

Minutes
State Board of Education Meeting
Thursday, November 1, 2012

The State Board of Education met Thursday, November 1, 2012, in the auditorium of the Department of Education building. Jim Cooper, Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Chair; Brenda Gullet, Vice Chair; Dr. Jay Barth; Sam Ledbetter; Alice Mahony; Mireya Reith, Vicki Saviers; Toyce Newton; Dr. Tom Kimbrell, Commissioner; and Kim Wilson, Teacher of the Year

Absent: Joe Black

Reports

Chair's Report:

Ms. Gullett said the National Association of School Boards utilized new technology during the national conference. The new application allowed participants to customize registration and have a mobile guide upon arrival. It also enabled NASBE to collect feedback and facilitate relationship building after the conference.

In a report on the Military Child Coalition, Ms. Mahony said approximately 17,000 children in Arkansas were impacted by the Interstate Compact on Educational Opportunity for Military Children. She expressed support for policies, such as graduation requirements, Advanced Placement and student enrollment age, of the sending state to apply to the receiving state when children of military families had to transfer to schools in another state.

Ms. Newton gave a brief update on the Investing in Promising Futures for All conference held in October. She said the conference provided a forum to consider evolving cultures, traditions and demographics and the role of private philanthropy in leveling the playing field for children, youth and families and developing systems of support. One session of particular interest was how to support migrant youth and early college in high school.

Commissioner's Report

Commissioner Kimbrell said Department staff was deeply engaged with schools, education service cooperatives and higher education in the rollout of Common Core State Standards and the new Teacher Excellence Support System (TESS). He said a new video posted on the ADE website, Connecting the Dots, pulls together TESS, Common Core and the state's new accountability model.

He also said the Next Generation Science Standards would be publicly introduced in late November or early December. Arkansas is one of 26 states working on these new standards.

Fostering Empathy in Our Schools: A Conversation Around Bullying

Dr. Kimbrell said the State Board recognized the critical need to begin a conversation around bullying and asked for information on policies and procedures schools were using to address the statewide issue.

Dr. Tony Prothro, Assistant Executive Director of the Arkansas School Boards Association, discussed the work of ASBA in developing policies for schools. He said all but 12 school districts in the state were members of ASBA's policy service. He highlighted specific points in the policy and noted the policy was expanded to include cyber-bullying. Dr. Prothro said with the policy, the burden is placed on staff and students and there are consequences for licensed and classified staff that are neglectful in reporting bullying.

Dr. Barth commented that the model policy was excellent and asked about training for school personnel. Dr. Prothro said the training is not stand-alone, but is embedded in the culture of schools.

Ms. Mahoney said the El Dorado School District had used Rachel's Challenge and that it had worked well. Dr. Prothro agreed that Rachel's Challenge is an excellent organization and ASBA has considered bringing them into the state.

Ms. Reith asked if all school districts had filed their anti-bullying policies and if they were being held accountable for enforcement.

Dr. Kimbrell responded that the policies had been filed with the state, but local school boards were responsible for enforcing those policies.

Dr. Jerry Guess, Pulaski County Special School District Superintendent, and Deb Roush, PCSSD Communications Director, discussed the work their district was doing to combat bullying. Dr. Guess highlighted the campaign the Attorney General's office created and mentioned several programs his district has in place. Ms. Roush talked specifically about cyber-bullying. She explained that students are using Facebook, Twitter, YouTube and Instagram as a means for bullying. She recommended each school district have at least one person on staff fluent in social media, understanding how the kids use it and regularly checking and monitoring its use.

Dr. Kimbrell encouraged the State Board to use the information in their communities to communicate and raise awareness around bullying.

Consent Agenda

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

Items included in the Consent Agenda:

- Minutes of the October 8, 2012, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers for Teachers Teaching out of Area
- Progress Report on the Status of Districts Classified in Fiscal Distress
- Sanction for Teachers as Recommended by the Professional Licensure Board
 - Iryna S. Andrews
 - Steven Wayne Perkins
 - Susan Lane Buckner

Action Agenda

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

Consideration of Request for Open Enrollment Charter: Exalt Academy of Pine Bluff

Mary Perry, Charter Schools Program Director, introduced a request from Exalt Education, Inc. for the proposed Exalt Academy of Pine Bluff, an open enrollment charter school to be located within the Pine Bluff School District. The proposed school will serve Grades K-8 with a maximum enrollment of 540 students.

Ben Lindquist, Founder and Director of Exalt, said the school would target at-risk students and was proposing to serve only Grades K-3 in its opening year.

Rudolph Howard with the Pine Bluff School District spoke in opposition saying the district was under new leadership and working diligently to address the needs of students. He said the proposed school did not appear to offer anything new.

Board members cited concerns with transportation of students and the potential impact on the neighboring Dollarway School District.

Ms. Mahony moved, seconded by Ms. Gullett, to deny the application. The motion carried five to two in a roll call vote.

Gullett—yes
Barth—yes
Ledbetter—no

Mahony—yes
Newton—yes
Reith—yes
Saviers—no

Consideration of Request for Open Enrollment Charter: KidSmart Cultural Arts Charter, Little Rock, Arkansas

Ms. Perry introduced a request from KidSmart Educational Services for the proposed KidSmart Cultural Arts Charter, an open enrollment charter school to be located within the Little Rock School District. The proposed school will serve Grades K-8 with a maximum enrollment of 300 students.

Tiffany Pettus, representing KidSmart, said the school would focus on bilingual education, literacy, science, mathematics and technology.

Chris Heller, attorney for the Little Rock School District spoke in opposition saying charter schools in the city violate the 1988 settle agreement that governs desegregation efforts in the district and surrounding school districts. He also cited inconsistencies in the proposed charter's budget.

Board members expressed concerns with the proposed school's curriculum and budget.

Mr. Ledbetter moved, seconded by Ms. Saviers, to deny the application. The motion carried unanimously.

Consideration of Request for Open Enrollment Charter: America's Charter School, Lincoln, Arkansas

Ms. Perry introduced a request from America's Charter School-Arkansas for the proposed America's Charter School, an open enrollment charter school to be located within the Lincoln School District. The proposed school will serve Grades 8-12 with a maximum enrollment of 500 students.

Dr. Frank Holman, representing America's Charter, said the school would serve students under the four pillars of the application:

- Pillar 1: High Tech using one-to one-computers, digital resources and the latest technology delivery
- Pillar 2: Teacher Advancement Program – all teachers will use the latest best practices portal and research of the TAP program with curriculum, instruction, assessments, and accountability for performance based initiatives (TAP portal)
- Pillar 3: New Tech Model of Project Based Learning (PBL) and collaborative 21st Century tools for learning using the ECHO system with numerous rubrics and projects in the library
- Pillar 4: College and Career readiness curriculum to prepare students to be

successful for an Associate Degree of Career Technical Education experiences or industry certification

Dr. Holman said students would do most of their studies and group projects online with support from teachers. The program would target students in Washington and Benton counties who have left school or are likely to leave before graduation.

Board members expressed concerns with the proposal's incomplete information.

Ms. Newton moved to approve the application and have Dr. Holman work with Department staff to resolve the areas of concern.

Mr. Ledbetter offered a substitute motion, seconded by Dr. Barth, to table the application and give the applicant time to work with the Department to resolve the concerns. The motion carried unanimously.

Consideration of Request for Open Enrollment Charter: Northwest Arkansas Classical Academy, Bentonville, Arkansas

Ms. Perry introduced a request from Responsive Education Solutions for the proposed Northwest Arkansas Classical Academy, an open enrollment charter school to be located within the Bentonville School District. The proposed school will serve Grades K-12 with a maximum enrollment of 685 students.

Chuck Cook, Chief Executive Officer of Responsive Education, said the school would serve students in Grades K-8 the first year and then add a grade each year until the school serves Grades K-12. He said the majority of students would likely come from the Bentonville School District and might be a student body that is low minority and relatively affluent.

Parents from the Bentonville School District spoke in favor of the proposed school citing overcrowding in their resident district as the reason for need of other options for educating their children.

There was no opposition from the Bentonville School District or surrounding districts.

Dr. Barth moved, seconded by Ms. Saviers, to approve the application. The motion carried unanimously.

Consideration of Request for Open Enrollment Charter: Premier High School of Little Rock, Little Rock, Arkansas

Ms. Perry introduced a request from Responsive Education Solutions for the proposed Premier High School of Little Rock, an open enrollment charter school to be located within the Little Rock School District. The proposed school will serve Grades 9-12 with a maximum enrollment of 240 students.

Chuck Cook, Chief Executive Officer of Responsive Education, said the school would be located on the Arkansas Baptist College campus and target dropouts and students at risk of dropping out. The proposed school will use self-directed and teacher-led instruction in a setting where there is one-to-one computer-to-student ratio. The course materials are written by Responsive Ed.

Speaking in favor of the proposed school, Dr. Fitz Hill, Arkansas Baptist College President, said the school would be a perfect fit for the community and the perfect approach to making a difference for those students in greatest need.

Chris Heller spoke in opposition for the Little Rock and Pulaski County Special school districts.

Ms. Mahony expressed her concern for underage students on a college campus.

Mr. Ledbetter moved, seconded by Ms. Saviers, to approve the application. The motion carried six to one in a roll call vote.

Ledbetter—yes

Mahony—no

Saviers—yes

Barth—yes

Reith—yes

Gullett—yes

Newton—yes

Consideration of Request for Open Enrollment Charter: Quest Middle School of Pine Bluff, Pine Bluff, Arkansas

Ms. Perry introduced a request from Responsive Education Solutions for the proposed Quest Middle School of Pine Bluff, an open enrollment charter school to be located within the Dollarway School District. The proposed school will serve Grades 5-8 with a maximum enrollment of 460 students.

Chuck Cook, Chief Executive Officer of Responsive Education, said the school would open serving Grades 5-8 but plans to expand to the maximum enrollment of 460 students through Grade 12 over time.

Pine Bluff resident Larry Freeman spoke in favor of the proposal saying it would give students a love of learning and the love of success.

Board members expressed their belief that the school would negatively impact the Dollarway School District, a school already experiencing declining enrollment.

Ms. Newton moved, seconded by Ms. Gullett to approve the application. The motion carried five to three in a roll call vote.

Cooper—yes
Ledbetter—yes
Mahony—No
Saviers—Yes
Barth—No
Reith—No
Newton—yes
Gullett—yes

Consideration for Final Approval: Arkansas Department of Education Rules Governing Consolidation and Annexation of School Districts

Ark. Code Ann. § 6-13-1608(f) states that a school district may not incur debt without the prior written approval of the Arkansas Department of Education (ADE) if the school district is identified by the ADE as having fewer than three hundred fifty (350) students according to the school district's average daily membership in the school year immediately preceding the current school year. ADE staff recommended the rules be revised to include a definition of "debt." The proposed definition of "debt" can be found at Section 3.08 of the proposed rules. The State Board released the proposed rules for public comment September 10, 2012. A public hearing was held October 2, 2012. No comments were received.

Department staff requested that the State Board give its final approval to the proposed rules.

Dr. Barth moved, seconded by Ms. Mahony, final approval of the proposed rules. The motion carried unanimously.

Consideration for Final Approval: Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program and the Academic Distress Program

On July 9, 2012, the State Board approved for public comment certain revisions to the Arkansas Department of Education (ADE) Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program and the Academic Distress Program. During the public comment period, it became necessary to revise and clarify certain provisions of the proposed rules. Department staff revised the proposed rules to include a procedure for notification to school districts of their preliminary statuses and to allow time for school districts to review data upon which their statuses were based (See Section 13.10). The State Board released the proposed rules for public comment September 10, 2012. A public hearing was held October 2, 2012. The public comment period expired October 16, 2012. No changes were made to the proposed rules based upon the public comments received.

Department staff requested that the State Board give its final approval to the proposed rules.

Mr. Ledbetter said the rules had real significance in what the state was trying to do to hold more schools accountable. He wanted to be informed if the Rules Committee failed to move forward.

Mr. Ledbetter moved, seconded by Ms. Gullett, final approval of the proposed rules. The motion carried unanimously.

Consideration for Final Approval: Repeal of Arkansas Department of Education Rules and Regulations Arkansas Compulsory Attendance Requirements

On September 10, 2012, the State Board released for public comment the proposed repeal of these outdated, superseded rules. A public hearing was held October 2, 2012, but no comments were received.

Department staff requested that the State Board give its final approval to repeal these rules.

Ms. Gullett moved, seconded by Ms. Reith, final approval of the rules. The motion carried unanimously.

Reconsideration of Closure of Gillette Elementary School

As a member of the prevailing side of the issue that came before the State Board at the October meeting, Mr. Ledbetter asked that the closure of the Gillette Elementary School be placed on the agenda for the December meeting. He also asked that all parties present for the October hearing be notified to reappear and go through some of the issues that had been brought to light since that meeting.

Mr. Cooper directed the placement of the item on the December agenda.

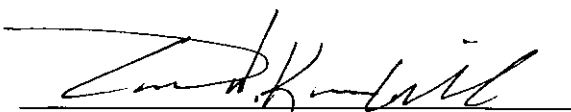
Adjournment

The meeting adjourned at 4:51 p.m.

These minutes were recorded by Phyllis Stewart.



Mr. Jim Cooper, Chair



Dr. Tom W. Kimbrell, Commissioner