

**Minutes
State Board of Education Meeting
Thursday, March 20, 2014**

The State Board of Education met Thursday, March 20, 2014, in the auditorium of the Department of Education building. Chair Brenda Gullett called the meeting to order at 10:05 a.m.

Present: Brenda Gullett, Chair; Sam Ledbetter, Vice-Chairman; Alice Mahony; Dr. Jay Barth; Vicki Saviers; Toyce Newton; Diane Zook; Mireya Reith; Joe Black; Alexia Weimer, Teacher of the Year; and Dr. Tom Kimbrell, Commissioner.

Ms. Reith joined the meeting, in progress, at 10:34 a.m.

Absent: none

Ms. Gullett announced a Special State Board meeting, March 28, 2014 at 8:30 a.m. via teleconference.

Ms. Newton recognized Ms. Gullett for her inclusion in the About You (AY) magazine as one of AY's Powerful Women of 2014. Ms. Gullett was featured in the magazine for her contribution and dedication to education.

Consent Agenda

Ms. Gullett requested C-5 be pulled from the consent agenda. Ms. Saviers requested C-18 and C-64 be pulled from the consent agenda.

Ms. Mahony asked if this year of inclement weather permits an opportunity to have conversations regarding possible legislation pertaining to school calendars. Dr. Kimbrell said the weather this year may be a reason to move forward with the conversation. Five inclement weather days must be built into a school calendar as a result of previous legislation.

Ms. Saviers asked about the acceptable range of number of days of instruction per year due to inclement weather. Dr. Kimbrell said previously the State Board has permitted schools to seek waivers if the school missed more than 10 days due to inclement weather. Dr. Kimbrell said 73 of the districts requesting an inclement weather waiver met the ten-day recommendation.

Dr. Barth moved, seconded by Ms. Newton, to approve the consent agenda less

C-5, C-18, and C-64. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes: February 13-14, 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
- Declaration of Critical Academic Shortage Areas of Licensure for 2014-2015
- Consideration for Awarding Waiver Days - Alpena School District
- Consideration for Awarding Waiver Days - Batesville School District
- Consideration for Awarding Waiver Days - Bentonville Public Schools
- Consideration for Awarding Waiver Days - Bergman School District
- Consideration for Awarding Waiver Days - Berryville Public Schools
- Consideration for Awarding Waiver Days - Calico Rock Public Schools
- Consideration for Awarding Waiver Days - Cave City School District
- Consideration for Awarding Waiver Days - Cedar Ridge School District
- Consideration for Awarding Waiver Days - Clinton Public Schools
- Consideration for Awarding Waiver Days - Concord Public School
- Consideration for Awarding Waiver Days - Corning Public Schools
- Consideration for Awarding Waiver Days - Cotter Public Schools
- Consideration for Awarding Waiver Days - Deer/Mt. Judea School District
- Consideration for Awarding Waiver Days - Elkins School District
- Consideration for Awarding Waiver Days - Eureka Springs School District
- Consideration for Awarding Waiver Days - Farmington Public Schools
- Consideration for Awarding Waiver Days - Fayetteville Public Schools
- Consideration for Awarding Waiver Days - Flippin School District
- Consideration for Awarding Waiver Days - Gentry School District
- Consideration for Awarding Waiver Days - Gravette Public Schools
- Consideration for Awarding Waiver Days - Green Forest School District
- Consideration for Awarding Waiver Days - Greene County Technical School District
- Consideration for Awarding Waiver Days - Greenland Public Schools
- Consideration for Awarding Waiver Days - Haas Hall Academy
- Consideration for Awarding Waiver Days - Harrisburg School District
- Consideration for Awarding Waiver Days - Harrison School District
- Consideration for Awarding Waiver Days - Hector School District
- Consideration for Awarding Waiver Days - Highland School District
- Consideration for Awarding Waiver Days - Hillcrest School District
- Consideration for Awarding Waiver Days - Hoxie School District
- Consideration for Awarding Waiver Days - Huntsville School District
- Consideration for Awarding Waiver Days - Imboden Area Charter School
- Consideration for Awarding Waiver Days - Izard County Consolidated

School District

- Consideration for Awarding Waiver Days - Jackson County School District
- Consideration for Awarding Waiver Days - Jasper School District
- Consideration for Awarding Waiver Days - Jonesboro Public Schools
- Consideration for Awarding Waiver Days - Lawrence County School District
- Consideration for Awarding Waiver Days - Lead Hill School District
- Consideration for Awarding Waiver Days - Lincoln School District
- Consideration for Awarding Waiver Days - Mammoth Spring School District
- Consideration for Awarding Waiver Days - Marmaduke School District
- Consideration for Awarding Waiver Days - Maynard Public Schools
- Consideration for Awarding Waiver Days - Melbourne School District
- Consideration for Awarding Waiver Days - Midland School District
- Consideration for Awarding Waiver Days - Mountain Home Public Schools
- Consideration for Awarding Waiver Days - Mountain View School District
- Consideration for Awarding Waiver Days - Mountainburg School District
- Consideration for Awarding Waiver Days - Norfolk School District
- Consideration for Awarding Waivers Days - Northwest Arkansas Classical Academy
- Consideration for Awarding Waiver Days - Omaha School District
- Consideration for Awarding Waiver Days - Ozark Mountain School District
- Consideration for Awarding Waiver Days - Pangburn Public Schools
- Consideration for Awarding Waiver Days - Paragould School District
- Consideration for Awarding Waiver Days - Pea Ridge Schools
- Consideration for Awarding Waiver Days - Piggott School District
- Consideration for Awarding Waiver Days - Pocahontas Public Schools
- Consideration for Awarding Waiver Days - Prairie Grove School District
- Consideration for Awarding Waiver Days - Rector School District
- Consideration for Awarding Waiver Days - Rogers Public Schools
- Consideration for Awarding Waiver Days - Salem Public Schools
- Consideration for Awarding Waiver Days - Searcy County School District
- Consideration for Awarding Waiver Days - Shirley Public Schools
- Consideration for Awarding Waiver Days - Siloam Springs School District
- Consideration for Awarding Waiver Days - Sloan-Hendrix School District
- Consideration for Awarding Waiver Days - South Side Public Schools - Bee Branch
- Consideration for Awarding Waiver Days - Southside School District – Batesville
- Consideration for Awarding Waiver Days - Trumann School District
- Consideration for Awarding Waiver Days - Valley Springs Public Schools
- Consideration for Awarding Waiver Days - Viola Public Schools
- Consideration for Awarding Waiver Days - West Fork School District
- Consideration for Awarding Waiver Days - West Side School District

- Consideration for Awarding Waiver Days - Westside Consolidated School District
- Consideration for Awarding Waiver Days - Yellville-Summit Public Schools
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-064 – Rebecca Ann Seels
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-082– Clifton Kristopher DeJarnette
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #13-169 – Sara Kristine Kemp (Eisenburg)
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-007 – Jeffrey Bob Israel
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-010– Jeremy Paul Baker
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-022 – Phyllis Moring Stedman
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-026– Brett Louis Difani
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-036G– Tonya Michelle May
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-039– Amy Renee Milliken

Ms. Zook requested to be informed before the testing calendar is confirmed for next year. She also recognized West Fork's inclement weather make-up plan as exceptional. Dr. Kimbrell did caution schools to ensure the make-up days meet the time requirement of 6 or more instructional hours. The Board recognized the work of Doug Bradberry and Deborah Coffman for preparation of the inclement weather waiver requests.

Action Agenda

C-5 End-of-Semester Reviews of Open-Enrollment Public Charter Schools in the Initial Year of Operation: Northwest Arkansas Classical Academy, Premier High School of Little Rock, and Quest Middle School of Pine Bluff

Charter School Director Mary Perry said data was provided for this item to meet the requirement of Ark. Code Ann. § 6-23-406 that requires the Department of Education to conduct an end-of-semester review of each open-enrollment public charter school in its initial school year of operation and report to the State Board of Education on the charter school's overall financial condition and condition of student enrollment.

The Board tabled C-5, End-of-Semester Reviews of Open-Enrollment Public Charter Schools in the Initial Year of Operation: Northwest Arkansas Classical Academy, Premier High School of Little Rock, and Quest Middle School of Pine

Bluff, for more information. The information will be presented at the April Board Meeting.

C-18 Consideration for Awarding Waiver Days - Decatur Public Schools

Larry Ben, Superintendent of Decatur, said Decatur Public Schools would amend the inclement weather waiver request to make up ten days.

Mr. Ledbetter made a motion, seconded by Ms. Saviers, to approve an inclement weather waiver of six days for Decatur Public Schools. The motion carried unanimously.

C-64 Consideration for Awarding Waiver Days - Quitman Public Schools

Quitman High School Principal, Brett Bunch, said the district would amend the inclement weather waiver request to make up ten days.

Mr. Ledbetter made a motion, seconded by Ms. Newton, to approve an inclement weather waiver of three days for Quitman Public Schools. The motion carried unanimously.

Ms. Gullett recognized Senator Wilson, Representative Perry and former Representative Bonds for their attendance at the Board meeting.

Consideration of Order for Election on Proposition of Detachment of the Proposed Jacksonville-North Pulaski School District from the Pulaski County Special School District

Department General Counsel Jeremy Lasiter said on July 8, 2013, the State Board of Education declared as valid the petition for detachment filed by the Jacksonville Community Group. On January 13, 2014, the presiding federal judge in the Pulaski County Desegregation Case approved a settlement agreement that permitted the State of Arkansas to immediately authorize the creation of a Jacksonville/North Pulaski School District consistent with state law. The Jacksonville Community Group requested the State Board of Education order an election on the proposed detachment.

Patrick Wilson, attorney for Jacksonville patrons, requested the Board order an election. Mr. Lasiter explained the process for transition if the Jacksonville vote is successful.

Mr. Ivory Tillman, member of the NAACP, said the organization supports the

separation of Jacksonville. Mr. Tillman requested a meeting with Dr. Guess, Dr. Kimbrell and the State Board to discuss equal minority representation on the appointed Board for Jacksonville prior to election for Board members.

Ms. Zook moved, seconded by Ms. Saviers, to order an election on the proposed detachment of the Proposed Jacksonville-North Pulaski School District from the Pulaski County Special School District. The motion carried unanimously.

The Board recognized the Jacksonville Community for their dedication.

Charter Authorizing Panel Action on Open-Enrollment Public Charter School Renewal Application: Jacksonville Lighthouse Charter School

Charter School Director Mary Perry said the State Board of Education approved the application for Jacksonville Lighthouse Charter School on November 3, 2008. The charter is approved to serve students in grades K-12 with a maximum enrollment of 1,019. Representatives of the Jacksonville Lighthouse Charter School appeared before the Charter Authorizing Panel on February 19, 2014, and requested a 10-year renewal for the charter. The panel unanimously approved the renewal for a three-year period. No request was submitted for the State Board of Education to review the decision made by the panel. The State Board may exercise a right of review of a determination made by the Charter Authorizing Panel and conduct a hearing on the Charter Authorizing Panel determination at a future State Board of Education meeting.

Ms. Mahony moved, seconded by Ms. Saviers, to not review the Charter Authorizing Panel Action on Open-Enrollment Public Charter School Renewal Application: Jacksonville Lighthouse Charter School. The motion carried unanimously.

Charter Authorizing Panel Action on Open-Enrollment Public Charter School Renewal Application: Little Rock Preparatory Academy

Charter School Director Mary Perry said the State Board of Education approved the application for Little Rock Preparatory Academy on November 4, 2008. The charter is approved to serve students in grades K-8 with a maximum enrollment of 432. Representatives of the Little Rock Preparatory Academy appeared before the Charter Authorizing Panel on February 19, 2014, and requested a five-year renewal for the charter, an increase in the enrollment cap, and additional waivers to laws and rules. The panel unanimously approved the renewal for a three-year period without an enrollment cap and the waiver requests as revised. No request was submitted for the State Board of Education to review the decision made by the panel. The State Board of Education may exercise a right of review of a determination made by the Charter Authorizing

Panel and conduct a hearing on the Charter Authorizing Panel determination at a future State Board of Education meeting.

Ms. Reith moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel Action on Open-Enrollment Public Charter School Renewal Application for Little Rock Preparatory Academy. Ms. Mahony voted no. The motion carried.

Charter Authorizing Panel Action on Requested Open-Enrollment Public Charter School Amendments: Academics Plus Charter School

Charter School Director Mary Perry said the State Board of Education approved the application for Academics Plus Charter School on May 14, 2001. The charter is approved to serve students in grades K-12 with a maximum enrollment of 650. Representatives of Academics Plus Charter School appeared before the Charter Authorizing Panel on February 19, 2014, and requested a charter amendment to increase the enrollment cap from 650 to 750 for the 2014-2015 school year and from 750 to 850 for the 2015-2016 school year. The panel unanimously approved the amendment request. No request for the State Board of Education to review the decision made by the panel was submitted. The State Board may exercise a right of review of a determination made by the Charter Authorizing Panel and conduct a hearing on the Charter Authorizing Panel determination at a future State Board of Education meeting.

Ms. Reith moved, seconded by Ms. Newton, to not review Charter Authorizing Panel Action on Requested Open-Enrollment Public Charter School Amendments for Academics Plus Charter School. The motion carried unanimously.

Consideration of Adoption: K-12 English Language Proficiency Standards

Curriculum and Instruction Director Dr. Tracy Tucker said a committee of English as a Second Language (ESL) practitioners, administrators and university professors from across the state met on January 27 and 28 to review English Language Proficiency (ELP) standards and to consider their appropriateness for Arkansas's ESL program. This committee examined the alignment of these supportive standards to the Common Core State Standards (CCSS) and the resources currently available and forthcoming to support school districts in the development of curriculum. On behalf of this committee, the Curriculum and Instruction Unit in the Division of Learning Services recommended the adoption of the English Language Proficiency Standards. By voting to adopt these ELP standards now, teachers have time to begin implementation in the 2014-2015 school year, with full implementation expected in the 2015-2016 school year. This committee of educators is committed to aiding both the Curriculum Unit and

the Student Assessment Unit in the process of full implementation of these standards and aligned assessments. Dr. Tucker recognized the work of the educator committee and Dr. Andre Guerrero, ELL Coordinator. At the request of the Board, the 2013 ELDA report was sent to Board members for review.

Ms. Reith moved, seconded by Dr. Barth, to adopt the K-12 English Language Proficiency Standards. The motion carried unanimously.

Presentation of Revised Library Media Frameworks for Consideration and Approval

Curriculum and Instruction Director Dr. Tracy Tucker said Arkansas Law and ADE rules require the periodic revision of all curriculum frameworks. Content areas are due for revision every six years. Because the Arkansas frameworks for library media were last revised in 2007, ADE convened a revision committee during the summer of 2013 to develop recommendations to revise the frameworks, ensuring alignment to the Common Core State Standards (CCSS). In accordance with Arkansas law and ADE rules, the committee consisted of representatives of urban, suburban, and rural districts and all five ACTAAP regions. The group included instructors ranging from kindergarten through the university level. The Curriculum and Instruction Unit recommended the adoption of the K-12 Library Media Curriculum Frameworks. These curriculum frameworks will guide instruction in the 2014-2015 school year.

Ms. Saviers moved, seconded by Ms. Newton, to approve the Revised Library Media Frameworks. The motion carried unanimously.

Consideration for Final Approval: Proposed Rules Governing the Master Principal Program

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said the Department recommended changes to the Rules Governing the Master Principal Program to implement the changes to the Arkansas Code under Act 459 of the 2013 Regular Session and to update the rules. No public comments on the proposed rules were received. The Department requested the Board adopt these rules.

Ms. Newton moved, seconded by Ms. Zook, to approve the Rules Governing the Master Principal Program. The motion carried unanimously.

Consideration for Public Comment: Rules Governing Parental Involvement

Plans

Department Attorney Kendra Clay said revisions to these rules were necessary based on changes made by Act 1423 of 2013. The Department requested the Board release the rules for public comment.

Dr. Barth moved, seconded by Mr. Black, to approve the Rules Governing Parental Involvement Plans for public comment. The motion carried unanimously.

Consideration for Public Comment: Proposed Rules Governing How to Meet the Needs of Children with Dyslexia

Department Deputy General Counsel Lori Freno-Engman said Act 1294 of 2013 created an additional subchapter in Ark. Code Ann. Title 6, Chapter 41, to add §6-41-601, et seq., an Act to ensure that children with dyslexia have their needs met by the public school system. She said the promulgation of these rules was based on legislative action and this is the first time this rule has been presented to the Board. The Department requested the Board approve the proposed rules for a public comment period.

Ms. Mahony moved, seconded by Ms. Newton, to approve the Proposed Rules Governing How to Meet the Needs of Children with Dyslexia for public comment. Ms. Zook abstained. The motion carried.

Consideration of Revocation of Teaching License – Melvin T. Ewart

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said Melvin T. Ewart holds a lifetime teaching license. The Department notified Mr. Ewart that a background check conducted for the purpose of his employment at an Arkansas school district as a substitute teacher revealed a disqualifying offense for licensure and employment under Ark. Code Ann. § 6-17-410(c). Mr. Ewart requested a hearing before the State Board to seek a waiver of the offense, but has withdrawn that request. The Department recommended revocation of his teaching license.

Ms. Saviers moved, seconded by Dr. Barth, to revoke the teaching license for Melvin T. Ewart. The motion carried unanimously.

Consideration of Waiver Request for Teaching License - Darren Wyatt

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said Darren Wyatt is a pre-service teacher. The Department notified Mr. Wyatt that a

background check conducted for the purpose of his employment at an Arkansas school district as a pre-service teacher revealed a disqualifying offense for licensure and employment under Ark. Code Ann. § 6-17-410(c). Under Act 455 of 2013, a pre-service teacher may request a waiver of the disqualifying offense and Mr. Wyatt has requested that waiver. The Department recommended the waiver.

Mr. Ledbetter moved, seconded by Ms. Newton, to grant a waiver for teaching license for Darren Wyatt. The motion carried unanimously.

Follow-up to Previous Board Request

Ms. Reinhart reminded the Board that at the meeting of the State Board, February 13, 2014, the Board requested the Department research a method of reviewing waiver requests that do not require the educator to plead his or her case in person, but preserves due process and legal requirements. Ms. Reinhart reported that going forward a new process would be used, which Jeremy Lasiter and Sam Ledbetter also reviewed. The Department will advise the educator of whether the Department will make a recommendation on the waiver request. If the educator agrees with the recommendation, the matter will be handled on the consent agenda. If the educator does not agree with the recommendation, it will go to a hearing. The Board will always have the opportunity to pull an item off the consent agenda and require the hearing.

Work Session

FOIA and Ethics Training for State Board Members

Department Attorney Kendra Clay presented information regarding conflicts of interest, gifts, open meetings, and financial disclosure forms. The presentation also addressed the Freedom of Information Act (FOIA).

Reports

Chair's Report

Ms. Gullett attended the Chairs and Chiefs meeting in Washington D. C. last weekend with Dr. Kimbrell and Emily Jordan Cox, Director of Policy to Governor Mike Beebe.

Commissioner's Report

Commissioner Kimbrell said Kathy Powers, former Arkansas Teacher of the

Year, presented at the Chairs and Chiefs meeting. Dr. Kimbrell said teachers shared examples of instruction aligned to the Common Core State Standards (CCSS) for Mathematics. The teachers clarified some of the misunderstandings that are being reported about CCSS. He clarified that students will be expected to know their multiplication facts by third grade.

Mr. Ledbetter shared that he recently heard teachers on NPR sharing how engaged their students are in the Common Core Standards.

Ms. Gullett attended the session on professional development. Ms. Coffman will send the Professional Development Standards Assessment Inventory data to Board members.

Dr. Kimbrell said he attended the first meeting of the Common Core Cabinet. Business and industry leaders formed the cabinet to communicate the grassroots efforts in support of Common Core. The group has hired a public relations firm to assist.

Dr. Kimbrell said some Arkansas schools are preparing to field test the PARCC assessment. The field test is an opportunity to see how the technology works and for educators to continue to be part of Arkansas assessments. Dr. Witonski clarified procedures for the field test.

Arkansas Teacher of the Year Report

2013 Teacher of the Year Ali Weimer provided a report, *What's Going on Inside AR Schools*. She shared an example of how an elementary teacher taught Common Core State Standards by using research and technology in an elementary classroom. Ms. Gullett asked Ms. Weimer if she had any tips for teachers for teaching Common Core. Ms. Weimer recommended speaking about the specific standards.

Arkansas Teacher Cadets Program Receives Gold Medal Givers 2014 Award

Assistant Commissioner Dr. Karen Walters said KARK presented the Arkansas Department of Education with the Gold Medal Givers 2014 award January 16, 2014, during the KARK 4 Today morning show. The Department was honored for giving back to the community with its Arkansas Teacher Cadets Program. Three Arkansas school districts are piloting the teacher preparation program this year: Warren, Conway and Southside (Batesville). The Teacher Cadet program identifies students that may become future teachers.

2012-2013 Grade Inflation Report

Assistant Commissioner John Hoy said Arkansas Annotated Code §6-15-421 required the Division of Public School Accountability to create a report of the percentage of students who received a letter grade of "B" or above in courses for which the State Board has adopted a corresponding end-of-course test and who passed the end-of-course assessment on his or her first attempt; and create a report of the percentage of students who received a letter grade of "B" or above in the corresponding course and did not pass the end-of-course assessment on the first attempt.

Mr. Hoy announced that he would be assuming the superintendent position at Helena-West Helena, effective July 1.

Ms. Zook recognized the work of Mr. Hoy and Dr. Witonski and for the contribution they will make in schools.

Report on Critical Shortage Areas

Assistant Commissioner Dr. Karen Walters said the federal government asks states to identify teacher shortage areas. In accordance with this request, teachers may achieve financial benefits such as loan cancellation within the regulations of the Stanford Loan Program, the TEACH Grant Program and/or Federal Perkins Loans.

Dr. Walters said the 2014 Educator Career Fair, scheduled for April 5 at Clear Channel Metroplex, would target current educators looking for new employment opportunities, teachers interested in returning to the classroom, and individuals interested in becoming teachers.

Dr. Walters recognized the work of Misty Harp for her work in teacher recruitment.

Adjournment

The meeting adjourned at 3:40 p.m.

Minutes recorded by Deborah Coffman.


Brenda Gullett, Chair


Dr. Tom W. Kimbrell, Commissioner