

**Minutes
State Board of Education Meeting
Thursday, November 13, 2014**

The State Board of Education met Thursday, November 13, 2014, in the Auditorium of the Department of Education Building. Chairman Sam Ledbetter called the meeting to order at 10:02 a.m.

Present: Sam Ledbetter, Chairman; Toyce Newton, Vice-Chair; Alice Mahony; Dr. Jay Barth; Diane Zook; Mireya Reith; Joe Black; Vicki Saviers; Kim Davis; Jonathan Crossley, Teacher of the Year; and Tony Wood, Commissioner

Absent: none

Mr. Ledbetter recognized Representatives Mark Perry, Mark Lowery and Grant Hodges.

Consent Agenda

Dr. Barth moved, seconded by Ms. Saviers, to approve the consent agenda less Consent Item-10. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes - October 9, 2014
- Minutes - October 10, 2014
- Newly Employed, Promotions and Separations
- 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 #T14-003A –Deborah S. Smart
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-171 – Derek Scott Phillips
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-178 – William Earl Braswell
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-180 –Matthew O. Orf
- Consideration of the Voluntary Surrender and Revocation of Arkansas Educator's License – PLSB Case #14-056 – Barry Duane Gebhart

Dr. Barth moved, seconded by Ms. Newton, to approve C-10: Progress Report on Status of Districts Classified in Fiscal Distress, with a follow-up report on Lee County and Helena-West Helena School Districts at the December Board meeting. The motion carried unanimously.

Action Agenda

A-1 Consideration for Emergency Adoption: Arkansas Department of Education Rules Governing the Creation of School Districts by Detachment

Department General Counsel Jeremy Lasiter said Ark. Code Ann. § 6-13-1505(e)(3) required the State Board of Education to enact rules and regulations regarding the creation of school districts by detachment. He said Act 1274 of 2013 amended the statute to permit the State Board of Education to allow a transition period of up to two (2) consecutive school years to allow a new school district created by detachment to become fully operational. In September 2014, voters in the Jacksonville, Arkansas area approved the proposed detachment of the Jacksonville-North Pulaski School District from the Pulaski County Special School District.

Ms. Saviers moved, seconded by Ms. Zook, to approve the Arkansas Department of Education Rules Governing the Creation of School Districts by Detachment for emergency adoption. The motion carried unanimously.

A-2 Consideration for Public Comment: Arkansas Department of Education Rules Governing the Creation of School Districts by Detachment

Department General Counsel Jeremy Lasiter said Ark. Code Ann. § 6-13-1505(e)(3) required the State Board of Education to enact rules and regulations regarding the creation of school districts by detachment. Act 1274 of 2013 amended the statute to permit the State Board of Education to allow a transition period of up to two (2) consecutive school years to allow a new school district created by detachment to become fully operational.

Ms. Zook moved, seconded by Dr. Barth, to approve the Arkansas Department of Education Rules Governing the Creation of School Districts by Detachment for public comment. The motion carried unanimously.

A-3 Consideration of Order Creating the Jacksonville-North Pulaski School District and Appointment of Board Members

Department General Counsel Jeremy Lasiter said in September 2014, pursuant to Ark. Code Ann. § 6-13-1501 et seq., voters in the Jacksonville area approved the proposed detachment of the Jacksonville-North Pulaski School District from the Pulaski County Special School District. Ark. Code Ann. § 6-13-1505 required the State Board of Education to order the creation of the new Jacksonville-North Pulaski School District. The statute also required the State Board of Education to appoint a board of directors of seven (7) members for the new school district to

serve until the next regular election of members, when a board of directors shall be elected in compliance with Arkansas law.

Mr. Patrick Wilson said the vote from the community was 95% for the detachment of the Jacksonville/North Pulaski School District.

Representative Mark Perry said the committee took applications, interviewed the top ten applicants and selected the final seven board members to present to the State Board. He said the members represented most of the geographical regions of the area. He noted that the new district has not been zoned yet.

Mr. Ivory Tillman, representative for the Jacksonville NAACP, said he was in favor of the district. He said that minorities were given a voice in the selection of board members. He requested to continue the transparency of operations. Mr. Lasiter said that interim board meetings would be open public meetings.

Dr. James Bolden said he appreciated the opportunity to detach the district.

Ms. Zook moved, seconded by Ms. Mahony, to approve the order creating the Jacksonville-North Pulaski School District and appointment of Board Members. The motion carried unanimously. Mr. Ledbetter signed the order.

A-4 Consideration of Request for Waiver from Required 38 Units for the 2014-15 school year - Mammoth Spring School District

Mammoth Spring School District Superintendent Mr. David Turnbough said the Mammoth Spring School District requested a waiver from Standards Rule 9.03.4.4 (Foreign Language – 2 units of the same language). He said the district requested to transition from French to Spanish. The district has students currently enrolled in Spanish I and French II this school year and will teach Spanish I and Spanish II in the 2015-16 school year.

Ms. Mahony moved, seconded by Ms. Saviers, to approve a waiver from the required 38 units for the 2014-15 school year for the Mammoth Spring School District. The motion carried unanimously.

A-5 Charter Authorizing Panel Action on Open-Enrollment Public Charter School Amendment: Northwest Arkansas Classical Academy

A-5 was pulled from the agenda.

A-6 Charter Authorizing Panel Action on Open-Enrollment Public Charter School Amendment: KIPP Delta Public Schools

Director of the Office of Educational Options Ms. Cindy Hogue said the State Board of Education approved the application for KIPP Delta Public Schools on March 11, 2002. She said the charter was approved to serve students in grades K-12 with a maximum enrollment of 1500. She said representatives of KIPP Public Schools appeared before the Charter Authorizing Panel on October 15, 2014, and the panel unanimously approved the requested amendments to the current charter.

Ms. Saviers moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel action on the open-enrollment public charter school amendment for KIPP Delta Public Schools. The motion carried unanimously.

A-7 Applicant Request For Review: Arkansas Connections Academy, Bentonville, Arkansas

Director of the Office of Educational Options Ms. Cindy Hogue said representatives of Arkansas Connections Academy appeared before the Panel on October 15 and requested that Arkansas Connections Academy, Inc., the sponsoring entity, be allowed to open a charter school in Bentonville to serve students virtually across the state in grades K-12 with a maximum enrollment of 3000. She said representatives of the Arkansas Association of Educational Administrators (AAEA) spoke in opposition to the charter. The panel unanimously denied the application for Arkansas Connections Academy. The panel also voted not to allow resubmission of the application during the current application cycle.

Dr. Dennis Beck, Board President of the Arkansas Connections Academy, said families need additional school options and flexibility. He said the academy is willing to adjust the requests for waivers.

Mr. Mike Mertens, representing the AAEA, said the organization is concerned about funding for virtual schools. He said Act 293 of 2014 had special language regarding funding for virtual schools. He said AAEA requested that no new virtual schools be approved until legislation may be submitted to clean up the funding issues with virtual schools.

Dr. Beck said funding should follow students. He said he agreed with the need to change the legislation to allow any Arkansas student to participate.

Ms. Saviers moved, seconded by Dr. Barth, to not review the applicant request for the Arkansas Connections Academy, Bentonville, Arkansas. The motion carried unanimously.

A-8 Charter Authorizing Panel Action on Open-Enrollment Public Charter School Application: Capitol City Lighthouse Charter School, North Little Rock, Arkansas

Director of the Office of Educational Options Ms. Cindy Hogue said representatives of Capitol City Lighthouse Charter School appeared before the Charter Authorizing Panel on October 15 and requested that Lighthouse Academies of Central Arkansas, Inc., the sponsoring entity, be allowed to open a charter in North Little Rock to serve students in grades K-12 with a maximum enrollment of 750. She said representatives of the North Little Rock School District spoke in opposition to the charter. Ms. Hogue said by a 3-1 vote, the panel approved the application for Capitol City Lighthouse Charter School.

Assistant Commissioner Dr. Debbie Jones said that she voted against the approval of the charter school because she was concerned about the curriculum in high school. She said the data were comparable, but not exceptional. She said the North Little Rock School District was concerned about the timeline for renovations for the proposed building.

Assistant Commissioner Ms. Ivy Pfeffer said that she voted for approval of the charter school because it met the application criteria.

Dr. Phyllis Anderson said patrons from the area had requested the charter school.

Ms. Newton moved, seconded by Ms. Saviers, to not review the Charter Authorizing Panel action on open-enrollment public charter school application for the Capitol City Lighthouse Charter School, North Little Rock, Arkansas. Dr. Barth voted no. The motion carried.

A-9 Charter Authorizing Panel Action on Open-Enrollment Public Charter School Application: Haas Hall Academy, Bentonville, Arkansas

Director of the Office of Educational Options Ms. Cindy Hogue said representatives of Haas Hall Academy appeared before the Charter Authorizing Panel on October 15 and requested The Academy, Inc., the sponsoring entity, be allowed to open a charter in Bentonville to serve students in grades 7-12 with a maximum enrollment of 500. Ms. Hogue said that by a 3-1 vote, the panel approved the application for Haas Hall Academy.

Dr. Martin W. Schoppmeyer, Jr. said parents apply online then meet with him to go over questions and receive a tour. He said the meeting does not conflict with the lottery. He said the school does not accept federal funding.

Assistant Commissioner Dr. Eric Saunders said that he voted against approval of

the charter based on the lack of diversity to the student enrollment.

Mr. Mark Henry said his child completed the registration and lottery process. He said there was a great need for this school in Bentonville.

Ms. Zook moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel Action on open-enrollment public charter school application for the Haas Hall Academy, Bentonville, Arkansas. Ms. Mahony voted no. The motion carried.

A-10 Charter Authorizing Panel Action on Open-Enrollment Public Charter School Application: Ozark Montessori Academy, Springdale, Arkansas

Director of the Office of Educational Options Ms. Cindy Hogue said a representative of the Ozark Montessori Academy appeared before the panel on October 16 and requested that Ozark Education, Inc., the sponsoring entity, be allowed to open a charter in Springdale to serve students in grades K-8 with a maximum enrollment of 280. She said the panel unanimously approved the application for the Ozark Montessori Academy.

Dr. Christine Silano said the school would prepare students for state assessments.

Dr. Debbie Jones said the curriculum was aligned to the state standards.

Dr. Barth moved, seconded by Ms. Saviers, to not review the Charter Authorizing Panel Action on open-enrollment public charter school application for the Ozark Montessori Academy, Springdale, Arkansas. The motion carried unanimously.

A-11 Consideration of Recommendation for Revocation of Teaching License –Helen Banks

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on August 18, 2014, the Department advised Ms. Banks, a licensed educator, that her background check revealed an offense that disqualified her for renewal of her teaching license under Ark. Code Ann. § 6-17-410(c). She said Ms. Banks did not request a waiver of the grounds for revocation of her standard teaching license within the statutory time period.

Ms. Mahony moved, seconded by Ms. Newton, to revoke the teaching license for Helen Banks. The motion carried unanimously.

A-12 State Board Review of PLSB Evidentiary Hearing Findings and

Recommendations – PLSB Case No. 14-011; Daniel Fullerton

A-12 was pulled from the agenda.

A-13 Consideration for Emergency Adoption: Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts

Department Deputy General Counsel Ms. Lori Freno said Act 421 of 2013 (codified as Ark. Code Ann. § 6-15-202(b)(2)(A)-(F)) required the State Board of Education to promulgate rules to administer the Act, which allowed waivers from the Standards for Accreditation for the purpose of combining or embedding curriculum frameworks into a single combined or embedded course. She said in addition to satisfying Act 421's rulemaking requirement, these proposed rules also revised the Standards to comply with current law regarding mandatory attendance, kindergarten/1st grade start dates, and professional development. She said the rules revised dates related to appealing a Standards violation determination (to make the dates consistent with law) and provided a hearing process for that purpose.

Assistant Commissioner Ms. Annette Barnes said the agency would continue to monitor schools. She explained the changes in the emergency rules.

Dr. Barth moved, seconded by Ms. Saviers, to approve the Arkansas Department of Education Rules Governing Standards for Accreditation of Arkansas Public Schools and School Districts for emergency adoption. The motion carried unanimously.

A-14 Consideration for Final Approval: Arkansas Department of Education Rules Governing Kindergarten through 12th Grade Immunization Requirements in Arkansas Public Schools

Department Staff Attorney Ms. Kendra Clay said the Arkansas Department of Health recently updated its Rules and Regulations Pertaining to Immunization Requirements. She said revisions to ADE's rules governing immunizations are necessary to align ADH and ADE's immunization requirements.

Ms. Zook moved, seconded by Mr. Davis, to approve the Arkansas Department of Education Rules Governing Kindergarten through 12th Grade Immunization Requirements in Arkansas Public Schools. The motion carried unanimously.

A-15 Consideration of Proposed National Parental Involvement Day Resolution

Chair of the Special Committee on Parent Communication Ms. Alice Mahony said National Parental Involvement Day is November 20, 2014. She asked the Board to adopt a National Parental Involvement Day resolution.

Ms. Mahony moved, seconded by Ms. Saviers, to approve the National Parental Involvement Day Resolution. The motion carried unanimously.

Public Comment

Ms. Kristine Hoskins requested a hearing before the Board to consider a reduction in probation for her teaching license. Mr. Ledbetter agreed to place the item on the December action agenda.

Reports

Report-1 Chair's Report

Dr. Barth and Ms. Reith attended the National Association of State Boards of Education (NASBE) annual meeting. Dr. Barth said the NASBE study groups for this year would include principal leadership and career readiness. He said Ms. Mahony would continue to serve on the governmental affairs committee.

Ms. Reith said she saw examples of an innovative school that was meeting the needs of a diverse population. Ms. Reith participated in a discussion session about how to better utilize publications.

Ms. Mahony said Dr. Barth would serve as the Southern Region Director for NASBE.

Report-2 Commissioner's Report

No report.

Report-4 Special Committee on Academic Distress

Ms. Saviers gave a brief review of the recent meeting with the Little Rock School District. The District will provide a follow-up report in January 2015.

Ms. Newton said the special committee should be diligent with the schools in academic distress.

Ms. Zook said she was concerned that schools are waiting for state designation before attempting to correct issues.

Dr. Barth asked the special committee to consider the options for the schools that come before the State Board.

Report-5 Update on Content Standards and Assessment

Assistant Commissioner of Learning Services Dr. Debbie Jones said the AP Exam report indicated an increase in participation and scores in the 3-5 point range. She said schools are teaching SREB Math Ready and Reading Ready transition courses. Dr. Jones said Ms. Michelle Snyder is leading a team of Arkansas educators in writing the Arkansas Science standards. She said the assessment unit is providing testing training across the state. She said the Schools of Innovation process has been refined.

Report-6 Data Quality Report

Assistant Commissioner of Research and Technology Mr. Cody Decker said the Division of Research & Technology leads the Department's efforts relating to state and federal reporting, electronic transcripts, technical support and data-driven decision-making tools for educators, such as the ADE Data Center and StudentGPS Dashboards. He said in 2013, the Data Quality Campaign announced Arkansas was one of two states across the nation to ensure effective data use in education.

Adjournment

The meeting adjourned at 2:11 p.m.

Minutes recorded by Deborah Coffman.



Sam Ledbetter, Chair



Tony Wood, Commissioner of Education