

**Minutes  
State Board of Education Meeting  
Friday, July 15, 2016**

The State Board of Education met Friday, July 15, 2016, in the Arkansas Department of Education Auditorium. Chair Mireya Reith called the meeting to order at 9:00 am.

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

Absent: Meghan Ables, 2016 Teacher of the Year.

**Recognition**

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Arkansas ranks at the top in the number of National Board Certified Teachers.

Dr. Clara Carroll said today 98 new National Board Certified Teachers and 116 renewals would be celebrated. She said research evidence indicates that certified teachers produce increased student achievement.

Ms. Pfeffer recognized Ms. JoAnna Alison, Ms. Tamara Bush-White, Mr. Daniel Darrough, Ms. Kimberly Dickens, Ms. Mary Ferguson, Ms. Jennifer Fithen, Ms. Tamara Gatewood-Williams, Ms. Jasmine Geter, Ms. Amy Griffin, Ms. Ami Griggs, Ms. Michelle Guinn, Ms. Jessica Harris, Ms. Darlene Henry, Ms. Jill Holman, Ms. Kamilla Khoury, Ms. Sara Lawrence, Ms. Amy Leslie, Ms. Stacey Lorenz-Mitchell, Ms. Jennifer Merriman, Ms. Tasha Middaugh, Ms. Haley Morris, Ms. Lacey Robbins, Ms. Susan Sierra, Ms. Alicia Skipper, Ms. Janet Smoot, Ms. Danielle Stewart, Ms. Jana Terrell, Ms. Sheila Williams, and Ms. Candace Wilson as National Board Certified Teachers.

**Action Agenda**

**A-1 Consideration of Reallocation of ABC Grants**

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said pursuant to the authority granted to the State Board of Education, the Division of Child Care and Early Childhood Education has respectfully requested approval for the reallocation of the AR Better Chance funding for the purpose of expanding existing programs or the development of new programs. She said the funding for these grants resulted from programs either relinquishing their slots or being placed in re-competition. A chart was provided that highlighted the new grants that were initially presented for Round 1 during the June meeting and Round 2 being presented in the July meeting. She clarified that during the introduction of Round 1 of

the reallocation grants, there was one-time start-up funding of \$5,000.00 for the new grantees of Our House, First Baptist Church and Ozark Opportunities. This one-time start-up funding will be added to each grantee grant award and will be increased by that amount. Then, Ms. McKinney introduced Round 2 of the ABC Reallocation Grant Awards.

Dr. Barth moved, seconded by Ms. Zook, to approve for the reallocation of the AR Better Chance funding Round 1 total of \$3,577,380.00; Round 2 total of \$1,294,100.00; and 2016-2017 ABC renewal grants for a total of \$101,613,270.00. The motion carried unanimously.

### **A-2 Consideration of ABC Payment to the Scholastic Academy - Summer Services**

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said that the ABC program, Scholastic Academy, was approved during the May meeting to provide summer services. The data management system did not capture the full enrollment of the program's children resulting in the program receiving only a partial payment of \$8,190.00. Therefore, Ms. McKinney requested approval to pay the difference owed to Scholastic Academy which was \$13,650.00. Since this would be from the new fiscal year, this will increase their base grant from \$291,600.00 to \$305,250.00.

Ms. Zook moved, seconded by Ms. Chambers, to approve the ABC payment to the Scholastic Academy summer services for a total of \$13,650 increasing their 2016-17 grant to \$305,250.00. The motion carried unanimously.

### **A-3 Consideration of Little Rock School District Community Advisory Board Membership**

Commissioner of Education Mr. Johnny Key said pursuant to Arkansas Code Annotated § 6-15-430 (2)(A) the commissioner, with the approval of the State Board, may appoint a community advisory board of either five (5) or seven (7) members to serve under the supervision and direction of the commissioner.

Commissioner Key said there was a very strong pool of applicants in the Little Rock School District. He recommended the following membership:

Zone 1 – Ms. Chauncey Holloman  
Zone 2 – Ms. Maria Chavarria-Garcia  
Zone 3 – Ms. Melanie Fox  
Zone 4 – Mr. Jeff Wood  
Zone 5 – Mr. Larry Clark  
Zone 6 – Mr. Anthony Hampton  
Zone 7 – Mr. Freddie Scott



The Board appreciated the opportunity to hear from all of the applicants during the public meeting held June 27, 2016.

Ms. Chambers moved, seconded by Mr. Black, to approve the Little Rock School District Community Advisory Board Membership. The motion carried unanimously.

### **Discussion of Act 1240 Waivers**

Staff Attorney Ms. Jennifer Davis reviewed the methods for districts to obtain waivers of statutes and rules including district conversion charter, waivers granted to open-enrollment charters serving students who reside in the district, and school of innovation designation.

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said core content areas include English, reading or language arts, math, science, history, civics and government, geography, economics, the arts, and foreign language.

Commissioner Key said the Arkansas Department of Education would notify the Arkansas Department of Career Education (ACE) of Act 1240 waivers that involve career education.

The Board requested an analysis of approved and denied Act 1240 waivers during the scheduled work session, August 11, 2016.

Ms. Davis reviewed the procedures for waivers granted to open-enrollment charters.

### **A-4 District Request for Waivers Granted to Open-Enrollment Charters: Barton-Lexa School District**

Division of Learning Services Coordinator Ms. Mary Perry said on January 14, 2014, the State Board of Education approved waivers for the Barton-Lexa School District.

Barton-Lexa School District Superintendent Mr. David Tollett said the district offered many pathways for students. He requested waivers for licensure of core subject areas, class size and teacher loads, and flexible classroom time. Mr. Tollett explained the intent of using the waivers to increase student achievement. He amended his application to apply class size waivers to vocational courses and senior seminar and a teacher load cap of 165 students.

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said reported data indicated a decline in professionals in the education field. She said there are sharp declines in the number of students going into preparation programs in Arkansas.

Dr. Barth moved, seconded by Ms. Newton, to grant the requested waivers for licensure of core subject areas for the Barton-Lexa School District for five (5) years. The motion carried unanimously.

Ms. Newton moved, seconded by Ms. Zook, to grant the requested waivers for class size and teacher loads with noted amendments for the Barton-Lexa School District for five years. Dr. Barth voted no. The final vote was 7-1. The motion carried.

Dr. Barth moved, seconded by Ms. Dean, to grant the requested waivers for flexible classroom time for the Barton-Lexa School District for five years. Ms. Newton and Ms. Zook voted no. The final vote was 6-2. The motion carried.

#### **A-5 District Request for Waivers Granted to Open-Enrollment Charters: Bismarck School District**

Bismarck School District Superintendent Ms. Susan Stewart said the district requested one (1) waiver for personalized learning for all students.

Bismarck High School Principal Mr. Larry Newsom said he was very proud of the accomplishments of the students and teachers.

Bismarck School District Curriculum Coordinator Ms. Ellen Coleman said the waiver would permit seniors to have additional opportunities for learning. She said business and college partners are in support of these goals. She said students would complete an application and must be on track to graduate with the locally required 24 credits. She said students would complete a culminating project at the end of the year.

Ms. Zook moved, seconded by Ms. Chambers, to grant the requested waivers for the Bismarck School District for five (5) years. The motion carried unanimously.

#### **A-6 District Request for Waivers Granted to Open-Enrollment Charters: Brinkley School District**

Action Item 6 was pulled from the agenda.

#### **A-7 District Request for Waivers Granted to Open-Enrollment Charters: Glen Rose School District**

Glen Rose High School Principal Ms. Susan Blockburger said the requested waivers would increase opportunities for students. She requested waivers for school day hours, planned instructional time, and mandatory attendance. She said students would apply



for the opportunities and would be responsible for a culminating activity. She said 11<sup>th</sup> and 12<sup>th</sup> grade students must have at least a 2.0 GPA and be on track to graduate.

Ms. Chambers moved, seconded by Ms. Dean, to grant the requested waivers for the Glen Rose School District for five (5) years. The motion carried unanimously.

#### **A-8 District Request for Waivers Granted to Open-Enrollment Charters: Southeast Cooperative Districts**

Southeast Arkansas Education Service Cooperative Director Ms. Karen Eoff said 13 districts served by the coop requested the waivers due to the teacher shortage in the area. She said 64 certified teacher positions are vacant today in the region. She said the co-op would partner with National Apprenticeship Training Foundation in the future.

Hamburg School District Superintendent Mr. Max Dyson said southeast Arkansas was working to grow their own future educators.

Warren School District Superintendent Mr. Bobby Acklin said he supported the remarks by Ms. Eoff. He said the teacher shortage was epidemic in southeast Arkansas.

DeWitt School District Superintendent Dr. Lynn Dardenne said the schools were great schools seeking to achieve high goals for students.

Lakeside School District Superintendent Dr. Billy Adams said the district needed the waiver to serve students in mathematics.

Crossett School District Superintendent Mr. Gary Williams said the district had seven (7) open positions, and five (5) positions could be filled if the waiver was approved.

McGehee School District Superintendent Mr. Thomas Gathen said this has been the most difficult year in recruiting teachers, including elementary teachers.

Dermott School District Superintendent Ms. Kristi Ridgell said the district needed high quality teachers.

Dumas School District Director of Special Programs Ms. Camille Sterrett said ten (10) positions are vacant.

Cleveland County High School Principal Mr. Davy King said with one (1) month until schools begins he does not have a qualified applicant for a science position.

Star City School District Director of Student Services Mr. Nathan White requested the waivers be approved. He said the district had four vacancies.

Drew Central School District Superintendent Mr. Billy Williams requested approval of the waiver. He said the Southeast Co-op has provided great professional development. He said the districts were united in their efforts to provide the best teachers for students.

Monticello School District Superintendent Ms. Sandra Lanehart said she also had vacancies. She said the schools need the highest qualified degreed person in the classrooms.

Ms. Eoff represented the Hermitage School District.

Arkansas Education Association (AEA) Executive Director Ms. Tracey Ann Nelson said the organization was concerned about Act 1240 waivers. She said waivers should be considered thoughtfully. She requested the Board consider if waivers align with the district vision, will benefit students and meet anticipated academic gain. She also provided additional guidance for Board consideration regarding how the intended waivers have been communicated.

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said the one-year request was an opportunity to bring people to the education profession. She said this was an opportunity for AEA to work with the Co-op. She said e-school would begin to collect data regarding teachers in core areas teaching without a license.

Ms. Eoff said every district provided educator ethics training each year. She said the Co-op also made the training available. Ms. Eoff agreed that the schools would provide ethics training to all of the educators impacted by the waivers.

Ms. Pfeffer said the ADE would provide a half-day educator ethics training at the Co-op.

Dr. Barth moved, seconded by Ms. Zook, to grant the requested waivers for the 13 districts for one year. The motion carried unanimously.

### **A-9 Consideration of Adoption of English Language Arts and Disciplinary Literacy Standards**

Assistant Commissioner for Learning Services Ms. Stacy Smith said when charged with the task of revising the previous English language arts and disciplinary literacy standards, a group of qualified individuals from across the state came together to craft standards that were specific for the schools and students of Arkansas. The result of this work was the Arkansas English Language Arts Standards and the Arkansas Disciplinary Literacy Standards. Reflecting what Arkansas educators know to be best for students, these standards retain the same structure as the previous standards and work together to ensure that students are college and career ready and on track for success. Ms. Smith said the process was transparent to the public. She said the communication plan began with the revision of the standards and would be on-going.



Public School Program Advisor Ms. Sherri Thorne said the ACT benchmarks were utilized to align the standards. She said the three types of writing – argumentative, narrative, and informational- are included in the standards and the ACT Aspire assessment.

The Board commended the work of the ADE and teachers regarding the quality of the standards.

Commissioner Key applauded the work of the teams on the development of these Arkansas Standards. He recognized the work of the ADE personnel, Arkansas teachers, higher education, and partners.

Ms. Dean moved, seconded by Ms. Chambers, to adopt the English Language Arts and Disciplinary Literacy Standards to be implemented in the 2017-2018 school year. The motion carried unanimously.

#### **A-10 Consideration of Embedded Courses**

Assistant Commissioner for Learning Services Ms. Stacy Smith 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. Several school districts made application to the Curriculum and Instruction Unit for approval of a combined or embedded course and assured, in writing that the curriculum frameworks for both courses will be taught fully in the combined or embedded course. She requested the State Board of Education approve the embedded courses 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 is allowed to offer the embedded course.

Dr. Barth moved, seconded by Ms. Newton, to approve the embedded courses. The motion carried unanimously.

#### **A-11 Consideration for Final Approval: ADE Rules Governing How to Meet the Needs of Children with Dyslexia**

General Counsel Ms. Lori Freno said the ADE proposed revisions to these rules to bring them into compliance with Act 1268 of 2015 (codified at Ark. Code Ann. §§ 6-40-601 through 610). She said the proposed rules set forth a process for school district screening of students for characteristics of dyslexia and providing services as appropriate. The State Board released these rules for public comment on January 14, 2016. She said a public hearing was held on February 2, 2016. Many comments were received during the public comment period, resulting in non-substantive changes to the rules. Ms. Freno requested the State Board give final approval to these rules pending Legislative Council review or approval.

Assistant Commissioner for Learning Services Ms. Stacy Smith said the organizations identified in the rules sent representatives to the committee that were knowledgeable regarding dyslexia. She said ADE required statements from district superintendents assuring implementation of dyslexia interventions. She said Ms. Vicki King is the professional development contact for dyslexia and Ms. Robin Stripling is the contact for Special Education regarding dyslexia.

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

#### **A-12 Consideration for Final Approval: ADE Rules Governing Creation of School Districts by Detachment**

Staff Attorney Ms. Jennifer Davis Acts 372 and 947 of 2015 amended Ark. Code Ann. § 6-15-1501 et seq. regarding the creation of school districts by detachment. A public comment hearing was held on May 3, 2016. No public comments were received. Ms. Davis said the rules were approved by the Governor on April 14, 2016.

Dr. Barth moved, seconded by Dr. Hill, to approve the ADE Rules Governing Creation of School Districts by Detachment. The motion carried unanimously.

#### **A-13 Consideration for Final Approval: Proposed ADE Rules Governing Arkansas Highly Qualified Teacher Requirements**

Staff Attorney Ms. Jennifer Davis said as a result of changes in federal law that eliminated highly qualified teacher status for all except special education, the ADE recommended these rules to ensure that during the state transition to implementation of requirements of the Every Student Succeeds Act, all students would have qualified teachers for core content areas when licensure is waived for charter schools or school districts, and for special education and alternative learning environment teachers. The rules were approved for public comment on May 12, 2016, and a public comment hearing was held on June 16, 2016. She said public comments were received, but no substantive changes were made. These rules have been approved by the Governor in accordance with Executive Order # 15-02.

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said the public comments address concerns that could be addressed in other ways and therefore became clarifications in the rules.

Ms. Newton moved, seconded by Ms. Chambers, to approve the ADE Rules Governing Arkansas Highly Qualified Teacher Requirements. The motion carried unanimously.



#### **A-14 Consideration of Recommendation to Adopt the Praxis™ Fundamental Subjects: Content Knowledge (5511)**

Assistant Commissioner for Educator Effectiveness and Licensure Ms. Ivy Pfeffer said as an additional option for educators to demonstrate content knowledge as required with Arkansas Qualified Teacher (AQT) rules, the Department requested Board approval to use the Praxis™ Fundamental Subjects: Content Knowledge (5511) as an assessment for special education teachers with a K-12 license and ALE educators, grades K-12, to use the Fundamental Subjects assessment as a means of demonstrating content knowledge in the area of qualification. She said if approved, ALE educators and K-12 licensed special education teachers who successfully pass this assessment would be qualified under AQT to teach multiple core subjects. Ms. Pfeffer said this assessment would not be used for licensure endorsements or certifications but only for AQT in these circumstances.

Mr. Black moved, seconded by Ms. Chambers, to approve the recommendation to adopt the Praxis™ Fundamental Subjects: Content Knowledge (5511) with a cut score of 148. The motion carried unanimously.

#### **A-15 Recommendations for Schools Classified in Academic Distress**

Public School Program Manager Dr. Richard Wilde and members of the academic review team made a presentation of recommendations for schools classified in Academic Distress on April 14, 2016. He said the ADE assigned a cross divisional team of specialists to conduct an onsite review and make recommendations to the State Board of Education, the superintendent of the school district, and principal of the school. He said once reviewed by the State Board of Education, the recommendations would become binding on the district for implementation. He said the process included a review of written documents and interviews.

Ms. Zook said the Special Committee on Academic Distress would use the recommendations to measure the progress of the schools in academic distress.

Ms. Dean moved, seconded by Dr. Barth, to approve the report and recommendations for schools classified in Academic Distress. The motion carried unanimously.

Mr. Wilde also proposed a yearly schedule for reporting by the schools in Academic Distress.

Dr. Barth requested the Pulaski County Special School District and Helena-West Helena School District review date be moved from November 10 to December 8.

Ms. Zook moved, seconded by Mr. Williamson, to approve the proposed reporting schedule for schools in Academic Distress for 2016-2017, with modifications. The motion carried unanimously.

## **A-16 Approval of Cut Scores for ACT Aspire**

Director of Student Assessment Ms. Hope Allen requested approval of the ACT Aspire established cut scores for Arkansas students. She said the cut scores would allow Arkansas to have national comparisons with other states that are also assessed with the ACT Aspire, as well as provide schools with guidance about which performance levels will require an academic improvement plan. She said students scoring at or above the benchmark are on target to meet the corresponding ACE College Readiness Benchmarks in Grade 11. She said ACT Aspire readiness levels are exceeding, ready, close, and in need of support. She said academic improvement plans would be assigned based on ELA, math and science scores.

Dr. Barth moved, seconded by Ms. Zook, to approve the cut scores for ACT Aspire. The motion carried unanimously.

## **Reports**

### **Report-1 Chair's Report**

Chair Mireya Reith said current subcommittees include Academic Distress, Science, and ForwARd. Ms. Reith formally closed the dyslexia committee and ELL committees. She appointed Ms. Chambers to join her on the National Association of State Boards of Education (NASBE) – Deeper Learning committee. Commissioner Key requested Ms. Newton participate on the ESSA steering committee.

Ms. Reith acknowledged the Act 1240 work session scheduled for August 11, 2016. She recommended combining the ForwARd work session with the NASBE-Deeper Learning work session in September 2016. Ms. Reith recommended work sessions on ESSA for the remainder of 2016.

Dr. Barth said six states were represented at the recent regional NASBE meeting. He appreciated Commissioner Key presenting at the meeting.

Dr. Barth said the National NASBE meeting would be held October 19-22 in Kansas City.

Ms. Newton recognized that a mentoring teacher was co-teaching one period a day with the novice teacher. She said this could be a great model to other schools.

### **Report-2 Commissioner's Report**



Commissioner Johnny Key introduced Ms. Katrina Craft. Ms. Craft shared updates regarding Arkansas Data Privacy. The Arkansas Department of Education launched the new Data Privacy website available for districts, parents, and the public. The website was developed to increase transparency, provide resources on how educational data is used and share information on safeguarding data. The website is available at <http://www.arkansased.gov/divisions/research-and-technology/data-privacy>.

Ms. Craft said a training module has been developed and upon successful completion of the module, a certificate may be printed or saved as documentation of completing data privacy training.

Commissioner Key introduced the next video in the Innovation in Arkansas Education series. The Fountain Lake Charter High School video is posted on the ADE website at <http://www.arkansased.gov/divisions/learningservices>. He said the video highlighted the great work being done in Arkansas schools.

### **Report-3 Learning Services Report**

Assistant Commissioner for Learning Services Ms. Stacy Smith recognized the excellent work by Student Assessment Director Ms. Hope Allen.

Ms. Hope Allen presented the ACT and ACT Aspire data report. She said 292,532 students tested during the 2015-2016 school year. She said in grades 3-8, Arkansas scored at or above the national average in all grades and subjects except grades 4,5 and 8 in writing and grades 4 and 8 in English. She said in grades 9-10, Arkansas students scored below the national average in all subjects except in writing and in reading in grade 10.

### **Report-4 Priority School 4th Quarter Progress Reports**

Public School Program Manager Dr. Richard Wilde provided the quarterly progress reports related to Schools in Priority Status as established by the Elementary and Secondary Education Act (ESEA) Flexibility Waiver. He said these fourth quarter reports are summaries of the school year. He said the schools reported on common data points in the 2015-2016 reports. He said the School Improvement Unit would differentiate support for the schools based on the data. He said some of the schools needed more sophisticated actions for failing students. He said the schools would also be surveying the teachers about their perceptions of support next school year.

### **Public Comment**

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

Public Comment Reverend Marie Mainard O'Connell read a prepared statement from Violet Graham. Ms. Graham requested the Board take action in support of transgender youth. Reverend O'Connell shared data regarding the suicide rate of transgender persons.

Public Comment Human Rights Campaign Director Ms. Kendra Johnson asked the Board to take a stance for the dignity and equality of all students.

### **Adjournment**

Dr. Barth moved, seconded by Dr. Hill, to adjourn. The motion carried unanimously. The meeting adjourned at 4:15 p.m.

*Minutes recorded by Deborah Coffman.*

  
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Mireya Reith, Chair

  
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Johnny Key, Commissioner of Education