

Minutes
State Board of Education Meeting
Thursday, May 12, 2016

The State Board of Education met Thursday, May 12, 2016, in the Arkansas Department of Education Auditorium. Chair Toyce Newton called the meeting to order at 10:02 a.m.

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

Present via phone: Vicki Saviers.

Absent: none.

Reports

Report-1 Recognition of National Youth Science Camp

Commissioner Key honored the 2016 National Youth Science Camp Delegates, Ms. Elena Milstead (Scranton High School) and Ms. Katherine Doderer (Episcopal Collegiate School), who were selected as the two most promising young scientific leaders in Arkansas's 2016 high school graduating class. Commissioner Key also honored Ms. Alexandra Perkins (Camden Fairview High School) and Mr. Nicholas Langston (Subiaco Academy), who were selected as alternates.

Public School Program Advisor Ms. Michele Snyder said Ms. Elena Milstead received academic honors for two consecutive years at the Science Day Biology Competition at the University of the Ozarks and the 2016 Scranton High School Academic Excellence Award. She is a member in the National Society of High School Scholars and is active in the Science Club, Beta Club, and the Envirothon team. In addition, Ms. Milstead is a volunteer for the Red Cross and a local nursing home.

Ms. Snyder said Ms. Katherine Doderer has received academic awards from the National Honor Society, Spanish National Honor Society, and Mu Alpha Theta. She is active in the Arkansas Symphony Youth Orchestra, National Forensics League, and the Youth Advisory Council at Arkansas Children's Hospital. In addition, Ms. Doderer is an accomplished harpist.

Ms. Snyder said Ms. Alexandra Perkins (Camden Fairview High School), selected as second alternate, has received academic awards from Arkansas Girls State, National Honors Society, and Lockheed Martin Engineering Team Presentations and Lockheed Martin Family Science Night competitions. She is active in Student Council, National Beta Club, French Club, and Art Club at Camden Fairview High School. In addition, Ms. Perkins has attended summer engineering camps at Louisiana State University and the University of Arkansas, volunteers at the local Key Club, and plans to attend a local university and major in engineering.

Ms. Snyder said Mr. Nicholas Langston (Subiaco Academy), selected as first alternate, has received academic awards from the Martin Schriver Award, Award for Excellence-Subiaco Academy, and the President's Award of Educational Excellence. While actively volunteering at Subiaco, he assumed various leadership roles in the Arkansas Hugh O'Brian Youth Leadership, and served as the American Legion Arkansas Boys State 2015 delegate. In addition, Mr. Langston is interested in interactive programming in Python, computer applications, and juggling. Mr. Langston was unable to attend the meeting.

Consent Agenda

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

Items included in the Consent Agenda:

- Minutes - April 14, 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
- Progress Report on the Status of Districts Classified in Fiscal Distress
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-190 - Roy Lesley Lamb
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-019 - Brittney Ann Breedlove
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-053 - Terri Elaine Wallmark
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-055 - Becky Ann Watkins
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-058 - Gina Lea White
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-070 - Cathy Lynette Holmes
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-073 - Randall Darrell Standridge
- Consideration of the Voluntary Surrender and Revocation of License in PLSB Case #16-072 - Evan Wylie Ballowe
- Consideration of Suspension of Teaching License for Nonpayment of Fines - PLSB Case #13-141 - Michelle Dawn Harper
- Consideration of Suspension of Teaching License for Nonpayment of Fines - PLSB Case #13-169 - Sara Kristine Kemp
- Consideration for Public Comment: Proposed ADE Rules Governing Arkansas Qualified Teacher Requirements
- Notification of Charter Authorizing Panel Adoption of 2016 Adult Education Charter School Application and Timeline

Action Agenda

A-1 Consideration of the 2016-2017 AR Better Chance Renewal of Professional Development and Research 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 requested approval for the renewal of AR Better Chance professional development grants to provide training for ABC Programs and to conduct research of the ABC services for the 2016-2017 school year.

Dr. Barth moved, seconded by Ms. Zook, to approve the 2016-2017 Arkansas Better Chance Renewal of Professional Development and Research Grants for total of \$7,249,394.00. The motion carried unanimously.

A-2 Consideration of AR Better Chance Enhancement Grants 2016

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said the recommendation for use of the Arkansas Better Chance funding remaining at the end of the 2015-2016 school year was requested to assist with the following programs: ABC Summer Services, ABC Infant/Toddler Programs, and AmeriCorps. She said although the ABC Summer Services were approved at the April State Board meeting, the actual list of ABC Programs and the requested funding amount are now available for review.

Ms. McKinney said the ABC Infant/Toddler Programs received the same funding rate as the ABC Preschool Programs even though the cost of infant-toddler care is more costly due to the low teacher-child ratio. She said the ABC Enhancement Grant allowed for these programs to offset the higher cost rate, therefore a request to fund these infant/toddler programs was being provided for consideration. She said the AmeriCorps program operates out of the Southeast Arkansas Education Service Cooperative and targets several of the schools that are designated by the ADE as Elementary and Secondary Education Act (ESEA) priority/focus public schools. Ms. McKinney said a recommendation was being requested to fund this program to continue services to the ABC Programs in southeast Arkansas.

Ms. Zook moved, seconded by Mr. Black, to approve Arkansas Better Chance Grants for ABC Summer Services, ABC Infant/Toddler Programs, and AmeriCorps for a total amount of \$595,140.00. The motion carried unanimously.

Dr. Barth moved, seconded by Ms. Zook, to approve 2015-2016 Arkansas Better Chance Enhancement Grants for Infant/Toddler Programs for a total amount of \$1,534,048.00. The motion carried unanimously.

A-3 Consideration of the Little Rock School District (LRSD) Progress Report

Little Rock School District Civic Advisory Committee Co-Chair Mr. Greg Adams said the LRSD Civic Advisory Committee would be finalizing reports to the district. He said the committee submitted a resolution in April. He addressed concerns from the public. He said a written report to the public would be made available to the State Board.

Little Rock School District Superintendent Mr. Baker Kurrus thanked the LRSD employees and the community for the support to the district. He said the district completed online testing.

Mr. Kurrus presented a PowerPoint highlighting the LRSD Points of Pride. He highlighted students that received scholarships and awards. He also highlighted schools with high performance and growth and educators that received state and national recognition. Mr. Kurrus read poems written by LRSD students.

Mr. Kurrus said some buildings are old but well maintained. He said the district needed to continue to grow and build. He said after the Civic Advisory Committee reports are submitted, he would provide comments by August 15.

Ms. Chambers moved, seconded by Ms. Reith, to approve Little Rock School District Report of Progress. The motion carried unanimously.

Commissioner Key said he distributed a document to Board Members that recapped the April 14, 2016, motion to select a committee of stakeholders to conduct research data regarding charter schools and traditional public schools. He said he and Chair Newton met and selected seven members: Mr. Tommy Branch, Ms. Tamika Edwards, Ms. Ann Brown Marshall, Mr. Jim McKenzie, Mr. Antwan Phillips, Ms. Leticia Reta, and Ms. Dianna Varady. Commissioner Key said the meetings would be open to the public.

Commissioner Key said the Little Rock School District Community Advisory Board is a significant step toward return of local governance. Commissioner Key outlined the qualifications, nomination, application, and selection process for seating the Community Advisory Board. He also outlined a timeline for the process. Commissioner Key suggested the Board consider a special Board meeting to allow the public to hear from potential candidates.

Board members requested a summer work session to discuss guidelines for returning districts to local control. They also requested feedback from the Community Advisory Board regarding how the State Board could be more involved in communication with the communities.

Commissioner Key said testing data would be received by July 1, 2016 (tentative). He said there would be a corrections period, calculation for identification, and analysis time period. He said he expected to certify academic distress identifications to the State Board by Fall 2016. Commissioner Key discussed possible scenarios regarding the future of LRSD returning to local control.

Ms. Reith moved, seconded by Dr. Barth, to allow public comment and to hear all patrons that are signed up to speak. The motion carried unanimously.

Public Comment from Elected Official Senator Joyce Elliott demanded the LRSD be returned to local control. She highlighted recent changes in the district and expressed concerns about the process.

Public Comment from Elected Official Senator Linda Chesterfield requested the LRSD be returned to local control.

Public Comment Ms. Leticia Reta said there was a lack of communication with the Hispanic and Latino communities in their native language. She said the families needed to know what is happening in the district.

Public Comment Mr. Jeff Grimmatt said he was a graduate of LRSD and is a current employee. He requested the district be returned to local control.

Public Comment Ms. Ruth Bell, speaking on behalf of the Pulaski League of Women Voters, said she recommended the Community Advisory Board be citizens that are known for their positive leadership in the community.

Public Comment Ms. Julie Johnson Holt said as a former ADE employee she witnessed the work of the agency during state take over and return to local control for several districts.

Public Comment Mr. Antwan Phillips requested the Board enact a pause regarding the expansion of charter schools until the committee has made recommendations.

Public Comment Ms. Henri Smothers said the Arkansas PTA supported quality education and opposed any measures to weaken the local school board.

Public Comment Ms. Kendal Delph, LRSD student, said charter schools and Mr. Kurrus' contract expiration were detrimental to students.

Public Comment Mr. Tony Orr asked the Board to be transparent.

Public Comment Rabbi Gene Levy said he was a member of the Civic Advisory Committee and the final reports would be submitted next week.

Public Comment Mr. Brant Collins requested the Board return the LRSD to local control.

Public Comment Ms. Nell Matthews said the League of Women Voters have been involved in education for many years. She said the LRSD lacks a strategic plan to return the district to local control.

Public Comment Ms. Valerie Bailey requested the LRSD be returned to local control.

Public Comment Mr. Jon Tribell said he was disappointed in the current issues regarding LRSD.

Public Comment Mr. Charles Zook said a corporation was behind the changes in LRSD.

Public Comment Ms. Annie Bryant said parents depended on the state for quality education for all students. She thanked the Board for school choice.

Public Comment Ms. Anika Whitfield said she was a member of the Civic Advisory Committee. She said the patrons of Little Rock needed to come together to support the district.

Chair Newton said the Board takes their responsibility very seriously. Vice Chair Reith recapped the concerns addressed during public comment.

Commissioner Key said the schools must meet the 49.5% proficient or advanced requirement to be removed from academic distress. He said the Little Rock schools were showing success but need to continue to develop school specific plans through the school improvement process.

Dr. Barth moved, seconded by Ms. Chambers, to confirm the creation of the Community Advisory Board with the powers described in the legislation and a special public meeting to interview the nominees. The motion carried unanimously.

Dr. Barth moved, seconded by Ms. Reith, to resolve to consider an action item regarding the status of LRSD when the accountability data are available. The motion carried unanimously.

A-4 Consideration of Appeal from Denial of School Choice Application - Warren

Staff Attorney Ms. Courtney Salas-Ford said pursuant to Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2015; the Warren family appealed the decision of the Cabot School District to deny a school choice application for the 2016-2017 school year. She said the family resides in the Jacksonville North Pulaski School District (JNPSD).

Cabot School District Superintendent Dr. Tony Thurman said the Cabot School District denied the school choice application because the Jacksonville North Pulaski School District was a party in an active desegregation lawsuit.

Jacksonville North Pulaski School District Attorney Scott Richardson said the JNPSD was under a current desegregation lawsuit.

Jacksonville North Pulaski School District Superintendent Mr. Tony Wood said some students that live outside the district would be able to attend the district because their parents are employed in the district. He said that opportunity was addressed in another statute.

Parent Ms. Marilee Warren said her children currently attend Cabot School District. She requested that her children remain in the Cabot District.

Dr. Barth moved, seconded by Ms. Reith, to deny the appeal from denial of School Choice Application for the Warren family. Ms. Zook and Mr. Williamson voted no. The final vote was 6-2. The motion carried.

A-5 Consideration of Appeal from Denial of School Choice Application - Springer

Staff Attorney Ms. Courtney Salas-Ford said pursuant to Ark. Code Ann. § 6-18-1901 et seq. and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2015; the Springer family appealed the decision of the Cabot School District to deny a school choice application for the 2016-2017 school year. She said the family resides in the Jacksonville North Pulaski School District.

Cabot School District Superintendent Dr. Tony Thurman said the Cabot School District denied the school choice application because the Jacksonville North Pulaski School District was a party in an active desegregation lawsuit.

Jacksonville North Pulaski School District Attorney Scott Richardson said the JNPSD was under a current desegregation lawsuit.

Parent Ms. Misty Springer said she wanted both of her children to attend the same district.

Ms. Reith moved, seconded by Ms. Chambers, to deny the appeal from denial of School Choice Application for the Warren family. Ms. Zook and Mr. Williamson voted no. The final vote was 6-2. The motion carried.

A-6 Consideration for Changing the Name of Lincoln Academy of Excellence to Lincoln Academy for Purposes of Academic Distress

Assistant Commissioner for Public School Accountability Ms. Annette Barnes said in accordance with the district's Local Education Agency change request, effective for the 2015-2016 school year, the ADE requested that the academic distress designation applied to Lincoln Academy of Excellence be applied to Lincoln Academy in the Forrest City School District.

Forrest City School District Superintendent Dr. Tiffany Hardrick said the sixth grade students had previously scored above the 49.5 percent proficiency. She requested the school be considered a new school and have a restart.

Ms. Chambers moved, seconded by Ms. Reith, to approve changing the name of Lincoln Academy of Excellence to Lincoln Academy for Purposes of Academic Distress. The motion carried unanimously.

A-7 District Request for Waivers Granted to Open-Enrollment Charters: Forrest City School District

Division of Learning Services Coordinator Ms. Mary Perry 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 draw students from the school district. She said representatives of the Forrest City School District would petition for waivers.

Forrest City School District Superintendent Dr. Tiffany Hardrick said she was requesting additional waivers regarding gifted and talented in addition to the waivers requested in writing. She said the waivers are needed to fill vacant teaching positions with the best educators. She said the district has been aggressive with teacher recruitment. She requested the waivers for five years.

Arkansas for Gifted and Talented Education (AGATE) Legislative Advocate Mr. Davis Hendricks said the AGATE had concerns with the requested waivers. He said AGATE would provide training and support to the district.

Mr. Williamson moved, seconded by Ms. Saviers, to deny the requested waivers granted to Open-Enrollment Charters for the Forrest City School District. The motion carried unanimously.

A-8 District Request for Waivers Granted to Open-Enrollment Charters: Harrison School District

Division of Learning Services Coordinator Ms. Mary Perry 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 draw students from the school district. She said representatives of the Harrison School District would petition for waivers.

Harrison School District Superintendent Ms. Melinda Moss requested additional waivers. She requested the waivers for five years.

Harrison High School Principal Mr. Bill Keaster explained the Harrison AdvancEd Learning Opportunities (HALO). He said that HALO would offer more personalized learning.

Mr. Williamson moved, seconded by Mr. Black, to grant the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Flexible Schedule. The motion carried unanimously.

Ms. Chambers moved, seconded by Ms. Dean, to grant the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Teacher Licensure – Non-Core Instructors for Industry Certification Related Courses. The motion carried unanimously.

Ms. Zook moved, seconded by Mr. Williamson, to deny the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Grading within the Personalized Learning Program. The motion carried unanimously.

Ms. Chambers moved, seconded by Ms. Zook, to grant the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Digital Learning Day. The motion carried unanimously.

Dr. Denise Airola said that grades are assigned to Carnegie units. She said the Harrison School District had requested a higher expectation of grading within a personalized learning program by setting a 70% of proficiency standard for grading.

Dr. Barth moved, seconded by Ms. Zook, to reconsider the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Grading within the Personalized Learning Program. The motion carried unanimously.

Ms. Zook moved, seconded by Ms. Chambers, to approve the requested waivers granted to Open-Enrollment Charters for the Harrison School District for Grading within the Personalized Learning Program. The motion carried unanimously.

A-9 District Request for Waivers Granted to Open-Enrollment Charters: Pea Ridge School District

Action Item 9 was pulled from the agenda.

A-10 District Request for Waivers Granted to Open-Enrollment Charters: Pine Bluff School District

Action Item 10 was pulled from the agenda.

A-11 Consideration of Amendment to JNPSD/PCSSD Detachment Agreement

Jacksonville North Pulaski School District (JNPSD) Superintendent Mr. Tony Wood and Pulaski County Special School District (PCSSD) Superintendent Dr. Jerry Guess presented an amendment to the JNPSD/PCSSD Detachment Agreement. Dr. Guess said the amendment was an agreement between JNPSD and PCSSD resolving issues that have surfaced regarding distribution of funds from multiple sources.

Dr. Barth moved, seconded by Mr. Williamson, to approve the amendment to the JNPSD/PCSSD Detachment Agreement. The motion carried unanimously.

A-12 Charter Panel Action on District Conversion Public Charter School Amendment Request: Badger Academy

Public School Program Coordinator Alexandra Boyd said on April 20, 2016, representatives of Badger Academy appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request. She said no request for the State Board of Education to review the decision made by the Panel was submitted.

Dr. Barth moved, seconded by Mr. Williamson, to not review the Charter Authorizing Panel action on District Conversion Public Charter School Amendment Request for the Badger Academy. The motion carried unanimously.

A-13 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, 2016

Chair of the Professional Licensure Standards Board Ms. Kathy Howell said under Ark. Code Ann. § 6-17-422 members of the PLSB serve rotating terms, and are appointed by the State Board from nominations made by professional education associations. She said the following persons were nominated by the Arkansas Association of Colleges for Teacher Education to fill one vacancy and two members' terms expiring on June 30, 2016:

Dr. Raymond "Donny" Lee, Dean at Harding University, to represent private institutions of higher education, whose term will begin immediately to fill the vacancy of Dr. Brad Baine, and for a regular term to begin on July 1, 2016, and end on June 30, 2019;

Dr. Victoria Groves-Scott, Dean of the College of Education, University of Central Arkansas, to represent deans with knowledge of licensure issues, and for a term that will begin on July 1, 2016, and end on June 30, 2019; and

Dr. Zaidy Mohdzain, Dean of the College of Education, Southern Arkansas University, re-nominated for another term to represent public institutions of higher education, and for a term that will begin on July 1, 2016, and end on June 30, 2019.

Ms. Reith moved, seconded by Ms. Dean, to approve the nominated members for the Professional Licensure Standards Board. The motion carried unanimously.

A-14 Request for Approval to use PSAT as an Optional College and Career Readiness Assessment

Director of Student Assessment Ms. Hope Allen said pursuant to Act 989, the Arkansas Department of Education requested approval to continue providing districts the option to also administer PSAT/NMSQT at grade 10 using at-risk funding, as allowed by Act 989. She said PSAT/NMSQT is the only test that qualifies grade 10 students to enter the competition for scholarships from the National Merit Scholarship Corporation and is used as an identifier of students who have the potential to succeed in Advanced Placement (AP) courses. She said districts that elect to administer PSAT/NMSQT under this approval would agree to administer the test at no cost to all students able to test in grade 10.

Ms. Dean moved, seconded by Mr. Williamson, to approve use of the PSAT/NMSQT as an optional College and Career Readiness Assessment. The motion carried unanimously.

A-15 Request for Approval: High School Math Courses

Public School Program Coordinator Mr. Thomas Coy said when charged with the task of revising the previous mathematics 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. He said the result of this work was the Arkansas Mathematics Standards. He said as an extension of this work, the committee assembled to revise the high school standards helped to create high school courses for use in the State of Arkansas. He said these courses are based on the Arkansas Mathematics Standards, which were approved at the April meeting, and help to satisfy a school's requirement to teach six different math courses.

Ms. Dean moved, seconded by Ms. Zook, to approve the High School Math Courses. The motion carried unanimously.

A-16 Consideration for Final Approval: ADE and ASBN Rules Governing the Administration of Insulin and Glucagon

Staff Attorney Mr. Cory Biggs said Act 833 of 2015 amended the laws regarding the administration of medications for diabetes to Arkansas public school students. He said the State Board approved these rules for public comment on March 10, 2016. A public comment hearing was held on March 22, 2016, and the public comment period ended on April 12, 2016. He said public comments were received, but no substantive changes were made. He said the Governor's approval was received on March 22, 2016.

Dr. Barth moved, seconded by Ms. Reith, to approve ADE and ASBN Rules Governing the Administration of Insulin and Glucagon. The motion carried unanimously.

A-17 Consideration for Emergency Approval - ADE Rules Governing Arkansas Qualified Teacher Requirements

Director of Educator Licensure Ms. Cheryl Reinhart said as a result of changes in federal law that eliminated highly qualified teacher status for all except special education, the ADE was recommending rules to ensure that during the state transition to implementation of requirements of the Every Student Succeeds Act all students 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.

Ms. Zook moved, seconded by Mr. Black, to approve the ADE Rules Governing Arkansas Qualified Teacher Requirements for emergency approval. The motion carried unanimously.

Adjournment

Mr. Black moved, seconded by Dr. Barth, to adjourn. The motion carried unanimously.

The meeting adjourned at 4:17 p.m.

Minutes recorded by Deborah Coffman.

Toyce Newton

Toyce Newton, Chair

Johnny Key

Johnny Key, Commissioner of Education

Work Session

W-1 Education Service Cooperatives

The State Board requested a review of the evaluation process for regional education service cooperatives. Dr. Charles Cudney, Director of the Northwest Education Service Cooperative, and Dr. Denise Airola, Director of the Office of Innovation in Education presented a comprehensive review of the work of the regional service cooperatives. The presentation is available at <http://virtualarkansas.org/esc/esctd.pdf>.