposed administration is questionable and the application has many areas that are not well developed.
- Burrow: Concern for the potential negative impact on desegregation efforts in the Gosnell School District and surrounding districts.
- Cooper: The application does not present a program of study that is superior to that currently offered in the local district(s) and concern for the number and types of waivers requested, which are beyond what the law allows.
- King: The potential for negatively impacting desegregation efforts in the local and surrounding districts, the plan for providing lunch is not well developed and the assurance for enrollment is lacking specificity.
- Rebick: Concerned that the choice options afforded students will not be enhanced with this proposal and concern for transfer of ownership of the 501(c) 3 status.
- Knight: Negative impact on desegregation efforts in the local district and surrounding districts
- Mays: Negative impact on desegregation efforts in the local district and surrounding districts
- Williams: Negative impact on desegregation efforts in the local district and surrounding districts: does not believe this charter has the potential to improve student achievement.

Hearing of Open Enrollment Charter School Application Appeal and ADE Review: Covenant Keepers Academy for College Bound Students, Little Rock School District

Dr. Katherine Mitchell represented the Little Rock School District Board and Dr. Linda Watson represented the Little Rock School District Administration and presented information opposing the establishment of additional charter schools proposing to operate within the Little Rock School District. Dr. Valarie Tatum and Mr. Jason Crader

presented information pursuant to the Covenant Keepers Academy and responded to questions from Board members.

Dr. Williams moved to table action on this item until January 8, 2007. Mr. Lawson seconded the motion. The motion was adopted on a vote of 7 yes, 1 no (Rebick voted no).

Hearing of Open Enrollment Charter School Application Appeal and ADE Review: Learning for Life Academy, Little Rock School District

Dr. Katherine Mitchell represented the Little Rock School District Board and Dr. Linda Watson represented the Little Rock School District Administration and presented information opposing the establishment of additional charter schools proposing to operate within the Little Rock School District. R. J. Hampton presented information about the proposed Learning for Life Academy and responded to questions from Board members.

Mr. Lawson moved to table until January 8, 2007. Dr. King seconded the motion. The motion was adopted unanimously.

Request for Approval of Stipulated Agreement of Waiver Request for Non-Certified Employment with the Batesville School District – Judy Frolos

Scott Smith stated that the Department proposes a stipulated agreement based on two-year probationary status and he reported that the Batesville District has written in support of the agreement. Ms. Burrow moved approval of the stipulated agreement as proposed. Dr. Knight seconded the motion. The motion was adopted unanimously.

Request for Approval of Stipulated Agreement of Waiver Request for Non-Certified Employment with the Pulaski County Special School District – Christie Young

Scott Smith stated that the Department proposes a stipulated agreement based on one-year probationary status and he reported that the Pulaski County Special School District has written in support of the agreement. Dr. Knight moved adoption of the stipulated agreement as proposed. Dr. King seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Batesville School District – Barbara Dittinger

Scott Smith reported that the Batesville School District has declined to support the proposed waiver. Ms. Dittinger was not present nor represented. Ms. Rebick moved to deny the waiver. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employee with the Springdale School District – Juan Garcia, Jr.

Scott Smith reported that the Springdale School District has declined to support the proposed waiver. Mr. Garcia was not present nor represented. Dr. Williams moved to deny the waiver. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Blevins School District – Kawana Jones

Scott Smith reported that the Department recommends a stipulated agreement which includes a two-year probationary period. He also stated that the Department has received many letters of support from the school and community. Dr. Mays moved approval of the stipulated agreement. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Pulaski County Special School District – Terry Davis

Scott Smith reported that the Pulaski County Special School District failed to provide a letter of recommendation. Terry Davis was not present nor represented. Dr. King moved to deny the waiver. Dr. Williams seconded the motion. The motion was adopted unanimously.

Hearing on Recommendation of Revocation of Certified Teacher's License and Request for Waiver – Susan Williams

Scott Smith recommended that this item be tabled until a later date. Mr. Lawson moved to table consideration of this item until a later date. Dr. Williams seconded the motion. The motion was adopted unanimously.

Other Business

Mr. Lawson extended thanks from the Board and congratulations for a job well done to Dr. Terry Hardy, Education Liaison from Governor Huckabee's Office. Mr. Lawson stated that Dr. Hardy has served Arkansas Education well in her years in the position and that she brought professionalism and quality to the delivery system of education in Arkansas.

Dr. Williams moved adjournment. Mr. Lawson seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 6:45 p.m.

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