

Minutes
State Board of Education Meeting
Thursday, August 14, 2014

The State Board of Education met Thursday, August 14, 2014, in the Auditorium of the Department of Education Building. Chairman Sam Ledbetter called the meeting to order at 10:05 a.m.

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

Absent: Vicki Saviers

Consent Agenda

Ms. Mahony requested Consent Agenda Item-4 be pulled.

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart explained the process the PLSB uses to review cases.

Ms. Newton moved, seconded by Ms. Reith, to approve the consent agenda, less Consent Agenda Item-4. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes - July 10, 2014
- Minutes - July 11, 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 #T13-012 - Patrick Louis Russell
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-024 – Jada Olivia Jones
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-111 – Caitlyn Elisabeth Moseley
- Consideration of the Voluntary Surrender and Revocation of Arkansas Educator's License – PLSB Case #14-206 – Chrissie Leann Barnes

Action Agenda

C-4 Review of Loan and Bond Application

Ms. Mahony moved, seconded by Dr. Barth, to approve the Loan and Bond Application. The motion carried unanimously.

The Board pulled A-9, A-11, A-12, and A-14 from the agenda.

A-1 Consideration of a Philanthropic Partnership to Enhance Educational Achievement in Arkansas

Ms. Newton recused herself from this item because she is a member of the Winthrop Rockefeller Foundation Board.

Ms. Kathy Smith, Senior Program Officer of the Walton Family Foundation, said the Walton Family and Winthrop Rockefeller Foundations proposed to use resources to work with the Department to develop a comprehensive plan to improve P-16 education in Arkansas. Dr. Sherece Y. West-Scantlebury, President and Chief Executive Officer of the Winthrop Rockefeller Foundation, explained the commitment of the Foundations and the Department, timeline, and deliverables. Mr. Ledbetter said this work would focus on academic distressed schools and districts. Board members expressed support for this partnership plan.

Dr. Barth moved, seconded by Ms. Zook, to approve the Department entering into a Philanthropic Partnership to Enhance Educational Achievement in Arkansas. The motion carried unanimously.

A-2 Consideration of Committee to Recommend Jacksonville/North Pulaski School District Interim Board

Commissioner Wood said in September 2014, voters in the Jacksonville area would consider the proposed detachment of the Jacksonville-North Pulaski School District from the Pulaski County Special School District. He said should the voters approve the proposed detachment, Ark. Code Ann. § 6-13-1505 required the State Board of Education to: (1) order the creation of the new school district; and (2) 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. Commissioner Wood asked the Board to approve a process to be followed for the appointment of board members in the event that the voters approve the proposed detachment. Commissioner Wood said the process would begin with the Arkansas Department of Education opening an application process. He said any member of the public, who would otherwise be eligible to serve as a school board member in the Jacksonville-North Pulaski School District, would be eligible to apply online

or by paper application. He said the applications would then be reviewed by a volunteer committee which would, in turn, make recommendations to the State Board on who should serve on the interim board. Commissioner Wood recommended the following public officials from the Jacksonville-North Pulaski community to serve on the nominating committee:

Representative Mark Perry, Chair;
Representative Doug House;
Senator Linda Chesterfield;
Senator Eddie Joe Williams;
Senator Jane English;
Justice of the Peace Bob Johnson; and
Jacksonville Mayor Gary Fletcher.

Commissioner Wood said with Board approval, the committee could begin accepting applications almost immediately. Then, if the election were successful in September, the volunteer committee would convene to review the applications and make their recommendations. He anticipates that the committee could have a recommended slate of interim board members to the Board as early as the October 2014 meeting.

During public comment, Jacksonville/North Pulaski supporter Gwendolyn Harper asked the Board to consider diversity and support needed to make this endeavor successful.

During public comment, Mr. Rozzell Aaron said all citizens would vote for all positions on the Jacksonville/North Pulaski School Board in September 2015.

Mr. Black moved, seconded by Ms. Reith, to approve the committee to recommend the Jacksonville/North Pulaski School District Interim Board. The motion carried unanimously.

A-3 Consideration of Approval of Arkansas Better Chance 2014-2015 Competitive Grants

Ms. Mary Kaye McKinney said the Division of Child Care and Early Childhood Education requested the approval of the 2014- 2015 Arkansas Better Chance Competitive Grants. Ms. McKinney reported to the Board that her office is working with some providers that have audit issues.

Ms. Mahony moved, seconded by Ms. Reith, to approve the Arkansas Better Chance 2014-2015 competitive grants. The motion carried unanimously.

A-4 Consideration for Final Approval: 2014 District Conversion Charter

School Application

Department Staff Attorney Ms. Kendra Clay said the 2014 District Conversion Application included additional prompts suggested by the Charter Authorizing Panel and updated the submission deadline for the 2014 application cycle. She said the Board released the application for public comment on June 12, 2014, and a public comment hearing was held on July 7, 2014. No oral or written comments were received.

Ms. Reith moved, seconded by Mr. Black, to approve the 2014 District Conversion Charter School Application. The motion carried unanimously.

A-5 Consideration for Approval of Embedded Courses

Curriculum and Instruction Specialist 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 said several school districts submitted applications to the Curriculum and Instruction Unit for approval of the combined or embedded course and assured, in writing, that the curriculum frameworks for both courses will be fully taught in the combined or embedded course. He said that when the curriculum frameworks for either of the courses are revised, a new course approval request must be submitted and approved by the Board. He asked the Board to approve the following embedded courses:

- Grade 11 English/Oral Communication – Ashdown School District;
- Grade 9 English/Oral Communication – Bentonville School District;
- Grade 10 English/Oral Communication – Bryant School District;
- Grade 12 English/Oral Communication – Cave City School District;
- Anatomy & Physiology/Health – Cave City School District;
- Oral Communication/English – Flippin School District;
- Environmental Science/Agriculture – Flippin School District;
- Pre-Calculus/Physics – Lincoln Consolidated School District;
- Grade 12 English/Oral Communication – Marion School District;
- Grade 10 English/Oral Communication – North Little Rock School District;
- and
- Grade 11 English/Oral Communication – Southside School District.

Marion School District Director of Secondary Education Mr. Hugh Inman asked the Board for the approval of the embedded course. He said the intent is to teach oral communication in context, not isolation.

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

A-6 Consideration for Approval of Replacement of Professional Licensure Standards Board Member Due to Resignation

Assistant Commissioner of Human Resources, Educator Effectiveness and Licensure Ms. Ivy Pfeffer said Dr. Randy Willison has resigned his position with the Professional Licensure Standards Board, effective immediately. Ms. Pfeffer asked the Board to approve the Lonoke School District Superintendent Ms. Suzanne Bailey, nominated by the Arkansas Association of Educational Administrators (AAEA), to be the representative for the Public School Superintendents, as required by ACA §6-17-422. Ms. Bailey's term will expire June 30, 2017.

Dr. Barth moved, seconded by Ms. Mahony, to approve Suzanne Bailey as the replacement to the Professional Licensure Standards Board. The motion carried unanimously.

A-7 Consideration of Appeal from Denial of School Choice Application – Coleman

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, Ms. Cassie Coleman filed an appeal of the decision of the Trumann School District to deny the school choice application of J. Coleman. Ms. Coleman is a resident of the Harrisburg School District.

Trumann School District Attorney Donn Mixon said the student has restrictions that would not permit him to be in a classroom and, therefore, he would be placed in homebound instruction. Mr. Mixon said the district would have to add a teacher.

Ms. Coleman (via phone) said her son was charged with sexual assault and the restricted access order applies to only one other student.

Mr. Mixon interviewed Trumann School District Social Worker Ms. Amy Ball. She said she did secure paperwork that said the student should have "no contact."

Ms. Coleman said the presiding judge made a new order. She said she has been unable to get the new order from the Poinsett County Juvenile Office.

Mr. Mixon said he also represents the Harrisburg School District and that the Harrisburg School District does not have a comment.

Ms. Ball said the court order is current.

Mr. Mixon interviewed Trumann School District Superintendent Ms. Myra

Graham. Ms. Graham said the parent did request a school transfer. She said the Harrisburg School Board approved the transfer for the student. She said the Trumann School Board denied the request. She said the standard practice is for the secretary to call the parent and send a letter to the Harrisburg School District. She said the Trumann School Board also denied the school choice application. Ms. Graham said the Trumann School District does not currently employ a homebound instructor.

Ms. Newton moved, seconded by Ms. Mahony, to deny the appeal from denial of School Choice Application for Coleman. The motion carried unanimously.

A-8 Consideration of Appeal from Denial of School Choice Application – Goodall

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, legal counsel for Ms. Erika Goodall filed an appeal of the decision of the Palestine-Wheatley School District to deny the school choice applications of A. Goodall (6), E. Goodall (9) and A. Goodall (10). Ms. Goodall is a resident of Forrest City School District.

Palestine-Wheatley School District Attorney Mr. Bill Brazil said (via phone) the district denied the school choice application because the Forrest City School District claimed an exemption due to a desegregation order.

Attorney Mr. George Rozell representing Ms. Goodall said a stipulation has been approved.

Mr. Lasiter said the application was submitted after the June 1 deadline.

Mr. Rozell said he did not object in regard to the application submission date.

Forrest City School District Attorney Mr. Sam Jones said this is a repeat of the appeal from last year. He said Palestine-Wheatley School District could not waive the deadline.

Mr. Brazil said he was satisfied with adding the stipulation of the deadline.

Dr. Barth moved, seconded by Ms. Reith, to deny the appeal from denial of School Choice Application for Goodall based on the exemption claimed by the Forrest City School District based on a desegregation order and the untimely submission of the school choice application. The motion carried unanimously.

A-9 Consideration of Appeal from Denial of School Choice Application –

White

Action Agenda Item-9 was pulled from the agenda.

A-10 Consideration of Appeal from Denial of School Choice Application – Shabazz

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, Ms. Ashlee Shabazz filed an appeal of the decision of the White Hall School District to deny the school choice application of R. Shabazz. Ms. Shabazz is a resident of the Watson Chapel School District.

White Hall School District Superintendent Dr. Larry Smith said the denial of school application was based on the fact that no application was filed with the Watson Chapel School District.

Parent Ms. Ashlee Shabazz said she does not dispute that an application was not on file with Watson Chapel School District. She said three of her children already attend White Hall School District. She requested school choice for her kindergarten child. She said that she was unaware that she also needed to file the application with Watson Chapel School District.

Ms. Zook moved, seconded by Ms. Newton, to grant the appeal of denial of school choice application for Shabazz. The motion carried unanimously.

A-11 Consideration of Appeal from Denial of School Choice Application – Fox

Action Agenda Item-11 was pulled from the agenda.

A-12 Consideration of Appeal from Denial of School Choice Application – Roe

Action Agenda Item -12 was pulled from the agenda.

A-13 Consideration of Appeal from Denial of School Choice Application – Walker (Garland County School Choice Appeal)

Department General Counsel Jeremy Lasiter said Ms. Latishia Walker filed an appeal of the decision of the Mountain Pine School District to deny the school choice applications of J. McIntosh, M. McIntosh, and J. Walker. He said because the Mountain Pine School District is located in Garland County, the school district is subject to a desegregation order in the case of Davis, et. al., v. Hot Springs School District, et. al. Mr. Lasiter said the desegregation order in the Davis case

requires school choice transfers in Garland County to be administered under the Arkansas Public School Choice Act of 1989. Accordingly, this appeal will be reviewed pursuant to the requirements contained in Ark. Code Ann. § 6-18-206 (repealed).

Mountain Pine School District Superintendent Mr. Robert Gray said the application was denied based on the desegregation order.

Ms. Walker said her children have been attending Mountain Pine School District. Her third child will be in kindergarten.

Lake Hamilton School District Superintendent Mr. Steve Anderson said the Lake Hamilton School District has 2.04% African American students. He said the Mountain Pine School District has 10.19% African American students. He said Ms. Walker resides in the Lake Hamilton School District.

Mr. Gray said the students were enrolled in Mountain Pine School District but when the error was identified, the district sent a letter to Ms. Walker informing her that the students would need to enroll in the Lake Hamilton School District for the 2014-2015 school year.

Ms. Walker said the documents are incorrect and that she believed that she lived in the Mountain Pine School District.

Mr. Lasiter spoke with Ms. Shannon Sharp at the Garland County Tax Assessor's Office and that Ms. Walker's residence is located in the Lake Hamilton School District.

Dr. Barth moved, seconded by Ms. Reith, to deny the appeal from denial of School Choice Application for Walker. Ms. Newton, Ms. Zook and Ms. Mahony voted no. Mr. Ledbetter broke the tie vote. The final vote was 4-3. The motion carried.

A-14 Consideration for Emergency Adoption: Arkansas Department of Education Rules Governing the Public School Rating System on Annual School Report Cards

Action Agenda Item -14 was pulled from the agenda.

A-15 Consideration for Public Comment: Arkansas Department of Education Rules Governing the Public School Rating System on Annual School Report Cards.

Department Deputy General Counsel Lori Freno said Act 696 of 2013 (codified in Ark. Code Ann. §§ 6-15-2105 and 6-15-2106) required that each public school

receive a letter grade score of "A" through "F" effective with the 2014-2015 school year, and empowered the State Board of Education to approve a method for assigning letter grades.

Ms. Zook moved, seconded by Ms. Reith, to approve the Arkansas Department of Education Rules Governing the Public School Rating System on Annual School Report Cards for public comment. Dr. Barth, Ms. Mahony and Mr. Black voted no. Mr. Ledbetter broke the tie vote. The final vote was 4-3. The motion carried.

A-16 Consideration for Final Rules – Rules Governing the Teacher Excellence and Support System

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on May 8, 2014, the State Board adopted Emergency Rules for the Teacher Excellence and Support System, and released these rules for public comment as the permanent rules. She said a public hearing was held on June 3, 2014 and the public comment period expired on June 12, 2014. Ms. Reinhart said one public comment was received, which resulted in a correction of a typographical error.

Ms. Reith moved, seconded by Dr. Barth, to approve the Rules Governing the Teacher Excellence and Support System. The motion carried unanimously.

Reports

Report-1 Chair's Report

2014 Arkansas Teacher of the Year Mr. Jonathan Crossley reported the Magnolia School District is doing some very innovative things. He presented a parent involvement presentation at the school.

Report-2 Commissioner's Report

Commissioner Wood said in response to a previous question from Ms. Mahony that the Department is in the process of posting a Commissioner's Memo clarifying that the ESEA Flexibility has been extended for the 2014-2015 school year.

Assistant Commissioner of Public School Accountability Annette Barnes said she was recently in contact with Jessica Skrebes at USDOE. The Department may now submit waivers. She said the Department would release a Commissioner's Memo for public comment on waiver requests. She said the USDOE is working

on guidance that will be forthcoming regarding additional changes to ESEA Flexibility as a result of the changes in assessments (PARCC and Smarter Balance).

Ms. Barnes said Principle 3 has not been approved but the Department has received acceptance to move forward with the written plan of action. The currently approved ESEA Flexibility does provide for the Department to reset the annual measurable objectives after the 2014-2015 data are available.

Report-3 Special Committee - Parent Communication

Ms. Mahony said the Special Committee on Parent Communication met July 11, 2014. She gave a summary of that meeting.

2014 Arkansas Teacher of the Year Mr. Jonathan Crossley presented an overview of the Prichard Committee – A look into Parental Leadership. He said the Kentucky Governor’s Commonwealth Institute for Parent Leadership is a five-day institute for parents. Mr. Crossley said parents commit to hosting an event in their school. He said ongoing coaching and support is available to parents.

Chief of Staff Ms. Deborah Coffman overviewed the work of the Department in the design of the My Child/My Student-Parent and Teacher Communication Initiative.

Report-5 A-F Report

University of Arkansas Office of Innovation Director Dr. Denise Airola said Act 696 of 2013 (codified in Ark. Code Ann. §§ 6-15-2105 and 6-15-2106) required that each public school receive a letter grade score of “A” through “F” effective with the 2014-2015 school year. Dr. Airola and her colleague, Jeff Dean, researched the use of one labeling system. She said they presented ten (10) models to various stakeholder groups and received feedback from them. Dr. Airola explained the relationship of the components in the calculation for the letter grade score. She said the final calculation method is comprised of weighted performance, improvement with ESEA options, graduation rates (if applicable), and achievement or graduation gap adjustment.

Adjournment

The meeting adjourned at 4:01 p.m.

Minutes recorded by Deborah Coffman.



Sam Ledbetter, Chair



Tony Wood, Commissioner of Education