

**Minutes**  
**State Board of Education Meeting**  
**Thursday, September 8, 2016**

The State Board of Education met Thursday, September 8, 2016, in the Arkansas Department of Education Auditorium. Chair Mireya Reith called the meeting to order at 10:10 a.m.

Present: Mireya Reith, Chair; Dr. Jay Barth, Vice-Chair; Dr. Fitz Hill; Joe Black; Diane Zook; Ouida Newton; Brett Williamson; Charisse Dean; Megan Ables, 2016 Teacher of the Year; and Johnny Key, Commissioner.

Absent: Susan Chambers.

Chair Reith reminded the Board that September is Take your Legislator to School month.

**Consent Agenda**

Dr. Barth moved, seconded by Mr. Black, to approve the consent agenda, less items 10 and 11. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes – August 11, 2016
- Minutes – August 12, 2016
- 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 #16-092 – Don W. Fate
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-111 – Jim Edward Elser
- End-Of-Semester Reviews of Open-Enrollment Public Charter Schools in the Initial Year of Operation: Capital City Lighthouse, Haas Hall Academy (Bentonville), Ozark Montessori, and Rockbridge Montessori
- Consideration of 2016 Charter Report
- Consideration of 2015-2016 Education Renewal Zones Report
- Consideration of PCSSD Community Advisory Board Vacancy

**Action Agenda**

Consent Items 10 and 11 moved to the Action Agenda:

## **Consideration of the Recommendation of the Department for Recognition of Private Organizations as an Accrediting Association for the Purpose of Establishing Private School Eligibility for the Succeed Scholarship Program**

Deputy General Counsel Ms. Courtney Salas-Ford said Ark. Code Ann. § 6-41-803(b)(1) required that a private school meet the accreditation requirements set by an accrediting association recognized by the State Board for eligibility in the Succeed Scholarship Program. She recommended the State Board recognize the American Montessori Society and AdvancED as accrediting associations for purposes of Ark. Code Ann. 6-41-803(b)(1), private school eligibility for the Succeed Scholarship Program. She said any student with an Individualized Education Program (IEP) was eligible for the program. Ms. Salas-Ford said she spoke to each student's parents that applied for the scholarship.

Reform Alliance Executive Director Ms. Katie Clifford said payments are made monthly. She said the Reform Alliance does not receive any funds for being the third party in this process. She said the receiving schools are seeking to provide special education services that meet the needs of the identified students.

Ms. Zook moved to approve AdvancED only. The motion failed for lack of second.

Mr. Williamson moved, seconded by Ms. Newton, to table the item until later in the agenda. The motion carried unanimously.

After additional conversation during the lunch work session, the Board asked final questions for clarification.

Assistant Commissioner of Fiscal and Administrative Services Mr. Greg Rogers said one check from ADE was sent to the third party. The third party then issues a check to the parent, the parent endorses the check, and the third party delivers the monthly payment directly to the private entity.

After some discussion the Board decided to consider the accrediting associations independently.

Dr. Barth moved, seconded by Ms. Zook, to approve AdvancEd as an accrediting association for the purpose of establishing private school eligibility for the Succeed Scholarship Program. The motion carried unanimously.

Mr. Williamson moved, seconded by Ms. Newton, to approve the American Montessori Society as an accrediting association for the purpose of establishing private school eligibility for the Succeed Scholarship Program. Dr. Barth and Ms. Zook voted no. The final vote was 5-2. The motion carried.



**Consideration of the Recommendation of the Department for Recognition of Nationally Recognized, Norm-referenced Tests for the Purpose of Establishing Private School Eligibility for the Succeed Scholarship Program**

Deputy General Counsel Ms. Courtney Salas-Ford said Ark. Code Ann. § 6-41-803(d) required that a private school administer or make provisions for a participating student to take a nationally recognized, norm-referenced test established by the State Board.

Assessment Director Ms. Hope Allen said her office could work with the school to provide assessment training as requested. She said a norm-referenced assessment was normed for a bell curve.

Dr. Barth moved, seconded by Ms. Newton, to table the item until later in the agenda. The motion carried unanimously.

After additional conversation during the lunch work session, the Board asked final questions for clarification.

Dr. Barth moved, seconded by Ms. Newton, to approve the recognition of nationally recognized, norm-referenced tests for the purpose of establishing private school eligibility for the Succeed Scholarship Program. The motion carried unanimously.

**A-1 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Monica Colbert**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Monica Colbert was a licensed educator who received funding under the Rules Governing Eligibility and Financial Incentives for National Board for Professional Teaching Standards Candidacy and Certification Program, but did not complete certification within a three-year time period. Ms. Colbert has requested a waiver from her obligation to repay NBPTS Program funding in the amount of \$1,375.00. Based on extenuating circumstances, the Department recommended that the State Board waive the requirement for repayment of NBPTS Program funding.

Dr. Barth moved, seconded by Mr. Williamson, to waive the requirement for repayment of NBPTS Program funding for Ms. Monica Colbert. The motion carried unanimously.

**A-2 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Cindy Hallmark**

Action Item 2 was pulled from the agenda.

### **A-3 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Sita Montgomery**

Action Item 3 was pulled from the agenda.

### **A-4 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Todd Musgraves**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Mr. Todd Musgraves requested a waiver from his obligation to repay NBPTS Program funding in the amount of \$1,250.00. Based on extenuating circumstances, the Department recommended that the State Board waive the requirement for repayment of NBPTS Program funding.

Mr. Williamson moved, seconded by Dr. Hill, to waive the requirement for repayment of NBPTS Program funding for Mr. Todd Musgraves. The motion carried unanimously.

### **A-5 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Jodi Staten**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Ms. Jodi Staten requested a waiver from her obligation to repay NBPTS Program funding in the amount of \$1,250.00. Based on extenuating circumstances, the Department recommended that the State Board waive the requirement for repayment of NBPTS Program funding.

Ms. Newton moved, seconded by Mr. Williamson, to waive the requirement for repayment of NBPTS Program funding for Ms. Jodi Staten. The motion carried unanimously.

### **A-6 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Trina Walls**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Ms. Trina Walls requested a waiver from her obligation to repay NBPTS Program funding in the amount of \$2,500.00. Based on extenuating circumstances, the Department recommended that the State Board waive the requirement for repayment of NBPTS Program funding.

Ms. Dean moved, seconded by Mr. Black, to waive the requirement for repayment of NBPTS Program funding for Ms. Trina Walls. The motion carried unanimously.



#### **A-7 Consideration of the Department of Education Recommendation for Waiver from Repayment of NBPTS Program Funding – Casey Weisenbach**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Ms. Casey Weisenbach requested a waiver from her obligation to repay NBPTS Program funding in the amount of \$1,250.00. Based on extenuating circumstances, the Department recommended that the State Board waive the requirement for repayment of NBPTS Program funding.

Ms. Zook moved, seconded by Ms. Dean, to waive the requirement for repayment of NBPTS Program funding for Ms. Casey Weisenbach. The motion carried unanimously.

#### **A-8 Consideration of Embedded Courses**

Public School Program Coordinator Mr. Thomas Coy said Act 421 of 2013 allowed curriculum frameworks from two (2) separate courses to be taught in a single course, known as a combined or embedded course. He requested the State Board approve the embedded courses, English 10 with Oral Communication, for West Fork School District and Alpena School District with the 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 of Education and approval must be granted before a school would be allowed to offer the embedded courses.

Dr. Barth moved, seconded by Ms. Zook, to grant approval for the embedded courses for West Fork School District and Alpena School District. The motion carried unanimously.

#### **A-9 Consideration of Appeal from Denial of School Choice Application - Sims**

Action Item 9 was pulled from the agenda.

#### **A-10 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Public Charter School Application: Lockesburg STEM Academy, Lockesburg, Arkansas**

Charter School Director Ms. Alexandra Boyd said the Charter Authorizing Panel denied the application.

Dr. Barth moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School application for the Lockesburg STEM Academy, Lockesburg, Arkansas. The motion carried unanimously.

### **A-11 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Public Charter School Application: Paron Charter School, Paron, Arkansas**

Charter School Director Ms. Alexandra Boyd said the Charter Authorizing Panel denied the application.

Dr. Barth moved, seconded by Ms. Dean, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School application for the Paron Charter School, Paron, Arkansas. Ms. Newton voted no. The final vote was 6-1. The motion carried.

### **Request to Add Additional Items to the Action Agenda**

Staff Attorney Ms. Jennifer Davis requested to add an action item to the agenda to consider a waiver for the Hot Springs School District.

Ms. Newton moved, seconded by Dr. Hill, to add an action item to the agenda to consider a waiver for the Hot Springs School District. The motion carried unanimously.

Staff Attorney Ms. Jennifer Davis also requested to add an action item to the agenda to consider a previous item regarding Ms. Ashley Nelson.

Dr. Barth moved, seconded by Ms. Dean, to add an action item to the agenda to consider a previous item regarding Ms. Ashley Nelson. The motion carried unanimously.

### **Consideration of Long-Term Substitute for the Hot Springs School District**

Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Arkansas Code Annotated §6-17-309 required local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. She said the Hot Springs School District was requesting a long-term substitute to fill an emergency vacancy for a new position needed for special education. She said due to the nature of the new position, the district needed the Board's approval prior to the October meeting. She said while current rules required a long-term substitute teacher to hold a bachelor's degree, the candidate for the position was currently a student teacher in the final semester of completing her K-12 Special Education degree and licensure requirements. Ms. Pfeffer said the university would continue to support Ms. Mikala Koller.

Ms. Newton moved, seconded by Mr. Black, to approve the wavier for the Hot Springs School District for Ms. Mikala Koller. The motion carried unanimously.



**Consideration of Recommendation of the Office of Educator Effectiveness,  
National Board for Professional Teaching Standards for Suspension of License –  
Ashley Nelson**

On August 11, 2016, the State Board pulled the action item from the agenda. Staff Attorney Ms. Jennifer Davis said Ms. Ashley Nelson had paid in full and the Department requested the item now be pulled from the agenda because the payment was made and therefore the original request for consideration of suspension of license was no longer required. She said the issue had been resolved. She said the reason the Board was asked to reconsider this item was to complete the process and to make the record final for Ms. Nelson.

**A-12 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Charter School Amendments: Ozark Montessori Academy**

Charter School Director Ms. Alexandra Boyd said the Charter Authorizing Panel approved the amendment request.

Ms. Newton moved, seconded by Mr. Williamson, to not review the Charter Authorizing Panel decision on the Open-Enrollment Charter School amendments for the Ozark Montessori Academy. The motion carried unanimously.

**A-13 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Public Charter School Application: Classical Academy of Fayetteville, or Farmington, Arkansas**

Charter School Director Ms. Alexandra Boyd said the Charter Authorizing Panel denied the application. She said the applicant did not desire to move forward with the application at this time.

Ms. Dean moved, seconded by Dr. Barth, to not review the Charter Authorizing Panel decision on the Open-Enrollment Public Charter School application for the Classical Academy of Fayetteville or Farmington, Arkansas. The motion carried unanimously.

**A-14 District Request for Waivers Granted to Open-Enrollment Charters: Smackover-Norphlet School District**

Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allowed 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. She said the waiver request was for five (5) years.

Smackover-Norphlet School District Curriculum Director Ms. Jennifer Lee said the district previously requested a voluntary annexation that has been very successful for the students. She requested a waiver from teacher licensure so that the district may hire qualified personnel during the time the educators are working on the requirements for their teaching licenses.

Smackover-Norphlet School District Superintendent Mr. Dave Wilcox said the district has educators nearing retirement and he was concerned about replacing those educators.

Ms. Lee said the district has joined in a partnership with a local university to recruit more educators to the education profession.

Mr. Williamson moved, seconded by Ms. Zook, to approve the waivers granted to Open-Enrollment Charters for the Smackover-Norphlet School District. Dr. Barth voted no. The final vote was 6-1. The motion carried.

#### **A-15 District Request for Waivers Granted to Open-Enrollment Charters: Pine Bluff School District**

Division of Learning Services Coordinator Ms. Mary Perry said Act 1240 of 2015 allowed 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.

Pine Bluff School District Human Capital and Evaluation Officer Mr. Dexter Lee said the University of Arkansas at Pine Bluff (UAPB) was experiencing a decline in enrollment in the education preparation program. He said the Pine Bluff School District currently had fifteen (15) teaching vacancies with eight (8) of those positions being filled by long-term substitutes. He said the school board passed a resolution in support of the waivers. He said he was developing a teacher recruitment plan.

Pine Bluff School District Superintendent Dr. Michael Robinson said the district was seeking qualified applicants to fill the vacancies. He said he had questions regarding the waiver but he did not delay the waver request. Dr. Robinson said the district was in the process of training school administrators in Data Wise to build the capacity for a collaborative leadership model. He said a mentoring process has been put into place for all new educators to the district. He said the district would hire certified educators first but he wanted content experts in classrooms instead of substitutes.

Pine Bluff School District School Improvement Officer Ms. Alesia Smith said the district recruited potential teachers from many universities in state and out of state. She said the new teacher induction program began with three (3) initial days and monthly follow-up. She said the district school improvement specialists and the co-op specialists were providing additional support to teachers. She said the district enrollment has increased.



Assistant Commissioner of Educator Effectiveness and Licensure Ms. Ivy Pfeffer said all new teachers are required to be enrolled in the teacher-mentoring project under the Teacher Excellence and Support System (TESS). She said long-term substitutes are not included in that support. She shared data regarding the UAPB educator preparation program.

School Improvement Director Dr. Richard Wilde said he would be in favor of the waivers as a short-term solution to the teaching shortage. He said he had asked the district to examine the data before making the request to the Board. He said a reduction in force was put into place at the end of the last school year. He said any educator that was qualified to fill a vacancy would have been called back first.

Ms. Dean moved, seconded by Mr. Black, to grant the district request for waivers granted to Open-Enrollment Charters for the Pine Bluff School District. Dr. Barth voted no. The final vote was 6-1. The motion carried.

### **Adjournment**

Ms. Dean moved, seconded by Mr. Williamson, to adjourn. The motion carried unanimously. The meeting adjourned at 3:21 p.m.

*Minutes recorded by Deborah Coffman.*

  
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Mireya Reith/Chair

  
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Johnny Key, Commissioner