

Minutes
State Board of Education
Thursday, July 9, 2020

The Arkansas State Board of Education (State Board) met Thursday, July 9, 2020, via Zoom video conferencing. Chair Ms. Charisse Dean called the meeting to order at 10:00 a.m. Ms. Dean led a moment of silence.

Present: Ms. Charisse Dean, Chair; Mr. Brett Williamson, Vice-Chair; Dr. Sarah Moore; Dr. Fitz Hill; Ms. Kathy McFetridge; Ms. Ouida Newton; Mr. Steve Sutton; Ms. Susan Chambers; Ms. Adrienne Woods; Mr. Joel Lookadoo, 2020 Arkansas Teacher of the Year; and Mr. Johnny Key, Secretary

Absent: None

Recognitions

Ms. Dean welcomed Mr. Sutton to the State Board. She also introduced all the State Board members.

2020 Designated Master Principals

Arkansas Leadership Academy Director Dr. Clinton Jones introduced the item. Arkansas Leadership Academy Associate Director of Executive Leadership Programs Ms. Brenda Tash announced the 2020 Designated Master Principals and invited each designee to say a few words.

2020 Designated Master Principals:

- Mr. Bradley Webber, Fulbright Junior High School, Bentonville School District
- Ms. LeAnn Helms, Manila Middle School, Manila School District
- Dr. Lance Arbuckle, Rogers New Technology High School, Rogers School District

Changes to the Agenda

There were no changes to the agenda.

Consent Agenda

Ms. Chambers noted that a correction was needed on the July 29, 2020, meeting minutes. Two state board members were listed as both present and absent.

Ms. Newton encouraged the PLSB to continue the practice seen in item 7. She also asked a question regarding item 9. She asked if the Division had thought about additional safety measures being needed for students participating in community service during the current pandemic. Assistant Commissioner Dr. Kiffany Pride said her team is discussing this and, if needed, will bring the concerns before the leadership team.

1. Minutes
2. Newly Employed, Promotions and Separations

3. Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
4. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-083 Fleming Ivory
5. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-084 Michael Strange
6. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-087 Wayne Griffin
7. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-107 Lucas Gass
8. Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 20-111 Damiccah Robertson
9. Community Service Learning Partner Site Applications

Ms. Chambers moved, seconded by Dr. Moore, to approve the consent agenda with the correction of the July 29, 2020, meeting minutes. The meeting passed unanimously.

Action Agenda A

A-1 State Board Hearing of Revocation of License LA 20-03-Blake Barrow

Managing Attorney Ms. Amy Douglas introduced the action item. State Board members asked clarifying questions.

Ms. Newton moved, seconded by Ms. Chambers, to place Mr. Barrow on a two-year probation with the stipulation that he not be allowed to hold a job on an ALP for Special Education. There was a roll call vote. The motion passed unanimously.

A-2 School Choice Appeals

Staff Attorney Ms. Mary Claire Hyatt introduced the following ten action items and reviewed the hearing procedures.

No action was needed on this item.

A-3 School Choice Appeal: Cason Mayfield

Staff Attorney Ms. Mary Claire Hyatt said the Non-Resident District, Palestine-Wheatley School District, denied the application based on a lack of capacity. The Resident District is Lee County School District. She said that neither school district was present for this meeting.

Ms. Jennifer Mayfield, parent of Cason Mayfield, said the Palestine-Wheatley School District accepted one of her children; the other two children were denied. She explained why the Palestine-Wheatley School District would be the best environment for her children's educational and emotional needs.

The State Board members asked clarifying questions and made comments.

Ms. Woods moved, seconded by Mr. Sutton, to grant the appeal. The motion passed unanimously.

A-4 School Choice Appeal: Natalee Mayfield

Staff Attorney Ms. Mary Claire Hyatt noted that Natalee Mayfield is the sibling to Cason Mayfield from the previous action item.

Mr. Sutton moved, seconded by Mr. Williamson, to grant the appeal. The motion passed unanimously.

A-5 Garland County School Choice Appeal: Jacob Thomason

Staff Attorney Ms. Mary Claire Hyatt said the Non-Resident school district, Lakeside School District (Garland County), denied the school choice application due to its on-going federal desegregation requirements. The Resident district is Malvern School District. Ms. Hyatt reviewed special rules regarding the current, active desegregation order.

Lakeside School District Assistant Superintendent Mr. Rick McLaughlin said the school does not want to deny anyone school choice. However, due to the desegregation order, they have to deny the request.

Malvern School District Chief of Staff Mr. Jace Roberts also noted the issues present in the request for transfer.

Alyssa Thomason, parent of Jacob Thomason, said she made a mistake when she marked her child's race on the school choice application. She said she wants to transfer based on meeting educational needs, and the request is not based on racial reasons.

Senator Alan Clark provided remarks in support of allowing the transfer.

The State Board members asked clarifying questions and made comments.

Ms. Chambers moved, seconded by Ms. Woods, to grant the appeal. The motion passed unanimously.

A-6 School Choice Appeal: Cooper Estep

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Greenbrier School District Superintendent Mr. Scott Spainhour noted that he is in favor of school choice and that his district has room for the student.

Guy-Perkins School District Superintendent Dr. Joe Fisher noted that his district followed the law in this appeal, and he is available to answer questions.

Ms. Samantha Estep, parent, said their home is 10 yards off from the Greenbrier School District boundary lines, and everything the family does is in Greenbrier. The family has homeschooled for a year.

The State Board members asked clarifying questions and made comments.

Ms. Woods moved to grant the appeal. The motion failed for lack of a second. There was no further motion, and so the appeal failed.

Later during the State Board meeting, Mr. Williamson moved, seconded by Ms. Woods, to reconsider this action item. There was a roll call vote. The motion passed unanimously. Ms. Dean suggested waiting to reconsider this action item during an upcoming special meeting of the State Board.

A-7 School Choice Appeal: Caroline Trotter

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Both school district superintendents were available to answer questions.

Melanie Moffitt, parent, said the school district was listed as Greenbrier School District when they were buying their house. She also noted how difficult it would be to transport their students to the Guy-Perkins School District based on their family circumstances.

The State Board members asked clarifying questions and made comments.

Mr. Sutton moved, seconded by Dr. Hill, to grant the appeal. There was a roll call vote. Ms. Newton voted no. The final vote was 7-1. The motion passed.

A-8 School Choice Appeal: Graham Trotter

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Mr. Sutton moved, seconded by Ms. Chambers, to grant the appeal. There was a roll call vote. Ms. Newton voted no. The final vote was 7-1. The motion passed.

A-9 School Choice Appeal: Charlotte Trotter

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Mr. Sutton moved, seconded by Ms. Chambers, to grant the appeal. There was a roll call vote. Ms. Newton voted no. The final vote was 7-1. The motion passed.

A-10 School Choice Appeal: Amara Rotenbury

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Both school district superintendents were available to answer questions.

Lanita Rotenbury, parent, said that environmental control is important for her student, and changing school districts could be damaging to her student's mental state. The family also thought they would be in the Greenbrier School District based on their new home address.

The State Board members asked clarifying questions and made comments.

Ms. Newton moved, seconded by Dr. Hill, to grant the appeal. There was a roll call vote. The motion passed unanimously.

Mr. Sutton suggested writing the realtor association about ensuring the proper school districts are listed on houses for sale.

A-11 School Choice Appeal: KayLea Fife

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Greenbrier School District.

Both school district superintendents were available to answer questions.

Melissa Fife, parent, shared a letter from her student's physician. She said they were aware that their property was not part of the Greenbrier School District when they purchased it. She said the Greenbrier school is also directly across from Ms. Fife's place of work.

The State Board members asked clarifying questions and made comments.

Mr. Williamson moved, seconded by Mr. Sutton, to grant the appeal. There was a roll call vote. Ms. McFetridge, Ms. Woods, and Ms. Newton voted no. The final vote was 5-3. The motion passed.

A-12 School Choice Appeal: Noah Dollar

Staff Attorney Ms. Mary Claire Hyatt said the Resident District, Guy-Perkins School District, has reached its numerical 3% maximum. The Non-Resident District is Quitman School District.

Quitman School District Superintendent Mr. Dennis Truxler said they had initially approved the application, but then they received a letter from the Guy-Perkins School District regarding the 3% cap issue.

Guy-Perkins School District Superintendent Dr. Joe Fisher discussed some of the safety measures in place at the district. He also noted that the elementary school doubles as an emergency shelter.

Ms. Kayla Dollar, parent, discussed the emergency shelters and safety measures that Quitman School District has in place and why she prefers those measures to those at the Guy-Perkins School District.

The State Board members asked clarifying questions and made comments.

Ms. McFetridge moved, seconded by Dr. Hill, to grant to the appeal. There was a roll call vote. Ms. Newton voted no. The final vote was 7-1. The motion passed.

A-13 Consideration of One-Year Standards for Accreditation Waiver Request - Earle School District

Coordinator of Systems Support and Monitoring Ms. Tracy Webb said the Earle School District is requesting a one-year Standards for Accreditation waiver for class size (Standard 1-A.6) for Algebra and Geometry for the 2020-2021 school year. She said the district advertised for a secondary math teacher, but there were no applicants. However, she said there are two staff members, the math instructional facilitator and the parent liaison, on-site who are certified to teach this subject and willing to take on the additional duties.

The State Board members asked clarifying questions.

Ms. McFetridge moved, seconded by Ms. Newton, to approve the waiver request. The motion passed unanimously.

A-14 Consideration of District Waiver Request for Waivers Granted to Open-Enrollment Charters - Pea Ridge School District

Coordinator of Systems Support and Monitoring Ms. Tracy Webb said the Pea Ridge School District is requesting waivers for teacher licensure and library media.

Assistant Superintendent Ms. Anne Martfeld provided background information about the district and discussed the reasons for the waiver request.

The State Board members asked clarifying questions.

Mr. Sutton moved, seconded by Ms. Chambers, to approve the waiver request. The motion passed unanimously.

A-15 Consideration for Final Approval: DESE and ASBN Rules Governing the Administration of Insulin and Glucagon to Arkansas Public School Students

Staff Attorney Mr. Taylor Dugan said these rules have been amended to incorporate the changes of Act 757 of 2019. A public comment hearing was held on May 26, 2020. Public comments were received but resulted in no substantive changes to the Rules.

The State Board members asked clarifying questions.

Ms. Newton moved, seconded by Dr. Moore, to approve. The motion passed unanimously.

A-16 Consideration of Request for Final Approval: DESE Rules Governing Fiscal Assessment and Accountability; and Repeal of ADE Rules Governing Minimum Qualifications for General Business Managers

Deputy General Counsel Ms. Courtney Salas-Ford said the State Board released these proposed rules for public comment on October 10, 2019. Following Governor's Office approval, they were released for public comment. A public comment hearing was held on May 26, 2020, and the public comment period ended June 8, 2020. Public comments received did not result in substantive changes.

Dr. Moore moved, seconded by Ms. McFetridge, to approve. The motion passed unanimously.

A-17 Consideration of Request for Final Approval: Repeal of DESE Rules Governing Special Education and Related Services, Sec. 22.00, 23.00, 27.00, and 28.00

Deputy General Counsel Ms. Courtney Salas-Ford said the State Board released these proposed rules for public comment on November 14, 2019. Following Governor's Office approval, they were released for public comment. A public comment hearing was held on May 26, 2020, and the public comment period ended June 8, 2020. No public comments were received.

Ms. Woods moved, seconded by Mr. Sutton, to approve. The motion passed unanimously.

A-18 Consideration for Final Approval: Repeal of ADE Rules Governing Calculation of Smart Core Funding

Staff Attorney Ms. Jennifer Dedman said the State Board released these proposed rules for public comment on September 20, 2019. Following Governor's Office approval, they were

released for public comment. A public comment hearing was held on March 11, 2020, and the public comment period ended March 27, 2020. Public comments were received but did not result in substantive changes.

Dr. Moore moved, seconded by Ms. McFetridge, to approve. The motion passed unanimously.

A-19 Consideration for Final Approval: DESE Rules Governing the Enrollment of Children of Military Families and Repeal of ADE Rules Governing Enrollment of Military Dependents

Staff Attorney Ms. Jennifer Dedman said the State Board released these proposed rules for public comment on September 13, 2019. Following Governor's Office approval, they were released for public comment. A public comment hearing was held on April 13, 2020, and the public comment period ended April 20, 2020. Public comments were received but did not result in substantive changes to the rules.

The State Board members asked clarifying questions.

Mr. Sutton moved, seconded by Ms. Newton, to approve. The motion passed unanimously.

A-20 Consideration for Final Approval: DESE Rules Governing Consolidation and Annexation of School Districts

Staff Attorney Ms. Jennifer Dedman said the State Board released these proposed rules for public comment on September 19, 2019. Following Governor's Office approval, they were released for public comment. A public comment hearing was held on April 13, 2020, and the public comment period ended April 20, 2020. Public comments were received but did not result in substantive changes to this rule.

Ms. McFetridge moved, seconded by Dr. Moore, to approve. The motion passed unanimously.

A-21 Consideration for Final Approval: DESE Rules Governing Nutrition and Physical Activity Standards and Body Mass Index for Age Assessment Protocols for Arkansas Public Schools

Staff Attorney Ms. Mary Claire Hyatt said the changes to these rules were made to incorporate provisions of Acts 641 and 428 of 2019 and to incorporate updated federal guidance. In addition to a public comment period, these rules have been reviewed by the Child Health Advisory Committee and the State Board of Health.

Ms. McFetridge moved, seconded by Mr. Sutton, to approve. The motion passed unanimously.

A-22 Embedded Course Approvals

Assistant Commissioner Dr. Kiffany Pride requested approval for the embedded courses, understanding that when the curriculum frameworks for one of the courses are revised, a new course approval request must be submitted to the State Board, and approval must be granted before a school would be allowed to offer the embedded courses.

The State Board members asked clarifying questions.

Ms. Newton moved, seconded by Dr. Moore, to approve. The motion passed unanimously.

A-23 Consideration of the Arkansas Better Chance (ABC) Renewal Grants FY21 - Round Two

Arkansas Better Chance Manager Ms. Susan Underwood requested approval of the ABC Program Renewal Grants Round Two for the 2020-2021 school year in the total amount of \$157,100. She said the school districts affected are Pine Bluff School District, West Side Consolidated School District, and Nettleton School District.

Ms. McFetridge moved, seconded by Dr. Moore, to approve. The motion passed unanimously.

A-24 Revision of Fine Arts Standards

Assistant Commissioner Dr. Kiffany Pride said in the past year, a group of educators from around the state revised standards and created four booklets comprised of Music, Visual Art, Dance, and Theater. She said schools would begin implementing standards in the 2020-2021 school year and fully implement by the 2021-2022 school year.

Dr. Pride also recognized Fine Arts Coordinator Ms. Lana Hallmark, who is retiring this year. State Board members and Deputy Commissioner Dr. Ivy Pfeffer also thanked Ms. Hallmark for her service.

Ms. Chambers moved, seconded by Ms. Woods, to approve the revision of the Fine Arts Standards. The motion passed unanimously.

A-25 Consideration of Standards for Accreditation Waiver Transitions

Staff Attorney Ms. Mary Claire Hyatt said the Standards for Accreditation were updated and final July 1, 2020. She said as a result of numbering changes, approval from the State Board is necessary to transition waivers held under the 2018 version of the Standards to the 2020 version of the Standards. None of these waivers will change substantively.

Dr. Moore moved, seconded by Ms. Newton, to approve. The motion passed unanimously.

There was a brief discussion on school choice.

New Business

State Board Operating Procedures

Staff Attorney Ms. Mary Claire Hyatt reviewed the proposed changes to the State Board operating procedures. She said the procedures would be back before the State Board as an action item for the August State Board meeting.

The State Board members asked clarifying questions.

Reports

State Board Member Reports/Comments

There were no State Board member reports or comments.

Commissioner's Report

Mr. Key noted that the start of the next school year has been pushed back to the week of August 24, and schools should open no later than August 26. He said the dates announced are

within the window provided by the General Assembly. He said the Division would be asking the State Board to rescind waivers allowing early start dates. Mr. Key said that pushing the date back will allow districts more time to prepare their necessary measures. He also discussed the response levels for districts regarding if there is a positive COVID-19 case in their district. The response levels are available on the DESE website.

Chief Communications Director Ms. Alisha Lewis discussed the Ready for Learning campaign communication plan. She said the main campaign message is that the Arkansas Department of Education believes all students can learn anytime and anywhere if provided the right support. Ms. Lewis discussed the message delivery systems being utilized by the Department and the phases of communication.

Assistant Commissioner Mr. Don Benton discussed the Blending Learning Needs Assessment Survey responses. He said approximately 97% of schools responded to the survey, despite the quick turnaround timeframe. He demonstrated how to access the survey data via the ADE Data Center.

The State Board members asked clarifying questions on each item of the report.

Public Comments

There were no public comments.

Adjournment

Mr. Sutton moved, seconded by Ms. Chambers, to adjourn. The motion passed unanimously. The meeting adjourned at 4:07 p.m.

Meeting minutes recorded by Tiffany Donovan

X 

Charrise Dean
Chair

X 

Johnny Key
Secretary Key