

Minutes
State Board of Education Meeting
Thursday, July 13, 2017

The State Board of Education met Thursday, July 13, 2017, in the Arkansas Department of Education Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:02 a.m.

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

Absent: Dr. Fitz Hill

Consent Agenda

Consent Item 3: Consideration for Public Comment: Proposed Rules Governing Background Checks. *This item was pulled from the agenda.

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

Items included in the Consent Agenda:

- Minutes— May 30, 2017
- Minutes— June 8, 2017
- Minutes— June 22, 2017
- Newly Employed, Promotions and Separations
- Consideration for Public Comment: Proposed Rules Governing Educator Support and Development, as well as repeal of Rules Governing the Teacher Excellence and Support System, Leader Excellence and Development System, and Educator Mentoring Programs
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-082 – Mary Beth Anderson Violation of Standard 8
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-098 – Robert Anthony Davis Violation of Standard
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-106 – Daniel Lewis Cline Violation of Standard 1
- Classification of School Districts as in Need of Level 5 – Intensive Support as of August 1, 2017: Little Rock School District and Dollarway School District

Action Agenda A

A-1 Consideration of Waiver Request for Teaching License- Anthony Chambers

Division Director of Educator Effectiveness Ms. Cheryl Reinhart said Mr. Anthony Chambers is a licensed educator who applied for renewal of his license. On May 22, 2017, the Department notified Mr. Chambers that he was disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410. Mr. Chambers timely requested a disqualification waiver from the State Board. Mr. Chambers appeared at the hearing and was represented by Attorney Tonya Floyd Chambers. Ms. Reinhart stated that the Department is recommending a waiver.

Attorney Ms. Floyd Chambers stated that she is also the wife of educator Mr. Anthony Chambers. Mr. Chambers testified that in 2014 he pled guilty to Battery First Degree (B Felony) and Negligent Homicide (B Felony) stemming from a 2012 automobile accident. Mr. Chambers testified that he has 26 years with the Little Rock School District and since the 2012 incident he has worked on his rehabilitation. Mr. Chambers stated that the current license that he has now was issued after the incident. He stated that he self-reported the incident to the State Board of Education after going to court.

Mr. Carl Duncan testified on behalf of Mr. Chambers. He is a colleague of Mr. Chambers.

Ms. Dean moved, seconded by Ms. Reith, to approve the waiver request for teaching license by Mr. Anthony Chambers. The motion carried unanimously.

A-2 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

ADE Deputy Commissioner of Education Dr. Ivy Pfeffer said Arkansas Code Annotated §6-17-309 requires local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. She said requests were received from 15 school districts covering a total of 18 waivers. It was recommended that 17 waivers be approved.

Dr. Pfeffer stated that waivers are normally on the consent agenda, but they are on the action agenda for this meeting. Dr. Barth asked whether they will be on the action or consent agenda moving forward. Dr. Pfeffer stated that is up to the board. It will be left to ADE to determine their placement.

Mr. Williamson moved, seconded by Ms. Chambers, to approve Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) days. The motion carried unanimously.

A-3 Consideration of the Comprehensive 2016-2017 Report on Waivers

ADE Deputy Commissioner of Education Dr. Ivy Pfeffer said there has been a reduction in Additional Licensure Plans (ALPs). There has also been a reduction of the number of teachers coming out of the pipeline. Dr. Pfeffer stated that long-term substitutes increased significantly from 2015-2016 to 2016-2017. There was also a large increase in hiring long-term substitute teachers at the beginning of an academic school year. Dr. Pfeffer said Act 1094 put in provisions for flexibility.

January and July were tacitly agreed upon by the Board as the time to hear these reports as a future action agenda item.

Ms. Newton moved, seconded by Ms. Reith, to approve Comprehensive 2016-2017 Report on Waivers. The motion carried unanimously.

A-4(a) Fiscal Distress— Consider Removal of Guy-Perkins School District from Fiscal Distress Classification

ADE Coordinator of Fiscal Distress Cynthia Smith said the Department is reporting that Guy-Perkins School District has currently corrected all criteria for being removed from Fiscal Distress. She said the Department recommended Guy-Perkins School District be removed from Fiscal Distress.

Former Interim Superintendent Mr. Robert Stewart gave his thanks to the district. Mr. Key extended his appreciation for Mr. Stewart's work.

Ms. Newton moved, seconded by Ms. Chambers, to remove Guy-Perkins School District from fiscal distress classification. The motion carried unanimously.

A-4(b) Fiscal Distress— Consider Removal of Yellville-Summit School District from Fiscal Distress Classification

ADE Coordinator of Fiscal Distress Ms. Cynthia Smith said Yellville-Summit School District was classified in Fiscal Distress on May 29, 2015. The Department is reporting that the Yellville-Summit School District has currently corrected all criteria for being removed from Fiscal Distress. The Department recommended that the Yellville-Summit District be removed from Fiscal Distress.

Superintendent Wes Henderson expressed his gratitude for the experience. Mr. Key extended his thanks to Mr. Henderson for his work.

Ms. Zook moved, seconded by Ms. Dean, to remove Yellville-Summit School District from fiscal distress classification. The motion carried unanimously.

A-5 Act 1240 District Waiver Requests

ADE Public School Program Advisor Ms. Kelly McLaughlin provided a summary of Act 1240 School District Waiver Requests as codified in Arkansas Code Ann. § 6-15-103.

ADE Public School Program Advisor Ms. Kelly McLaughlin said the State Board is being petitioned by 4 school districts to be granted the same waivers that are granted to open-enrollment public charter schools.

A-5(a) District Request for Waivers Granted to Open-Enrollment Charters: Carlisle School District

This item was pulled from the agenda.

A-5(b) District Request for Waivers Granted to Open-Enrollment Charters: Deer/Mt. Judea School District

ADE Public School Program Advisor Ms. Kelly McLaughlin 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.

Deer/Mt. Judea School District Curriculum Coordinator Ms. Melissa King stated that the district is requesting a library media specialist, teacher licensure, and flexible schedule waiver. Principal Ms. Brenda Napier stated that they want quality for their students, and they do not take the waiver requests lightly.

ADE Attorney Specialist Ms. Jennifer Davis stated that Ark. Code Ann. § 6-18-211 has been repealed, so it will not be an issue for the district.

ADE Assistant Commissioner for Learning Services Ms. Stacy Smith said there have been many requests for library media specialists.

Ms. Reith moved, seconded by Mr. Black, to approve district request for library media waiver granted to open-enrollment charters presented by the Deer/Mt. Judea School District. Opposed by Ms. Newton. Final vote was 6-1. The motion carried.

Mr. Williamson moved, seconded by Mr. Black to approve district request for teacher licensure waivers granted to open-enrollment charters presented by the Deer/Mt. Judea School District. Opposed by Ms. Reith. Final vote was 6-1. The motion carried.

Ms. Zook moved, seconded by Ms. Newton, to deny district request for flexible schedule waivers granted to open-enrollment charters presented by the Deer/Mt. Judea School District. The motion carried unanimously.

A-5(c) District Request for Waivers Granted to Open-Enrollment Charters: El Dorado School District

ADE Public School Program Advisor Ms. Kelly McLaughlin 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.

ADE Director of Public Charter Schools Ms. Alexandra Boyd stated that schools are able to retain waiver as long as an open enrollment charter exists.

El Dorado School District Superintendent Mr. Jim Tucker and Director of Human Resources Ms. Melissa Powell shared a presentation. Mr. Tucker said teacher vacancy is a current issue. He said that there is support for instructional strategies in major core courses. Ms. Powell said the district is providing special support for long-term substitute teachers.

Mr. Williamson moved, seconded by Ms. Reith, to approve district request for waivers granted to open-enrollment charters presented by the El Dorado School District. The motion carried unanimously.

A-5(d) District Request for Waivers Granted to Open-Enrollment Charters: Vilonia School District

ADE Public School Program Advisor Ms. Kelly McLaughlin 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.

Vilonia School District Superintendent Mr. David Stephens and Assistant Superintendent Ms. Cathy Riggins presented. Ms. Riggins stated that this waiver would allow them to change students' lives.

Ms. Zook moved, seconded by Ms. Reith, to approve district request for flexible schedule waivers granted to open-enrollment charters presented by the Vilonia School District. The motion carried unanimously.

A-5(e) District Request for Waivers Granted to Open-Enrollment Charters: Southeast Cooperative -Woodlawn School District

Public School Program Advisor Ms. Kelly McLaughlin 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.

Southeast Arkansas Education Service Cooperative Director Ms. Karen Eoff gave overview of Woodlawn School District's current declining number of licensed teachers.

Woodlawn Superintendent Mr. Dudley Hume made final remarks reiterating Ms. Eoff's presentation.

Ms. Reith moved, seconded by Ms. Dean, to approve district request for teacher licensure and media specialist waivers granted to open-enrollment charters presented by the Southeast Cooperative -Woodlawn School District. The motion carried unanimously.

Action Agenda B

B-1 Opportunity School Choice

ADE Attorney Specialist Ms. Jennifer Davis provided a summary of Opportunity Public School Choice Act as codified in Ark. Code Ann. § 6-18-227.

B-1(a) Opportunity School Choice – Consideration of Appeal from Denial of Opportunity School Choice Application – Davis

This item was pulled from the agenda.

B-1(b) Opportunity School Choice— Consideration of Appeal from Denial of Opportunity School Choice Application – Foster

ADE Attorney Specialist Ms. Jennifer Davis said Pursuant to Ark. Code Ann. § 6-18-227 and the Arkansas Department of Education Rules Governing the Opportunity Public School Choice Act, the Foster Family appeals the decision of the Spring Hill School District to deny an Opportunity School Choice transfer to its child for the 2017-2018 school year. The family is zoned to attend the Hope School District.

Spring Hill School District Attorney Ms. Sharon Street expressed that she believes that Hope School District has met their obligations under the desegregation order by the action they have taken. Spring Hill School District Ms. Angela (Angie) Raney stated that they would like to follow the rules by which they are governed.

Ms. Cindy Foster, the student's aunt, said she would like her nephew to get a good education.

Hope School District attorney Ms. Whitney Moore stated that a federal desegregation order makes the district exempt from regular school choice and it would suggest conflict with opportunity choice.

Hope School District Superintendent Mr. Bobby Hart was also present and addressed the district's progress while under academic distress classification.

Ms. Zook motioned, seconded by Mr. Williamson to approve appeal of the Opportunity School Choice Application presented to the Foster family. Ms. Reith and Ms. Chambers voted to deny appeal. Final vote 5-2. The motion carried.

B-2 School Choice

ADE Attorney Specialist Ms. Jennifer Davis shared a summary of Arkansas Public School Choice Act of 2015 as codified under Ark. Code Ann. § 6-18-1901-1908.

B-2(a) School Choice— Consideration of Appeal from Denial of School Choice Application - Childs

ADE Attorney Specialist Ms. Jennifer Davis stated that representatives from Blevins School District were unable to attend, but did not have any objections to appeal. She says the Childs family appeals the decision of the Prescott School District to deny their school choice application for the 2017-2018 school year. The family resides in the Blevins School District.

Prescott School District Special Education Supervisor Ms. Heather Headman shared testimony and stated that both special education classrooms that the student would be eligible to transfer into are at 100% capacity.

The student's grandmother stated the family is much closer to Prescott School District and that the student has not had a good experience at Blevins in recent years.

ADE Assistant Commissioner for Learning Services Ms. Stacy Smith said that there is a dispute resolution process, and that she would follow up with the family and the appropriate ADE staff member.

Ms. Zook moved, seconded by Ms. Chambers, to deny school choice appeal by the Childs family. The motion carried unanimously.

B-2(b) School Choice— Consideration of Appeal from School Choice Denial - Marzonie Family

ADE Attorney Specialist Ms. Jennifer Davis said pursuant to the 1989 School Choice Act, the Marzonie family appeals the decision of the Fountain Lake School District to

deny their school choice application for the 2017-2018 school year. The family resides in the Hot Springs School District.

Fountain Lake School District Director of Curriculum Mr. Brad Sullivan stated that the school is at capacity for the child's grade level.

Mr. Marzonie, grandfather of the student, stated that he is concerned for the welfare of the child and for this reason would like the child to be placed in the Fountain Lake School District.

Ms. Dean moved, seconded by Ms. Chambers, to deny school choice appeal by the Marzonie family. The motion carried unanimously.

B-3 Stand Alone Reading Test for K-6 Elementary Education and K-12 Special Education Licensure

ADE Public School Program Coordinator Ms. Joan Luneau gave a summary of Act 416 of 2017 that requires a person who applies for an Elementary Education (K-6) or a Special Education (K-12) license to successfully pass a stand-alone teaching reading test. To satisfy licensure test requirements of Act 416, the Department recommends using the Foundations of Reading with a cut score of 229 effective September 1, 2017. From discussion and feedback during the test reviews as well as a follow-up survey, the recommended test is the Foundations of Reading. To comply with Act 416, data provided by Pearson Education, Inc. supported a cut score of 229.

Ms. Zook moved, seconded by Ms. Reith, to approve using the Foundations of Reading with a cut score of 229 effective September 1, 2017. The motion carried unanimously.

B-4 2017-2018 Embedded Courses

ADE Assistant Commissioner for Learning Services Ms. Stacy Smith said Act 421 of 2013 allows curriculum frameworks from two (2) separate courses to be taught in a single course known as a combined or embedded course. She stated that the Arkansas Department of Education staff respectfully requests the State Board approve the embedded courses.

Ms. Reith moved, seconded by Ms. Dean, to approve the embedded courses as presented to the Board. The motion carried unanimously.

B-5 Praxis® Fundamental Subjects: Content Knowledge (5511) for K-12 Special Education Licensure

ADE Public School Program Coordinator Ms. Joan Luneau said the Praxis Fundamental Subjects: Content Knowledge (5511) with a cut score of 148 is currently an option for licensed K-12 special education teachers to demonstrate content knowledge in single or multiple core subject areas. The Department recommends using the Praxis Fundamental Subjects: Content Knowledge (5511) with a cut score of 148.

Ms. Chambers moved, seconded by Ms. Reith, to approve the Praxis Fundamental Subjects: Content Knowledge (5511) with a cut score of 148 for K-12 special education licensure. The motion carried unanimously.

B-6 Replacement of a Principles of Learning and Teaching (PLT) for K-12 Special Education Licensure with Praxis® Special Education: Core Knowledge and Applications (5354)

ADE Public School Program Coordinator Ms. Joan Luneau said the following tests are currently required for Special Education (K-12) licensure: Praxis Core Academic Skills for Educators (5751), Praxis Special Education: Core Knowledge and Applications (5354), and one of the Praxis Principles of Learning and Teaching (PLT). For Special Education (K-12) licensure, the Department recommends removing the requirement for a PLT and allowing the current Praxis Special Education: Core Knowledge and Applications (5354) with the current State Board approved cut score to be the SpEd (K-12) content and pedagogy test. This recommendation is to be effective September 1, 2017.

Ms. Dean moved, seconded by Ms. Reith, to approve removing the requirement for a PLT and allowing the current Praxis Special Education: Core Knowledge and Applications (5354) with the current State Board approved cut score to be the SpEd (K-12) content and pedagogy test effective September 1, 2017. The motion carried unanimously.

B-7 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, 2017

ADE Deputy Commissioner Dr. Ivy Pfeffer said under Ark. Code Ann. § 6-17-422 members of the Professional Licensure Standards Board serve rotating terms and are appointed by the State Board from nominations made by professional education associations. Dr. Andrea Martin has been nominated by the Arkansas Association of Educational Administrators to represent the association and district level administrators.

Ms. Reith moved, seconded by Ms. Chambers, to approve appointment of Dr. Andrea Martin to the Professional Licensure Standards Board. The motion carried unanimously.

B-8 Consideration of State Board of Education meeting calendar for 2018

ADE Assistant Commissioner for Public School Accountability Ms. Deborah Coffman said the Board is requested to approve the State Board meeting calendar for 2018.

Ms. Zook moved, seconded by Ms. Dean, to approve the State Board meeting calendar for 2018. The motion carried unanimously.

Public Comment

Ms. Reith moved, seconded by Ms. Zook, to hear public comment. The motion carried unanimously.

Mr. Foster stated the White Hall School District is receiving funding from Pine Bluff which should go to the Dollarway School District. Boundary lines have been drawn so that the White Hall School District receives money from the city of Pine Bluff that should go into Dollarway School District. Mr. Foster shared a handout showing how the matter can be addressed legally.

Mr. Key confirmed the accuracy of Mr. Foster's research, and Ms. Davis stated that further action would be up to the Board.

Adjournment

Ms. Chambers moved, seconded by Mr. Black, to adjourn. The motion carried unanimously. The meeting adjourned at 3:50 p.m.

Report 2 (Moved from Friday, July 14, 2017 agenda)

ADE Special Advisor Ms. Hope Allen said the 2016-2017 scores from all available assessments will be presented to the Board in August along with an analysis of the data.

Ms. Allen said the state saw statistically significant increases in most subjects on the ACT Aspire test. She stated reading scores are lower than desired, but that the Department looks to see higher scores through the R.I.S.E. initiative. She said there were improvements in writing, possibly due to increased writing-focused initiatives across the state. There were statistically significant increases in math scores.

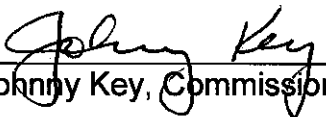
Ms. Allen said the Department is considering professional development that will impact progress across the state.

ADE Assistant Commissioner for Learning Services Ms. Stacy Smith stated that period scheduling and compartmentalized structures may impact the drop-off in achievement for middle and high school students. She stated that testing is not insulated standard by standard. She said the state is continuing to look at how to address issues at the middle and high school level.

Ms. Allen said that there were not many changes in Iowa Scores. Ms. Allen stated that the only change in the ACT Aspire assessment was the increased time allotted for writing, but everything else was the same.

Mr. Key expressed interest in looking at the impact of the waiver requests as it relates to scores per the suggestion of Ms. Zook and affirmed by other members of the Board.

Minutes recorded by Kelicia Hollis



Johnny Key, Commissioner



Dr. Jay Barth, Chair

