

**Minutes**  
**State Board of Education Special Meeting**  
**Thursday, August 21, 2014**

The State Board of Education met Thursday, August 21, 2014, in the Auditorium of the Department of Education Building. Chairman Sam Ledbetter called the meeting to order at 9:02 a.m.

Present: Sam Ledbetter, Chairman; Diane Zook; Jonathan Crossley, Teacher of the Year; and Tony Wood, Commissioner.

Present via phone: Alice Mahony; Dr. Jay Barth; and Mireya Reith;

Absent: Toyce Newton, Vice-Chair; Vicki Saviers; and Joe Black;

A quorum was met.

**Consent Agenda**

Ms. Mahony moved, seconded by Ms. Zook, to approve the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- C-1 Consideration for Recommendation of Appointment to the Distance Learning Coordinating Council

**Action Agenda**

**A-1 Consideration of Appeal from Denial of School Choice Application – Zaage**

Department General Counsel Jeremy Lasiter said pursuant to Ark. Code Ann. § 6-18-1907 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013, Annette and Curtis Zaage filed an appeal of the decision of the Bentonville School District to deny the school choice application of S. Zaage. Mr. and Mrs. Zaage reside in the Springdale School District.

Bentonville School District Executive Director for Student Services Ms. Tina Sharp said the district set a capacity cap at 80% for school choice.

Parent Curtis Zaage said his daughter is currently a student of the Bentonville School District. He said his family relocated because they believed the school

choice would be approved.

Ms. Sharp said the family did receive a letter of enrollment. She said the district was at capacity and had added additional staff. She said currently the district has approximately 1100 juniors.

Mr. Zaage said the child was a previous student and was not new to the Bentonville School District. The student is a junior this year.

Ms. Zook moved, seconded by Ms. Mahony, to grant the appeal. The motion carried unanimously.

### **A-2 Consideration of Appeal from Denial of School Choice Application- Ballard and Lewis**

Department General Counsel Jeremy Lasiter said pursuant to Ark. Code Ann. § 6-18-1907 and the Arkansas Department of Education Rules Governing the Public School Choice Act of 2013, Crystal Ballard and Jason Lewis filed an appeal of the decision of the Bentonville School District to deny the school choice applications of K. Ballard, A. Ballard, G. Lewis, and A. Lewis. The family resides in the Decatur School District.

Bentonville School District Executive Director for Student Services Ms. Tina Sharp said the district set a capacity cap at 80% for school choice.

Parent Crystal Ballard said she has four children: two (2) first grade students, one fourth grade student, and one pre-school student.

Ms. Sharp said as of July 1 that 1286 students were enrolled in first grade and 1264 students were enrolled in fourth grade. She said these enrollment numbers exceeded the 80% cap.

Ms. Ballard said the district office gave her the application but did not explain the process or the capacity cap. She said the children are currently enrolled in the Decatur School District.

Mr. Lasiter said the Board could not consider the application for the Pre-K student, K. Ballard because school choice applied to K-12 only.

Dr. Barth moved, seconded by Ms. Mahony, to deny the appeal from denial of School Choice Application for the Pre-Kindergarten student, K. Ballard because the Board does not have oversight of school choice for Pre-Kindergarten. The motion carried unanimously.

Ms. Mahony moved, seconded by Ms. Zook, to approve the appeal from denial of

School Choice Application-Ballard and Lewis for three children, A. Ballard, G. Lewis, and A. Lewis. Dr. Barth voted no. The final vote is 3-1. The motion carried.

Mr. Ledbetter recognized Representative Charlotte Douglas asked if the vote to deny the appeal of the application would block the opportunity for the student, K. Ballard, to possibly attend the Bentonville School District Pre-Kindergarten program.

Mr. Lasiter clarified that the vote does not prevent the Pre-Kindergarten student from applying to the Bentonville School District Pre-Kindergarten program.

Mr. Ledbetter said the School Choice law sunsets June 30, 2015.

### **Adjournment**

The meeting adjourned at 9:53 a.m.

*Minutes recorded by Deborah Coffman.*

  
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Sam Ledbetter, Chair

  
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Tony Wood, Commissioner of Education