

**Minutes  
State Board of Education Meeting  
Thursday, January 11, 2018**

The State Board of Education met Thursday, January 11, 2018, in the Arkansas Department of Environmental Quality Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:01 a.m.

Present: Dr. Jay Barth, Chair; Joe Black, Vice-Chair; Dr. Fitz Hill; Diane Zook; Ouida Newton; Susan Chambers; Brett Williamson; Charisse Dean; Mireya Reith; Courtney Cochran, 2017 Teacher of the Year; and Johnny Key, Commissioner.

Absent: none

**Recognitions**

**Jon Collins, 2017-2018 Arkansas Superintendent of the Year**

Commissioner Key said Mr. Collins was the 2017-2018 Arkansas Superintendent of the Year. Mr. Collins is the current superintendent of West Memphis School District, and will represent Arkansas at the National AASA Conference in Nashville in February. Commissioner Key said the students in his district are well-served by his efforts.

Commissioner Key recognized Senator Ingram for his presence in the audience.

Superintendent Collins said he has spent most of his career in West Memphis, and he will continue to serve. He said Senator Ingram has been a great supporter of his work.

**Announcement**

Commissioner Key said the Department received feedback on the Every Student Succeeds Act (ESSA) revisions on January 9, 2018, requesting additional clarification. He said the Department had a deadline of January 11, 2018, to resubmit. He said many of the Department leadership staff were working diligently to resubmit by close of business, January 11, 2018.

**Consent Agenda**

In response to a board member question, Public School Program Coordinator Ms. Suzanne Knowles said the counselor to student ratio is by district and not by school. She said North Carolina, Tennessee, and Indiana have state recognition programs for counselors. She said those recognition efforts are valuable. She said counselors' use of time needs to be better communicated with school administrators.

Managing Attorney Ms. Daryl Taylor said PLSB cases that appear to be simple on paper are not similar. She said she will add more information to the packets for Board members that will highlight the distinguishing characteristics that bring clarity.

Ms. Dean moved, seconded by Ms. Reith, to approve the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes – December 14, 2017 & December 15, 2017
- Newly Employed, Promotions and Separations
- 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
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-025, 17-026, 17-037 Ca'Lyn Zachary
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-124 Jamie Nelson
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-219 James Privitt
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-227 Kearstin Greenhaw
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-233 Michael Fletcher
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 17-236 Alexis Rheinhardt
- 2017 Student Services Report

### **Action Agenda A**

#### **A-1 Consideration of Arkansas Better Chance 2017-2018 Reallocation Grant Award**

Department of Human Services Program Administrator Ms. Mary Kaye McKinney requested one-time start-up funding of \$5,000 or \$250.00 per child for Arkansas Better Chance.

Ms. Zook moved, seconded by Mr. Black, to approve Arkansas Better Chance 2017-2018 Reallocation Grant Award with one-time start-up funding of \$5,000 or \$250.00 per child. The motion carried unanimously.

#### **A-2 Consideration of the Comprehensive 2017-2018 Semester Report on Waivers**

Assistant Commissioner for Educator Effectiveness and Licensure Dr. Jeremy Owoh shared Additional Licensure Plan (ALP) data for 2015-2016, 2016-2017, and 2017-2018 (fall) school years. He said most ALPs are filed in the fall term. He said as of December 31, 2017, 52 districts possessed ALPs in the state.

Dr. Owoh said the Department believes it is going in the right direction concerning the allocation for ALPs. He said the Department expects to see a decrease of allocated ALPs with the new licensure rules.

Commissioner Key said part of the federal ESSA feedback requested a plan to identify quality of education inequities across the state in relation to school waivers. Dr. Owoh said the Department would start equity labs in spring 2018. He said a collection of data entitled "High Poverty, High Minority" had been added to the Department website.

Ms. Dean moved, seconded by Ms. Zook, to accept the Comprehensive 2017-2018 Semester Report on Waivers. The motion carried unanimously.

**A-3 (a) Consideration of the Charter Authorizing Panel Decision on the District Conversion Public Charter School: Blytheville High School - A New Tech School, Blytheville**

Director of Public Charter Schools Ms. Alexandra Boyd said Ark. Code Ann. § 6-23-703 and ADE Rules Governing Public Charter Schools (Section 9.00) requires the State Board to consider requests for review of Charter Authorizing Panel decisions at its next meeting after the decisions are made. She said on December 20, 2017, representatives of Blytheville High School appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Boyd said technical assistance would be provided to all schools once ESSA is implemented. She said there would be workshops. Ms. Boyd said an amendment request process would be used if schools determine that they will be changed.

Ms. Chambers moved, seconded by Mr. Williamson, to not review the Charter Authorizing Panel decision on the District Conversion Public Charter School: Blytheville High School - A New Tech School, Blytheville. The motion carried unanimously.

**A-3 (b) Consideration of the Charter Authorizing Panel Decision on the District Conversion Public Charter School: Miner Academy, Bauxite**

Director of Public Charter Schools Ms. Alexandra Boyd said Ark. Code Ann. § 6-23-703 and ADE Rules Governing Public Charter Schools (Section 9.00) requires the State Board to consider requests for review of Charter Authorizing Panel decisions at its next

meeting after the decisions are made. She said on December 20, 2017, representatives of Miner Academy appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Reith moved, seconded by Ms. Chambers, to not review the Charter Authorizing Panel decision on the District Conversion Public Charter School: Miner Academy, Bauxite. The motion carried unanimously.

**A-3 (c) Consideration of the Charter Authorizing Panel Decision on District Conversion Public Charter School Renewal: Rogers New Technology High School, Rogers**

Director of Public Charter Schools Ms. Alexandra Boyd said Ark. Code Ann. § 6-23-703 and ADE Rules Governing Public Charter Schools (Section 9.00) requires the State Board to consider requests for review of Charter Authorizing Panel decisions at its next meeting after the decisions are made. She said on December 20, 2017, representatives of Rogers New Technology High School appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Newton moved, seconded by Ms. Reith, to not review the Charter Authorizing Panel decision on the District Conversion Public Charter School Renewal: Rogers New Technology High School, Rogers. The motion carried unanimously.

**A-3 (d) Consideration of the Charter Authorizing Panel Decision on District Conversion Public Charter School Renewal: Washington Academy, Texarkana**

Director of Public Charter Schools Ms. Alexandra Boyd said Ark. Code Ann. § 6-23-703 and ADE Rules Governing Public Charter Schools (Section 9.00) requires the State Board to consider requests for review of Charter Authorizing Panel decisions at its next meeting after the decisions are made. She said on December 20, 2017, representatives of Washington Academy appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Dean moved, seconded by Ms. Chambers, to not review the Charter Authorizing Panel decision on the District Conversion Public Charter School Renewal: Washington Academy, Texarkana. The motion carried unanimously.

**A-3 (e) Consideration of the Charter Authorizing Panel Decision on Open-Enrollment Public Charter School Renewal: Arkansas Arts Academy, Rogers**

Director of Public Charter Schools Ms. Alexandra Boyd said on December 21, 2017, representatives of Arkansas Arts Academy appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Zook moved, seconded by Mr. Williamson, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School Renewal: Arkansas Arts Academy, Rogers. The motion carried unanimously.

**A-3 (f) Consideration of the Charter Authorizing Panel Decision on Open-Enrollment Public Charter School Renewal: Northwest Arkansas Classical Academy, Bentonville**

Director of Public Charter Schools Ms. Alexandra Boyd said on December 21, 2017, representatives of Northwest Arkansas Classical Academy appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Chambers moved, seconded by Ms. Reith, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School Renewal: Northwest Arkansas Classical Academy, Bentonville. The motion carried unanimously.

**A-3 (g) Consideration of the Charter Authorizing Panel Decision on Open-Enrollment Public Charter School Renewal: Premier High School of Little Rock, Little Rock**

Director of Charter Schools Ms. Alexandra Boyd said on December 21, 2017, representatives of Premier High School appeared before the Charter Authorizing Panel requesting a renewal to their charter. By a unanimous vote, the Panel approved the application request. Ms. Boyd said no request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Chambers moved, seconded by Dr. Hill, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School Renewal: Premier High School of Little Rock. The motion carried unanimously.

**A-4 District Request for Waivers Granted to Open-Enrollment Charters: Summary Information**

Dr. Barth proposed a change to the agenda order as follows: Action Agenda Item 4 (b), 4 (d), 4 (a), 4 (c). The modified agenda order carried unanimously.

**A-4 (b) District Request for Waivers Granted to Open-Enrollment Charters: Little Rock School District**

Director of Public Charter Schools Ms. Alexandra Boyd said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment public charter schools that serve students who reside in the school district. Representatives of the Little Rock School District appeared before the Board with a petition of waivers.

Little Rock School District Director of Human Resources Ms. Rhonda Benton said the Little Rock School District would like to change the district start date for the 2018-2019 school year. She said the district would like to balance the fall and spring semesters. She said the 2017-2018 school year started on August 14, 2017. She said the district would like to start the 2018-2019 on August 13, 2018.

Arkansas Department of Parks and Tourism Director Mr. Cain Webb came forward with public comment in opposition of agenda item. He said the school year has started earlier and earlier in the last number of years. He said there are a number of industry partners for which an early school start date has had an economic, employment, tax revenue, and tourism impact. Mr. Webb said an early school year start date also affects family time.

Commissioner Key said a number of people have expressed concern about a 5 year waiver request stemming from the December 2017 State Board meeting.

Ms. Zook moved, seconded by Dr. Hill, to approve waiver request filed by the Little Rock School District. The motion carried unanimously.

**A-4 (d) District Request for Waivers Granted to Open-Enrollment Charters: Pulaski County Special School District**

Director of Public Charter Schools Ms. Alexandra Boyd said Act 1240 of 2015 allows a school district to petition the State Board for all or some of the waivers granted to Open-Enrollment public charter schools that serve students who reside in the school district. Representatives of the Pulaski County Special School District appeared before the Board with a petition of waivers.

Pulaski County Special School District Interim Superintendent Dr. Janice Warren said the school year start date request of August 13, 2017, follows the same calendar that the district has followed for a number of years. She said the district would like to

provide more instructional time before year-end exams. She said the district is requesting 5 years due to the fact that the August 19<sup>th</sup> start date law will negatively impact the district calendar. She said Pulaski County Special School District also coordinates their academic calendar with the North Little Rock, Jacksonville, Cabot, Benton, Bryant, and Conway School Districts, which have already been granted waivers.

Ms. Williamson moved, seconded by Ms. Chambers, to approve waiver request filed by Pulaski County Special School District. The motion carried unanimously.

**A-4 (a) District Request for Waivers Granted to Open-Enrollment Charters: Hillcrest School District**

Director of Charter Schools Ms. Alexandra Boyd said Act 1240 of 2015 allows a school district to petition the State Board for all or some of the waivers granted to Open-Enrollment public charter schools that serve students who reside in the school district. Representatives of the Hillcrest School District appeared before the Board with a petition of waivers.

Hillcrest School District Superintendent Mr. Greg Crabtree said there is a teacher shortage in the district. He said the district is very isolated and there is not a lot of industry. He said the district is trying to grow their own talent. He said there are three APPEL teachers with bachelor degrees, and two long-term substitutes.

Mr. Crabtree said the teachers are aware that this waiver is being presented, and that he has school board approval.

Assistant Commissioner for Educator Effectiveness and Licensure Dr. Jeremy Owoh said the licensure rules currently out for public comment would offer options that would add flexibility for the district pending final approval.

Ms. Reith moved, seconded by Ms. Dean, to approve waiver request filed by the Hillcrest School District. The motion carried unanimously.

**A-4 (c) District Request for Waivers Granted to Open-Enrollment Charters: Palestine-Wheatley School District**

Director of Public Charter Schools Ms. Alexandra Boyd said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment public charter schools that serve students who reside in the school district. Representatives of the Palestine-Wheatley School District appeared before the Board with a petition of waivers.

Palestine-Wheatley School District Superintendent Mr. Jon Estes said he has a current math teacher who has not been able to pass his math teacher exam. He said the

teacher is the best math teacher he has had in years. Mr. Estes said he is confident that this teacher will be able to pass the exam. Mr. Estes said he is asking for a 3.5-year teacher licensure waiver. Mr. Estes said his teachers are aware of this issue.

Ms. Reith moved, seconded by Ms. Newton, to approve waiver request filed by the Palestine-Wheatley School District. The motion carried unanimously.

## **Action Agenda B**

### **B-1 Request for Reinstatement of Succeed Scholarship: Mathis Family**

Deputy General Counsel Ms. Courtney Salas-Ford said the Succeed Scholarship program began in 2015. She said the ADE Rules Governing the Succeed Scholarship Program, Section 6.02.1.1, requires that if the parent of a student participating in the program ceases to be enrolled in or regularly attend an eligible private school and wishes to enroll the student in another eligible private school prior to the end of the school year, the parent shall provide proof that the student has been accepted into another eligible private school and request that the State Board of Education approve a reinstatement of the student's scholarship payments.

Ms. Mathis said a class has opened at an eligible private school closer to home that was not originally available to her when she first enrolled her child. She said this move would significantly decrease her travel time to her child's school.

Ms. Zook moved, seconded by Ms. Dean, to approve request for reinstatement of Succeed Scholarship for the Mathis family. The motion carried unanimously.

### **B-2 Consideration for Public Comment: Proposed Rules Governing Schools of Innovation**

Attorney Supervisor Ms. Jennifer Dedman said Act 871 of 2017 amended Ark. Code Ann. §6-15-2801 et seq. regarding Schools of Innovation in one area. Ms. Dedman said the Department staff respectfully requests the State Board release this rule for public comment.

Commissioner Key said a progress report on Schools of Innovation of Level 5 schools will be submitted to the State Board and part of the process.

General Counsel Mr. Lori Freno said that all submitted public comments are considered in the rule promulgation process. She said not every public comment warrants a language change in the rule.

Ms. Newton moved, seconded by Ms. Chambers, to approve release of Proposed Rules Governing Schools of Innovation for public comment. The motion carried unanimously.



**B-3 Consideration for Public Comment: Proposed Rules Governing Diplomas for Veterans of World War II, the Korean War, and the Vietnam War**

Attorney Supervisor Ms. Jennifer Dedman said this rule is mandated by Ark. Code Ann. §§6-16-133 and 134. She said the Department respectfully requests that the State Board approve release of this rule for public comment.

Ms. Chambers moved, seconded by Mr. Black, to approve release of Proposed Rules Governing Diplomas for Veterans of World War II, the Korean War, and the Vietnam War for public comment. The motion carried unanimously.

**B-4 Consideration for Final Approval: Proposed ADE Rules Governing Required Training for School Board Members**

Deputy General Counsel Ms. Courtney Salas-Ford said Act 589 of 2017 amended Ark. Code Ann. § 6-13-611 regarding the training for school board members requiring changes to the rule in order to implement the Act. She said a public comment hearing was held on December 7, 2017. She said the public comment period ended on December 27, 2017. Ms. Salas-Ford said public comments were received, but no substantive changes were made. Governor's approval was received on October 10, 2017. She said the Department staff respectfully requests that the State Board give approval for these rules.

Ms. Dean moved, seconded by Dr. Hill, to approve Proposed ADE Rules Governing Required Training for School Board Members. The motion carried unanimously.

**B-5 Consideration for Final Approval: Proposed ADE Rules Governing Education Service Cooperatives**

Staff Attorney Ms. Mary Claire Hyatt said Act 741 of 2017 amended Ark. Code Ann. § 6-13-1006 regarding education service cooperatives and changes to this rule are necessary to implement the Act. She said a public comment hearing was held on December 7, 2017. The public comment period ended on December 27, 2017. Ms. Hyatt said no public comments were received. She said Governor's approval was received on October 10, 2017. Ms. Hyatt said the Department staff respectfully requests that the State Board give final approval for these rules.

Mr. Williamson moved, seconded by Ms. Zook, to approve Proposed ADE Rules Governing Education Service Cooperatives. The motion carried unanimously.

**B-6 Consideration of Transitional Support Plans**

Public School Program Coordinator Ms. Tiah Frazier said there were 31 plans submitted before the State Board. She said the School Improvement unit would take a 15-day tour of the state and meet with districts to follow up on the plans.

State Superintendent Dr. Mike Hernandez said the timeline for the State Board to view the second round of transitional support plans would be in November 2018. He said districts were presently reviewing their ESSA school indexes in draft form. He said the Arkansas ESSA plan approval was pending. He said final approval of the Arkansas ESSA plan would inform school-level plans.

Commissioner Key said it would take time to transition to ESSA and Act 930. He said the first iteration of the transitional support plans were vague, but will become more concrete in the next round.

Dr. Hernandez said there is a void in some districts' capacity to write goals and actions. He said the efforts by the Department to help districts identify good score indicators to work towards will help districts better quantify their goals.

Ms. Frazier said the Department is looking at the draft rule of Act 930. She said the Department has a follow-up call with an external partner to help develop general training and guidance for all districts. She said a training for districts would come after the rules were finalized.

Ms. Frazier said September 1, 2018, is the deadline for district transitional support plans.

Ms Chambers moved, seconded by Mr. Black, to approve Transitional Support Plans. The motion carried unanimously.

### **Adjournment**

Mr. Williamson moved, seconded by Dr. Hill, to adjourn. The motion carried unanimously. The meeting adjourned at 1:35 p.m.

*Minutes recorded by Kelicia Hollis*

  
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Johnny Key, Commissioner

  
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Dr. Jay Barth, Chair



