

**Minutes**  
**State Board of Education Meeting**  
**Thursday, May 10, 2018**

The Arkansas State Board of Education (State Board) met Thursday, May 10, 2018, in the Arkansas Department of Environmental Quality Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:06 a.m.

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

Absent: Susan Chambers

**Recognitions**

**The National Title I Distinguished School Program**

Public School Program Coordinator Ms. Otistene Smith recognized the National Title I Distinguished Schools.

Ms. Smith recognized Gillett Elementary School in the DeWitt School District. School Superintendent Dr. Lynne Dardenne, Principal Ms. Rachel Mitchell, Federal Program Coordinator Ms. Julie Adams, and third grade teacher Ms. Gayle Womack were present. Dr. Dardenne said the teachers were invested in the students. She said the community and school board were supportive of the school's efforts.

Ms. Smith recognized DeQueen Elementary School in the DeQueen School District. Assistant Superintendent Mr. Paul Shelton, School Principal Ms. Terriann Phillips, Assistant Principal Ms. Sharon Dykes, Math Facilitator Ms. Beth Jackson, and Literacy Facilitator Ms. Jill Collins were present. Ms. Phillips thanked the State Board. She said the community was invested in the school.

**The National Blue Ribbon Schools Program**

Public School Program Coordinator Ms. Otistene Smith recognized the National Blue Ribbon Schools. She said the two categories for this award were exemplary high performance schools and exemplary achievement gap closing schools.

Ms. Smith recognized Don Roberts Elementary School in the Little Rock School District. Superintendent Mr. Mike Poore, Associate Superintendent of Elementary Schools Dr. Sadi Mitchell, Principal Ms. Barbara Anderson, Assistant Principal Ms. Misti Sims, and Assistant Principal Mr. Steven Helmick were present. Ms. Anderson said it was an

honor to be selected. Don Roberts student Mr. Eric Tang said the school was a family, teachers made learning fun, and the school offered opportunities to its students.

Ms. Smith recognized College Station Elementary School in the Pulaski County Special School District. Interim Superintendent Dr. Janice Warren, Principal Ms. LaWonda Harris, and Assistant Principal Ms. Lisa Watson represented the school. Dr. Warren said the school's motto was "Kids First."

Ms. Smith recognized John P. Woods Elementary School in the Fort Smith School District. Deputy Superintendent Dr. Gordon Floyd, Principal Ms. Andrea Swartz, first grade teacher Ms. Kristina Thrift, and fifth grade teacher Ms. Jennifer Howard were present. Ms. Swartz said the school had a lot of support and she was thankful for the honor.

### **Consent Agenda**

Mr. Williamson moved, seconded by Mr. Black, to approve the consent agenda. The motion carried unanimously.

Items included in the consent agenda:

- Minutes – April 12, 2018
- 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 # 18-046 Landra Rink
- Brinkley School District Act 1240 Annual Progress Report
- Cleveland County School District Act 1240 Annual Progress Report
- Conway School District Act 1240 Annual Progress Report
- County Line School District Act 1240 Annual Progress Report
- Woodlawn School District Act 1240 Annual Progress Report
- Dover School District Act 1240 Annual Progress Report

### **Action Agenda A**

#### **A-1 (a) Consideration of Legislative Reports: Earle School District**

State Superintendent Dr. Mike Hernandez said he included the quarterly report alongside the legislative report.

Earle School District Superintendent Dr. Richard Wilde said the district was in transition. He said the goal was to improve local input. He said the goal from his perspective was to help expand thinking and decision-making at the local level. Dr. Wilde said decision-

making was an important aspect of community engagement. He said the district did a needs assessment. Dr. Wilde said the district does not yet have a clear vision of the measures and expectations of students at each grade level. He said the district would work through this vision during the summer.

Dr. Wilde said the district would evolve one plan over the course of three (3) years. Dr. Wilde said everyone is a leader and a learner. He said the district does not want to overwhelm staff with changes.

Dr. Wilde said the district had reached fiscal stabilization. He said the district was not yet in good shape fiscally, but was making progress.

Dr. Wilde said former Earle School District board members have rolled over to the advisory board for the district. He said this had been a valuable tool.

Dr. Wilde said the district's central office reached out to the Earle Youth Athletic Association. He said the goal is to align the association's mission with the district's mission. He said the goal for the district is to be well known academically as well as athletically.

Dr. Wilde said the district is developing a plan to thrive. He said the district is focusing on transitioning students to college and career.

Dr. Wilde said management must align vision with expenditure. He said this had been a battle in the current school year. He said the district was out of compliance in numerous areas.

Dr. Wilde said Earle Elementary School was a terrible facility. He said the community passed a millage and new construction would start in June 2018. He said the facility must be designed to accomplish the district's vision in addition to being safe and in compliance.

Dr. Wilde said the district would move from filling a position to ensuring alignment. He said the district would support new staff members so that they will want to invest in the district long-term. Dr. Wilde said teacher support and stabilization of staff is part of school improvement efforts. He said there was a lot of staff dissatisfaction previously. He said part of the issue was timeliness of decision-making.

Dr. Wilde said the culture shift is to be vision-driven, own the outcomes for students, follow-up and follow-through, have the district office support rather than direct, create a continuous learning environment, ensure that compliance is built into systems, and to become a fun place to be.

Dr. Wilde said the expectations on new staff, and especially for those hired through Act 1240 waivers, were overwhelming. He said the district was working on providing support to those staff members.

Dr. Wilde said the Arkansas Department of Education (Department) was very supportive. He said more support was needed. He said it would be a multi-year process.

Coordinator of Fiscal Distress Ms. Cindy Smith said the findings that led to the district's fiscal distress classification were from the 2016 fiscal year audit. She said the audit was not mandated by legislation. She said the district's balance was overstated by \$300,000. She said the district had no documentation for purchases, salaries were being paid from unallowable sources, and credit cards were being used by various people along with other fiscal issues.

Ms. Smith said the district had worked hard to pay off outstanding bills that reached in excess of one million dollars as of December 2017.

Ms. Smith said there were resource improvements in the district. She said teachers and students had new Chromebooks in the classrooms. She said wireless access points were added, and the district was working on hotspots so that students without internet access in their homes could complete homework assignments.

Dr. Wilde said the Standards unit identified that the district would be able to offer early release to students and still be in compliance. He said this additional time allows staff to review student data and work on school improvement.

Earle School District School Improvement Specialist Ms. Regina Williams said there were less staff changes this year than in previous years.

Dr. Wilde said the district approached Virtual Arkansas to help support classroom instruction in a blended model of course content provided by Virtual Arkansas with an in-class Earle School District instructor.

Ms. Smith said the Department would want to monitor districts with multiple financial journal entries. She said the Department was starting to ask for bank statements to ensure that bank statements matched e-finance statements. She said it was important to be intentional about monitoring districts that have issues in one area to ensure issues are not present for the same district in other areas.

Commissioner Key said the ability of districts to choose their own auditors and the capacity of those auditors to identify issues was a problem across the state. He said Dr. Wilde had worked with the community to educate and communicate. Commissioner Key said the community was well represented in the audience and thanked them for their engagement in the process.

#### **A-1 (b) Consideration of Legislative Reports: Dollarway School District**

State Superintendent Dr. Mike Hernandez said Dollarway School District Superintendent Ms. Barbara Warren was available to answer questions.

Ms. Warren said the performance issues and lack of growth were initially disheartening for her.

Dollarway School District School Improvement Specialist Ms. Dee Davis said the test scores were a disappointment. She said the district had given teachers data and asked them to do something with it in the past. She said now the district was developing a process to try to understand the data better.

Ms. Warren said there was more staff stabilization in the current year. She said the district had a high number of long-term substitute teachers. She said the district was reducing its number of positions. She said most of these positions were held by long-term substitute teachers. Ms. Warren said the Department had been helpful in the district's improvement process. Ms. Warren said the district felt empowered. She said she would have better news in the future.

Ms. Warren said the district had phenomenal teachers and a number of challenges as well. She said the district gave a survey to teachers concerning the culture of the district. She said the teachers felt that there was promise of a greater future for the district. Ms. Warren said she believed that the teachers felt more supported.

#### **A-1 (c) Consideration of Legislative Reports: Little Rock School District**

Little Rock School District Superintendent Mr. Mike Poore said the district had done a good job of clearing unused facility space. He said the district sold several properties. He said the district would utilize McClellan High School and J.A. Fair High School for other purposes once Southwest High School is completed. He said the district was considering options for Pre-K space. He said the district would advocate for additional Pre-K spots from Arkansas Better Chance and other funding sources. He said the district was considering opening additional Pre-K space for middle-income families who could pay for a quality, structured education.

Mr. Poore said the district had seen outstanding growth with Hispanic students and English language learners.

Mr. Poore said there had been good joint work between the Department and the district. He said there were eight (8) schools working with the R.I.S.E. initiative. He said all of the district's elementary schools would be part of the R.I.S.E. initiative in the coming school year.

Mr. Poore said the district was working with City Year students interested in becoming licensed teachers. He said the district was developing urban training centers with the University of Arkansas. He said the district was working to create a partnership with the University of Arkansas at Little Rock as well.

Mr. Poore said the district was working hard to ensure proper facilities. He said the district saved on energy consumption with operations adjustments. He said the district was improving classroom and athletic facilities.

Mr. Poore said the discipline numbers for Hall High School had dropped. He said Dr. Roberts at Hall High School had done an outstanding job with the students. He said Dr. Roberts motivated staff to do the work needed to improve the school.

Mr. Poore said the district signed an agreement with the Dolly Parton Imagination Library to get books in students' hands. He said a number of community partners joined to support the district in this partnership.

Ms. Reith moved, seconded by Ms. Dean, to approve the Earle School District, Dollarway School District, and Little Rock School District Legislative Reports. The motion carried unanimously.

## **A-2 Covenant Keepers Charter School Report**

Ms. Virginia Perry said on May 30, 2017, the State Board requested information concerning the academic progress and financial stability of Covenant Keepers Charter School.

Covenant Keepers Charter School Superintendent Dr. Valerie Tatum said this was the second year that the school had its lowest staff turnover rate.

Program Fiscal Manager Ms. Saliha Qazi said Covenant Keepers had been responsive to all questions by the Department. She said the district was doing well.

Ms. Perry said the Charter Authorizing Panel would receive a charter renewal application from Covenant Keepers in fall 2018.

Dr. Tatum said the school needed more wrap-around services for African-American students. She said Covenant Keepers was looking for wrap-around services that would especially support African-American male students. She said this was a struggle for the school. She said Covenant Keepers had done a good job with English language learners.

Ms. Reith moved, seconded by Dr. Hill, to approve Covenant Keepers Charter School Report. The motion carried unanimously.

## **A-3 (a) District Request for Waivers Granted to Open-Enrollment Charters: Emerson-Taylor-Bradley School District**

Public School Program Advisor Ms. Kelly McLaughlin said representatives from the Emerson-Taylor-Bradley School District were appearing before the State Board with a petition of waivers.

Emerson-Taylor-Bradley School District Superintendent Mr. Gary Hines said one (1) elementary school had three (3) children enroll late. He said the school was over capacity by one (1) student. He said the district was requesting a class size and teaching load waiver. He said the district would be back in compliance the following year.

Ms. Zook moved, seconded by Ms. Newton, to approve waiver request filed by Emerson-Taylor-Bradley School District. The motion carried unanimously.

**A-3 (b) District Request for Waivers Granted to Open-Enrollment Charters:  
Ouachita River School District**

The Department requested that this item be removed.

**A-3 (c) District Request for Waivers Granted to Open-Enrollment Charters:  
Texarkana School District**

Public School Program Advisor Ms. Kelly McLaughlin said representatives from the Texarkana School District were appearing before the State Board with teacher licensure and flexible schedule waivers for five (5) years.

Texarkana School District Director of School Improvement Mr. Matt Coleman said the district did not want students to lose learning time for disciplinary action that takes students out of the traditional class setting.

Director of Math and Science Ms. Diana Lowe said the district would like to have a strong instructional program to build on teacher strengths. She said the district would like to build the virtual education program for students who were not being reached in a traditional classroom setting. She said the waivers would allow teachers skilled professionally in a subject area, but not licensed, to teach in the classroom. She said the school board and administration were in full support of the waivers.

Mr. Coleman said the district was looking for blended learning opportunities. He said the district had two-way communication with teachers regarding these waivers.

Assistant Commissioner for Educator Effectiveness and Licensure Dr. Jeremy Owoh said the current licensure rules did not cover some of the content specialists who would teach courses in this district, but did fit other needs.

Assistant Commissioner for Learning Services Ms. Stacy Smith said concerning the economics professor who would teach AP Economics, if the teacher of record went

through the College Board AP training, the course taught by the instructor could be counted as AP credit. She said this held true regardless of whether that teacher had a license in social studies, which is the licensure area for economics courses.

Ms. Smith said embedded courses are typically co-taught. She said a number of districts submitted embedded course requests for physical education and band. She said it the district's responsibility to ensure that all standards are covered.

Mr. Black moved, seconded by Ms. Dean, to approve waiver request filed by Texarkana School District. The motion carried unanimously.

#### **A-4 Request of the Blevins School District for Waiver of Instructional Days**

General Counsel Ms. Lori Freno said Blevins School District was requesting a waiver of three (3) instructional days.

Blevins School District Superintendent Mr. Billy Lee said in March 2018, bats were spotted in one of the facilities. He said the bats were disposed of, and the next day more bats were spotted. Mr. Lee said he called the health department who informed him to call the Arkansas Game and Fish Commission. Mr. Lee said the issue persisted even after assistance from the Game and Fish Commission. He said he closed school for three (3) school days while all the facilities were exterminated and bats were tested for disease.

Ms. Zook moved, seconded by Ms. Newton, to approve waiver request filed by Blevins School District. The motion carried unanimously.

### **Action Agenda B**

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

Deputy General Counsel Ms. Courtney Salas-Ford said the Baldwin family sought to move their daughter to Pathfinder Academy. She said a family member was present to answer questions.

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

#### **B-2 Consideration for Final Approval: ADE Rules Governing Special Education and Related Services Procedural Requirements and Program Standards, Sec. 18.00 Residential Placement**

Deputy General Counsel Ms. Courtney Salas-Ford said the State Board released these proposed rules for public comment on June 8, 2017. She said substantive changes



were made to the proposed rules based on internal review. She said the Department staff respectfully requested that the State Board give its final approval on these proposed rules pending Arkansas Legislative Council review and approval.

Ms. Salas-Ford said juvenile detention centers were governed by the Arkansas Department of Finance and Administration (DFA). She said the DFA requirements were three (3) hours of educational instruction per day and the Department's requirement was six (6) hours. She said DFA changed the hours of instructional time to six (6) hours after noting the discrepancy. She said the detention centers followed the Department's guidelines in order to receive funding from the Department. She said the new rules follow DFA guidelines and does not specify a number of required instructional hours per day.

Ms. Zook moved, seconded by Ms. Dean, to approve ADE Rules Governing Special Education and Related Services Procedural Requirements and Program Standards, Sec. 18.00 Residential Placement. The motion carried unanimously.

### **B-3 Consideration for Final Approval: ADE Rules Identifying and Governing the Fiscal Assessment and Accountability Program**

Staff Attorney Ms. Mary Claire Hyatt said the State Board released these proposed rules for public comment on March 8, 2018. She said a public comment hearing was held on March 19, 2018, and ended on April 13, 2018. Ms. Hyatt said comments received did not result in substantive changes to the proposed rules. Ms. Hyatt said the Department staff respectfully requested that the State Board give its final approval on these proposed rules pending Arkansas Legislative Council review and approval.

Ms. Dean moved, seconded by Mr. Black, to approve ADE Rules Identifying and Governing the Fiscal Assessment and Accountability Program. The motion carried unanimously.

### **B-4 Consideration for Final Approval: ADE Rules Governing How to Meet the Needs of Children with Dyslexia**

Staff Attorney Ms. Mary Claire Hyatt said the State Board released these proposed rules for public comment on March 8, 2018. She said a public comment hearing was held on March 19, 2018, and ended on April 13, 2018. Ms. Hyatt said comments received did not result in substantive changes to the proposed rules. Ms. Hyatt said the Department staff respectfully requested that the State Board give its final approval on these proposed rules pending Arkansas Legislative Council review and approval.

Ms. Zook moved, seconded by Ms. Dean, to approve ADE Rules Governing How to Meet the Needs of Children with Dyslexia. The motion carried unanimously.

**B-5 Consideration for Final Approval: ADE Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification**

General Counsel Ms. Lori Freno said the State Board released these proposed rules for public comment on December 14, 2017. She said a public comment hearing was held on January 10, 2018, and ended on January 17, 2018. Due to substantive changes to the rules following the first public comment period, the rules were put out for a second public comment period and a second public comment hearing was held. Ms. Freno said the second public comment period ended April 13, 2018, following which no changes were made to the rules. Ms. Freno said the Department staff respectfully requested that the State Board give its final approval on these proposed rules pending Arkansas Legislative Council review and approval.

Ms. Reith moved, seconded by Ms. Newton, to approve ADE Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification. The motion carried unanimously.

**B-6 Consideration for Second Public Comment Release: Proposed Rules Governing Code of Ethics for Arkansas Educators**

General Counsel Ms. Lori Freno said these proposed rules provided a code of ethics and enforcement measures for Arkansas teachers and administrators. She said substantive changes were made following the second public comment period, including a new procedure for State Board review of PLSB recommendations not accepted by the Board. Ms. Freno said the Department staff respectfully requested that the State Board approve the release of these proposed rules for a second public comment period.

Ms. Dean moved, seconded by Mr. Black, to approve Proposed Rules Governing Code of Ethics for Arkansas Educators for a second public comment release. The motion carried unanimously.

**B-7 Consideration for Final Approval: ADE Rules and Regulations to Implement the Braille and Large Print Textbook Appropriation**

Staff Attorney Ms. Mary Claire Hyatt said the State Board released these proposed rules for public comment on February 8, 2018. She said a public comment hearing was held on March 19, 2018, and ended on March 27, 2018. She said no comments were received and no substantive changes were made to the proposed rules. Ms. Hyatt said the Department staff respectfully requested that the Board give its final approval on these proposed rules, pending Arkansas Legislative Council review and approval.

Ms. Dean moved, seconded by Ms. Newton, to approve ADE Rules and Regulations to Implement the Braille and Large Print Textbook Appropriation. The motion carried unanimously.

#### **B-8 Consideration for Final Approval: ADE Rules Governing Schools of Innovation**

Staff Attorney Ms. Mary Claire Hyatt said the State Board released these proposed rules for public comment on January 11, 2018. She said a public comment hearing was held on March 19, 2018, and ended on March 27, 2018. Ms. Hyatt said no comments were received and no substantive changes were made to the proposed rules. Ms. Hyatt said the Department staff respectfully requested that the State Board give its final approval on these proposed rules, pending Arkansas Legislative Council review and approval.

Commissioner Key said the Department learned from the process in the last few years. He said the rules work for the Department.

Ms. Zook moved, seconded by Ms. Reith, to approve ADE Rules Governing Schools of Innovation. The motion carried unanimously.

#### **B-9 Consideration for Final Approval: ADE Rules Governing Diplomas for Veterans of World War II, the Korean War, and the Vietnam War**

Attorney Supervisor Ms. Mary Claire Hyatt said the State Board released these proposed rules for public comment on January 11, 2018. She said a public comment hearing was held on March 19, 2018, and ended on March 27, 2018. She said comments received did not result in substantive changes to the proposed rules. Ms. Hyatt said the Department staff respectfully requested that the State Board give its final approval on these proposed rules, pending Arkansas Legislative Council review and approval.

Ms. Newton moved, seconded by Dr. Hill, to approve ADE Rules Governing Diplomas for Veterans of World War II, the Korean War, and the Vietnam War. The motion carried unanimously.

#### **B-10 Consideration of Request for Approval of Nominated Members for the Professional Licensure Standards Board to Replace Members Whose Terms are Vacant or Expiring June 30, 2019**

Assistant Commissioner for Educator Effectiveness and Licensure Dr. Jeremy Owoh said Dr. Mary Jane Bradley, Dean, College of Education, Arkansas State University, Jonesboro, has been nominated by the Arkansas Council of Education Deans to fill the

position vacated by Dr. Zaidy Mohdzain representing Public Institutions of Higher Education and Arkansas Association of Colleges for Teacher Education on the Professional Licensure Standards Board. Dr. Owoh respectfully requested that the State Board accept the nomination.

Ms. Dean moved, seconded by Dr. Hill, to approve Dr. Mary Jane Bradley as nominee to fill open position representing the Public Institutions of Higher Education and Arkansas Association of Colleges for Teacher Education on the Professional Licensure Standards Board. The motion carried unanimously.

### **B-11 Nominations for Chair and Vice-Chair**

Ms. Reith said the State Board Chair Nominating Committee selected Dr. Barth as the chair nominee and Ms. Dean as the vice-chair nominee for the 2018-2019 term.

Ms. Hyatt said the State Board was not required to accept the nominations via a voice vote. The nominations will stand as a report to the State Board.

### **Adjournment**

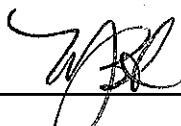
Mr. Black moved, seconded by Ms. Reith, to adjourn. The motion carried unanimously. The meeting adjourned at 2:29 p.m.

*Minutes recorded by Kelicia Hollis*



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Johnny Key, Commissioner



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Dr. Jay Barth, Chair