

ARKANSAS DEPARTMENT OF
Education
AGENDA
STATE BOARD OF EDUCATION

October 9, 2006

Arkansas Department of Education
Auditorium, Arkansas Department of Education
1:00 PM

Chair's Report – Diane Tatum
Commissioner's Report – Dr. T. Kenneth James

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Reports

Report-1 Michael Cohen, President Achieve, Inc.

Arkansas is one of the states that was awarded a grant from the National Governor's Association to strengthen high school performance. One component of that project is to conduct a curriculum alignment study that bridges high school with higher education. Participants in completing that work have shared in training provided by Achieve, Inc. Dr. Cohen will discuss components of that work and outline next steps.

Consent Agenda

C-1 Minutes - September 11, 2006

C-2 Newly Employed, Promotions and Separations

The applicant data from this information is used to compile the Applicant Flow Chart forms for the Affirmative Action Report, which demonstrates the composition of applicants through the selecting, hiring, promoting and terminating process.

Process

To communicate to the members of the State Board on monthly personnel actions.

The information is needed to measure the effectiveness of our recruitment, hiring and promotion efforts and is in conformity with federal government guidelines, which require us to compile statistical information about applicants for employment.

C-3 Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

** By the Court Order of December 1, 1993, the Department of Education is required to file a monthly Project Management Tool to the court and the parties to assure its commitment to the Desegregation Plan. This report describes the progress the ADE has made since March 15, 1994, in complying with the provisions of the Implementation Plan (Plan) and itemizes the ADE's progress against the timelines presented in the Plan. Process * In*

October, the report emphasizes the following: 1. Summary of the PMT for September.

C-4 Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001

Act 1623 of 2001 requires local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. Waiver requests were received from 12 districts covering a total of 20 positions. None of these requests were from a district in academic distress. These requests have been reviewed by Department staff and are consistent with program guidelines.

C-5 Review of Loans and Bonds Applications

Pursuant to Arkansas Code Annotated (A.C.A) § 6-20-805 and (A.C.A) § 6-20-1205, the State Board of Education must approve all Revolving Loan Fund and Commercial Bond applications, with the exception of non-voted refundings of commercial bond issues that meet the minimum savings as required by the Rules Governing Loan and Bond Applications, Section 9.02. The applications have been reviewed by the Department Loan Committee and it is recommended that the State Board of Education review the following for approval: Item (1) 2 Revolving Loans; Item (2) 5 2nd Lien Bonds; Item (3) 5 Voted Bonds.

C-6 Consideration of the State Adoption List and Authorization for Contracts Science, Health/Physical Education and Medical Professions Textbooks

To comply with Arkansas Code Annotated §621-402 through 413 (1995) amended by Act 333 of 1997. It is recommended that the State Board of Education: 1. Adopt the lists of textbooks and other instructional materials recommended by the State Science, Health/Physical Education and Medical Professions Selecting Committees. The strengths and weaknesses noted by the committees are provided. 2. Authorize the Commissioner to execute contracts with publishing companies for the textbooks and other instructional materials recommended by the committees.

Action Agenda

A-1 Consideration of Request for Final Approval of Rule Governing the Arkansas Comprehensive Testing Assessment and Accountability Program (ACTAAP) and the Academic Distress Program.

The Arkansas Comprehensive Testing, Assessment and Accountability Program and the Academic Distress Program Rule were last revised in January 2006. Since that time, the Board has adopted policy for determining school accountability ratings. This revision places that action in the Rule. The Department proposed changes are regarding the procedure for assessment of students with limited English proficiency and other technical amendments. The State Board gave its approval to submit the draft rules for public comment at its August meeting. The public hearing was held on September 15, 2006 in the ADE auditorium. Two people attended the public hearing and the ADE received no verbal or written comments in regards to these changes.

A-2 Consideration for Final Approval of Rules Governing The Program To Inform Students About The ARKIDS First Program

On August 14, 2006, the State Board of Education approved for public comment Proposed Rules Governing The Program to Inform Students about the ARKIDS FIRST Program. On September 27, 2006, a public hearing was held. No one attended the public hearing and no comments were received.

The Department of Education is requesting final approval from the State Board of Education on the Rules Governing The Program to Inform Students about the ARKIDS FIRST Program.

A-3 Consideration for Approval of Arkansas Department of Education Rules Governing Residential Placement

At its July 10, 2006, Board meeting, the Special Education Unit received Board approval to put out for public review and comment the proposed changes to the Residential Placement Rule. The proposed changes are to clarify school district residency for reimbursement and educational management. The proposed Rule also explicitly includes four (4) intermediate care facilities within the authorized group of licensed facilities that may be used for special educational cost reimbursement. Other minor cleanup changes are also included in the proposed Rule.

A public hearing was held on August 2, 2006, with six (6) people in attendance. Written comment was taken through August 16, 2006. Comments received as a result of public review supported the change in residency assignment, with one exception. Other comments received addressed technical text corrections or clarification. These have been addressed in the final Rule text. Comment was also offered on the adequacy of funding for residential placement, which is a related issue but not one proposed for rule revision. The Special Education Unit will address this issue by undertaking a study of the educational costs associated with residential placement as well as looking at current funding needs when formulating a recommended funding level for this line item during the next biennium budget period.

A-4 Consideration for Final Approval Of Rules Governing The Regulatory Basis Of Accounting

On August 14, 2006, the State Board approved for public comment Proposed Rules Governing The Regulatory Basis of Accounting. On September 27, 2006, a public hearing was held. No one attended and no comments were received. Staff recommends some text revision in the Rule.

The Department of Education is requesting final approval from the State Board of Education on the Rules Governing The Regulatory Basis of Accounting.

A-5 Consideration of Request from Rogers and Springdale School Districts to the State Board of Education for Adjustment to School District Boundary Lines

On July 27, 2006, the Rogers School District submitted a request to the State Board of Education to change the school district boundary line between the Rogers and Springdale School Districts. The Rogers School District is requesting specifically that the following property be transferred from the Rogers School District to the Springdale School District: All property located in the North half of the SW and SE quarters of Section 10, Township 18 North, Range 29 West, Benton County, Arkansas, 160 acres more or less.

The school districts provided proof of publication that public notice was published in the local newspaper of general circulation no less than once a week for two consecutive weeks.

A-6 Consideration of Biology Performance Level Descriptors for the Biology End of Course Examination and the Tenth-Grade Science Alternate Portfolio Assessment System for Students with Disabilities

It is recommended that the State Board of Education approve the recommended performance level descriptors for the Biology End of Course Examination and the Tenth-Grade Science Alternate Portfolio Assessment System for Students with Disabilities. Statewide committees of science, special education, and English as a second language (ESL) teachers completed writing the performance level descriptors in September.

A-7 Consideration of Request for Approval of 2006-2007 Arkansas Better Chance Grants-Round 4

The Rules and Regulations Governing the Arkansas Better Chance Program require that an existing program's grant be renewed every year.

In accordance with this policy, DCC-ECE has reviewed each ABC program's performance, quality standards, child

outcomes, licensing history and scores on the Environmental Rating Scale. Based on that review, DCC-ECE recommends the program on the attached listing for renewal in the 2006-2007 program year.

A-8

Consideration of Recommendation to Uphold Termination of ABC Grant Agreement for Vernon's Home Preschool

Ms. Vernon Jones, Owner of Vernon's Home Preschool and an ABC program site, has been identified as an owner/director of another facility, Hope for the Future. On 8/26/05, DHHS invoked Policy 1088 to permanently exclude Hope for the Future and Ms. Vernon Jones from the participation in the DHHS programs due to financial irregularities in their Child and Adult Care Food Program, as well as an overpayment from the Child Care Voucher program. On 9/01/05, Ms. Jones filed an appeal with the Appeals and Hearings Office of the Department of Human Services and requested an administrative hearing. Because of the pending appeal, the Division had insufficient cause to exclude this provider from the ABC program in 2005-2006. The final administrative hearing was held on 7/14/06 in which DHHS presented evidence to support allegation that led to the decision to exclude the program, including billing records and child attendance records. On 9/5/06, the Administrative Law Judge issued a final order upholding the exclusion, finding that DHHS showed by a preponderance of the evidence that an overpayment existed and the program was given full due process by DHHS. It was also found that Vernon Jones was a Director of the Hope for the Future and that Nicole Swiney was an Assistant Director, and that they were responsible for the operations of the Hope for the Future. Ms. Jones was notified by DHHS of this final decision. Pursuant to the ABC grant agreement, Ms. Jones was also notified that her ABC grant would be terminated. As a result of this action, Ms. Jones notified Division Director Tonya Russell she wished to appeal the termination of her ABC grant. In accordance with the ABC Rules and Regulations and the ABC Grant Agreement, Division Director Tonya Russell is recommending that the State Board uphold the termination of the grant.

A-9

Consideration for Adding a New Licensure Area and Establishing a Cut Score for Mandarin Chinese

The Offices of Professional Licensure and Teacher Quality are proposing that the State Board of Education add the teaching area of Mandarin Chinese to the current approved listing of areas and levels of licensure.

Rationale:

- National interest among public schools.
- State interest among public schools. There are a number of school districts in Arkansas interested in offering this language as a part of their curriculum. More are anticipated once the area of licensure is established.
- Economics: the emergence of China as a major force in the world economy.
- Arkansas has the opportunity to be a leader on the cutting-edge in promoting and initiative to build Chinese Language Culture Programs in its public schools.

Status of teacher preparation programs for licensing in Mandarin Chinese

- There are no approved teacher preparation programs in Arkansas for licensure in Mandarin Chinese at this time.

Solution

The Department makes the following recommendations, which will serve to provide quality Chinese Language Culture Programs in the public schools of Arkansas until such time as colleges and universities are in a position to offer approved education programs in this area.

- *Mandarin Chinese be approved for licensure as an add-on to an initial or standard Arkansas teaching license or provisional licensure under the Non Traditional Licensure Program for those who meet criteria for two licensed areas.*
- *In the absence of an approved specialty area assessment, the teacher will take the Oral Language Proficiency Interview (RPI), which is a test developed by the American Council of Teachers of Foreign Languages to determine the level of language proficiency required for teaching Mandarin Chinese.*
- *Cut scores will be approved by the State Board of Education at the level of "Intermediate-High" as defined in the attachment.*

A-10 Consideration of Request for Approval of Stipulated Agreement of Waiver Request for Non-Certified Employment with the Mountain Home School District – Barbara Proffitt

Ms. Proffitt was convicted of Felony Theft of Property on December 9, 1995, as a result of an insufficient funds check. This is a disqualifying offense for employment with a school district as a non-certified employee pursuant to Ark. Code Ann. § 6-17-414(g)(1). The Mountain Home School District was notified of Ms. Proffitt's ineligibility and Superintendent Scriber submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-414(f) on her behalf.

Ms. Proffitt has worked for the Mountain Home School District for over two (2) years without incident and the Superintendent has requested this waiver for her continued employment with the district. Ms. Proffitt pled guilty to the charge of theft and made full restitution. As a result, Ms. Proffitt was placed on three (3) years probation and completed the probation without further incident. Ms. Proffitt's record did also reveal a misdemeanor insufficient check conviction in 1981 to which she pled guilty and completed two (2) years of probation. This is not a disqualifying offense that would prohibit employment with a school district.

Based on the afore-mentioned circumstances, the Arkansas Department of Education recommends that a waiver be granted to Ms. Barbara Proffitt with the stipulation that she be placed on probationary status for a period of one (1) year from the granting of this waiver during which time she must not be convicted of or charged with any disqualifying offense pursuant to Ark. Code Ann. § 6-17-414.

A-11 Consideration of Request for Approval of Stipulated Agreement of Waiver Request for Non-Certified Employment with the South Conway County School District – John Jennen

Mr. Jennen was convicted of Burglary / Grand Larceny on April 16, 1957. This is a disqualifying offense for employment with a school district as a non-certified employee pursuant to Ark. Code Ann. § 6-17-414(g)(1). The South Conway County School District was notified of Mr. Jennen's ineligibility on July 31, 2006. Mr. Jennen submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-414(f) on September 8, 2006. Mr. Jennen was employed with the South Conway County School District and has a letter of recommendation from the Director of Transportation at the request of the Superintendent to support his waiver request. Mr. Jennen was sixteen (16) years old at the time of the offense, over forty-nine (49) years ago, and has no record of any prior or subsequent offenses. As a result of his conviction, Mr. Jennen served six (6) months at the Arkansas Boys Industrial School in Pine Bluff and completed six (6) months of probation. Based on the afore-mentioned circumstances, the Attorney's office recommends that a waiver be granted to Mr. John Jennen with the stipulation that he be placed on probationary status for a period of one (1) year from the granting of this waiver during which time he must not be convicted of or charged with any disqualifying offense pursuant to Ark. Code Ann. § 6-17-414.

A-12 Consideration of Request for Approval of Stipulated Agreement for Certified Teacher's License – Marcus McCutcheon

Mr. McCutcheon was convicted of Domestic Battery – Third Degree on June 16, 2000. This is a disqualifying offense for a certified teaching license pursuant to Ark. Code Ann. § 6-17-410(e)(2)(B)(i). Mr. McCutcheon was notified of the recommendation for revocation of his teacher's license on September 12, 2006. On September 13, 2006, Mr. McCutcheon submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-410(d).

Mr. McCutcheon was employed as a teacher by the Green Forest School District for nine (9) years until recently changing employment to the Rogers School District. Mr. McCutcheon has known and been married to his wife, a teacher at Siloam Springs, for the past six (6) years and has a son in college. Mr. McCutcheon has letters of recommendation from the former and current Superintendents of Green Forest as well as numerous other colleagues and professionals. While Mr. McCutcheon did plead guilty to domestic battery, the victim of the offense was not a family or household member of Mr. McCutcheon at the time of the arrest. Further, Mr. McCutcheon entered a plea of guilty having been accurately advised by counsel at that time that such a conviction would not adversely affect his teacher's license. However, this is no longer the case due to amendments to Ark. Code Ann. § 6-17-410 in 2005 and a recent change of employment of Mr. McCutcheon.

Based on the afore-mentioned circumstances, the Arkansas Department of Education recommends that Mr. McCutcheon be placed on probationary status for a period of two (2) years from the date of this hearing during which time he must not be convicted of or charged with any disqualifying offense pursuant to Ark. Code Ann. § 6-17-410.

A-13 Request for Approval of Stipulated Agreement for Certified Teacher's License – Ron Love

Mr. Love was convicted of Embezzlement of Credit Union Funds on March 4, 1976. This is a disqualifying offense for a certified teaching license pursuant to Ark. Code Ann. § 6-17-410(e)(2)(A). Mr. Love was notified of the recommendation for revocation of his teacher's license on June 29, 2006. On July 28, 2006, Mr. Love submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-410(d).

Mr. Love has been employed as a Special Education Supervisor for the Arch Ford Education Services Cooperative for the past eighteen (18) years. As part of this position, Mr. Love is responsible for local school district special education funds. Mr. Love currently serves on the Greenbrier School District campus and has letters of recommendation from the Superintendent and other administrators as well as from the Director and Coordinator of the Arch Ford Coop.

Based on the afore-mentioned circumstances, the Arkansas Department of Education recommends that Mr. Love be placed on probationary status for a period of two (2) years from the date of this hearing during which time he must not be convicted of or charged with any disqualifying offense pursuant to Ark. Code Ann. § 6-17-410.

A-14 Hearing on Waiver Request for Non-Certified Employment with the Siloam Springs School District - Nada Hooper

Ms. Hooper was convicted of Taking a Vehicle Without Owner's Consent (Theft) on December 13, 1993. This is a disqualifying offense for employment with a school district as a non-certified employee pursuant to Ark. Code Ann. § 6-17-414(g)(1). The Siloam Springs School District was notified of Ms. Hooper's ineligibility on June 19, 2006. On July 14, 2006, Ms. Hooper submitted a request for a wavier pursuant to Ark. Code Ann. § 6-17-414(f).

A-15 Hearing on Waiver Request for Certified Teacher's License – Thomas Kennedy

Mr. Kennedy was convicted of Vehicular Homicide on July 1, 1992. This is a disqualifying offense for a certified teaching license pursuant to Ark. Code Ann. § 6-17-410(e)(2)(A). Mr. Kennedy was notified of the recommendation for

denial of his application for a teaching license on July 5, 2006. On July 26, 2006, Mr. Kennedy submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-410(d).

A-16

Hearing on Waiver Request for Non-Certified Employment with the Pine Bluff School District - Veronica Johnson (tabled from Sept. 11, 2006 meeting)

Ms. Johnson was convicted of two (2) counts of Felony Hot Check on February 4, 1997. This is a disqualifying offense for employment with a school district as a non-certified employee pursuant to Ark. Code Ann. § 6-17-414(g)(1). The Pine Bluff School District was notified of Ms. Johnson's ineligibility on June 26, 2006. On July 17, 2006, Ms. Johnson submitted a request for a waiver pursuant to Ark. Code Ann. § 6-17-414(f).

Reports

Report-1 Petition to Address the Board

Santo Formica submitted documents to Dr. James, the State Board Office and the Attorney's Office requesting permission to address the Board. In keeping with Board policies, Mr. Formica shall be given three (3) minutes to address the Board. Any extension will be at the pleasure of the Board.

Minutes
State Board of Education
Monday, September 11, 2006

The State Board of Education met on Monday, September 11, 2006, in the Auditorium of the State Education Building. Diane Tatum, Chairman, called the meeting to order at 9:00 a.m.

Ms. Tatum welcomed Mr. Jim Cooper as a new member of the Board.

Board members present: Diane Tatum, Chairman; Randy Lawson, Vice Chairman; Sherry Burrow; Jim Cooper; Dr. Calvin King; Dr. Tim Knight; Dr. Mays; Mary Jane Rebick; Dr. Naccaman Williams

Ms. Tatum commended Department staff for quick and complete responsiveness to questions that were submitted recently. She stated that with the responses she was able to reply to questions posed to her from constituents in her area of the state.

Dr. James reminded Board members that the October Board meeting will include the required annual joint meeting with the Higher Education Coordinating Board and the Workforce Education Board, which will be at the Hilton Hotel located on University Avenue in Little Rock. Following that meeting the State Board will convene for its regular meeting back at the Department of Education Auditorium where we have access to wireless internet. That session will begin at 1:00 p.m.

Work Session

Ms. Tatum recognized Janinne Riggs to present the 2005 recipients of the Milken Educator Award. Ms. Riggs provided a brief history of the Milken Award program and stated that these recipients were previously named as 2005 recipients and attended the national awards ceremony in Washington, DC this past summer. The awardees were Amanda Linn, Art teacher at Parkview High School in Little Rock and Scott Shirey, headmaster at Delta Preparatory School in Helena, which is a KIPP Academy Charter School. Dr. James presented each a plaque.

Annette Barnes was recognized to provide requested information regarding schools designated for probationary status for the 2005-2006 school year. Ms. Barnes invited Frank Weimer, ADE staff member, to make the presentation. Mr. Weimer reviewed information provided in Board documents.

Consent Agenda

Mr. Lawson moved approval of the consent agenda as printed. Dr. Williams seconded the motion. The motion was adopted unanimously.

- Minutes, August 14, 2006
- Newly Employed, Promotions and Separations

- Commitment to principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

Action Agenda

Report on the Status of HAAS Hall Academy Open-Enrollment Charter School

(The full text of the reports and discussion pursuant to this item is available in the Court Reporter's transcript.)

Mary Ann Brown and Patricia Martin were recognized to present this report. Ms. Martin noted the budget as submitted by HAAS Hall has projected expenses covered with income from the State, a monthly commitment of \$5,000 from the candle company, and from a \$100,000 grant from the Walton Family Foundation.

Martin Shoppmeyer, Jr. reported that HAAS Hall has an enrollment of 72 students.

Dr. Williams moved that the report be accepted as presented. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Consideration of 2006-2007 Arkansas Better Chance Grants – Round #3

Paul Lazenby was recognized to present this item. Mr. Lazenby stated that the proposed awards complete the grant-award process for the 2006-2007 academic year. He noted that these awards reflect proposals that either were submitted late or one that the staff solicited to serve areas of high priority.

Ms. Burrow moved approval of the grants as submitted. Dr. King seconded the motion. The motion was adopted unanimously.

Consideration for Final Approval of Rules and Regulations Governing the Arkansas Better Chance Program

Paul Lazenby was recognized to present this item. Mr. Lazenby reminded Board members that these Rules were proposed for public comment in February and final approval of a previous draft in April (06). He did note that questions asked in the final review process regarding qualifications of teachers prompted further public hearings. Mr. Lazenby reported that data on teachers currently working as lead teachers in these programs reveal that between 20% and 25% have less than a BA degree or equivalent with emphasis in early childhood qualifications. He reported that there is concern in his agency and among institutions of higher education as to the capacity of teachers currently in licensure programs to meet the need should the requirement be adopted for all teachers to meet licensure status. Mr. Lazenby indicated that program administrators believe that the State should move to require fully licensed teachers, but not until it is clear that an adequate supply of teachers would be available to staff classrooms.

Ms. Rebeck moved final adoption of the Rules as proposed. Dr. Williams seconded the motion. The motion was adopted unanimously.

Consideration for Final Approval for Rule Governing the Arkansas Teacher of the Year Program

Janinne Riggs was recognized to present this item. Ms. Riggs reported that recommendations were submitted at the very end of the comment period that included suggestions that the Department opted to include in the Rule. She distributed a revised version of the proposed Rule in Section 5.02. Ms. Riggs stated that the Department believes this change strengthens the Rule and requests favorable consideration of the Rule.

Ms. Rebeck moved approval of the Rule as revised. Dr. Knight seconded the motion. The motion was adopted unanimously.

Establish the Early Childhood: Content Knowledge (#0072) Exam with a Minimum Passing Score of 157

Beverly Williams was recognized to present this item. Ms. Williams stated that this change is proposed in keeping with the requirements of No Child Left Behind which requires content assessment to establish meeting the highly-qualified requirement for licensure. She emphasized this is a change to a content assessment from a methods type assessment. She reported that a committee of educators reviewed the proposal and contributed to establishment of the recommended cut score.

Dr. Knight asked for clarification as to when the new assessment would be applied. Ms. Williams responded after August of 2007.

Dr. Williams asked if pre-kindergarten emphasis were included in this area of licensure. Beverly Williams responded yes.

Ms. Rebeck moved adoption of the new Praxis assessment and the recommended cut score of 157 be set for licensure. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Consideration of Waiver to the Uniform Dates for Beginning and End of School Year for Cabot Public Schools Specific to Cabot Junior High North Building

Annette Barnes was recognized to present this item. Ms. Barnes stated that Cabot School District was seeking two waivers due to a fire that destroyed the Cabot Junior High North Building just one week before the scheduled beginning of this school year. She noted that the superintendent of the Cabot School District submitted documentation stating that efforts were made to get school started with as little time delay as possible: the ninth grade was delayed one week and Grades 7 and 8 were delayed two weeks. Ms. Barnes affirmed that the ninth grade students would attend at the new high school building and Grades 7 and 8 would be attending in temporary facilities that were set up since the fire.

Ms. Rebick moved approval of the waiver from the required start date for the 2006-2007 school year for Cabot Junior High School North Building. Dr. Knight seconded the motion. The motion was adopted unanimously.

Consideration of Waiver Request from Cabot Public Schools from the 178 Student-Teacher Instruction Days Specific to Cabot Junior High North Building

Annette Barnes continued by being recognized to present this item. Ms. Barnes reminded the Board that Standards for Accreditation require that each school provide a minimum of 178 student interaction days during the school year and that students earning Carnegie Units of Credit must be in class a total of 120 clock hours.

Ms. Rebick asked about the option for making up instructional days. Ms. Barnes noted that any extension of the school year would require extra pay for classroom teachers because they were on contract during the time students were not in session. She noted that teachers were organizing classrooms and preparing for opening of school in temporary facilities.

Ms. Tatum inquired if Dr. Holman (Superintendent of Cabot School District) had submitted a plan for making up any of the missed days. Ms. Barnes responded that no plan had been submitted. She indicated that the district submitted a calendar that was prepared before the fire and that to her knowledge no revision of that calendar has been submitted. Dr. James noted that adding to the school day or adding to the school year increases the cost factor for the district considerably. He stressed if an extension were to occur, it would also have to include costs incurred to the district.

Mr. Lawson interjected that a number of school district administrators have expressed to him the desire to start classes earlier in August, but that is not allowed due to the statute. He expressed the opinion of favoring providing the option to districts to start the school year earlier than is currently allowable.

Mr. Cooper asked if the Cabot School District had provided any cost estimates for getting the school open. Ms. Barnes responded that it was her understanding that the district had spent over \$1.5 million, and it's too early to know how much of that will be covered by insurance. Dr. James noted that costs of additional days would not be covered by insurance. Ms. Barnes stated that there is no estimate of the cost for extending the school year.

Mr. Lawson moved that the requested waiver of 178 instructional days be approved with the provision that the District submit a plan whereby students will have a minimum 120 clock hours of instructional time. Dr. Knight seconded the motion. Dr. Williams inquired as to what would happen if the plan submitted does not meet the intent of the motion. Dr. James responded in such case the Department will report such deficiency to the Board and it can take further action as needed. The motion was adopted unanimously.

Consideration of Board Resolution on Non-Certified Employment Waivers

Scott Smith was recognized to present this item. Mr. Smith commented that following the August Board meeting it became apparent that a policy statement was needed that would help frame decision-making related to approving waivers from individuals who work in non-certified positions in local school districts. Mr. Smith noted that recent revisions in the law provide for such waivers upon consideration by the Board. Mr. Smith stated that the intent of the policy statement was to limit approval to those individuals who were providing character references and/or employment references by the local superintendent or by the local school board. He noted that such contacts have been made regarding the individuals who are seeking waiver on today's agenda.

Mr. Lawson suggested that the language requiring references be replaced to read the local superintendent and/or the local school board. He noted the desired option would be to get both, but the policy would require only one.

Ms. Rebick noted that some references were provided on plain paper, no letterhead, and she questioned the validity of such written documents. Scott Smith indicated that he would seek to validate any references that came in that were not on letterhead.

Mr. Lawson moved adoption of the policy with "and/or" inserted in place of "or" seeking letter(s) of character reference and employment validation. Dr. Mays seconded the motion. The motion was adopted unanimously.

Dr. Williams observed that this policy is a step in the right direction: last month the Board was asked to consider such waivers with little or no time to discuss the issue.

(A transcript for each of the following items was recorded by a certified court recorder. The full text of the action is available in that report, which is attached to the file copy of these minutes.)

Consideration of Recommendation of Denial of Teaching License – Heather Brackins

Ms. Burrow moved that Ms. Brackins be allowed to continue with the alternate licensure process with probationary status for one year. At the end of the year, Ms. Brackins will reappear before the Board for further consideration of full licensure. Dr. King seconded the motion. The motion was adopted unanimously.

Consideration of Recommendation of Denial of Teaching License – Christopher Seefeld

Dr. Williams moved that a waiver be approved and that Mr. Seefeld be granted a full teacher's license. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Consideration of Recommendation of Suspension of Teacher's License – Ronnie Ridley

Mr. Lawson moved to support the recommendation for permanent revocation of Ronnie Ridley's Teacher's license. Dr. King seconded the motion. The motion was adopted unanimously.

Consideration of Recommendation of Suspension of Teacher's License – Elvin Pulley

Scott Smith presented this issue. He informed the Board that legislation from 2005 has a mandatory provision that a person who is more than three month in arrears on child support payments shall have the professional license suspended until such time as payments are current. Mr. Smith stated that there are two instances based on this legislation before the Board at this time.

Mr. Smith reported that in the case of Elvin Pulley, there is no evidence that he is currently employed in a school or is working in a position that requires a teacher's license. Ms. Rebick asked for clarification if the penalty is suspension or revocation. Mr. Smith responded that suspension is all that is required by law.

Dr. Mays moved that the teacher's license of Elvin Pulley be suspended indefinitely. Dr. Knight seconded the motion. The motion was adopted unanimously.

Consideration of Recommendation of Suspension of Teacher's License – Steven Bray

Dr. Mays moved that the teacher's license of Steven Bray be suspended indefinitely. Dr. Knight seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Dover School District – Ginger Ross

Courtney Salas-Ford, staff attorney, was recognized to present this item. Ms. Ford stated that Ms. Ross was convicted of a disqualifying offense with the record being expunged. She has worked in a custodial position at Dover Elementary School for several years.

Ms. Ross was represented by counsel who presented character witnesses, including the assistant superintendent of schools, from Dover School District.

Ms. Rebick inquired as to why this information is just now being brought forward for consideration. Scott Smith noted that the issue of background checks on current employees is an evolving process, especially when the individual may have an expunged record.

Dr. Mays moved the Ginger Ross be granted a waiver of eligibility and allowed to continue employment with Dover School District. Mr. Cooper seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Pine Bluff School District – Veronica Johnson

Scott Smith was recognized to present this issue. Mr. Smith noted that the Pine Bluff District dismissed Ms. Johnson from her position when it was determined that she had been convicted of a criminal offense. Mr. Smith stated that the Attorney's Office contacted Frank Anthony, Pine Bluff School District Superintendent, and indicated that Ms. Johnson was seeking a waiver and that the Board's policy would require a statement from the district to determine its intent to continue employment or to reemploy. Mr. Smith indicated that a letter was faxed to the Department earlier in the day.

Upon review of the letter, Mr. Lawson observed that not all components of the policy adopted earlier in the meeting were in the letter. Dr. Williams stated that a letter was received with support.

Dr. Williams stated he felt that documentation was sufficient to grant the waiver. Dr. King noted that the letter does not conform with the policy just adopted; however, he suggested that other references could support the tenet that Ms. Johnson does not pose health or safety issues for children. Ms. Rebeck suggested that a resolution from the district was needed to affirm reemployment.

Mr. Cooper moved to table further consideration until the October Board meeting. Ms. Rebeck seconded the motion. The motion was adopted on a vote of 7 yes and 1 no (Dr. King voted no.)

Other Business

Dr. Mays asked if the Department could prepare materials for a work session addressing the school funding formula and issues related to school funding. He noted that the Board is responsible for "signing off" on the public school fund budget and additional information would help him make more informed decisions. He also suggested some key legislators (Education Committee) might be included. Dr. James suggested that November might be a better time because the October meeting will not have a lot of time due to the joint meeting. Dr. James indicated that he would talk with legislative leaders and arrange for an information session.

Mr. Lawson moved adjournment. Dr. Williams seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 12:15 p.m.

The Minutes were recorded and reported by Dr. Charles D. Watson.

NEWLY EMPLOYED FOR THE PERIOD OF September 1, 2006 – September 30, 2006

Gayle Cosgrove- Systems Coordination Analyst I, Data Administration, Division of Research & Technology, grade 19, effective 09/05/06.

*Linda Gregory- Administrative Assistant I, Legislative Services, Central Administration, grade 15, effective 09/18/06.

Mary Alice Jones- Public School Program Advisor, K-12 Math, Professional Development Special Projects, grade 21, effective, 09/5/06.

Alice Lindemuth- Public School Program Advisor, Scholastic Audit, Division of Learning Services, grade 21 effective 08/31/06.

Brad Williams- Education Program Analyst, Professional Licensure, Division of Human Resources/Licensures, grade 21 effective 09/11/06. (Rehire)

PROMOTIONS/ LATERAL TRANSFERS FOR THE PERIOD OF September 1, 2006 - September 30, 2006

*Virginia Hill from Administrative Assistant I/Staff Accountant, Grants/Data Management, Division of Learning Services, Grade 15 to Administrative Assistant II, Communications, Grade 17, effective 09/25/06.

SEPARATIONS FOR THE PERIOD OF September 1, 2006 - September 30, 2006

*Tamika Anderson- Secretary I, Special Education, Division of Learning Services, Grade 11, effective 09/08/06. 0 years, 10 months, 24 days. Code: 07

James Chism Jr.- Program Support Manager, Standards Assurance, Division of Learning Services, Grade 22, effective 09/08/06. 15 Years, 11 months, 7 days. Code: 19

*Linda Gregory- Administrative Assistant I, Legislative Services, Central Administrations, Grade 15, effective 09/18/06. 0 Years, 0 months, 1 day. Code: 02

Patricia Hays- Public School Administrative Advisor, School Improvement/ACSIP, Division of Learning Services, Grade 21, effective 09/06/06. 15 Years, 0 months, 22 days. Code: 07

*Shawnequa Juneaick- Accounting Technician II, Arkansas Public School Computer Network (APSCN), Grade 15, effective 09/28/06. 2 Years, 5 months, 4 days. Code: 01

Cynthia McGear- Management Project Analyst II, Arkansas Public School Computer Network (APSCN), Grade 20, effective 09/25/06. 8 Years, 5 months, 19 days. Code: 01

*Gladys O'Neal- Administrative Assistant II, Curriculum, Assessment and Research, Division of Learning Services, Grade 17, effective 09/29/06. 28 Years, 5 months, 22 days. Code: Retirement

*Mary Thomas- Public School Program Advisor, Professional Licensure, Division of Learning Services, Grade 21, effective 09/01/06. 0 Years, 5 months, 14 days. Code: 06

*Minority

AASIS Code:

Voluntary- 01

Involuntary- 02

Probationary Period- 06

Career Opportunity- 07

Death of Employee- 19

Retirement

**ADE'S PROJECT MANAGEMENT TOOL EXECUTIVE SUMMARY
SEPTEMBER 30, 2006**

This document summarizes the progress that ADE has made in complying with the provisions of the Implementation Plan during the month of September 2006.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006
<i>I. Financial Obligation</i>	As of August 31, 2006, State Foundation Funding payments paid for FY 06/07 totaled \$6,269,782 to LRSD, \$3,225,206 to NLRSD, and \$5,133,006 to PCSSD. The Magnet Operational Charge paid as of August 31, 2006, was \$1,260,267. The allotment for FY 06/07 was \$13,862,944. M-to-M incentive distributions for FY 05/06 as of August 31, 2006, were \$4,482,380 to LRSD, \$4,691,996 to NLRSD, and \$11,619,283 to PCSSD.
<i>II. Monitoring Compensatory Education</i>	On June 20, 2006, the ADE Implementation Phase Working Group met to review the Implementation Phase activities for the previous quarter. ADE staff from the Office of Public School Academic Accountability updated the group on all relevant desegregation issues. The purpose, content, and due date for information going into the Project Management Tool and its Executive Summary were reported. There was discussion about the three districts in Pulaski County seeking unitary status. The next Implementation Phase Working Group Meeting is scheduled for October 17, 2006 at 1:30 p.m. in room 201-A at the ADE.
<i>III. A Petition for Election for LRSD will be Supported Should a Millage be Required</i>	Ongoing. All court pleadings are monitored monthly.
<i>IV. Repeal Statutes and Regulations that Impede Desegregation</i>	On October 27, 2003, the ADE sent letters to the school districts in Pulaski County asking if there were any new laws or regulations that may impede desegregation. The districts were asked to review laws passed during the 84 th Legislative Session, any new ADE rules or regulations, and district policies.
<i>V. Commitment to Principles</i>	On September 11, 2006, the Arkansas State Board of Education reviewed and approved the PMT and its executive summary for the month of August.

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006
<i>VI. Remediation</i>	<p>On August 15, 2006, ADE staff provided professional development for LRSD Physical Education teachers and others. There were 39 participants. The training was held at the Booker Arts Magnet Media Center from 8:30 until 11:30. The following topics were discussed:</p> <ol style="list-style-type: none"> 1. Newly Revised Physical Education and Health Frameworks 2. Physical Education and Health requirements 3. Act 660 and Act 1220.
<i>VII. Test Validation</i>	<p>On February 12, 2001, the ADE Director provided the State Board of Education with a special update on desegregation activities.</p>
<i>VIII. In-Service Training</i>	<p>A Tri-District Staff Development Committee meeting was held on February 7, 2006, at the ADE. Doug Ask (PCSSD) and Kaye Lowe (NLRSD) attended. They discussed professional development for classroom walkthrough. It was recommended that two days of training should be used for the classroom walkthrough and one half day should be spent training on the Palm computers that will be used in the walkthrough. Extended school day and extended school year were discussed. The students can improve faster when they are in school more, but it is difficult to find teachers who want to teach in an extended time program. It was mentioned that many principals want to spend more time in ACSIP committee meetings. Science training for teachers in grades 3-5 was discussed.</p>
<i>IX. Recruitment of Minority Teachers</i>	<p>In July 2006, ADE Professional Licensure mailed a list of Spring 2006 minority teacher graduates from Arkansas colleges and universities to the three Pulaski County school districts.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006																																																																																																																																																										
<i>X. Financial Assistance to Minority Teacher Candidates</i>	<p>Ms. Tara Parker of the Arkansas Department of Higher Education reported minority scholarships for Fiscal Year 2005-2006 on October 14, 2005. These included the State Teacher Assistance Resource (STAR) Program, the Minority Teacher Scholars (MTS) Program, and the Minority Masters Fellows (MMF) Program. The scholarship awards for STAR are as follows:</p> <table><tr><td>STAR</td><td>Male</td><td>Male</td><td>Female</td><td>Female</td><td>Total</td><td>Total</td></tr><tr><td>Race</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td></tr><tr><td>White</td><td>274</td><td>1,195,500</td><td>45</td><td>240,000</td><td>319</td><td>1,435,500</td></tr><tr><td>Black</td><td>8</td><td>39,000</td><td>24</td><td>114,000</td><td>32</td><td>153,000</td></tr><tr><td>Hispanic</td><td></td><td></td><td>4</td><td>18,000</td><td>4</td><td>18,000</td></tr><tr><td>Asian</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Native Amer</td><td>2</td><td>9,000</td><td>3</td><td>15,000</td><td>5</td><td>24,000</td></tr><tr><td>Totals</td><td>284</td><td>1,243,500</td><td>76</td><td>387,000</td><td>360</td><td>1,630,500</td></tr></table> <p>The scholarship awards for MTS are as follows:</p> <table><tr><td>MTS</td><td>Male</td><td>Male</td><td>Female</td><td>Female</td><td>Total</td><td>Total</td></tr><tr><td>Race</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td></tr><tr><td>Black</td><td>2</td><td>10,000</td><td>42</td><td>210,000</td><td>44</td><td>220,000</td></tr><tr><td>Hispanic</td><td></td><td></td><td>2</td><td>10,000</td><td>2</td><td>10,000</td></tr><tr><td>Asian</td><td>1</td><td>5,000</td><td>1</td><td>5,000</td><td>2</td><td>10,000</td></tr><tr><td>Native Amer</td><td></td><td></td><td>2</td><td>10,000</td><td>2</td><td>10,000</td></tr><tr><td>Totals</td><td>3</td><td>15,000</td><td>47</td><td>235,000</td><td>50</td><td>250,000</td></tr></table> <p>The scholarship awards for MMF are as follows:</p> <table><tr><td>MMF</td><td>Male</td><td>Male</td><td>Female</td><td>Female</td><td>Total</td><td>Total</td></tr><tr><td>Race</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td><td>Count</td><td>Award</td></tr><tr><td>Black</td><td>2</td><td>7,500</td><td>24</td><td>122,500</td><td>26</td><td>130,000</td></tr><tr><td>Hispanic</td><td></td><td></td><td>2</td><td>10,000</td><td>2</td><td>10,000</td></tr><tr><td>Asian</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Native Amer</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Totals</td><td>2</td><td>7,500</td><td>26</td><td>132,500</td><td>28</td><td>140,000</td></tr></table>	STAR	Male	Male	Female	Female	Total	Total	Race	Count	Award	Count	Award	Count	Award	White	274	1,195,500	45	240,000	319	1,435,500	Black	8	39,000	24	114,000	32	153,000	Hispanic			4	18,000	4	18,000	Asian							Native Amer	2	9,000	3	15,000	5	24,000	Totals	284	1,243,500	76	387,000	360	1,630,500	MTS	Male	Male	Female	Female	Total	Total	Race	Count	Award	Count	Award	Count	Award	Black	2	10,000	42	210,000	44	220,000	Hispanic			2	10,000	2	10,000	Asian	1	5,000	1	5,000	2	10,000	Native Amer			2	10,000	2	10,000	Totals	3	15,000	47	235,000	50	250,000	MMF	Male	Male	Female	Female	Total	Total	Race	Count	Award	Count	Award	Count	Award	Black	2	7,500	24	122,500	26	130,000	Hispanic			2	10,000	2	10,000	Asian							Native Amer							Totals	2	7,500	26	132,500	28	140,000
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<i>XI. Minority Recruitment of ADE Staff</i>	The MRC met on June 17, 2005 at the ADE. Demographic reports were presented showing ADE Employees Grade 21 and Above by Race and Section as of December 31, 2004 and March 31, 2005. These reports were reviewed to ensure accuracy. Due to the Legislative session, the MRC combined it’s review of the 2 nd and 3 rd quarters of the fiscal year.																																																																																																																																																										
<i>XII. School Construction</i>	This goal is completed. No additional reporting is required.																																																																																																																																																										
<i>XIII. Assist PCSSD</i>	Goal completed as of June 1995.																																																																																																																																																										
<i>XIV. Scattered Site Housing</i>	This goal is completed. No additional reporting is required.																																																																																																																																																										

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006
<i>XV. Standardized Test Selection to Determine Loan Forgiveness</i>	Goal completed as of March 2001.
<i>XVI. Monitor School Improvement Plans</i>	<p>On August 16, 2006, ADE staff provided training on ACSIP in five concurrent sessions to all LRSD principals at the Metropolitan Vocational Technical School in Little Rock.</p> <p>On September 1, 2006, ADE staff provided technical assistance with ACSIP and Federal Programs at Terry Elementary School in the LRSD.</p> <p>On August 14, 2006, ADE staff reviewed data for the School Improvement Plan for the 2006-2007 school year at Meadow Park Elementary School in the NLRSD.</p> <p>On August 16, 2006, ADE staff reviewed data for the School Improvement Plan for the 2006-2007 school year at Pikeview Elementary School in the NLRSD.</p> <p>On August 23, 2006, ADE staff reviewed data for the School Improvement Plan for the 2006-2007 school year at Glenview Elementary School in the NLRSD.</p> <p>On August 25, 2006, ADE staff reviewed data for the School Improvement Plan for the 2006-2007 school year at Lynch Drive Elementary School in the NLRSD.</p> <p>On August 11 and 15, 2006, ADE staff provided technical assistance at the PCSSD Central Office.</p> <p>On August 14, 2006, ADE staff provided assistance on accessing the SEDL Website and data analysis at Pine Forest Elementary School in the PCSSD.</p> <p>On August 15, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Daisy Bates Elementary School in the PCSSD.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006
<p><i>XVI. Monitor School Improvement Plans (Continued)</i></p>	<p>On August 16, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Jacksonville Elementary School in the PCSSD.</p> <p>On August 17, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Sylvan Hills Elementary School in the PCSSD.</p> <p>On August 18 and 25, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Oak Grove Elementary School in the PCSSD.</p> <p>On August 24, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Oak Grove High School in the PCSSD.</p> <p>On August 28, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Pine Forest Elementary School in the PCSSD.</p> <p>On August 30, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Jacksonville High School in the PCSSD.</p> <p>On September 1, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visits at the PCSSD Central Office.</p> <p>On September 5, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Sylvan Hills Middle School in the PCSSD.</p> <p>On September 6, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at the Jacksonville Middle School (Boy's Campus) in the PCSSD.</p> <p>On September 7, 2006, ADE staff provided an ACSIP overview in preparation for the spring 2007 peer team visit at Sylvan Hills High School in the PCSSD.</p>

IMPLEMENTATION PHASE ACTIVITY	PMT EXECUTIVE SUMMARY AS OF SEPTEMBER 30, 2006
<i>XVII. Data Collection</i>	The State Board of Education approved the new Desegregation Monitoring and Assistance Plan on December 8, 1999 and instructed the ADE to forward the document to Mr. Tim Gauger so that it may be filed in Federal court.
<i>XVIII. Work with the Parties and ODM to Develop Proposed Revisions to ADE's Monitoring and Reporting Obligations</i>	On July 10, 2002, the ADE held a Desegregation Monitoring and Assistance Plan meeting for the three school districts in Pulaski County. Mr. Willie Morris, ADE Lead Planner for Desegregation, presented information on the No Child Left Behind Act of 2001. A letter from U.S. Secretary of Education, Rod Paige, was discussed. It stated that school districts that are subject to a desegregation plan are not exempt from the public school choice requirements. "If a desegregation plan forbids the school district from offering any transfer option, the school district should secure appropriate changes to the plan to permit compliance with the public school choice requirements". Schools in Arkansas have not yet been designated "Identified for Improvement". After a school has been "Identified for Improvement", it must make "adequate yearly progress". Schools that fail to meet the definition of "adequate yearly progress", for two consecutive years, must provide public school choice and supplemental education services. A court decision regarding the LRSD Unitary Status is expected soon. The LRSD and the NLRSD attended the meeting. The next meeting about the Desegregation Monitoring and Assistance Plan will be held in August, 2002, after school starts.

Out of Licensure Waiver Requests
October 2006

LEA	NAME OF DISTRICT	# OF WAIVERS	NAME OF TEACHER(S)	CURRENT AREA(S) OF CERTIFICATION	OUT OF AREA TEACHING ASSIGNMENT	OUT OF AREA ADMIN ASSIGNMENT	LENGTH OF TIME TEACHING OUT OF AREA
5608000	East Poinsett County Public School District	1	Payton Tyler	Elementary (1-6) Business Technology (4-8) Career Orientation (7-12)	Health (7th grade)		2006-2007
4602000	Genoa Central Public School District	1	Judith Bryant	Long-Term Substitute Teacher Elementary (1-6)	5th grade		2006-2007
1003000	Gurdon Public School District	2	Natalie Thomas	Early Childhood Education (P-4) Middle School Social Studies (5-8) Elementary (K-6)	Language Arts (7th grade)		2006-2007
			Todd Lewis	Secondary Physical Education (7-12) Coaching (7-12)	Career Orientation		2006-2007
5803000	Hector Public School District	1	Rose Morton	Middle School Social Studies (5-8) Social Studies (7-12) ESL (P-8) ESL (7-12)	Special Education		2006-2007
3211000	Midland Public School District	1	Cathy Tharp	Middle School Social Studies (5-8) Elementary (1-6) Sp Ed Inst Specialist (4-12) SpEdEchInst Specialist (P-4)	Civics/Government (9-12)		2006-2007
7006000	Norphlet Public School District	1	Brooke Bonsall	Early Childhood Education (P-4)	Special Education (K-4)		2005-2006 2006-2007

LEA	NAME OF DISTRICT	# OF WAIVERS	NAME OF TEACHER(S)	CURRENT AREA(S) OF CERTIFICATION	OUT OF AREA TEACHING ASSIGNMENT	OUT OF AREA ADMIN ASSIGNMENT	LENGTH OF TIME TEACHING OUT OF AREA
5706000	Ouachita Public School District	2	Angela Smith	PE/Wellness/LEI (P-8) Coaching (P-8) Coaching (7-12)	Special Education		0006-2007
			Bruce Hixon	Life/Earth Science (7-12) Coaching (7-12)	Geography/AR History/PE/ Health		2004-2005 2005-2006 2006-2007
5804000	Pottsville Public School District	5	Stephanie Guyse	English Language Arts (7-12)	Special Education (7-9)		2006-2007
			Kari Stroud	English Language Arts (7-12)	Drama (10-12)		2006-2007
			Sheryl Garza	Spanish (7-12) English Language Arts (7-12) Oral Communications (7-12) Drama (7-12)	Journalism (10-12)		2006-2007
			Jeffrey Haralson	Health Education (7-12) Secondary Physical (7-12) Arkansas History (5-8) American History (5-8) Geography (7-12)	American/World History (10-12)		2005-2006 2006-2007
			Leslie Hesselbein	Spanish (7-12) English Language Arts (7-12)	Speech (10-12)		2004-2005 2005-2006 2006-2007
7311000	Searcy Public School District	3	Jennifer Bates	Early Childhood Education (P-4) Middle School Social Studies (5-6) Elementary (1-6)	Special Education (P-4)		2004-2005 2005-2006 2006-2007

Out of Licensure Waiver Requests
October 2006

LEA	NAME OF DISTRICT	# OF WAIVERS	NAME OF TEACHER(S)	CURRENT AREA(S) OF CERTIFICATION	OUT OF AREA TEACHING ASSIGNMENT	OUT OF AREA ADMIN ASSIGNMENT	LENGTH OF TIME TEACHING OUT OF AREA
			Tracy Fowler	MidChLangArt/Social Studies (4-8) MidChSci/Math (4-8)	Special Education (4-12) Math/English		2006-2007
			Colleen Jobe	Early Childhood Education (P-4)	Special Education (P-4)		2006-2007
	Total # of School District	9					
		Total # of Waivers	17				

Page 1

Section 1

Revolving Loans to School Districts

Pursuant to Arkansas Code Annotated (A. C. A.) § 6-20-802, school districts may borrow from the Revolving Loan Program for any of the following purposes:

- (1) Funding of its legally issued and outstanding postdated warrants;
- (2) Purchase of new or used school buses or refurbishing school buses;
- (3) Payment of premiums on insurance policies covering its school buildings, facilities, and equipment in instances where the insurance coverage extends three (3) years or longer; and replacement of or payment of the district's pro rata part of the expense of employing professional appraisers as authorized by §§ 26-26-601 through 26-26-607 or other laws providing for the appraisal or reappraisal and assessment of property for ad valorem tax purposes;
- (4) Making major repairs and constructing additions to existing school buildings and facilities;
- (5) Purchase of surplus buildings and equipment;
- (6) Purchase of school sites for and the cost of construction thereon of school buildings and facilities and the purchase of equipment for the buildings;
- (7) Purchase of its legally issued and outstanding commercial bonds at a discount provided that a substantial savings in gross interest charges can thus be effected;
- (8) Refunding of all or any part of its legally issued and outstanding debt, both funded and unfunded;
- (9) Purchase of equipment;
- (10) Payment of loans secured for settlement resulting from litigation against a school district;
- (11) The purchase of energy conservation measures as defined in Title 6, Chapter 20, Subchapter 4; and
- (12) (A) The maintenance and operation of the school district in an amount equal to delinquent property taxes resulting from bankruptcies or receiverships of taxpayers and for loans to school districts in an amount equal to insured facility loss or damage when the insurance claim is being litigated or arbitrated.
(B) For purposes of this subdivision, the loans become payable and due when the final settlement is made, and the loan limits prescribed by § 6-20-803 shall not apply.

The maximum amount a school district may borrow is \$500,000 (A. C. A. § 6-20-803). Revolving loans are limited to a term of ten (10) years (A. C. A. § 6-20-806).

**STATE BOARD OF EDUCATION MEETING
OCTOBER 9, 2006
APPLICATIONS FOR REVOLVING LOANS**

REVOLVING LOAN APPLICATIONS:

2	School Bus	\$	252,300.00
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**SCHOOL DISTRICTS FINANCIAL TRANSACTIONS
REVOLVING LOANS
SCHOOL BUS
RECOMMEND APPROVAL**

DISTRICT	COUNTY	ADM	AMOUNT OF APPLICATION	DEBT RATIO	TOTAL DEBT W/THIS APPLICATION	PURPOSE
Dierks	Howard	531	57,300.00	10.17%	3,647,300.00	Purchasing a 2006 Freightliner 71 passenger school bus.
Jasper	Newton	878	195,000.00	9.99%	4,671,577.00	Purchasing school buses.

Section 2

Second Lien Bonds

Arkansas Code Annotated (A. C. A.) § 6-20-1229 (b) states the following:

(b) All second-lien bonds issued by school districts shall have semi-annual interest payments with the first interest payment due within eight (8) months of the issuance of the second-lien bond. All second lien bonds shall be repaid on payment schedules that are either:

- (1) Equalized payments in which the annual payments are substantially equal in amount; or
- (2) Decelerated payments in which the annual payments decrease over the life of the schedule.

**STATE BOARD OF EDUCATION MEETING
OCTOBER 9, 2006
APPLICATIONS FOR COMMERCIAL BONDS**

COMMERCIAL BOND APPLICATIONS:

5	2nd Lien	\$	5,610,000.00
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**SCHOOL DISTRICTS FINANCIAL TRANSACTIONS
COMMERCIAL BONDS
2ND LIEN
RECOMMEND APPROVAL**

DISTRICT	COUNTY	ADM	AMOUNT OF APPLICATION	DEBT RATIO	TOTAL DEBT W/THIS APPLICATION	PURPOSE
Blevins	Hempstead	753	390,000	6.20%	1,506,027	Funding the District's portion of the following immediate needs projects at Blevins Elementary and High School – roofing, ADA, and HVAC improvements, fire alarm improvements (\$245,239); funding the District's portion of the following partnership projects – constructing and equipping a science lab at Blevins High School and Science and computer labs at the old Emmet Elementary (\$121,100), and cost of issuance and underwriter's discount allowance (\$23,661) with any remaining funds to be used for other capital projects and equipment purchases.
Genoa Central	Miller	958	1,080,000	29.40%	7,555,000	Erecting and equipping eight new classrooms and two specialty office at the elementary school and constructing and equipping additional school facilities (\$1,036,080) and cost of issuance and underwriter's discount allowance (\$43,920).
Gurdon	Clark	835	185,000	9.68%	4,806,403	Funding the following partnership project – constructing and equipping four classrooms at the Elementary School (\$173,900) and cost of issuance and underwriter's discount allowance (\$11,100) with any remaining funds to be used for other capital projects and equipment purchases.
Osceola	Mississippi	1,600	2,265,000	10.87%	6,885,000	Funding the District's portion of the partnership projects of repairing, renovating and upgrading the High School, Junior High, Middle School, West Elementary, East Elementary, North Elementary, and the Academic Center of Excellence (ACE) (\$2,200,000) and cost of issuance and underwriter's discount allowance (\$65,000) with any remaining funds to be used by the District for other capital projects and equipment purchases.

DISTRICT	COUNTY	ADM	AMOUNT OF APPLICATION	DEBT RATIO	TOTAL DEBT W/THIS APPLICATION	PURPOSE
Pottsville	Pope	1,306	1,690,000	29.47%	14,930,041	Funding the following partnership projects of building and equipping eight kindergarten classrooms at the elementary school (\$546,400); building and equipping 4 classrooms and media center at the middle school (\$546,400); building and equipping 4 classrooms, a science lab and media technology center at the High School (\$546,500); and cost of issuance and underwriter's discount allowance (\$50,700) with any remaining funds to be used for other capital

Section 3

Voted Bonds

Arkansas Code Annotated (A. C. A.) § 6-20-1201 states the following:

All school districts are authorized to borrow money and to issue negotiable bonds for the repayment thereof from school funds for the building and equipping of school buildings, for making additions and repairs thereto, for purchasing sites therefore, for purchasing new or used school buses, for refurbishing school buses, the professional development and training of teachers or other programs authorized under the federally recognized Qualified Zone Academy Bond program codified at 26 U.S.C. 1397E, and for paying off outstanding postdated warrants, installment contracts, revolving loans, and lease-purchase agreements, as provided in this act.

**STATE BOARD OF EDUCATION MEETING
OCTOBER 9, 2006
APPLICATIONS FOR COMMERCIAL BONDS**

COMMERCIAL BOND APPLICATIONS:

5 Voted	\$ 27,495,000.00
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**SCHOOL DISTRICTS FINANCIAL TRANSACTIONS
COMMERCIAL BONDS
VOTED
RECOMMEND APPROVAL**

DISTRICT	COUNTY	ADM	AMOUNT OF APPLICATION	DEBT RATIO	TOTAL DEBT W/THIS APPLICATION	PURPOSE
Alma	Crawford	3,135	6,225,000	34.99%	40,605,000	Funding the District's portion of the partnership projects of constructing and equipping additional classrooms and support space at the Primary School and the Middle School (\$1,445,000); new cafeteria/kitchen and classrooms at the Intermediate School (\$985,000); constructing and equipping additional classrooms and PE/athletic facilities at the High School (\$3,661,162) and for cost of issuance and underwriter's discount allowance (\$133,838) with any remaining funds to be used for other capital projects and equipment purchases.
Dover	Pope	1,380	3,595,000	17.54%	9,748,880	Erecting and equipping a K-4 elementary campus (\$3,501,530) and cost of issuance and underwriter's discount allowance (\$93,470) with any remaining funds to be used for refurbishing, remodeling, and equipping existing facilities.
Hector	Pope	697	1,655,000	22.71%	5,000,000	Funding the District's portion of the partnership projects of new construction of a high school self-contained Special Education facility (\$66,228), covered walkways for the high school campus (\$14,162); building and equipping a new health and physical education multi-purpose facility (\$732,860); demolish and remove the old high school building (\$21,243); adding additional square footage, bleachers and equipping the health and physical education multi-purpose facility (\$762,582); and cost of issuance and underwriter's discount allowance (\$57,925) with any remaining funds to be used for other capital projects and equipment purchases.

DISTRICT	COUNTY	ADM	AMOUNT OF APPLICATION	DEBT RATIO	TOTAL DEBT W/THIS APPLICATION	PURPOSE
Searcy	White	3,695	6,330,000	9.19%	30,475,000	Funding the District's portion of a partnership project of building and equipping a new fine arts center (\$6,200,868) and cost of issuance and underwriter's discount allowance (\$129,132) with any remaining funds to be used for other capital projects and equipment purchases.
Searcy	White	3,695	9,690,000	9.19%	30,475,000	Funding the District's portion of a partnership project of building and equipping a new fine arts center (\$8,000,000); building and equipping four classrooms at Sidney Deener Elementary (\$500,000); building and equipping eight classrooms at Ahlf Junior High School (\$1,000,00); and cost of issuance and underwriter's discount allowance (\$190,000) with any remaining funds to be used for other capital projects and equipment purchases.

The State Selecting Committees for Adoption of Textbooks and Other Instructional Materials Science, Grades K-8, Science, Grade 9-12, Health and Physical Education, Grades K-12 and Medical Professions, Grades 9-12 met in May and in August and made recommendations to be presented to the State Board of Education. The committee also provided strengths and weaknesses.

HEALTH/PE SELECTING COMMITTEE, GRADES K-12
STRENGTHS & WEAKNESSES
RECOMMENDATIONS

Publisher: Glencoe/McGraw Hill

Title: Teen Health Course 1-3 **ISBN:** 0078697603, 0078697611, 007869762X

Grade Level/Subject: 6-8, Middle School Health & Physical Fitness

Program Description: Comprehensive Sequential Curriculum

Strengths:

Test Generator Provided.

Follows 2005 Arkansas Frameworks.

Inclusion Strategies are available.

Good supplemental and bilingual materials are available.

There are strong assessment materials.

Weaknesses:

N/A

Recommend: X **Basal** X

Publisher: Harcourt School Publishers

Title: Harcourt Health & Fitness **ISBN:** All

Grade Level/Subject: K-6, Health & Fitness

Program Description: K-6 Program for Health & Fitness

Strengths:

On line planner

Assessment activities, self-assessment/portfolio

Good instructional aids

Supplemental materials were strong

Health themed calendar instead of index

Format easy to follow

Strong home school connection

Good life skills

Followed 2005 Arkansas Frameworks

Emphasis on the pyramid

Very colorful

Harcourt Health & Fitness, cont.

Weaknesses:

No glossary

Limited amount of material dealing with students with disabilities

Recommend: X

Basal X

Publisher: Harcourt

Title: Be Active **ISBN:** 0-15-341407-3, 0-15-341408-1

Grade Level/Subject: K-6, Physical Education

Program Description: Physical Education program for K-6

Strengths:

Correlated to 2005 Arkansas Frameworks

Bilingual information/materials

Integrated material

Music

Supplemental materials were excellent

Weaknesses:

No glossary

No index

Recommend: X

Basal X

Publisher: Health Edco Curriculum/WRS Group

Title: Total Program Series **ISBN:** All

Grade Level/Subject: 7th grade, Health

Program Description: Information for 7th grade Health

Health Edco Curriculum/WRS Group, cont.

Strengths:

Excellent supplemental materials
Assessment strategies/activities
Motivational/meaningful activities

Weaknesses:

No bilingual materials
No different learning styles

Recommend: X

Basal: X

Publisher: Human Development Resource Council

Title: Are you dying to have sex? **ISBN:** N/A

Grade Level/Subject: 9-12, Health

Program Description: Sexually Transmitted Diseases & Reproductive Health

Strengths: List the major strengths of the textbook/program/material.

Content is easily adapted to all students.

Free of bias.

Follows a power point format.

Weaknesses: List the major weaknesses of the textbook/program/material.

2005 copyright.

Recommend: X

Basal

Publisher: Holt, Rinehart & Winston

Title: Decisions for Health, Grade 6-8 **ISBN:** All

Grade Level/Subject: 6-8, Health

Program Description: Middle School Health 6-8

Holt, Rinehart & Winston, Decisions for Health, Grade 6-8 , cont.

Strengths:

Sensitivity Alerts
Lots of bilingual materials
Supplemental material
Great instruction information
Good information on oral health, organ donation
Online access
Great motivational activity
Correlated to 2005 Arkansas Frameworks

Weaknesses:

N/A

Recommend: X

Basal: X

Publisher: Holt, Rinehart & Winston

Title: Lifetime Health **ISBN:** 0030779731

Grade Level/Subject: 9-12, Health

Program Description: High School Health Curriculum

Strengths:

Current copyright.
The information is current and up to date.
Bias free.
Varied & useful student activities.
Addresses various learning styles including activities for the mentally challenged.
Bilingual materials are available.
Correlated to 2005 Arkansas Frameworks.

Weaknesses:

Information on organ donation needs to be expanded.

Recommend: X

Basal X

Publisher: Human Kinetics

Title: WOW

ISBN: All

Grade Level/Subject: K-5, Health & Fitness

Program Description: K-5 Health & Fitness

Strengths:

Inclusion materials
Bilingual material
Kinesthetic learner option
Variety of information
Good supplemental material
Correlates to 2005 Arkansas Frameworks
Hands on activities

Weaknesses:

Not updated information
No index
Not in depth

Recommend: X

Basal: X

Publisher: Kids For Health

Title: Health Education Adventure Video Series **ISBN:** All

Grade Level/Subject: K-6, Health

Program Description: K-6 Health Program

Strengths:

Correlates to 2005 Arkansas Frameworks
Covers health only
Activities encourage individual thinking
Good assessments
Good supplemental materials

Weaknesses:

Grades 5 & 6 are not appropriate for their grade level
Weak in bilingual materials

Recommend: X

Basal: X

Publisher: Macmillan/McGraw

Title: Macmilan/McGraw Hill Health & Wellness

ISBN: All

Grade Level/Subject: Pre K-6, Health

Program Description: Pre K-6 Health & Wellness Program

Strengths:

Multi-level strategies
Supplemental materials
Correlates to 2005 Arkansas Frameworks
Bilingual information is great
Good up to date information
Appropriate level of student instruction

Weaknesses:

N/A

Recommend: X

Basal: X

Publisher: Pearson as Dominie Press

Title: Theme K: Health Guided Reading Theme Set

ISBN: 0-7685-3084-9

Grade Level/Subject: Kindergarten, Health

Program Description: Guided Reading Theme Set for Health

Strengths:

Colorful
Strong emphasis of reading
Take home readers
Cross-curricular activity
Life skill activities

Weaknesses:

Does not correlate to 2005 Arkansas Frameworks

Recommend: X

Supplemental: X .

HEALTH/PHYSICAL EDUCATION, GRADES 9-12

Publisher: Glencoe/McGraw Hill

Title: Glencoe Health **ISBN:** 78726549

Grade Level/Subject: 9-12, Health

Program Description: High School Health Curriculum

Strengths:

Current copyright
Attractive book cover
Up to date information
Factual, Solid Information
Teacher Edition contains meaningful student activities
Bias free

Weaknesses:

Correlations to National & Arkansas Frameworks need to be updated.
Up to date organ donation information is needed.

Recommend: X

Basal X

Title: Foundations of Personal Fitness **ISBN:** 78451272

Grade Level/Subject: 9-12, Personal Fitness

Program Description: Wellness & Fitness Curriculum

Strengths:

Includes activities for mentally & physically challenged students.
Bilingual materials are available.
Format is easy to follow.
Book cover is attractive.
Content material could be utilized for an elective health/physical education class.

Weaknesses:

Material is not fully correlated to the 2005 Arkansas Frameworks for health or physical education.
Out dated nutrition information.
A lack of teaching activities suggestions.

Recommend: X

Basal X

Publisher: Human Development Resource Council

Title: Are you dying to have sex? **ISBN:** N/A

Grade Level/Subject: 9-12, Health

Program Description: Sexually Transmitted Diseases & Reproductive Health

Strengths:

Content is easily adapted to all students.

Free of bias.

Presented in power point format.

Weaknesses:

2005 copyright.

Recommend: X

Supplemental X .

Publisher: Holt, Rinehart & Winston

Title: Lifetime Health **ISBN:** 0030779731

Grade Level/Subject:9-12, Health

Program Description: High School Health Curriculum

Strengths:

Current copyright.

Information is current and up to date..

Bias free.

Varied & useful student activities.

Addresses various learning styles including activities for the mentally challenged.

Bilingual materials are available.

Correlated to 2005 Arkansas Frameworks.

Weaknesses:

Information on organ donation needs to be expanded.

Recommend: X

Basal X

Human Kinetics

Title: Fitness for Life **ISBN:** 736066756

Grade Level/Subject: 9-12, Physical Education

Program Description: Physical Education Physical Fitness Program

Strengths:

Current copyright.

Free of bias.

Supplement material is provided on cd/dvd.

Bilingual materials are available.

Material is easily adaptable to mentally and physically challenged students.

Weaknesses: List the major weaknesses of the textbook/program/material.

Nutrition information needs to be up dated.

Recommend: X

Basal X

Publisher: Pearson Education as AGS/ Globe/ Fearon

Title: Pacemaker Health **ISBN:** 0-13-024693-X

Grade Level/Subject: 9-12, Health

Program Description: High School Health Curriculum

Strengths:

Free of bias.

Bilingual materials are available.

Supplemental materials are available.

Material is formatted for lower level reading students.

Weaknesses:

2005 copyright.

The nutrition information is out of date.

No up to date Arkansas Framework correlations or National Frameworks correlations.

Teacher edition did not suggest meaningful or motivational activities.

Recommend: X

Basal X

Publisher: Prentice Hall

Title: Prentice Hall Health **ISBN:** 0-13-190567-8

Grade Level/Subject: 9-12, Health

Program Description: High School Health Curriculum

Strengths:

Copyright 2007.

The information is current and up to date.

Correlated to Arkansas & National Frameworks.

There is an easy to use correlation document.

Free of bias.

Bilingual information is available.

Information is adaptable to the physically and mentally challenged.

Weaknesses:

Needs organ donation information.

Recommend: X

Basal X

Publisher: Thomson Learning

Title: Essentials of Health & Wellness **ISBN:** 1-4018-1523-5

Grade Level/Subject: 9-12, Health

Program Description: High School Health Curriculum

Strengths:

Free of bias.

The book cover is colorful and attractive.

Supplemental teaching materials available

Online companion

Weaknesses: List the major weaknesses of the textbook/program/material.

There is no correlation document to the 2005 Arkansas Frameworks.

The nutrition information is out of date.

No supplemental materials for ESL, 504 or special education.

No organ donor information.

No bilingual information available.

Recommend: X

Basal: X

Publisher: Thomson Learning

Title: Introduction to Sports Medicine **ISBN:** 1-4018-1199-X

Grade Level/Subject: 9-12, Physical Education/Health

Program Description: Sports Medicine & Athletic Training

Strengths:

Material is for advanced high school level wellness course.

Free of bias.

The format is easy to follow.

There are numerous activities for student learning.

Weaknesses:

2004 copyright.

No correlation document to Arkansas Frameworks.

Content is not fully correlated to health or physical education 2005 Arkansas Frameworks.

The nutrition information is out of date.

Material is not adaptable for the physically & mentally challenged.

Recommend: X

Supplemental X .

STATE SCIENCE SELECTING COMMITTEE, GRADES K-8 STRENGTHS & WEAKNESSES

Publisher: ABRAMS AND COMPANY PUBLISHERS, INC.

Title: Numerous **ISBN Number:** Numerous

Grade Level: K-8

Program Description: Activity based science

Strengths:

Weaknesses:

Recommend: **Not Recommended:** X

*** MATERIALS WERE NOT RECEIVED FOR REVIEW ***

Publisher: Carolina Biological Supply Company

Title: STC **ISBN Number:** _____

Grade Level: K-8

Program Description: Activity based science

Strengths:

- A lot of hands on activities
- Inquiry friendly
- Teacher friendly
- Good reading component from 4th grade up
- Included MSDS sheets

Weaknesses:

-Too many concepts and skills were not met at the appropriate grade level for Arkansas standards.

- Weak whole group reading material in lower levels.
- Not enough visual aids for visual learners.

Recommend: As supplemental only

Publisher: Carolina Biological

Title: GEMS **ISBN Number:** _____

Grade Level: K-8

Program Description: Activity based science

Carolina Biological, continued

Strengths: List the major strengths of the textbook/program/material.

- Integrated activities
- Hands on activities
- Suggestions were motivating

Weaknesses: List the major weaknesses of the textbook/program/material.

- Weak vocabulary
- Needed bilingual components
- Did not cover adequate amount of standards
- Copyright dates were old
- Limited reading except for the teachers
- Limited visuals

Recommend: As supplemental only

Supplemental: XX

Publisher: Delta Education/CPO

Title: Integrated Science, An Investigative Approach **ISBN Number:** 1-58892190-5

Grade Level: 8th grade

Program Description: Investigative science

Strengths:

- Great supplemental materials—cd, online, dvd

Weaknesses:

- Not enough materials were received to completely evaluate.
- Did not cover the frameworks
- Disconnected
- Not visual enough for visual learners
- Not visually attractive
- No bilingual materials
- Lacking in life science

Recommend: As supplemental for 8th grade **Supplemental** XX

Publisher: DELTA EDUCATION

Title: Delta Science Modules **ISBN Number:** _____

Grade Level: K-8

Program Description: Activity based science

Delta Science Modules, cont.

Strengths:

- Good activities
- Good home/school connection
- Inquiry based
- Excellent hands on activities

Weaknesses:

- No geology in lower levels
- Doesn't cover all the frameworks for Arkansas
- Cumbersome with all of the notebooks
- Reading materials were limited
- All the material was not on the bid list
- Too much time on one standard

Recommend: _As supplemental only **Supplemental** ____XX____

Publisher: **DELTA EDUCATION**

Title: **Series – Full Option Science System (FOSS)** ISBN Number: _____

Grade Level: K-8

Program Description: Activity based science

Strengths:

- Really great activities
- Everything is all together
- Inquiry friendly

Weaknesses:

- Too many Arkansas standards not covered at the appropriate grade level.
- Cost prohibitive
- Not strong enough reading component for lower grades

Recommend: As supplemental only **Supplemental** ____XX____

Publisher: Dominie Press/ Pearson education

Title: ____**Dominie Factivity Series**____ **SBN Number:** Numerous

Grade Level: K-6

Program Description: Science through reading

Dominie Press/ Pearson education, continued

Strengths:

- Good information
- Great for content area reading
- High interest
- Great pictures
- Picture glossary in low-level books
- Excellent reading/science supplement
- Covered a lot of topics

Weaknesses:

Recommend: XX

Supplemental XX

Publisher: Frey Scientific

Title: Life, Earth Physical Science Titles **ISBN Number:**

Grade Level: 6-8

Program Description:

Strengths:

Weaknesses:

*****Materials were not received to evaluate*****

Not Recommended: XXX

Publisher: Glencoe-McGraw Hill

Titles: Glencoe Science: Life's Structure and Function, Glencoe Science, Level Red, Green and Blue, Glencoe Life and Earth Science, Introduction to Physical Science

Grade Level: 6-8

Program Description: Basal science programs

Strengths:

- Could get books in a variety of ways
- National Geographic connection
- Great book
- Power point presentations were awesome!
- Excellent supplements
- Good labs that didn't require extensive equipment or preparation.

Glencoe-McGraw Hill, continued

Weaknesses:

-Used the same books for all three grades

Recommend: ____XX____

Basal ____XX____

Publisher: Great Source

Title: Access Science and ScienceSaurus: A Student Handbook **SBN Number:**

Grade Level: 6-8

Program Description: Special needs science

Strengths:

-Provided content area knowledge in a manner accessible to special needs students
-Visually looked age appropriate

Weaknesses:

-Limited lab experiences

Recommend: _As supplemental only_

Supplemental ____XX____

Publisher: Harcourt School Publishers

Title: Harcourt Science **ISBN Number:** _____

Grade Level: K-6

Program Description: Basal science

Strengths:

-Covers Arkansas frameworks
-Have Arkansas connections
-Have lesson planners and pacing guides
-Differentiated readers

Weaknesses:

-Kindergarten was weak-too broad and not specific enough
-Week Human body introduction in early grades

Recommend: ____XX____

Basal ____XX____

Publisher: Holt Rinehart and Winston

Title: Holt Science & Technology Life, Earth, Physical Science **ISBN Number:**

Grade Level: 6-8

Program Description: Basal Science

Strengths:

- Really versatile on how you can order your books
- Abundance of resources
- Foldables
- Great technology pieces for teachers & students
- Strong bilingual components

Weaknesses:

Recommend: ____XX____

Basal ____XX____

Publisher: Houghton Mifflin Company

Title: Houghton Mifflin Science, K-6

ISBN Number:

Grade Level: K-6

Program Description: Basal science

Strengths:

- Was Arkansas specific
- Current copyright date
- Liked vocabulary development
- Independent reader books
- Was organized for easy use

Weaknesses:

- Slight errors in K-1 books (dandelion and mammals)

Recommend: ____XX____

Basal ____XX____

Publisher: Houghton Mifflin Company

Title: Experience Science, 2007

ISBN Number:

Grade Level: K-6

Program Description: Activity based with readers

Houghton Mifflin Company, Experience Science continued

Strengths:

- Very current
- Hands on activities
- A lot of graphic organizers
- Motivating activities

Weaknesses:

- Vocabulary was limited
- Did not cover all of the frameworks at the appropriate grade levels
- Very limited supplemental materials

Recommend: As supplemental only

Supplemental XX

Publisher: Imaginova

Title: Starry Nights, Middle School

ISBN Number _____

Grade Level: 6-8

Program Description: Content specific space science

Strengths:

- Thoroughly covered space

Weaknesses:

- Very limited on the standards covered
- Only covered space with a small amount of earth science included.

Recommend: As supplemental only

Supplemental XX

Publisher: It's About Time, Herff Jones Education

Title: Investigating Earth Systems

ISBN Number:

Grade Level: 5-8

Program Description: Earth science only

Strengths:

- It covered earth science well
- Had activities to do
- Good information and directions for teachers
- Hands on activities were good for advanced students
- Differentiated for advanced students

Weaknesses:

- Does not cover the Arkansas frameworks adequately

It's About Time, It's About Time continued

Weaknesses, continued

- Suggestions could be followed only if you have the materials

It's About Time, Herff Jones Education, cont.

- No activities for struggling students
- No bilingual materials
- No index in student book

Recommend: As supplemental only

Supplemental XX

Publisher: Lab-Aids, Inc

Title: Issues and Earth Science Complete Materials Package w/32 Student Books

ISBN Number: Numerous numbers

Grade Level: 6-8

Program Description: Activity based science

Strengths:

- Motivating and meaningful activities
- Real world activities
- Good reading strategies
- Provided experiences for diversity of learners
- Role playing
- Makes kids think with the current issues
- Encouraged individual thinking

Weaknesses:

- Not all of the standards were addressed in the upper levels
- Too many of the Arkansas standards were not addressed

Recommend: XX

Supplemental XX

Publisher: McDougal Littell

Titles: McDougal Littell Science Earth, Life & Physical ISBN Number: _____

Grade Level: 6-8

Program Description: Basal science

Strengths:

- Levelized labs
- Plans for block scheduling or "normal" scheduling
- Good graphics
- Levelized tests

McDougal Littell Science Earth, Life & Physical, continued

Strengths continued

- Internet resources
- Power point presentations
- Bilingual materials
- Standardized test practice for 7th and 8th grade

Weaknesses:

- Really big books
- Same book for all three grades
- Strand specific books that are not integrated

Recommend: XX

Basal: XX

Publisher: Macmillan/ McGraw Hill

Title: MacMillan/ McGraw Hill Science **ISBN Number:** _____

Grade Level: Pre K-6

Program Description: Basal science

Strengths:

- Did a good job covering the Arkansas standards
- Had the Arkansas unit planner with page numbers
- Strong in content
- Better at meeting Arkansas standards at our grade levels
- Good resources
- Had content area reading strategies
- Test generators
- Organized for easy use
- Interdisciplinary

Weaknesses:

Recommend: XX

Basal XX

Title: Macmillan/McGraw-Hill Science Health and Wellness **ISBN Number:** _____

Grade Level: K-6

Program Description: Did not receive

Strengths:

Weaknesses:

Not Recommended: XX

***Materials were not received to evaluate. ***

Publisher: National Geographic

Title: National Geographic **ISBN Number:** _____

Grade Level: K-8

Program Description: Reading based science

Strengths: List the major strengths of the textbook/program/material.

- Great photography
- Good information
- Kid friendly
- Levelized readers
- High interest non-fiction stories

Weaknesses: List the major weaknesses of the textbook/program/material.

- No hands on activities
- Not a stand-alone science program—more of a reading supplement

Recommend: As supplemental only **Supplemental** XX

Publisher: Pearson/AGS/Globe

Title: Concepts and Challenges – Life, Earth, Physical **ISBN Number:** _____

Grade Level: 6-8

Program Description: Basal science program

Strengths:

- Suggestions were easy to follow
- Table of contents was easy to follow
- Lots of teacher ideas
- Two page lessons and then activities
- Good for students who are not science motivated

Weaknesses:

- Vocabulary not highlighted
- Not Arkansas framework specific

Recommend: XX **Basal** XX

Publisher: Pearson Prentice Hall

Title: PH Science Explorer: 16 Book Series **ISBN Number:** _____

Grade Level: 6-8

Program Description: Basal science program

Pearson Prentice Hall, Science Explorer: 16 Book Series, continued
Strengths:

- Pages connected to state framework numbers
- Very current
- Reading and vocabulary strategies included
- Diagrams
- Available in 3 different formats

Weaknesses: List the major weaknesses of the textbook/program/material.

Recommend: XX

Basal XX

Publisher: SRA/McGraw-Hill

Title: Science Lab 3 Package

ISBN Number: 76044181

Grade Level: 3-5

Program Description: Science Center reading

Strengths:

- Graphic organizers
- Supports reading in the content areas
- Good test preparation
- Beautiful pictures
- Differentiated reading
- Some lab activities

Weaknesses:

- Cannot be a stand-alone program
- Needs additional lower grade levels

Recommend: As supplemental only

Supplemental: XX

Publisher: Pearson Scott Foresman

Title: Science Companion, K-6 Program **ISBN Number:**

Grade Level: K-5

Program Description: Basal science

Pearson Scott Foresman, Science Companion, K-6 Program continued

Strengths:

- Graph paper lab notebooks
- Good activities

Weaknesses:

- Limited student reading
- Too many frameworks taught at the wrong grade levels
- Not enough colorful visuals
- Difficult to evaluate without all of the components

Recommend: As supplemental only **Supplemental** XX

Publisher: **Scott Foresman**

Title: Scott Foresman Science, K-6 **ISBN Number:**

Grade Level: K-8

Program Description:

Strengths:

- Great Arkansas connections
- Integrated the curriculum
- Real pictures
- Partnered with the Discovery Channel

Weaknesses:

- Some frameworks were very limited
- Vocabulary was weak

Recommend: XX **Basal:** XX

**STATE SCIENCE SELECTING COMMITTEE, GRADES 9-12
STRENGTHS & WEAKNESSES
RECOMMENDATIONS**

Publisher: Bedford, Freeman, & Worth

Title: Chemistry in the Community **ISBN** 0-716789191

Grade Level/Subject: 9-12, Chemistry

Program Description:

This is a general chemistry textbook, suitable for common core.

Strengths:

- A Strong hands-on program.
- Section on oxidation/reduction is good.

Weaknesses:

- Lacks many of the Arkansas frameworks,
- Difficult to sort through the material to find frameworks,
- Sections on organics and kinetics are weak.

Recommend: X

Not Recommended: _____

Basal X

Supplemental _____

Publisher: Bedford, Freeman, & Worth

Title: Discovering the Universe **ISBN** 0-716767961

Grade Level/Subject: 9-12, Astronomy

Program Description:

This is a basic astronomy course.

Strengths:

- * Appropriate for a basic astronomy course.

Bedford, Freeman, & Worth, Discovering the Universe, continued

Weaknesses:

- No teachers edition,
- No standards with which to align it.

Recommend: _____ X _____ **Basal** _____ X _____

Publisher: Clearview and SVE

Title: Power Media Plus (Online Access to 2,600 video titles ISBN PMP-1

Grade Level/Subject: K-12, All subjects

Program Description:

Video and video clips.

Strengths:

- Lots of video content.

Weaknesses:

- * Similar to United Streaming, which is currently free to Arkansas Schools.

Recommend: _____ X _____ **Supplemental** _____ X _____

Publisher: Cord Communications

Title: Physics in Context _____ **ISBN** 1578372755

Grade Level/Subject: 10-12, Physics

Program Description:

We find this suitable for a physics first curriculum, non-math intensive course.

Strengths:

- Easy to understand.
- Appropriate reading level for ESL or Special Education classes.

Weaknesses:

- Does not meet Arkansas Physics Frameworks in several areas, especially the math equation strands.

Cord Communications, Physics in Context

Weaknesses continued,

- Acceptable text for non-math based “science completer” curriculum, but not as a college prep physics course.
- All black and white text and diagrams.

Recommend: _____X_____

Supplemental __X__

Publisher: Delta Education/CPO Science

Title: Foundations of Physical Science **ISBN** 1-58892-159-X

Grade Level/Subject: 9-10, Physical Science

Program Description:

This is a laboratory-based program that includes lab equipment.

Strengths:

- Good physics content and nature of science.

Weaknesses:

- Monochromatic (Blue and white) text.
- The Chemistry content weaker than physics content.

Recommend: _____X_____

Basal __X__

Publisher: Delta Education/CPO Science

Title: Foundations of Physical Science with Earth and Space **ISBN** 1-58892-148-4

Grade Level/Subject: 9-10, Physical Science

Program Description:

A laboratory based program that includes lab equipment.

Strengths:

- Good physics content.
- Nice that it includes earth content.

Weaknesses:

- Monochromatic text (Blue and white).
- The chemistry content weaker than physics content.

Delta /CPO Science, Foundations of Physical Science with Earth and Space, cont.

Recommend: X

Basal: X

Publisher: Delta Education/CPO Science

Title: Physics a First Course **ISBN** 1-58892-152-2

Grade Level/Subject: 9-12, Physics

Program Description:

A Laboratory based physics course that includes lab equipment.

Strengths:

- The Nature of Science and laboratory exercises strong.

Weaknesses:

- Monochromatic text (blue and white).
- The content is somewhat confusing, received fair ratings from reviewers.

Recommend: X

Basal: X

Publisher: Publisher: Delta Education/CPO Science

Title: Foundations of Physics **ISBN** 1-58892-146-8

Grade Level/Subject: 9-12, Physics

Program Description: This is a laboratory-based physics program

Strengths:

- Strong laboratory and nature of science content.

Weaknesses:

- Monochromatic (blue and white) text.
- Content somewhat confusing
- Less comprehensive due to depth of content.

Recommend: X

Basal: X

Publisher: Elsevier, Inc.

Title: Anthony's Textbook of Anatomy and Physiology ISBN 323039820

Grade Level/Subject: 9-12, Anatomy and Physiology

Program Description:

A Basic Anatomy and Physiology text, with a concentration on disease and health issues.

Strengths:

- Excellent graphics,
- Numerous pictures,
- Easy to read,
- Excellent all-around anatomy text..

Weaknesses:

- Nature of science is very weak,
- No accompanying labs.
- No teacher's edition.

Recommend: X **Basal** X

Publisher: Elsevier, Inc.

Title: Human Body Health and Disease ISBN 323031617

Grade Level/Subject: 9-12, Anatomy and Physiology

Program Description:

This is a Basic Anatomy and Physiology text, with a concentration on disease and health issues.

Strengths:

- Strong comprehensive graphics,
- Numerous pictures,
- Easy to read text,
- Good medical survey course book.

Weaknesses:

- Nature of science is very weak, with no accompanying labs.
- Cellular chemistry and tissues are the two weakest areas.
- No teacher's edition.

Recommend: X **Basal** X

Publisher: Glencoe/McGraw Hill

Title: Glencoe Physical Science **ISBN** 0078600510

Grade Level/Subject: 9-12, Physical Science

Program Description: Physical science

Strengths:

- Very good in all areas.
- Excellent modifications for inclusion/ESL.
- Standardized Test Prep

Weaknesses:

- No weaknesses noted.

Recommend: X

Basal X

Publisher: Glencoe/McGraw Hill

Title: Glencoe Physical Science with Earth Science **ISBN** 0078685540

Grade Level/Subject: 9-12, Physical Science

Program Description: Covers Physics, Chemistry, and Earth Science in one text.

Strengths:

- Good text with ties to National Geographic.

Weaknesses:

- * Chemistry is weaker in this text than in the original version.

Glencoe Physical Science with Earth Science , cont.

Recommend: X

Basal X

Publisher: Glencoe/McGraw Hill

Title: Earth Science: Geology, the Environment and the Universe **ISBN** 0078664233

Grade Level/Subject: 9-12, Earth Science or Geology

Glencoe/McGraw Hill, cont.

Program Description: Earth Science or Geology Elective Course book.

Strengths:

- Good photos and charts.

Weaknesses:

- Does not meet Arkansas Environmental Science Frameworks.
- Includes no Biological Dynamics or Social Perspectives.

Recommend: X **Basal** X

Publisher: Glencoe/McGraw-Hill

Title: Glencoe Biology **ISBN** 0078695104

Glencoe Biology, continued

Grade Level/Subject: 9-12 Biology

Program Description:

A regular Biology Curriculum.

Strengths:

- Strong graphics and charts
- Appropriate arrangement of Text
- Strong inclusion/ESL programming in teacher's edition,
- Spanish/English Glossary.

Weaknesses:

- No weaknesses noted.

Recommend: X **Basal** X

Publisher: Glencoe/McGraw-Hill

Title: BSCS Biology: A Molecular Approach **ISBN** 0078664276

Grade Level/Subject: 9-12 Biology

Program Description:

Molecular approach to regular biology, Geared towards Pre-AP students.

Glencoe/McGraw-Hill, continued

Strengths:

- Has a Chemistry component.
- I-to-date and current photographs.
- Provides career information.

Weaknesses:

- * Very weak in inclusion/diversity/equity for ESL or Inclusion students.

Recommend: X Basal X

Publisher: Glencoe

Title: Chemistry: Matter and Change **ISBN** 0078664187

Grade Level/Subject: **9-12, Chemistry**

Program Description: Regular Chemistry

Strengths:

- Graphics and charts.
- Text and arrangement.
- Song inclusion/ESL programming in teacher's edition, Spanish/English Glossary.

Weaknesses:

- * No weaknesses noted.

Recommend: X **Basal** X

Publisher: Glencoe

Title: Physics: Principles and Problems **ISBN** 0078458137

Grade Level/Subject: **9-12, Physics**

Program Description: Regular Physics

Strengths:

- Graphics and charts.
- Text and arrangement.
- Strong inclusion/ESL programming in teacher's edition, Spanish/English Glossary.

Glencoe, continued

Weaknesses:

- * No Weaknesses noted

Recommend: _____ X _____ **Basal** _____ X _____

Publisher: **Glencoe**

Title: Hole's Essentials of Human Anatomy and Physiology ISBN 0073204811

Grade Level/Subject: **9-12, Anatomy**

Program Description: Regular Anatomy.

Strengths:

- Graphics and charts.
- Text and arrangement.

Weaknesses:

- Nature of Science frameworks
- No lab manual
- No teacher's edition.

Recommend: _____ X _____ **Basal** _____ X _____

Publisher: **Glencoe**

Title: Biology (Mader) ISBN 0073258393

Grade Level/Subject: **9-12, Biology**

Program Description: Pre-AP or Advanced Placement Biology

Strengths:

- AP level book.
- Pictures and graphics complement text presented.
- Thorough chapter evaluations.

Weaknesses:

- * No inclusion strategies, but it is an upper-level book.

Recommend: _____ X _____ **Basal** _____ X _____

Publisher: Glencoe

Title: Biology (Raven & Johnson) **ISBN** 0073211869

Grade Level/Subject: 9-12, Biology

Program Description:

Pre-AP or Advanced Placement Biology

Strengths:

- AP level book.
- Graphics and pictures complement text presented.
- Thorough chapter evaluations.
- Gender and ethnically diverse.

Weaknesses:

- * No inclusion strategies, but it is an upper-level book.

Recommend: X

Basal X

Publisher: Holt

Title: Holt Biology **ISBN** 0030740614

Grade Level/Subject: 9-12, Biology

Program Description:

Regular Biology

Strengths:

- Standardized test preps at the end of the chapters.
- Graphs and graph questions.
- Organization and photographs.

Weaknesses:

- * Nature of science is not concentrated, but is embedded throughout the book.

Recommend: X

Basal X

Publisher: Holt, Rinehart & Winston

Title: Modern Biology ISBN **0030651786**

Grade Level/Subject: 9-12, Biology

Program Description:

Regular Biology

Strengths:

- Text appropriate for diverse populations.
- Inclusion strategies.

Weaknesses:

* None noted.

Recommend: X **Basal** X

Publisher: Holt, Rinehart & Winston

Title: Modern Chemistry ISBN 0030735467

Grade Level/Subject: 9-12, Chemistry

Program Description:

Regular Chemistry

Strengths:

- Chapter on macromolecules separated from organic chemistry.
- Comprehensive chemistry text that aligns with Frameworks.

Weaknesses:

* None noted.

Recommend: X **Basal** X

Publisher: Holt, Rinehart & Winston

Title: Earth Science ISBN 0030735432

Grade Level/Subject: 9-12, Earth

Program Description: Appropriate for Earth Science or Geology electives

Strengths:

- * Geology content.

Weaknesses:

- * None noted

Recommend: X **Basal** X

Publisher: Holt

Title: Environmental Science ISBN 0030390737

Grade Level/Subject: 9-12, Environmental Science

Program Description: Environmental Science

Strengths:

- * Biological and nature of science frameworks.

Weaknesses:

- * Lack of Arkansas Environmental Science physical dynamics frameworks.

Recommend: X **Basal** X

Publisher: Holt, Rinehart and Winston

Title: Science Spectrum Physical Science ISBN 0030390931
Science Spectrum Physical Science, cont.

Grade Level/Subject: 9-12, Physical Science

Program Description: Physical Science

Strengths:

- Comprehensive text that aligns with Frameworks.
- Math application.

Holt, Rinehart and Winston, continued

Weaknesses:

- * Higher level than other physical science books might be too difficult for common core students.

Recommend: X

Basal X

Publisher: Imaginovia

Title: Starry Night **ISBN**

Grade Level/Subject: 9-12, Astronomy

Program Description: Astronomy elective curriculum.

Strengths:

- Correlates to many of the National standards.
- Nice graphics and video clips.

Weaknesses:

- * Lacking enough information to be a stand-alone curriculum for a semester or a yearlong astronomy course.

Recommend: X

Supplemental X

Publisher: It's About Time, Herff Jones

Title: Active Physical Science Student Edition **ISBN** 1585913197

Grade Level/Subject: 9-12, Physical Science

Program Description:

Lab-based physical science curriculum

Strengths:

- Good labs for lower-level students.

Weaknesses:

- Weak in chemistry content.
- Does not integrate math.
- No attention grabbing or people in photos.
- Covers Arkansas Physical Science Frameworks, but oft not in great depth.

Recommend: X

Basal X

Publisher: It's About Time, Herff Jones

Title: Active Physics, CoreSelect ISBN 1585913138

Grade Level/Subject: 9-12, Physics

Program Description:

A lab-based physics book (one volume).

Strengths:

Weaknesses:

- Weak on Nature of Science and Heat and Thermodynamics and the Arkansas Physics Frameworks.
- Very simplistic labs for a physics course.
- Math is not as intensive as the committee would like.

Recommend: X

Supplemental X

Publisher: It's About Time, Herff Jones, cont.

Title: Investigations in Environmental Science ISBN 1585914444

Grade Level/Subject: 9-12, Environmental Science

Program Description:

Lab-based environmental science

Strengths:

- Social and biological frameworks

Weaknesses:

- No color in the student edition.
- The Arkansas Environmental Science Standards for physical dynamics (rocks and minerals, etc.) are not included.
- Overall poorly rated.

Recommend: X

Supplemental X

Publisher: It's About Time, Herff Jones

Title: Active Physics **ISBN** 1891629476

Grade Level/Subject: 9-12, Physics

Program Description:

Lab-based physics book, multiple books

Strengths:

Weaknesses:

- Does not cover nuclear or modern physics.
- The copyright date is 2000.
- Arkansas Physics Frameworks are not completely covered.

Recommend: X

Supplemental X

Publisher: Kinetic Books

Title: Conceptual Physics **ISBN** 976686503

Grade Level/Subject: 9-12, Physics

Program Description:

Introductory Physics Curriculum, online book

Strengths:

- Very thorough,
- good illustrations and applets.

Weaknesses:

- Must have computers accessible to all physics students.
- No traditional text.

Recommend: X

Basal X

Publisher: Kinetic Books

Title: Principles of Physics **ISBN** 0976686511

Grade Level/Subject: 9-12, Physics

Program Description: Physics Curriculum, online book

Strengths:

- Very thorough,
- Good illustrations and applets.

Weaknesses:

- Students must have computers accessible to all physics students.
- No traditional text to accompany.

Recommend: X **Basal** X

Publisher: Kinetic Books

Title: Physics for Scientists and Engineers **ISBN** 097668652X

Grade Level/Subject: 9-12, Physics

Program Description: Physics Curriculum, online book

Strengths:

- Very thorough content,
- Good illustrations and applets.

Weaknesses:

- Must have accessible computers for all physics students.
- No traditional text to accompany.

Recommend: X **Basal** X

Publisher: Kinetic Books

Title: Virtual Physics Labs **ISBN** 0976686538

Grade Level/Subject: 9-12, Physics

Kinetic Books, Virtual Physics Labs, continued

Program Description: This program consists of online labs to accompany a physics program.

Strengths:

- Good graphics and activities,
- Inexpensive to run.

Weaknesses:

- Students must have computer access.
- This is not a stand-alone curriculum.

Recommend: _____ X _____ **Supplemental** _____ X _____

Publisher: _____ Lab-Aids, Inc. _____

Title: _____ Science and Sustainability _____ **ISBN** 1887725202 _____

Grade Level/Subject: _____ 9-12, Environmental Science _____

Program Description: Environmental Science Curriculum with included lab program.

Strengths:

- Very good hands on activities.
- Easy to follow.
- Good supplemental for biology and chemistry.

Weaknesses:

- The Arkansas Environmental Science physical dynamics standards (earth science) are missing.
- The Arkansas Physical Science physics standards are missing..

Recommend: _____ X _____ **Basal** _____ X _____

Publisher: _____ Lab-Aids, Inc. _____

Title: _____ Feeding the World, Mega-module _____ **ISBN** SSFW1032NM _____

Grade Level/Subject: _____ 9-12, Environmental Science _____

Program Description:

Strengths:

Weaknesses:

Not Recommended: _____ X _____ **DID NOT RECEIVE FOR REVIEW**

Publisher: McDougal Littell

Title: Earth Science **ISBN** 0618499385

Grade Level/Subject: **9-12, Earth Science**

Program Description:

Earth Science or Geology elective course

(The committee did not receive a number of the supplementals for the inclusion and ESL student.

Strengths: List the major strengths of the textbook/program/material.

Weaknesses:

- Fair organization of the teacher's edition.
- Does not include biological or social perspectives to fit the Arkansas Environmental Science frameworks.

Recommend: X **Basal** X

Publisher: McDougal Littell

Title: World of Chemistry **ISBN** 0618562753

Grade Level/Subject: **9-12, Chemistry**

Program Description:

General High School or Pre-AP Chemistry Curriculum

Strengths:

- Very visually oriented,
- Numerous charts and graphs.

Weaknesses:

- None

Recommend: X **Basal:** X

Publisher: McDougal Littell

Title: Essentials of General Chemistry **ISBN** 0618491759

Grade Level/Subject: **9-12, Chemistry**

Program Description:

General High School or Pre-AP Chemistry Curriculum

Strengths:

- Comprehensive

Weaknesses:

- No teacher's edition.
- No teaching strategies for inclusion or ESL.
- The Nature of science frameworks
- Organization of materials

Recommend: X **Basal** X

Publisher: McDougal Littell

Title: Chemistry **ISBN** 0618713700

Grade Level/Subject: **11-12, Chemistry**

Program Description:

An advanced placement chemistry text

Strengths:

- Current copyright,
- Upper-level only,
- Comprehensive text.

Weaknesses:

- Minimal teacher's edition.
- Limited number of labs included in the book.

Recommend: X **Basal** X

Publisher: Pearson/AGS/Globe

Title: Pacemaker General Science **ISBN** 0130233436

Grade Level/Subject: **9-12, General Science**

Program Description:

Integrated science text

Strengths:

- Resource or ESL text.
-

Weaknesses:

- Does not meet any of the areas under the Arkansas Science Frameworks.

Recommend: X

Supplemental X

Publisher: Pearson/AGS/Globe

Title: Pacemaker Biology **ISBN** 01302404433

Grade Level/Subject: **9-12, Biology**

Program Description:

Inclusion or ESL Biology Text

Strengths:

- Resource or ESL text.

Weaknesses:

- Lacks many of the Arkansas Biology Frameworks.

Recommend: X

Supplemental X

Publisher: Pearson/Prentice Hall

Title: Physical Science: Concepts in Action **ISBN** 0131663054

Physical Science: Concepts in Action, cont.

Grade Level/Subject: 9-12, Physical Science

Program Description:

General Physical Science Curriculum Program

Strengths:

- The teachers edition is on a CD.
- Received good ratings for all frameworks.

Weaknesses:

- * No weaknesses noted.

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Physical Science: Concepts in Action with Earth & Space Science **ISBN**
0131663089

Grade Level/Subject: 9-12, Physical Science

Program Description:

General Physical Science Curriculum Program

Strengths:

- Teacher's edition is on CD.
- Covers all frameworks.

Weaknesses:

- No weaknesses noted

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Conceptual Physical Science: Explorations **ISBN** 0131734601

Grade Level/Subject: 9-12, Physical Science

Program Description:

General Physical Science Curriculum Program

Strengths:

- Good teacher's edition.

Weaknesses:

- Missing organic chemistry.

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Earth Science **ISBN** 0131258524

Grade Level/Subject: 9-12, Earth Science

Program Description:

Earth Science or Geology elective course

Strengths:

- Comprehensive
- Suitable for geology, astronomy, earth science.
- Higher reading level.
- Good graphs, photos and illustrations.

Weaknesses:

- None

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Prentice Hall Biology **ISBN** 0131662554

Grade Level/Subject: **9-12, Biology**

Program Description: A general biology text.

Strengths:

Comprehensive coverage

Weaknesses:

- Does not have the updated classification system

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Biology: Exploring Life **ISBN** 0132509253

Grade Level/Subject: **9-12, Biology**

Program Description:

General Biology

Strengths:

- A Comprehensive text.
- Excellent inclusion and diversity.

Weaknesses:

- Lower reading and content levels.

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Biology: Concepts and Connections **ISBN** 0131934805

Grade Level/Subject: **9-12, Biology**

Program Description:

“Baby Campbell” Pre-AP and Honors biology.

Strengths:

- Thorough,
- A good introduction to AP biology curriculum.

Weaknesses:

- Teacher edition.
- Upper-level book that does not address inclusion and diversity.

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Biology **ISBN** 0805367772

Grade Level/Subject: **9-12, Biology**

Program Description:

Advanced Placement Biology

Strengths:

- Content in great depth and diversity
- Great charts and information

Weaknesses:

- No teacher’s edition,
- Very high-level,
- Massive

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Chemistry **ISBN** 0131152629

Grade Level/Subject: **9-12, Chemistry**

Program Description:

Regular Chemistry

Strengths:

- Covers most standards well.

Weaknesses:

- Lacking in kinetics

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Chemistry: the Central Science **ISBN** 0131937197

Grade Level/Subject: **9-12, Chemistry**

Program Description:

Advanced Placement Chemistry Book

Strengths:

- Very thorough.
- Major quantity of end-of-chapter questions.
- Good graphics.

Weaknesses:

- Weak Teacher's text
- No labs included in the book.

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Conceptual Physics **ISBN** 0131663011

Grade Level/Subject: **9-12, Physics**

Program Description: Conceptual physics text.

Strengths:

- Fun graphics,
- Lots of concepts.

Weaknesses:

- * **Weak in** math and problem solving.

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Physics: Principles with Applications **ISBN** 0131846612

Grade Level/Subject: **9-12, Physics**

Program Description: Advanced Placement Physics Book (Giancoli)

Strengths:

- Covers Arkansas Physics Frameworks well.

Weaknesses:

- No labs in the textbook.

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Physics **ISBN** 0131960679

Grade Level/Subject: **9-12, Physics**

Program Description: Advanced Placement Physics

Strengths:

- Advanced Placement,
- Very thorough coverage

Weaknesses:

- None noted

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Environmental Science: Toward a Sustainable Future **ISBN** 0131920219

Grade Level/Subject: **9-12, Environmental Science**

Program Description: Environmental Science Text

Strengths:

- Focuses on social issues.
- Adequate text

Weaknesses:

- Science concepts are downplayed in comparison to the social concepts.

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Essentials of Anatomy and Physiology (Martini, et.al.) **ISBN** 013173296X

Grade Level/Subject: **9-12, Anatomy and Physiology**

Program Description: Anatomy and Physiology curriculum

Strengths:

- New 2007 copyright.
- Covers the frameworks.

Weaknesses:

- No labs in book.
- Separate lab manual not reviewed.

Recommend: X

Basal X

Publisher: Pearson/Prentice Hall

Title: Human Anatomy and Physiology **ISBN** 0132197995

Grade Level/Subject: **9-12, Anatomy and Physiology**

Program Description: Anatomy and Physiology curriculum

Pearson/Prentice Hall, Human Anatomy and Physiology cont.

Strengths:

- Very high-level,
- Honors or college-level.

Weaknesses:

- Very large book, bulky book.

Recommend: X **Basal** X

Publisher: Pearson/Prentice Hall

Title: Essentials of Anatomy and Physiology (Maribe) **ISBN** 0131934813

Grade Level/Subject: **9-12, Anatomy and Physiology**

Program Description: Anatomy and Physiology curriculum

Strengths:

- Good “Clinical Notes”
- A section on cancer.
- Average level, not AP or college-level.

Weaknesses:

- None

Recommend: X **Basal** X

Publisher: Siboney Learning Group

Title: Educational Activities Interactive Tutorials **ISBN** 0792540271, and others.

Grade Level/Subject: **3-12, Science**

Program Description: Instructional Software.

Strengths: ***** DID NOT RECEIVE-COULD NOT REVIEW

Weaknesses:

Recommend: **Not Recommended:** X

***** DID NOT RECEIVE-COULD NOT REVIEW

Publisher: Siboney Learning Group

Title: Orchard Software: Science Concepts Series **ISBN**

Grade Level/Subject: 6-12, Science

Program Description:

Instructional Software.

Strengths: ***** DID NOT RECEIVE-COULD NOT REVIEW***

Weaknesses:

Recommend: _____ **Not Recommended:** X

***** DID NOT RECEIVE-COULD NOT REVIEW***

Publisher: Thomson Learning

Title: Foundations of Astronomy **ISBN** 0495015784

Grade Level/Subject: 9-12, Astronomy

Program Description: Appropriate for astronomy elective.

Strengths:

- * Photos enhance text.

Weaknesses:

- No teacher's edition.

Recommend: X **Basal** X

Publisher: Thomson

Title: Biology, AP **ISBN** 0534492762

Grade Level/Subject: 9-12, Biology

Program Description: This is an Advanced Placement Biology.

Thomson, Biology, AP, continued

Strengths:

- Very thorough.

Weaknesses:

- Upper-level does not have inclusion and ESL strategies.

Recommend: X

Basal X

Publisher: Thomson Learning

Title: Biology: The Unity and Diversity of Life **ISBN** 0495015997

Grade Level/Subject: **9-12**

Program Description: Honors, Pre-AP, Advanced Placement Biology

Strengths:

- Covers the material

Weaknesses:

- No weaknesses noted

Recommend: X

Basal X

Publisher: Thomson

Title: Biology Concepts and Applications **ISBN** 0495012963

Grade Level/Subject: **9-12, Biology**

Program Description: Honors, pre-AP, Advanced Placement

Strengths:

- Covers the material

Weaknesses:

- Weak teacher edition.

Recommend: X

Basal X

Publisher: Thomson Learning

Title: Chemistry and Chemical Reactivity **ISBN** 0495114502

Grade Level/Subject: 9-12, Chemistry

Program Description:

Honors or Advanced Placement

Strengths:

- Comprehensive book.
- Plentiful practice and assessment questions.

Weaknesses:

- Teacher's edition does not have answers to the practice problems.

Recommend: X **Basal** X

Publisher: Thomson Learning

Title: Chemistry: Principles & Reactions **ISBN** 0495011401

Grade Level/Subject: 9-12, Chemistry

Program Description:

Honors or Advanced Placement Text
Chemistry: Principles & Reactions, cont.

Strengths:

- Recent copyright date.
- Comprehensive book.

Weaknesses:

- Teacher's edition lacking.

Recommend: X **Basal** X

Publisher: Thomson

Title: Science of Earth Systems **ISBN** 0766833917

Grade Level/Subject: 9-12, Earth Science

Program Description: Environmental, Earth or Geology

Strengths:

- Fits the Arkansas Environmental Science Frameworks.

Weaknesses:

- No teacher's edition,
- Weak instructors manual,
- No inclusion/diversity strategies.

Recommend: X

Basal X

Publisher: Thomson

Title Living in the Environment **ISBN** 0534997295

Grade Level/Subject: 9-12, Environmental Science

Program Description: Advanced Placement Environmental Science.

Strengths:

- Covers all the Advanced Placement course guidelines.

Weaknesses:

- Paperback book.
- Weak coverage of physical dynamics.
- No teacher's edition in print.

Recommend: X

Basal X

Publisher: Thomson

Title Environmental Science Working with the Earth **ISBN** 0534422500

Grade Level/Subject: 9-12, Environmental Science

Program Description: This is an Advanced Placement Environmental Science text.

Strengths:

- Covers all the Advanced Placement course guidelines.

Thomson Learning, Environmental Science Working with the Earth continued

Weaknesses:

- Paperback book.
- Poor coverage of physical dynamics.
- No teacher's edition in print.

Recommend: X **Basal** X

Publisher: Thomson

Title College Physics with Physics Now **ISBN** 0534997236

Grade Level/Subject: **9-12, Physics**

Title College Physics with Physics Now, cont.

Program Description: Advanced Placement Physics

Strengths:

- Comprehensive

Weaknesses:

- No teacher's edition.

Recommend: X **Basal** X

Publisher: Thomson

Title Essentials of College Physics **ISBN** 0495106194

Grade Level/Subject: **9-12, Physics**

Program Description: Advanced Placement Physics
Thomson Learning, Essentials of College Physics, continued

Strengths:

- Comprehensive

Weaknesses:

- No teacher's edition.

Recommend: X **Basal** X

**MEDICAL PROFESSIONS SELECTING COMMITTEE
STRENGTHS & WEAKNESSES
RECOMMENDATIONS**

Publisher: __Glencoe/McGraw-Hill

Title: Health Care Science Technology, Career Foundations ISBN: 0-07-829412-6

Program Description: Medical Professions

Strengths:

Good organization of content material.
The outside appearance and illustrations are attractive.

Weaknesses:

No student workbook available.
Only limited bilingual materials available.
Only limited supplemental materials to review.
CPR material not updated.

Recommend: __X_____ **Basal** ____X____

Publisher: Pearson Prentice Hall

Title: Introduction to Health Occupations ISBN: 0-13-183692-7

Program Description: Medical Professions

Strengths:

Good teacher supplemental materials.
National health care standards correlated to lesson plans and content.
Good technology support via websites.

Weaknesses:

CPR Material not updated.
Illustrations and cover design could be more attractive.
There are Spanish phrases but no bilingual materials.

Recommend: _____X_____

Basal____X____

Publisher: Thomson

Title: Dosage Calculations **ISBN:** 07668-6286-0

Program Description: Medical Professions

Strengths:

Challenging for students.

Good correlation with standards for math computations.

Good aids to instruction material. (Technology)

Weaknesses:

Binding was not durable.

Recommend: _____X

Supplemental _____X

Publisher: Thomson Learning

Title: Diversified Health Occupations **ISBN:** 1-4018-1456-5

Program Description: Medical Professions

Strengths:

All frameworks are covered in content material.

An electronic format is available.

Good aids to instruction

Good organization of content.

Weaknesses:

Student workbook is boring and not challenging.

Cover design not attractive in appearance.

Does not encourage independent thinking and decision-making.

CPR material not updated

Recommend: _____X_____

Basal _____X_____

Publisher: Thomson Learning

Title: Introduction to Health Science Technology **ISBN:** 1-4018-1128-0

Program Description: Intro to Medical Professions

Strengths:

This program correlates with the frameworks.

Good organizational flow.

Thomson Learning, Introduction to Health Science Technology, continued

Weaknesses:

Content not relevant for age group or appropriate for reading level.

This program lacks a challenging format for students.

Recommend: ____X_____

Basal ____X

Publisher: Thomson Learning

Title: Health Science Career Exploration **ISBN:** 1-4018-5809-0

Program Description: Medical Professions
Health Science Career Exploration, cont.

Strengths:

Good instructor materials.

Provides a thorough coverage of health science careers.

Good organization of content material.

Weaknesses:

No Bilingual material available.

Cover design and illustrations could be more attractive and depict subject matter.

Recommend: ____X_____

Basal ____X_

Publisher: Thomson Learning

Title: Nursing Assistant: A Nursing Process Approach **ISBN:** 1-4018-0633-3

Program Description: Medical Professions

Nursing Assistant: A Nursing Process Approach, cont.

Strengths:

Covered a variety of content frameworks.

Cover design, photographs and illustrations were attractive.

The format is easy to follow.

Weaknesses:

Limited aids to instruction.

Content of material contained more than title indicated.

Recommend: ____X_____

Basal ____X__

Publisher: Thomson Learning

Title: Medical Assisting: Administrative and Clinical Competencies

ISBN: 0-7668-4146-4

Program Description: Medical Professions

Strengths:

Challenging format for students.
Cover design provoked interest.
Good aids to instruction.

Weaknesses:

A copyright date of 2003.

Recommend: ____X____

Supplemental ____X____

Publisher: Thomson Learning

Title: Introduction to Medical Terminology **ISBN:** 1-4018-1137-X

Program Description: Medical Professions

Strengths:

Presents concise but thorough coverage.
Follows frameworks.
Good illustrations and format.
Has a hard cover with a durable binding.
Is easy to carry due to small size.

Weaknesses:

There are too few photographs.

Recommend: ____X____

Basal ____X____

Publisher: Thomson Learning

Title: Medical Terminology for Health Professions **ISBN:** 1-4018-6026-5

Program Description: Medical Professions

Strengths:

Good classroom technology aids.
The text is current with recent copyright date of 2005.
Follows frameworks for medical terminology.

Weaknesses:

Poor format and organization of content.
Spiral bound cover not durable.

Recommend: _____X_____ **Basal**____X____

Publisher: Thomson Learning

Title: Body Structures and Functions **ISBN:** 1-4018-0996-0

Program Description: Medical Professions

Strengths:

This text covers basic fundamental anatomy and physiology content.
Student workbook encourages independent thinking and decision-making.

Weaknesses:

There are inadequate instructor materials.
The content is not challenging and relevant for age group.
Cover design could be more attractive.

Recommend: _____X_____ **Basal**____X____

RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR SCIENCE, GRADES K-8

After carefully examining the samples submitted to us, we the undersigned members of the state selecting committee for science, grades K-8 recommend that the State Board of Education adopt the textbooks and other instructional materials submitted for adoption consideration by the following publishing companies.

The publishers are listed alphabetically with no regard to the rank of the textbook and/or other instructional material.

RECOMMENDED

BASAL

Glencoe/McGraw-Hill
Harcourt School Publishers
Holt, Rinehart & Winston
Houghton Mifflin
McDougal Littell
Macmillan/McGraw Hill
Pearson, AGS, Globe
Pearson/Prentice Hall
Pearson/Scott Foresman- Science

SUPPLEMENTAL

Carolina Biological/Gems
Carolina Biological/STC
Celebration Press –!Openers
Delta Education/CPO
Delta Education
 Science Modules
 Full Option Science Systems (FOSS)
Dominie Press/Pearson Education
Great Source
Houghton Mifflin
 Experience Science
Imaginova
It's About Time
Lab-Aids, Inc.
National Geographic
Pearson/Scott Foresman
 Science Companion
SRA/McGraw-Hill
Wright Group

NOT RECOMMENDED

(Materials were not received)

Abrams & Company
Frey Scientific
Macmillan
 Science-Health & Wellness
Delta Education/CP0)
 CD's Genes & Heredity,
 Biosphere, Plant & Animal
 Mitosis & Meiosis

**RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR
SCIENCE, GRADES K-8**

SIGNATURES OF THE COMMITTEE

_____Chairman

RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR SCIENCE, GRADES 9-12

After carefully examining the samples submitted to us, we the undersigned members of the state selecting committee for science, grades 9-12 recommend that the State Board of Education adopt the textbooks and other instructional materials submitted for adoption consideration by the following publishing companies.

The publishers are listed alphabetically with no regard to the rank of the textbook and/or other instructional material.

RECOMMENDED **BASAL**

Bedford, Freeman & Worth
Delta Education/CPO
Elsevier, Inc.
Glencoe/McGraw-Hill
Holt, Rinehart & Winston
It's About Time
 Active Physical Science
Kinetic Books
Lab-Aids, Inc.
McDougal Littell
Pearson/Prentice Hall
Thomson Learning

NOT RECOMMENDED

Lab-Aids, Inc.
Feeding the World
Siboney Learning Group

SUPPLEMENTAL

Clearview & SVE – Power Media Plus
Cord Communications
Imaginova
It's About Time
 Active Physics CoreSelect
 Investigations in Environmental Science
 Active Physics
Kinetics Books
 Virtual Physics Labs
Pearson/AGS/Globe

**RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR
SCIENCE, GRADES 9-12**

Signatures of the Committee

**RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR
HEALTH/PHYSICAL EDUCATION, GRADES K-12**

After carefully examining the samples submitted to us, we the undersigned members of the state selecting committee for health/physical education recommend that the State Board of Education adopt the textbooks and other instructional materials submitted for adoption consideration by the following publishing companies.

The publishers are listed alphabetically with no regard to the rank of the textbook and/or other instructional material.

RECOMMENDED

BASAL

Glencoe/McGraw-Hill
Harcourt School Publishers
Health EDCO Curriculum
Holt, Rinehart & Winston
Human Kinetics, Inc.
Kids For Health
Macmillan/McGraw-Hill
Pearson/AGS/Globe
Pearson/Prentice Hall
Thomson Learning

RECOMMENDED

SUPPLEMENTAL

HDRC Human Development Resource
Council
Pearson/Dominie Press
Thomson Learning
Sports Medicine & Athletic Training

NOT RECOMMENDED

**RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR
HEALTH/PHYSICAL EDUCATION, GRADES K-12**

Signatures of the Committee

Karen Bean
Lindsey Davis
Pam Jones
Darrin Kidd
Mark Paden
Christy Reeves
Susan Renfrow
Paul D. Wallace
Angela Watson

RECOMMENDATIONS OF THE STATE SELECTING COMMITTEE FOR MEDICAL PROFESSIONS

After carefully examining the samples submitted to us, we the undersigned members of the state selecting committee for medical professions recommend that the State Board of Education adopt the textbooks and other instructional materials submitted for adoption consideration by the following publishing companies.

The publishers are listed alphabetically with no regard to the rank of the textbook and/or other instructional material.

RECOMMENDED

BASAL

Glencoe/McGraw-Hill
Pearson/Prentice Hall
Thomson Learning

NOT RECOMMENDED

SUPPLEMENTAL

Thomson Learning
Dosage Calculations
Medical Assisting: Administrative & Clinical
Competencies

Signatures of the Committee:

Delinda Bowen	_____
Melissa Castleberry	_____
Paula Johnson	_____
Joy Peebles	_____

Arkansas Department of Education
Rules Governing the
Arkansas Comprehensive Testing, Assessment and Accountability Program
And the Academic Distress Program
~~January~~ July 2006

- 1.0 Regulatory Authority
 - 1.01 These Rules shall be known as the Arkansas Department of Education Rules Governing the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP).
 - 1.02 The State Board of Education promulgated these Rules pursuant to implementation of A.C.A. §§ 6-11-105, 6-15-431, 6-15-437, 25-15-201 and Act 2243 of the 85th Arkansas General Assembly.
- 2.0 Purposes of Rules
 - 2.01 To develop a single comprehensive testing, assessment and accountability program, which applies to and governs all public schools and public school districts in Arkansas.
 - 2.02 To develop a single comprehensive testing, assessment and accountability program which utilizes the most current and effective testing, evaluation and assessment research information designed to achieve the following:
 - 2.02.1 Clear academic standards that are periodically reviewed and revised;
 - 2.02.2 Professional development standards for all administrators, teachers and instructional support personnel;
 - 2.02.3 Expected achievement levels;
 - 2.02.4 Reporting on student achievement and other indicators;
 - 2.02.5 School and school district evaluation data;
 - 2.02.6 A system of sanctions and rewards based on performance of schools and school districts; and
 - 2.02.7 Compliance with current federal and state law and State Board of Education policies.
 - 2.03 To ensure that all students in the public schools of Arkansas have an equal opportunity to demonstrate grade-level academic proficiency through the application of knowledge and skills in the core academic subjects consistent with state curriculum frameworks, performance standards and assessments.

- 2.04 To improve student learning and classroom instruction and to support high academic standards for all students, including identifiable subgroups, by establishing the provisions, procedures and requirements for the student assessment program.
 - 2.05 To require point-in-time intervention when it is determined that a student(s) is not performing at grade level.
 - 2.06 To outline testing and assessment security and confidentiality requirements.
 - 2.07 To establish a program to identify, evaluate, assist and advise public school districts in academic distress.
- 3.0 Definitions – For the purpose of these Rules, the following terms mean:
- 3.01 “Academic Content Standards” – a series of documents that specify what a student enrolled in an Arkansas Public School should know and be able to do. These Academic Content Standards also provide the foundation for development of the State assessment system.
 - 3.02 “Academic Distress” – a classification assigned to any public school district in which 75% or more of its students perform at the “below basic” performance level on the criterion-referenced assessments administered in that district.
 - 3.03 “Academic Improvement Plan” – a plan detailing supplemental or intervention and remedial instruction, or both, in deficient academic areas for any student who is not proficient on the state-mandated criterion-referenced assessments and state mandated developmental appropriate assessments for K-2 (or delayed as that term is defined in “Uniform Readiness Screening”).
 - 3.04 “Adequate Yearly Progress” – the level of academic performance required of public schools or school districts on the state-mandated criterion-referenced assessments and/or other indicators as required in the ACTAAP, which shall comply with State and Federal law.
 - 3.05 “Alternative Education Intervention Program” – A special instructional program for students who have been retained for two consecutive years. The program shall include research-based learning opportunities and instructional strategies.
 - 3.06 “Approved Early Reading Assessments” – Those assessments that identify students’ strengths and weaknesses in all of the elements of reading as described in the Report of the National Reading Panel.
 - 3.07 “Approved Intensive Reading Program” – Programs of high-quality instruction that include the essential elements of reading described in the Report of the National Reading Panel.

- 3.08 “Arkansas Comprehensive Assessment Program” – means the testing component of Arkansas Comprehensive, Testing, Assessment and Accountability Program, which shall consist of developmentally appropriate assessments for kindergarten, Grades one and two, national norm-referenced tests in Grades 3 through 9, any other assessments as required by the State Board of Education, criterion-references tests for Grades 3 through 8, or other assessments which are based on researched best practices as determined by qualified experts which would be in compliance with federal and state law, End-of-Course tests for designated grades and content areas, and the high school literacy test.
- 3.09 “Arkansas Comprehensive Testing, Assessment and Accountability Program” – means a comprehensive system that focus on high academic standards, professional development, student assessments, and accountability for all schools.
- 3.10 “Arkansas Comprehensive School Improvement Plan (ACSIP)” – a plan developed by a local school team based on an analysis of student performance data and other relevant data that provides a plan of action to address deficiencies in student performance as evidenced in the Arkansas Comprehensive Assessment Program as defined in Section 3.08. This plan shall be reviewed annually and monitored at least every two years. Components of the plan include professional development, technology, and materials and resources necessary to carry out the activities of the plan. Additionally, this plan shall become the application for all instructional federal programs as administered by the Department of Education.
- 3.11 “Awards” – financial or other recognition of a public school structured to recognize schools that demonstrate and maintain high performance over time and to recognize schools that demonstrate growth on the state-mandated indicators. Awards also can be used to highlight individual schools so that their practices can be adopted in other schools and districts across the state.
- 3.12 “Benchmarks/Grade-Level Benchmarks” – Academic Content Standards and/or grade-level statements of what a student should know and be able to do. The Grade-Level Benchmarks provide guidance to classroom teachers in planning instruction aligned with the Academic Content Standards.
- 3.13 “Board” – The Arkansas State Board of Education.
- 3.14 “Criterion-Referenced Test (CRT)” – an assessment required by state statute, rule or regulation which is designed by the State to measure student performance/achievement on the State’s Academic Content Standards.
- 3.15 “Department” – The Arkansas Department of Education.

- 3.16 “District Improvement Plan” – a compilation of the individual school improvement plans which align the district’s resources to meet the needs of the individual school’s plans. The main focus of the district improvement plan shall be to ensure that all students have an opportunity to demonstrate proficiency on all portions of state-mandated criterion-referenced assessments.
- 3.17 “Early Intervention” – a short-term, intensive, focused individualized instruction developed from ongoing, daily, systemic assessment that occurs while a child is in the initial, kindergarten through grade one (K -1), stages of learning.
- 3.18 “Elementary School” – public school(s) having some combination of grades kindergarten through four (K – 4).
- 3.19 “End-of-Course Test” – an assessment taken at the completion of a course of study to determine whether a student demonstrates attainment of the knowledge and skills necessary for proficiency in that course.
- 3.20 “Essential Elements – Early Reading”
Comprehension – Understanding and remembering what is read
Decoding and Word Recognition (Phonics) – Recognizing words accurately, fluently, and independently
Fluency – Ability to read text accurately, quickly and with expression
Phonemic Awareness – Ability to hear and manipulate the sound structure of language
Vocabulary – Words that must be known to communicate effectively
- 3.21 “Grade Level” – performance of a student (or group of students) at the proficient level on benchmark assessments at the specified grade that is age-appropriate for that student(s).
- 3.22 “High School” – public school(s) having some combination of grades 9 – 12.
- 3.23 “Intensive Reading Improvement Plan (IRI)” – An intervention program for any K-2 student identified with substantial reading difficulties.
- 3.24 “Longitudinal Tracking” – means tracking individual student yearly academic achievement gains based on scheduled and annual assessments.
- 3.25 “Middle School” – public school(s) having some combination of grades five through eight (5 – 8).
- 3.26 “Norm-Referenced Test (NRT)” – an assessment required by state law, rule or regulation to measure the performance/achievement of Arkansas students relative to the achievement of students who comprised the norm or standardization group for a particular commercial instrument.

- 3.27 “Participation in Remediation” The amount of student involvement required in a student academic improvement plan that addresses those deficiencies for that student.
- 3.28 “Pass Rate” – The pass rate for the Benchmark Exams and the developmental appropriate assessments for K – 2 shall be proficiency. However, the pass rate for end-of-course and high school literacy shall be those scores established and independently approved by the State Board of Education. (See 6.03 for the proficiency definition)
- 3.29 “Public School District/Public School” – those school districts and schools (including open-enrollment charter schools) created pursuant to Title 6 of the Arkansas Code and subject to the Arkansas Comprehensive Testing, Assessment and Accountability Program except specifically excluding those schools or educational programs created by or receiving authority to exist pursuant to §6-15-501; §9-28-205, and §12-29-301 through §12-29-310, or other provisions of Arkansas law.
- 3.30 “Remediation” – a process of providing corrective, specialized supplemental instruction to help a student overcome academic deficiencies pursuant to their student academic improvement plan.
- 3.31 “Safe Harbor” – An alternate method of demonstrating Adequate Yearly Progress under the No Child Left Behind Act determined by decreasing the percent of students not performing at the proficient level on the Criterion Referenced Assessments by at least ten percent. Safe Harbor can only be applied if the school meets the secondary indicator condition and tests 95% or more of eligible students.
- 3.32 “Sanction” – intervention by the state to assist teaching and learning at a public school or a public school district that fails to meet expected performance goals on the state-mandated criterion-referenced assessments and/or other indicators.
- 3.33 “School Improvement” – the initial classification applied to a school that fails to meet adequate yearly progress for two successive years.
- 3.34 “Starting Point” – a specific figure for grade-level clusters K- 5, 6-8, and 9-12 in the content areas of literacy and mathematics which was derived by determining the school at the 20th percentile in the state based on total enrollment, among all schools ranked by the percentage of students at the proficient level, using data for the 2001-2002 school year or subsequent year for which there is a recalculation.
- 3.35 “Secure Examination or Assessment” – an assessment instrument, materials or other student achievement evaluation method required by State statute, rule or regulation that is administered to assess student performance or achievement and takes place on the dates specified on the testing/assessment calendar developed by the Commissioner of the Department.

- 3.36 “Substantial Reading Deficiency” – a determination for first and second grade students who score in the Below Basic Category on the State Reading Assessment in the previous school year and for kindergarten students who are rated as Delayed in both oral communication and written language on the Uniform Reading Scale (URS).
 - 3.37 “Uniform Readiness Screening” - uniform, objective evaluation procedures specifically formulated for children entering public school for the first time that are intended for either kindergarten or first grade, as appropriate, and developed or adopted by the Board.
 - 3.38 “Value-Added Computations of Student Gains” – statistical analyses of the educational impact of the school’s instructional delivery system on individual student learning using a comparison of previous and post student achievement gains.
- 4.0 Academic Content Standards
- 4.01 The Board shall establish clear, specific, challenging academic content standards, which define what students shall know and be able to do in each content area.
 - 4.02 The Board shall establish a schedule for periodic review and revision of academic content standards to ensure Arkansas academic content standards are rigorous and equip students to compete in the global workforce. For each review, the Department will provide the following:
 - 4.02.1 Study and consideration of academic content standards from across the nation and international levels as appropriate;
 - 4.02.2 Study and consideration of evaluations from national groups or organizations as appropriate;
 - 4.02.3 Committees composed of Arkansas teachers and instructional supervisory personnel from public schools, assisted by teachers from institutions of higher education;
 - 4.02.4 Review and input by the Departments of Higher Education and Workforce Education as well as community members; and
 - 4.02.5 Public dissemination of revised academic content standards on the Department Website.
 - 4.03 The Board shall provide for external review of revised standards by nationally recognized content experts in the discipline/area under consideration.
 - 4.04 The Board shall establish a clear, concise system of reporting the academic performance of each school on the state’s mandated criterion-referenced assessments and the norm-referenced assessments, which conform to current state and federal law.

- 4.05 Each local school/school district shall engage in a procedure that will assure that the academic standards for every level - grades kindergarten through twelve (K-12) are aligned and education and financial resources are aligned with student performance expectations at each level.

5.0 Arkansas Comprehensive Assessment Program

The Board shall establish a statewide assessment system for Grades K through 12 to be implemented in each public school in the State by the Department. All districts shall comply with the requirements of the assessment system. Failure to do so shall result in a recommendation to the Board for Probationary status or loss of accreditation as set out in the Standards for Accreditation, or for other intervention or sanction as allowed or required by these rules, state or federal law.

Local district school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

5.01 Kindergarten, Grade One and Grade Two

5.01.1 The Board shall adopt and the Department shall implement a developmentally appropriate, uniform school readiness screening to validate a child's school readiness as part of a comprehensive evaluation decision. Beginning with the 2004-2005 school year and thereafter, the Department shall require that all school districts administer the uniform school readiness-screening instrument to each kindergarten student in the district prior to or upon the entry into kindergarten. Children who enter public school for the first time in first grade must be administered the uniform school readiness screening instrument as modified for use in first grade to determine placement.

5.01.2 Kindergarten, Grades 1 and 2: The Department shall select a developmentally appropriate assessment to be administered to all students in kindergarten, Grades one (1) and two (2) in reading and mathematics.

5.02 Criterion-Referenced Tests - Grades three through eight and high school

5.02.1 The Department shall develop and implement criterion-referenced assessments as follows: (1) Grades three (3) through eight (8) which measure application of knowledge and skills in reading and writing literacy and mathematics and science in Grades 5 and 7; (2) End-of-Course testing in Algebra I, geometry and Biology I (Biology begins in 2007-2008); (3) High school literacy that measures application of knowledge and skills in reading and writing literacy; and (4) social studies as funds are available and approved by the State Board of Education.

- 5.02.2 All criterion-referenced assessments shall be based on the Arkansas Curriculum Frameworks and Academic Content Standards.
- 5.02.3 All students in Grades 3 – 8 as well as all students enrolled in courses for which End-of-Course assessments are administered, shall take the criterion-referenced assessments on the testing dates established by the Department. This requirement includes the high school literacy assessment. This authority shall include field testing and any other requirements needed to establish fully-developed assessment instruments and methodologies.
- 5.02.4 Each school district shall administer criterion-referenced assessments to its students according to procedures established by the Commissioner of Education and specified in the applicable assessment administration materials.
- 5.02.5 Accounting for Students with Disabilities and Limited English Proficient Students
- 5.02.5.1 Each student in the specified grades shall participate as outlined in the test coordinator's handbook. A student shall participate in the Arkansas Alternate Assessment Program only upon the formal determination of :
- 5.02.5.1.1 The student's individual education program (IEP) committee, as documented in the student's individual educational program; or
- ~~5.02.5.1.2 The student's language proficiency assessment committee, as documented in the student's permanent record file based on multiple assessment measures.~~
- 5.02.5.2 The Individual Education Program (IEP) committee shall determine whether or not participation in the standard state assessment program is appropriate for students with IEPs. Students with disabilities for whom it is deemed inappropriate to take the standard state assessments (Benchmarks and End-of-Course) with the established accommodations shall participate in the Arkansas Alternate Assessment Program following the guidelines established by the Board.
- ~~5.02.5.3 A Language Proficiency Assessment committee shall recommend the Arkansas Limited English Proficiency (LEP) Alternate Assessment Program based on limited English proficiency only, following~~

~~the guidelines established by the Board. The committee shall assess English proficiency growth annually to determine appropriate participation in the standard state assessment program or the Arkansas Alternate Assessment Program. The intent of this section is to ensure that students participate in all of the standard state assessment programs as soon as appropriately possible. LEP students may participate in the alternate assessment program for a period, which shall not exceed three (3) years before entering the standard state assessment unless on an individual case by case basis the school determines from multiple assessment measures that the student continues to lack English proficiency. In that case the student may continue to participate in the alternate portfolio assessment for at most two additional years.~~

- 5.02.5.4³ Scores for students with disabilities or English language learners participating in the Alternate Assessment Program shall be reported with other assessment results from the school.
- 5.02.5.4 LEP students shall participate in all required criterion referenced assessments. LEP students may access state approved accommodations provided such accommodations have been recommended by the language proficiency assessment committee and are used regularly in classroom instruction and assessment.
- 5.02.5.5 LEP students with less than one year in a U.S. school will not be required to take the State required literacy benchmark test or the High school literacy test. Districts may exercise this option. LEP students must take the appropriate mathematics test.

5.03 Norm-Referenced Assessments

- 5.03.1 The Board shall adopt a norm-referenced test to be administered in Grade 3 through Grade 9 in mathematics and reading, which shall be administered by the Department annually.
- 5.03.2 Each school district shall administer the norm-referenced assessments to its students according to procedures established by the Department and specified in the applicable test administration materials.
- 5.03.3 The Department shall establish mandatory training sessions for local district testing coordinators and other appropriate school personnel to ensure understanding of the norm-referenced

assessments, proper administration of assessments, security, and effective use of the assessment reporting data to improve classroom instruction and learning.

5.04 National Assessment of Educational Progress

5.04.1 Selected schools shall participate in any or all components of the National Assessment of Educational Progress (NAEP).

5.04.2 Any school that fails to participate in the administration of any NAEP assessment shall be reported to the Board and may be subject to probationary status as set out in the Standards for Accreditation

5.05 Test Administration

5.05.1 The Department shall establish mandatory training sessions for local district testing coordinators and other appropriate school personnel to ensure understanding of the administration of assessments and effective use of assessment reporting data to improve classroom instruction and learning to provide program evaluation;

5.05.2 The superintendent or his/her designee in each school district shall be responsible for coordinating all local assessment activities including:

5.05.3 Scheduling testing times of all affected campuses according to the testing calendar developed by the Department;

5.05.4 Ensuring that security is maintained as specified in the appropriate testing administration materials;

5.05.5 Ensuring that all district personnel involved in the testing have been properly trained as specified by the Department;

5.05.6 Ensuring that all testing instruments are administered to all students according to the procedures established by the Commissioner of Education;

5.05.7 Ensuring that all assessment documents and student identification information are properly and accurately coded; and

5.05.8 Attesting whether ALL students have participated in the appropriate grade-level assessment(s).

5.05.9 Recommending for adoption by local school boards a school calendar that in no way jeopardizes or limits the valid testing and comparison of students' learning gains.

- 5.05.10 The appropriate test administration materials shall specify any allowable accommodations available to students participating in the administration of standard state assessments.
- 5.05.11 All students enrolled in a State-tested grade shall be accounted for in the State Assessment System.
- 5.06 A Technical Advisory Committee composed of nationally-recognized testing experts and psychometricians shall be selected by the Commissioner of Education and shall advise the Department in all technical aspects of the assessment system.
- 5.07 Security and Confidentiality
 - 5.07.1 Violation of the security or confidential integrity of any assessment is prohibited.
 - 5.07.2 The Board shall sanction a person who engages in conduct prohibited by this section, as provided under Arkansas Code §6-17-405 and following the Process for Certificate Invalidation as approved by the Board. Additionally, the Board may sanction a school district and/or school in which conduct prohibited in this section occurs.
 - 5.07.3 Procedures for maintaining the security and confidential integrity of all assessment instruments and procedures shall be specified in the appropriate test administration instructions. Conduct that violates the security or confidential integrity of an assessment is defined as any departure from either the requirements established by the Commissioner of the Department for the administration of the assessment or from the procedures specified in the applicable test administration materials. Conduct of this nature may include, but is not limited to the following acts and omissions:
 - 5.07.3.1 Viewing secure assessment materials;
 - 5.07.3.2 Duplicating secure assessment materials;
 - 5.07.3.3 Disclosing the contents of any portion of secure assessment materials;
 - 5.07.3.4 Providing, suggesting, or indicating to an examinee a response or answer to any secure assessment items;
 - 5.07.3.5 Aiding or assisting an examinee with a response or answer to any secure assessment item;
 - 5.07.3.6 Changing or altering any response or answer of an examinee to a secure assessment item;

5.07.3.7 Failing to follow the specified testing procedures or to proctor students;

5.07.3.8 Failing to administer the assessment on the designated testing dates;

5.07.3.9 Encouraging or assisting an individual to engage in the conduct described in this subsection;

5.07.3.10 Failing to report to appropriate authority that an individual has engaged in conduct set forth in this section;

5.07.3.11 Failing to follow the specified procedures and required criteria for alternate assessments; or,

5.07.3.12 Failing to return the secured test booklets back to the testing company in a timely manner.

5.07.4 The superintendent of each school district shall develop procedures to ensure the security and confidential integrity of all assessment instruments and test items. The superintendent shall be responsible for immediately notifying the Department in writing of conduct that violates the security or confidential integrity of an examination or assessment.

6.0 Student Performance Levels

6.01 The Board shall establish four (4) performance levels for each criterion-referenced assessment administered as part of ACTAAP. ~~The Board shall establish four (4) performance levels for the Alternate Assessment for Limited English Proficiency administered as part of ACTAAP. Those performance levels shall be advanced, proficient, basic and below basic.~~ The Board shall establish five (5) performance levels for the Alternate Assessment for Students with Disabilities as part of ACTAAP. Those performance levels shall be not evident, emergent, supported independence, functional independence, and independent. Performance levels shall be established for mathematics, reading/language arts and science independently. Additionally, the Board shall establish a pass rate for each end-of-course and high school literacy assessment.

6.02 The Board shall establish four (4) performance levels for Grades K-2 (3) for the norm-referenced assessment administered as part of the Arkansas Comprehensive Assessment Program for reading and mathematics. The following numerical scores define those performance levels.

Mathematics Norm Referenced Assessment standard score cut scores*				
Grade	Below Basic	Basic	Proficient	Advanced
K	0-120	121-128	129-136	137-400
1	0-134	135-146	147-159	160-400
2	0-148	149-164	165-181	182-400

*Lowest possible standard score value is 80

Reading Norm-Referenced Assessment standard score cut scores*				
Grade	Below Basic	Basic	Proficient	Advanced
K	0-119	120-127	128-137	138-400
1	0-136	137-145	146-158	159-400
2	0-153	154-165	166-182	183-400

*Lowest possible standard score value is 80

- 6.03 The following numerical scores define the performance levels on the criterion-referenced assessments ~~and on the Limited English Proficiency Alternate Assessment for advanced, proficient, basic and below basic~~ and on the Students with Disabilities Alternate Assessment for not evident, emergent, supported independence, functional independence and independent. Functional independence and independent are considered to be grade level.

Mathematics Criterion Referenced Assessments (Benchmarks) raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 – 22	23 – 39	40 – 56	57 – 80
4	0 – 31	32 – 44	45 – 60	61 – 80
5	0 – 30	31 – 42	43 – 60	61 – 80
6	0 – 29	30 – 45	46 – 60	61 – 80
7	0 – 27	28 – 37	38 – 56	57 – 80
8	0 – 29	30 – 38	39 – 59	60 – 80

Literacy Criterion Referenced Assessments (Benchmarks) raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 – 47	48 – 64	65 – 79	80 – 96
4	0 – 41	42 – 63	64 – 79	80 – 96
5	0 – 38	39 – 61	62 – 80	81 – 96
6	0 – 43	44 – 68	69 – 82	83 – 96
7	0 – 42	43 – 64	65 – 79	80 – 96
8	0 – 46	47 – 63	64 – 80	81 – 96

Mathematics Alternate Assessment – Limited English Proficiency raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 – 41	42 – 69	70 – 76	77 – 80
4	0 – 47	48 – 60	61 – 69	70 – 80
5	0 – 54	55 – 69	70 – 75	76 – 80
6	0 – 47	48 – 59	60 – 66	67 – 80
7	0 – 49	50 – 67	68 – 76	77 – 80
8	0 – 47	48 – 65	66 – 73	74 – 80

Literacy Alternate Assessment – Limited English Proficiency raw score points				
Grade	Below Basic	Basic	Proficient	Advanced
3	0 – 249	250 – 319	320 – 351	352 – 384
4	0 – 199	200 – 257	258 – 318	319 – 384
5	0 – 199	200 – 225	226 – 269	270 – 384
6	0 – 253	254 – 297	298 – 345	346 – 384
7	0 – 209	210 – 268	269 – 307	308 – 384
8	0 – 210	211 – 250	251 – 299	300 – 384

Mathematics Alternate Assessment Students with Disabilities
raw score points

Grade	Not Evident	Emergent	Supported Independence	Functional Independence	Independent
3	0-431	432-517	518-530	531-573	574-600
4	0-426	427-522	523-535	536-563	564-600
5	0-413	414-523	524-539	540-575	576-600
6	0-437	438-533	534-551	552-573	574-600
7	0-469	470-539	540-559	560-574	575-600
8	0-505	506-552	553-569	570-577	578-600

Literacy Alternate Assessment Students with Disabilities raw score points					
Grade	Not Evident	Emergent	Supported Independence	Functional Independence	Independent
3	0-387	388-436	437-490	491-533	534-540
4	0-399	400-447	448-493	494-527	528-540
5	0-340	341-420	421-491	492-527	528-540
6	0-302	303-420	421-485	486-515	516-540
7	0-311	312-420	421-487	488-513	514-540
8	0-327	328-448	449-501	502-514	515-540
End of Course Geometry				End of Course Algebra I	
Performance Standards			Performance Standards		
Advanced		250 & above	Advanced		250 & above
Proficient		200 – 249	Proficient		200-249
Basic		154-199	Basic		151-199
Below Basic		153 & below	Below Basic		150 & below
Literacy (High school)					
Performance Standards					
Advanced			250 & above		
Proficient			200 – 249		
Basic			169-199		
Below Basic			168 & below		

7.0 Student Accountability

7.01 By the year 2013-2014 all students are expected to perform at the proficient level or above.

7.02 Beginning with the 2005-2006 school year, a) students identified as failing to achieve at the proficient level on the State 2004-2005 or any subsequent mandated CRT (as referenced in Section 6.03 tables: Mathematics Criterion Referenced Assessments, Benchmarks, raw score points and Literacy Criterion Referenced Assessments, Benchmarks, raw score points, etc.); b) students in Grade K scoring delayed on either written language or oral communications and scoring delayed in mathematics on the state mandated uniform readiness screening (as referenced in Sections 3.36 and 3.37 Uniform Readiness Screening); and c) students in Grades 1 ~~and 2 and 3~~ not scoring proficient on the state mandated NRT (as referenced in Section 6.02 tables, Mathematics Norm Referenced Assessment standard score cut scores and Reading Norm-Referenced Assessment standard score cut scores), shall be evaluated by school personnel, who shall jointly develop, a remediation plan with the student's parents. The remediation plan (AIP or if appropriate IRI) will assist the student in achieving the expected standard and will describe the parent's role and responsibilities as well as the consequences for the student's failure to participate in the plan.

7.02.1 The AIP shall be prepared using the format designed by the Department of Education. However, the local school may adjust the format as deemed necessary.

7.02.2 The AIP shall be developed cooperatively by appropriate teachers and/or other school personnel knowledgeable about the student's performance or responsible for the remediation in consultation with the student's parents. An analysis of student strengths and deficiencies based on test data and previous student records shall be available for use in developing the Plan. The plan shall be signed by the appropriate school administrator and the parent/guardian.

7.02.3 The AIP should be flexible, should contain multiple remediation methods and strategies, and should include an intensive instructional program different from the previous year's regular classroom instructional program. Examples of strategies and methods include, but are not limited to, computer assisted instruction, tutorial, extended year, learning labs within the school day, Saturday school, double blocking instruction in deficient areas during the school day, extended day etc.

7.02.4 The AIP shall include formative assessment strategies and shall be revised periodically based on results from the formative assessments.

7.02.5 The AIP shall include standards-based supplemental/remedial strategies aligned with the child's deficiencies.

7.02.6 A highly qualified teacher and/or a highly qualified paraprofessional under the guidance of a highly qualified teacher shall provide instructional delivery under the AIP.

- 7.02.7 The AIP should contain an implementation timeline that assures the maximum time for remedial instruction.
 - 7.02.8 AIPs should be individualized; however, similar deficiencies based on test data, may be remediated through group instruction.
 - 7.02.9 In any instance where a student with disabilities identified under the Individuals with Disabilities Education Act has an Individualized Education Program (IEP) that already addresses any academic area or areas in which the student is not proficient on state-mandated criterion-referenced assessments, the individualized education program shall serve to meet the requirement of an AIP.
- 7.03 Retention for failure to participate in the Academic Improvement Plan
- 7.03.1 School districts shall notify parents, guardians or caregivers of remediation requirements and retention consequences for failure to participate in the required remediation at the beginning of the 2004-2005 school year. Beginning with the 2005-2006 school year, this information shall be included in the student handbook.
 - 7.03.2 Beginning with the 2005-2006 school year, students in Grades three through eight, identified for an AIP who do not participate in the remediation program shall be retained. The local district shall determine the extent of the required participation in remediation as set forth in the student academic improvement plan.
 - 7.03.3 Remedial instruction provided during high school years (Grades 7 – 12) may not be in lieu of English, mathematics, science or social studies, or other core subjects required for graduation.
 - 7.03.4 Any student who does not score at the Proficient level on the criterion-referenced assessments in reading, writing and mathematics shall continue to be provided with remedial or supplemental instruction until the expectations are met or the student is not subject to compulsory school attendance.
 - 7.03.5 Any student that has an AIP and fails to remediate, but scores at the Proficient level on the criterion-referenced assessments, shall not be retained.
 - 7.03.6 Beginning in the 2005-2006 school year, students not proficient on the End-of-Course tests or on the high school Literacy test, shall participate in a remediation program to receive credit for the corresponding course.
 - 7.03.7 Beginning with the 2009-2010 school year, students who fail to meet the pass rate on the end-of-course assessments shall not receive credit for the course until at least one of the following conditions are met. Any student failing to meet one of these

conditions shall not be entitled to graduate with a high school diploma from an Arkansas high school or charter school.

7.03.7.1 The student is identified as meeting a satisfactory pass level on a subsequent end-of-course assessment.

7.03.7.1.1 No student that is identified as having failed to meet the satisfactory pass levels on an initial end-of-course assessment shall be entitled to take more than three (3) additional subsequent end-of-course assessments. ADE will determine annually the schedule for administration of additional assessments.

7.03.7.1.2 Prior to a student taking additional end-of-course assessments, the student shall be given a sufficient opportunity and time for remediation.

7.03.7.2 The student is identified as having, by the end of grade twelve (12), finished an appropriate Alternate exit course and is identified as having met a satisfactory pass level on an Alternate assessment directly related to the Alternate exit course.

7.03.7.2.1 Any student that fails to pass the end-of-course assessment after three additional attempts shall be required to take and pass an Alternate exit course and meet a satisfactory Alternate level score on a subsequent Alternate assessment.

7.03.7.2.2 Alternate exit courses may be offered through a distance learning class and may be offered outside the normal school day.

7.03.7.3 The student is identified as a student with disabilities who, because of the nature of the disabilities, cannot meet the requirements. In such case that student may graduate from high school by demonstrating alternate competencies or Alternate levels of competency as contained in the student's individualized education program.

7.04 The results of End-of-Course assessments shall become a part of each student's transcript or permanent record. Each course for which a student completes the assessment shall be recorded with the performance level (advanced, proficient, basic or below-basic).

7.05 The Department shall implement a statistical system that shall provide the best analysis of classroom, school, and school district effects on student progress based on established, value-added longitudinal calculations, which shall measure the difference in a student's previous year's achievement compared to the current year achievement for the purposes of improving student achievement, accountability, and recognition.

- 7.06 The approach used by the Department shall be in alignment with federal statutes and developed in 2004-2005 to collect data to allow research and evaluation of student achievement growth models.
- 7.07 The approach shall include value-added longitudinal calculations with sufficient transparency in the model's conception and operation to allow others in the field to replicate the results.
- 7.08 Reading Deficiency for Students in Kindergarten through Grade Two
 - 7.08.1 Beginning with the 2005-2006 school year, any student who exhibits a substantial reading deficiency shall be provided intensive reading instruction utilizing a scientifically-based reading program. The intensive instruction shall systematically, explicitly, and coherently provide instruction in the five essential elements of reading as defined in Section 3.20.
 - 7.08.2 During the 2005-2006 school year, the State Board of Education shall establish performance levels for kindergarten, Grade 1 and Grade 2 that define substantial difficulties in reading based on the State mandated, developmentally appropriate assessment. The State mandated Uniform Screening Readiness (USR) instrument shall be used to determine substantial reading difficulty for kindergarten students.
 - 7.08.3 Beginning with the 2005-2006 school year, all kindergarten students exhibiting substantial difficulties in reading will be evaluated by school personnel for the purpose of diagnosing specific reading difficulties. This evaluation will occur within 30 days of receiving the USR results.
 - 7.08.4 Beginning with the 2005-2006 school year, within 30 days of the beginning of school, Grade 1 and Grade 2 students exhibiting substantial difficulties in reading will be evaluated by school personnel for the purpose of diagnosing specific reading difficulties. However, in those school years in which the State Board of Education shall revise the performance levels schools shall be allowed 30 days from the date of the final approval to conduct the evaluation.
 - 7.08.5 The evaluation shall include the Dynamic Indicators of Basic Early Literacy Skills (DIBELS).
 - 7.08.6 Beginning with the 2005-2006 school year, school personnel shall develop an intensive reading Improvement plan (IRI) that describes the intervention program for any student identified with substantial reading difficulty. The IRI shall be developed cooperatively by appropriate teachers and/or other school personnel knowledgeable about the student's performance or responsible for remediation.

- 7.08.7 The IRI shall contain an implementation timeline that assures the maximum time for remedial instruction. The intervention shall occur during the regular school day whenever possible, but may include extended day when appropriate. The intervention shall supplement, and not supplant, core classroom instruction.
- 7.08.8 The IRI shall include valid and reliable progress monitoring assessments to measure student growth toward the grade level benchmarks in each essential element of reading.
- 7.08.9 The intensive reading instruction provided under the IRI shall utilize strategies that are aligned with scientifically-based reading research.
 - 7.08.9.1 The intensive instruction shall systematically, explicitly and coherently provide instruction in the five essential areas of reading. The intensity and focus of the instruction shall be based on the evaluation results, teacher observation, and data from progress monitoring assessments. The intervention plan shall be revised periodically to reflect student needs as indicated on progress monitoring assessments.
 - 7.08.9.2 The IRI should be individualized; however, similar deficiencies may be remediated through group instruction.
 - 7.08.9.3 A highly qualified teacher and/or a highly qualified paraprofessional under the guidance of a highly qualified teacher shall provide instruction under the IRI.
 - 7.08.9.4 The intervention shall continue until the child has reached grade level benchmarks in all essential areas of reading.
- 7.08.10 Student achievement in each of the essential elements shall be monitored monthly after students complete the intervention. Students who are not meeting current expectations shall be provided additional interventions.
- 7.08.11 In any instance where a student with disabilities identified under the Individuals with Disabilities Act has an IEP that already addresses reading deficiencies, the individual education program shall serve to meet the requirements of the IRI.
- 7.09 The parent or guardian of any student identified with a substantial reading deficiency shall be notified in writing to include the following:
 - 7.09.1 That the child has been identified as having a substantial deficiency in reading;
 - 7.09.2 A description of the current services that are provided to the child; and,

7.09.3 A description of the proposed supplemental instructional services and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

8.0 School Accountability

- 8.01 The Department of Education shall provide analyses of data produced by the Arkansas Comprehensive Assessment Program and other reliable measures of student learning to determine classroom, school, and school district academic performance.
- 8.02 Student performance trend data shall be one of the components used in developing objectives of the school improvement plan, internal evaluations of instructional and administrative personnel, assignment of staff, allocation of resources, acquisition of instructional materials and technology, performance-based budgeting, and assignment of students into educational programs of the local school program.
- 8.03 Each school shall develop one (1) Arkansas Comprehensive, School Improvement Plan (ACSIP) focused on student achievement. This requirement is intended to focus the school/school district annually on the school's performance data for the purposes of improved student performance, based on data and the performance of students on the state assessment system.
- 8.04 The purpose of ACSIP is to provide equal opportunity for all students, including identifiable subgroups, to meet the expected performance levels established by the Board on all State assessments.
- 8.05 Consistent with the No Child Left Behind Act, each school must make adequate yearly progress (AYP), based primarily on the administration of the criterion-referenced assessments described in Section 5.02. In order to make AYP, a school or school district must—
- Demonstrate that at least 95 percent of all students and of students in each applicable subgroup, as provided in section 903.4 8.06, at the tested grade levels, participated in the assessments;
 - Meet or exceed the annual measurable performance levels described in section 904.5, based on the percentages of students scoring proficient or above on the assessments, overall and for each applicable subgroup; or alternatively, if the total group or any subgroup does not meet the annual measurable performance levels, demonstrate that the percentage of students in that subgroup who did not meet the proficient level for that year decreased by 10 percent of that percentage from the preceding school year and that the subgroup made progress on one additional academic indicator; and

- Show progress for all students on an additional academic indicator, which shall be graduation rate for high schools and percent attendance for elementary and middle schools.

- 8.06 The following subgroups must be included in the school/school district data disaggregation:
- 8.06.1 Students with Disabilities
 - 8.06.2 Students who are English Language Learners
 - 8.06.3 Economically Disadvantaged Students
 - 8.06.4 Ethnic Subgroups
 - 8.06.4.1 Caucasian
 - 8.06.4.2 African American
 - 8.04.4.3 Hispanic
- 8.07 A school must meet AYP criteria overall and for each of these subgroups that meets the minimum group size as determined by the Department of Education and approved by the U.S. Department of Education.
- 8.08 The Department will determine AYP separately for mathematics and literacy, using appropriate statistical treatments. Based on the single statewide starting point described in this section, annual performance levels assure that ALL students will reach proficient by school year 2013-2014.
- 8.09 The Department will determine for each school in the state the percent of students performing at the proficient or advanced levels. This percentage will be determined by computing the sum of students proficient or advanced for the current year or the most recent three years across each grade for which there is a criterion-referenced assessment. That sum is divided by the total number of students assessed for that year or across those three years and grades. This number shall include students taking alternate assessments. The percentage shall be determined separately for mathematics and reading/literacy.
- 8.10 The AYP starting point regarding percent proficient on state assessments will be determined for grade-level clusters K- 5; 6 – 8; and 9 – 12 and separately for mathematics and reading/literacy.
- 8.11 The AYP starting point will be determined by ranking each school within the grade-level by the percent proficient. Additionally, the ranking will include the total student enrollment for those grades using October 1, 2002, data or October 1 of a subsequent year for which there is a recalculation.
- 8.12 The Department will determine the school that contains the 20th percent student of total enrollment – starting from the school with the lowest percent proficient and counting upward. The percent proficient of that school becomes the “starting point” for determining AYP for that grade-level cluster and content area.

- 8.13 The following table establishes the starting point and projected performance level for each year of the twelve years addressed by the No Child Left Behind Act.

Calculating AYP Starting Points and Performance Levels						
K-5 Literacy	K-5 Math	6-8 Literacy	6-8 Math	9-12 Literacy	9-12 Math	
Starting Point 01-02	31.8	28.2	48.4	45.3	49.5	40.4
Year 1: 02-03	37.48	34.18	24.93	22.36	26.24	17.87
Year 2: 03-04	43.16	40.16	31.76	29.42	32.92	25.34
Year 3: 04-05	48.84	46.14	38.59	36.48	39.63	32.81
Year 4: 05-06	54.52	52.12	45.42	43.54	46.34	40.28
Year 5: 06-07	60.2	58.1	52.25	50.6	53.05	47.75
Year 6: 07-08	65.88	64.08	59.08	57.66	59.76	55.22
Year 7: 08-09	71.56	70.06	65.91	64.72	66.47	62.69
Year 8: 09-10	77.24	76.04	72.74	71.78	73.18	70.16
Year 9: 10-11	82.92	82.02	79.57	78.84	79.89	77.63
Year 10: 11-12	88.6	88	86.4	85.9	86.6	85.1
Year 11: 12-13	94.28	93.98	93.23	92.96	93.34	92.57
Year 12: 13-14	99.96	99.96	100.06	100.02	100.02	100.04

Calculating AYP and Annual Expected Performance Levels

	<u>K-5 Math</u>	<u>K-5 Literacy</u>	<u>6-8 Math</u>	<u>6-8 Literacy</u>	<u>9-12 Math</u>	<u>9-12 Literacy</u>
<u>Year 05-06</u>	<u>40.00</u>	<u>42.40</u>	<u>29.10</u>	<u>35.20</u>	<u>29.20</u>	<u>35.50</u>
<u>Year 06-07</u>	<u>47.50</u>	<u>49.60</u>	<u>37.96</u>	<u>43.30</u>	<u>38.05</u>	<u>43.56</u>
<u>Year 07-08</u>	<u>55.00</u>	<u>56.80</u>	<u>46.83</u>	<u>51.40</u>	<u>46.90</u>	<u>51.63</u>
<u>Year 08-09</u>	<u>62.50</u>	<u>64.00</u>	<u>55.69</u>	<u>59.50</u>	<u>55.75</u>	<u>59.69</u>
<u>Year 09-10</u>	<u>70.00</u>	<u>71.20</u>	<u>64.55</u>	<u>67.60</u>	<u>64.60</u>	<u>67.75</u>
<u>Year 10-11</u>	<u>77.50</u>	<u>78.40</u>	<u>73.41</u>	<u>75.70</u>	<u>73.45</u>	<u>75.81</u>
<u>Year 11-12</u>	<u>85.00</u>	<u>85.60</u>	<u>82.28</u>	<u>83.80</u>	<u>82.30</u>	<u>83.88</u>
<u>Year 12-13</u>	<u>92.50</u>	<u>92.80</u>	<u>91.14</u>	<u>91.90</u>	<u>91.15</u>	<u>91.94</u>
<u>Year 13-14</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>

8.14 Each year, in determining whether a school has met the target of percent proficient for that school year as listed on the chart, the Department shall compare the school's percent proficient in the appropriate grade-level cluster and content area with the statewide projected goal for that year. A school shall be deemed to have met AYP for a particular year for a particular grade-level cluster and content area as long as the school attains at least the statewide projected goal.

8.15 Schools/School Districts failing to meet expected performance standards as established by the Board shall be subject to sanctions as specified in school improvement or academic distress.

8.16 Schools/School Districts exemplifying exceptional performance levels and/or growth patterns shall be recognized for exemplary performance and will be eligible to participate in the rewards program.

9.0 Accountability

Schools failing to meet Adequate Yearly Progress as determined under these Rules shall be classified subject to the following consequences.

9.01 A school will be identified in alert status if it has not made AYP in the same subject (Mathematics or Literacy) for one year.

- 9.02 A school will be identified as in Improvement Status if it has not made AYP in the same subject (Mathematics or Literacy) for two consecutive years.
- 9.03 A school in Alert Status or Improvement Status that fails to make AYP, but does not fail to make AYP in the same subject for two consecutive years, will remain in its existing status for the following school year.
- 9.04 The first year a school fails to meet expected performance levels, that school shall be classified as on Alert Status. Any school classified on Alert Status shall be required to review and/or revise the school's ACSIP Plan with special attention given to State designated subgroup(s) which failed to meet expected performance levels.
- 9.05 The local school board president and the superintendent of a public school or school district identified by the Department in school improvement shall be notified in writing by the Department, via certified mail, return receipt requested, and the school district shall have a right to appeal to the Commissioner of the Department. The written appeal must be received in the Office of the Commissioner of Education within thirty (30) calendar days of the receipt of notice.
- 9.06 The second year a school fails to make Adequate Yearly Progress, that school shall be classified as Year 1 of School Improvement. Any school classified in Year 1 of School Improvement shall offer eligible students choice options to another school in the district not in school improvement.
- 9.07 The third year a school fails to make Adequate Yearly Progress, that school shall be classified as Year 2 of School Improvement. Any school classified in Year 2 of School Improvement shall offer eligible students supplementary educational services in keeping with federal guidelines in addition to continued consequences from Year 1 of School Improvement.
- 9.08 Should a school fail to make Adequate Yearly Progress in the fourth year, the Board shall advance that school into corrective action. Schools in corrective action must continue to offer consequences from School Improvement Year 2 and the school must implement a plan, with the approval of the Department, having specified corrective actions.
- ~~9.10~~ 9.09 Should a school fail to make Adequate Yearly Progress in the fifth year, the Board shall advance that school into restructuring. In restructuring the Department may require the school to dismiss staff and administrators, annex the school to another school that is not in school improvement, and/or take other such action as deemed necessary by the Department and the Board.
- ~~9.11~~ 9.10 Once a school has been identified in school improvement, that school must ~~make adequate yearly progress~~ meet the standard(s) for which it failed to meet for two consecutive years ~~in both mathematics and literacy~~ to be considered for removal.

~~9.12~~9.11 Schools that receive Title I funds must meet all funding requirements as specified by federal guidelines. Schools that do not receive Title I funds must implement programming in keeping with the school's ACSIP Plan as revised.

~~9.13~~9.12 Beginning with the 2006-2007 school year, schools designated in year three, four or five school improvement shall participate in a scholastic audit conducted by the Department of Education (or its designees).

~~9.13.~~19.12.1 Results of the scholastic audit shall be presented to the superintendent within four (4) weeks of completing the scholastic audit. The audit shall make recommendations to improve teaching and learning for inclusion in the comprehensive school improvement plan.

~~9.14~~9.13 School Performance Rating System

~~9.14.~~19.13.1 The Department of Education will establish a working task force during the 2004-2005 school year to assist in the development of the rating system. The task force shall include educators, parents, and business/community stakeholders. In order to keep the rating system reliable and valid, a Technical Advisory Committee composed of nationally recognized accountability experts, statisticians, and psychometricians shall be selected by the Commissioner of Education and shall advise the Department in all technical aspects of the accountability system.
The rating system shall include the establishment of a performance level and an improvement level. The improvement level shall be assigned in the 2007-2008 school year and the performance level shall be assigned no later than the 2009-2010 school year. The ADE will implement a pilot system of performance levels required by A.C.A. § 6-15-1903, at least one (1) year prior to the year of implementation required by law. The performance level designations may be applied to any school district requesting to be classified by such performance designations as allowed by A.C.A. § 6-15-1903 (b) (1).

9.14 Performance Category Levels

9.14.1 The Department of Education shall prepare an annual report, which shall describe the school rating system. The annual report shall designate two (2) category levels for each school. The first category, annual performance, is based on the performance from the prior year on the criterion-referenced test and end-of-course exams. The second category, growth, shall be based on the schools' improvement gains tracked

longitudinally and using value-added calculations on the criterion-referenced assessment

9.14.2 The initial annual report shall identify schools as being in one (1) of the following annual performance category levels, based on the criterion-referenced Benchmark exams, as defined in 6-15-404(g) (1), and defined according to rules of the State Board of Education:

- (1) "Level 5", schools of excellence;
- (2) "Level 4", schools exceeding the standards;
- (3) "Level 3", schools meeting the standards;
- (4) "Level 2", schools on alert; or
- (5) "Level 1", schools in need of immediate improvement.

9.15 For the years 2004-2005 through 2008-2009, school will not be assigned annual school performance category levels, unless an annual performance category levels is requested by the school.

9.16 Annual School Performance Rating: Weighted Average Approach

9.16.1 Since the ACTAAP testing program in Arkansas was designed as a criterion-referenced assessment system with performance standards, the standards for student performance can be used to develop a rating index of school performance.

9.16.2 Numerical values to be used as weighting factors can be assigned to each students' performance category (Advanced = 4; Proficient = 3; Basic = 2; Below Basic = 1)

9.16.3 With these weights assigned to the performance levels, a performance index for the school can be computed by multiplying the weights of the performance levels times the number of students scoring in the performance category.

9.16.4 The sum of the weighted student performance for each subject and grade in the school is divided by the total number of students testing the subjects and grades. The resulting average for the school is an index of performance that will range between 1.0 and 4.0.

9.17 Achievement Rating Weighted Average Approach

9.17.1 Assigned the following points:

4 points per student scoring in the advanced category,
3 points per student scoring in the proficient category;
2 points per student scoring in the basic category,
1 point per student scoring in the below basic category.

Points = Number of student scoring in category X points assigned to categories

9.17.2 Example

Number of Students	Scoring Category	Points Assigned to Categories	Total
10	Advanced	4	40
30	Proficient	3	90
40	Basic	2	80
20	Below Basic	1	20
Total points for the school for all categories			230

9.18 Achievement Rating: Weighted Average Approach Calculation

9.18.1 To calculate the rating score for each school, divide the total point for the school by the number of students in the school.

Points Received	Number of Students	Rating
230	100	2.3

9.18.2 At the direction of the state board, a panel of stakeholders was convened to review the statewide performance of schools and conduct the standard setting process. In the school standard setting process, stakeholders representing administrators, teachers, business, parents, and school board members served as panelists to decide on the quality level represented by various points within the distribution of school index scores. The state board reviewed and adopted the following standards recommended by the stakeholder's advisory panels for the annual performance rating.

<u>Standard Setting Recommendations</u> <u>Stakeholder Advisory Panels</u>				
<u>Cut Scores</u>	<u>Cut 1/2</u>	<u>Cut 2/3</u>	<u>Cut 3/4</u>	<u>Cut 4/5</u>
<u>Administrators</u>	<u>1.7</u>	<u>2.19</u>	<u>2.76</u>	<u>3.02</u>
<u>Teachers</u>	<u>1.6</u>	<u>2.25</u>	<u>3.0</u>	<u>3.5</u>
<u>Business</u>	<u>1.735</u>	<u>2.145</u>	<u>2.7</u>	<u>3.365</u>
<u>Parents</u>	<u>1.75</u>	<u>2.2</u>	<u>2.65</u>	<u>3.0</u>
<u>School Board</u>	<u>1.81</u>	<u>2.30</u>	<u>2.87</u>	<u>3.30</u>
<u>Median</u>	<u>1.735</u>	<u>2.2</u>	<u>2.755</u>	<u>3.300</u>
<u>Average</u>	<u>1.719</u>	<u>2.21</u>	<u>2.79</u>	<u>3.23</u>

9.18.3 After the rating score has been calculated for each school, schools may calculate their annual performance level by locating the established performance standard (cut score) for placing each school in one of five performance categories.

9.18.4 In the example below, if the rating score of the school is between 3.5 and 4.0, it will be in the "schools of excellence" performance category level.

<u>Expert Panel Cut Scores</u>	<u>Performance Categories</u>
<u>3.23 – 4.0</u>	<u>Schools of excellence</u>
<u>2.79 – 3.22</u>	<u>Schools exceeding the standards</u>
<u>2.21 – 2.78</u>	<u>Schools meeting standards</u>
<u>1.719 – 2.20</u>	<u>Schools approaching the standards (alert)</u>
<u>1.0 – 1.718</u>	<u>Schools in need of immediate improvement</u>

9.18.5 . The second category, growth, available in 2007-2008, shall be based on the schools' improvement gains tracked longitudinally and using value-added calculations on the criterion-referenced assessment. The working taskforce shall continue to assist in the rating system during the establishment of the second category.

9.19 School Choice

9.19.1 For all schools that have received an annual performance category levels of Level 1 for two (2) consecutive years, the students in these schools shall be offered the opportunity public school choice option with transportation provided pursuant to A.C.A. § 6-18-227 et seq.

9.20 Supplemental Educational Services

9.20.1 In addition, the school district board shall provide supplemental educational services, approved by the State Board, to affected students.

9.21 Recognition Awards

9.21.1 Schools that receive an annual performance category level of Level 5 or Level 4 are eligible for school recognition awards and performance-based funding pursuant to A.C.A. § 6-15-1907.

9.22 Sanctions

9.22.1 Any school or district that is involved in substantiated test security violations will not be eligible to receive the "school of excellence" performance rating.

10.0 School District Accountability

10.01 The Department annually reviews each district to determine whether it is making AYP in the following way.

10.01.1 Determine the collective status for all the schools within a district within each grade-level grouping (k-5; 6-8 and 9-12)

- 10.01.2 Determine the district percent of participation across each grade level group
- 10.01.3 Determine the district status on secondary indicator across each grade-level group.
- 10.01.4 A district shall be in school improvement when all levels within a district fail to meet performance standards for two consecutive years in the same subject. A district having status of School Improvement shall be removed from that status when any one level meets the performance standard for two consecutive years in that subject.
- 10.02 Before identifying a district for district improvement, the Department will provide the district with an opportunity to review the data on which the identification is based. The district may appeal the identification, and the Department will decide the appeal within 30 days.
- 10.03 Each district identified for school improvement shall within three months of identification develop or revise a district improvement plan that complies with the requirements of the No Child Left Behind Act, including the requirement that it spend not less than 10% of its Part A, Title I funds on professional development for each fiscal year in which the district is identified for improvement. The district shall initiate implementation of the plan expeditiously, but not later than the beginning of the next school year after the school year in which the district was identified for improvement. The Department will provide technical assistance to districts in developing and implementing improvement plans under this section.
- 10.04 Academic Distress – Procedures for Identification, Classification and Appeal of School Districts in Academic Distress
 - 10.04.1 A school district for which 75% or more of the students completing the state's assessments perform at the below basic level shall be designated in Academic Distress. This computation shall collectively include students from each school in the district and from each grade for which a criterion-referenced assessment is given.
 - 10.04.2 Within thirty calendar days (30) after the release of the state assessment results by the Department, the Department shall identify all school districts in Academic Distress and shall notify in writing each school district superintendent and board president via certified mail, return receipt requested.
 - 10.04.3 A school district may appeal a determination of the Department identifying the district as an Academic Distress school district by filing an appeal in writing in the Office of the Commissioner of the Department within (30) calendar days after receiving the notification, justifying why the district should not be identified as being in Academic Distress.

- 10.04.4 The Board shall render a written decision of a classification on a district's appeal of identification as an Academic Distress school district within sixty (60) calendar days of the district's written request.
 - 10.04.5 The decision of the Board shall be final with no further right of appeal, except a school district may appeal to the Circuit Court of Pulaski County pursuant to the Administrative Procedures Act, A.C. A. §25-15-201 et seq.
- 10.05 Time Limitation of Academic Distress Status
- 10.05.1 A public school district identified as in academic distress shall have no more than two (2) consecutive school years beginning on July 1 following the date of notice of identification to be removed from academic distress status.
 - 10.05.2 The Board may at any time take enforcement action on any school district in academic distress status including, but not limited to, annexation, consolidation, or reconstitution of a school district pursuant to A.C.A. § 6-13-1401 et seq.
 - 10.05.3 If a public school district fails to be removed from academic distress status within the allowed two (2) year time period, the Board shall annex, consolidate or reconstitute the academic distress school district prior to July 1 of the next school year unless the Board, at its discretion, issues a written finding supported by a majority of the board, explaining in detail that the school district could not remove itself from academic distress during the relevant time period due to external forces beyond the school district's control.
- 10.06 Procedures for assisting school districts in academic distress
- 10.06.1 Within thirty (30) calendar days of classification by the State Board, each Academic Distress school district shall develop and file with the Department a modified Comprehensive School Improvement Plan to target and address any area in which the district is experiencing academic distress.
 - 10.06.2 Within fifteen (15) calendar days of classification by the State Board, the Department shall assign a team of educators to evaluate the district and determine the need for on-site technical assistance.
 - 10.06.3 The team of educators shall evaluate and make recommendations to the district superintendent within sixty (60) calendar days following the district's classification as an Academic Distress school district.

- 10.06.4 School districts classified as Academic Distress shall provide access to all district assessment, instruction, personnel and academic records and reports to assist the team in the formulation of the recommendations for improvement.
- 10.06.5 The Department with assistance from the team of educators shall review the data relative to the academic status and performance of students in the Academic Distress school district.
- 10.06.6 Following the on-site review, the team of educators will submit a written set of recommendations to the Academic Distress school district.
- 10.06.7 The Department shall provide relevant technical assistance to each identified school district based upon the needs identified in the Comprehensive School Improvement Plan.
- 10.08 Procedures for evaluating and removal of school districts from academic distress status
 - 10.08.1 The Department shall review and annually report to the Board the academic conditions existing in each Academic Distress school district and determine whether the district is making progress and has fewer than 75% of the students performing in the below basic performance level.
 - 10.08.2 A school district designated in Academic Distress shall be removed from Academic Distress only if fewer than 75% of the students perform below basic for two consecutive years.
- 11.0 Board Authority
 - 11.01 The Board shall have the following authority regarding any public school district in academic distress:
 - 11.01.1 Require the superintendent of the school district to relinquish all authority with respect to the district, to appoint an individual to administratively operate the district under the supervision of the Commissioner of the Department, with the cost to be paid from school district funding;
 - 11.01.2 Suspend or remove some or all of the current board of directors and call for the election of a new school board for the school district in which case the school district shall reimburse the county board of election commissioners for election costs as otherwise required by law.
 - 11.01.3 Allow the school district to operate without the local school board under the supervision of the local school district

administration or an administration chosen by the Commissioner of the Department.

- 11.01.4 Waive the application of Arkansas law, with the exception of the Teacher Fair Dismissal Act of 1983, A.C.A. § 6-17-1501 et seq., and the Public School Employee Fair Hearing Act, A.C.A. § 6-17-1701 et seq., or Department Rules.
- 11.01.5 The Board has exclusive jurisdiction to determine the boundary lines of the receiving or resulting school district and to allocate assets and liability of the district.
- 11.01.6 Require the annexation, consolidation, or reconstitution of the public school district.
- 11.01.7 Take any other necessary and proper action as determined by the Board that is allowed by law.
- 11.01.8 After providing thirty (30) calendar days written notice, via certified mail return receipt requested, to a school district, the Department may petition the Board or the Board on its own motion, at any time, may take action pursuant to 11.0 as allowed by Act 1467 of 2003, in order to secure and protect the best interest of students in the public school district or to secure and protect the best interest of the educational resources of the state.
- 11.01.9 The School District shall have a right of appeal to a public hearing before the Board after filing a written notice of appeal with the office of the Commissioner of the Department at least thirty (30) calendar days prior to the appeal hearing.
- 11.01.10 The State Board shall consolidate, annex or reconstitute a school district that fails to remove itself from the classification of a school district in academic distress within two (2) consecutive school years of receipt of notice of identification unless the Board, at its discretion, issues a written finding supported by a majority of the Board, explaining in detail that the school district could not remove itself from academic distress due to impossibility caused by external forces beyond the school district's control.
- 11.01.11 After a public hearing, the Board shall consolidate, annex, or reconstitute the school district in academic distress to another non-academic distress school district upon a majority vote of a quorum of the members of the Board as permitted or required by this subchapter.
- 11.01.12 The Board's classification of a school district in Academic Distress shall be final except that the school district shall have a right of appeal to the Circuit Court of Pulaski County

pursuant to the Arkansas Administrative Procedures Act,
A.C.A. § 25-15-201 et seq.

12.0 School Choice and Academic Distress

- 12.01 Any student attending a public school district classified as being in academic distress shall automatically be eligible and entitled pursuant to A.C.A. § 6-18-206, the “Arkansas Public School Choice Act”, to transfer to another geographically contiguous school district not in academic distress during the time period a district is classified as being in academic distress, and therefore, not be required to file a petition by July 1 but shall meet all other requirements and conditions of the Arkansas Public School Choice Act.
- 12.02 The cost of student transportation to the nonresident district shall be borne by the resident district.
- 12.03 The nonresident district shall count the student for average daily membership purposes.

ARKANSAS DEPARTMENT OF EDUCATION
PROPOSED RULES GOVERNING THE PROGRAM TO INFORM
STUDENTS ABOUT THE ARKIDS FIRST PROGRAM

1.0 REGULATORY AUTHORITY

- 1.01 These rules shall be known as Arkansas Department of Education Rules Governing the Program to Inform Students in Local School Districts about the ARKids First Program.
- 1.02 These rules are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. § 6-11-105 and ~~Act 882 of the 85th General Assembly Regular Session~~ Ark. Code Ann. § 6-10-118.

2.0 PURPOSE

- 2.01 It is the purpose of these rules to establish a program to inform students and their parents or guardians about health care coverage under the ARKids First Program Act, A.C.A. § 20-77-1101 et seq.

3.0 DEFINITIONS

For the purpose of these rules:

- 3.01 ARKids First is health care insurance for children.
- 3.02 ARKids First has two programs: ARKids First-A and ARKids First-B. ARKids First-A is Medicaid for children. ARKids First-B is for people who exceed the income maximum to qualify for regular Medicaid but still do not have health insurance for their children.
- 3.03 Arkansas Medicaid Administrative Claiming (ARMAC) is a federally-funded program that allows public education agencies to receive reimbursements for Medicaid-related administrative activities such as Medicaid Outreach, verification of Medicaid eligibility, referral and coordination of medical services, and program planning.
- 3.04 Benefits are the types of services covered by ARKids First Program.
- 3.05 Eligibility requirements for the ARKids First program are based on the income level of the family.
- 3.06 Medicaid is a program that helps pay for medically-necessary medical services for needy and low-income persons.

- 3.07 Medicaid Outreach includes activities associated with informing eligible or potentially-eligible families and students about Medicaid and how to access the program.

4.0 IMPLEMENTATION

- 4.01 Beginning with the 2006-2007 school year and each year thereafter, the Arkansas Department of Education will cooperate with and assist local school districts in the state to inform students and their families about the ARKids First program.
- 4.02 The Arkansas Department of Education will coordinate with the Department of Health and Human Services to disseminate current ARKids First program information to local school districts.

5.0 RULES

- 5.01 By October 15, beginning with the 2006-2007 school year and each year thereafter, the Arkansas Department of Education will provide local school districts pertinent ARKids First program information which will include: ARKids First applications, ARKids First eligibility criteria, and ARKids First benefit information.
- 5.02 The Arkansas Department of Education, in coordination with the Department of Health and Human Services, will make available to local school districts the contact information for each county Department of Health and Human Services office.
- 5.03 The Arkansas Department of Education, in coordination with the Department of Health and Human Services, will promote the Medicaid-outreach activities related to the ARKids First program to local school districts through the Arkansas Medicaid Administrative Claiming (ARMAC) program.
- 5.04 The Arkansas Department of Education will annually update local school districts on any information related to the ARKids First program as implemented by the Department of Health and Human Services.
- 5.05 Local school districts will provide ARKids First applications, ARKids First eligibility criteria, and ARKids First benefit information to students and their families identified as being in need of health insurance coverage.
- 5.06 Local school districts will coordinate efforts with the local county Department of Health and Human Services office for processing ARKids First applications.
- 5.07 Local school districts will make available to students and families the contact information for the local Department of Health and Human Services office.

**Arkansas Department of Education
Proposed Rules Governing Residential Placement**

1.00 REGULATORY AUTHORITY

- 1.01** These regulations shall be known as Arkansas Department of Education regulations allocating public school funds for the residential placement of students and defining educational services in such placements.
- 1.02** These regulations are enacted pursuant to the State Board of Education's authority under Ark. Code Ann. 6-11-105, 6-41-202, 6-18-202, ~~and 6-20-104,~~ and 6-20-107.

2.00 PURPOSE

- 2.01** It is the purpose of these regulations to allocate public school funds for the residential placement of students.
- 2.02** It is further the purpose of these regulations to define the educational services in such placements.

3.00 DEFINITIONS

- 3.01** **ADE** - Arkansas Department of Education
- 3.02** ~~**DHS** – Department of Human Services~~ **DHHS** – Department of Health and Human Services
- 3.03** **Juvenile Detention Facility (JDF)** - Any facility operated by a political subdivision of the State for the temporary care of juveniles alleged to be delinquent, or adjudicated delinquent, who require secure custody in a physically restricting facility. Under Ark. Code Ann. 9-27-330(a)(11), such facility must provide educational and other rehabilitative services to adjudicated delinquents who may be ordered by the court to remain in the juvenile detention facility for an indeterminate period not to exceed ninety (90) days.
- 3.04** **Student Without Disabilities** - For purposes of these regulations, a student who has NOT been identified as disabled in accordance with the IDEA, and Ark. Code Ann. 6-41-202, et seq., shall be considered nondisabled.
- 3.05** **Student With Disabilities** - For the purposes of these regulations, a student with a disability means a student identified pursuant to the

IDEA and Ark. Code Ann. 6-41-202, et seq., as needing special education and related services (inclusive of those presently receiving services).

3.06 Residential Placement In State - For the purposes of these regulations, such residential placement in state means -

3.06.01 One of the following licensed facilities -

- A. Inpatient psychiatric treatment facilities licensed by ~~either the Arkansas Department of Health or the Arkansas Department of Health and Human Services (DHHS) – Division of Children and Family Services;~~ the Arkansas Department of Health and Human Services (DHHS) – Division of Children and Family Services;
- B. Alcohol and drug treatment facilities licensed by the Arkansas ~~Department of Health (Office of Alcohol and Drug Abuse Prevention);~~ Department of Health and Human Services;
- ~~C. The Florence Crittenden Home;~~
- ~~D. Human Development Centers operated by DHS – Division of Developmental Disabilities.~~
- C. Easter Seals of Arkansas in Little Rock;
- D. Arkansas Pediatrics Facility in Pulaski County;
- E. Millcreek ICF-MR in Fordyce;
- F. Brownwood ICF-MR in Fort Smith.

3.06.02 The facility has an approved special education component; and approval of the special education component is granted by the ADE, Special Education Unit. Such placement does not include the Arkansas School for the Blind, the Arkansas School for the Deaf or the Arkansas School for Mathematics and Sciences.

3.07 Residential Placement Out-of-State - For the purposes of these regulations, when a student with disabilities is placed in a residential treatment facility outside the State of Arkansas, the special education

component of such a facility must be approved by the ADE, Special Education Unit and must be operating under the appropriate licensure of the state in which it is located.

3.08 Residency - Ark. Code Ann. 6-18-202 establishes residency requirements for students attending public schools in the State of Arkansas. Students affected by this statute include both those with and without disabilities.

~~**3.09 Long-term Placement** - For the purposes of these regulations, long-term placement is defined as residential placement which exceeds 60 calendar days.~~

~~**3.10 Short-term Placement** - For the purposes of these regulations, short-term placement is defined as placement for 60 calendar days or less, usually for the purpose of receiving emergency/diagnostic services.~~

4.00 RESIDENTIAL PLACEMENT IN STATE - STUDENTS WITHOUT DISABILITIES

4.01 Assignment Of Responsibility

~~**4.01.01** When it is known upon admission that the student's placement will exceed 60 calendar days, the placement is considered long-term.~~

When a nondisabled student is placed for non-educational reasons in a residential treatment facility for ~~long-term~~ treatment, the district where the residential treatment facility is located is the student's resident district. This district is responsible for educating the student.

~~When a nondisabled student is placed for non-educational reasons in a residential treatment facility for short-term treatment (i.e., emergency/diagnostic), the district where the student permanently resides (home district, usually that of the student's parent or guardian) shall continue to be the district responsible for the student's education through 60 calendar days while the student is in residence.~~

~~When the placement exceeds 60 calendar days, the district where the residential treatment facility is located (receiving district) assumes the responsibility for the education of student on the 61st day. It is the~~

~~responsibility of the home district to notify the receiving district of the transfer of responsibility.~~

4.01.02 When a nondisabled student who is a ward of the State is placed in a residential treatment facility, the district where the facility is located is responsible for educating the student, ~~regardless of whether the placement is for long term or short term purposes.~~

4.01.03 When a nondisabled student is placed ~~(long or short-term)~~ in a residential treatment facility for educational purposes by a parent or agent other than the school district, the parent or agent remains responsible for the education of the student.

4.02 Procedures For Educational Management

4.02.01 Each school district must designate an individual who will be responsible for ensuring compliance with these regulations. This may be the district superintendent or a designee.

4.02.02 When a nondisabled student is placed in a residential facility, the facility must notify the responsible school district (superintendent or designee) within seven (7) calendar days of the student's admission. The district's special education supervisor should also be informed.

Failure of the facility to notify the responsible district in a timely fashion may result in loss of ADE approval of the residential treatment facility's special education program.

4.02.03 The district superintendent or designee shall convene a conference by a review team within seven (7) calendar days of notice by the residential treatment facility that the student is in a residential program. This conference may be conducted face-to-face or via a telephone call.

4.02.04 The review team shall be composed of, at a minimum, a representative from the district, a behavior intervention consultant (from the State's network of such consultants), a representative from the residential treatment facility, and a ~~DHS~~ DHHS

representative if the student is receiving services from one or more ~~DHS~~ DHHS Divisions.

- 4.02.05** The review team shall review information available on the student and determine whether a referral for consideration of eligibility for special education and related services is warranted.
- 4.02.06** When the review team determines the student should be referred for consideration of eligibility for special education, a referral form must be completed and a referral conference conducted following the process in Section 4.00 of these regulations.
- 4.02.07** When the review team determines that the student should not be referred for consideration for special education and related services, it shall identify the general educational and non-educational needs of the student.
- 4.02.08** Based on the identified needs of the nondisabled student, the review team will determine and document where the educational program of the student will be implemented. The inter-linkage of the treatment program needs and educational programming must be discussed in reaching a decision on an appropriate educational placement.
- 4.02.09** Should the local review team be unable to agree upon the educational placement of the student, a determination must be requested from the state level review panel. Requests for a determination from the state level review panel shall be submitted in writing to the Administrator, Dispute Resolution, ADE, Special Education Unit.
- 4.02.10** From the time of the request for a state level review until a determination is made, the student will remain in his/her present educational placement.
- 4.02.11** The state level review panel will be composed of three (3) persons: one (1) from the ADE, one (1) from ~~DHS~~ DHHS and the third will be the Coordinator of the Behavior Intervention Consultant Network or other appropriate ADE staff.

- 4.02.12** Within 30 calendar days of receipt of the written request, the state level review panel shall convene, review all information and render a final educational placement decision. The panel may extend the process by an additional 15 days should circumstances warrant.
- 4.02.13** The state level review panel's decision will be considered final, will be rendered in writing and will be sent to the local review team for implementation.

4.03 Assignment Of Costs

- 4.03.1** For nondisabled students, "educational costs" are limited to only those costs incurred for direct educational instruction of the student.
- 4.03.2** All other services provided for the student are considered non-educational and are not reimbursable under these regulations. Such other costs will be borne by ~~DHS~~ DHHS, Medicaid, private insurance, the parent or by any combination thereof.
- 4.03.3** Residential treatment facilities must submit a bill to the school district for educational costs only. The invoice must be itemized to reflect the specific services provided. Invoices must be submitted to the school district in a timely manner in order for the district to seek reimbursement from the ADE, Special Education Unit.

4.04 Funding

- 4.04.1** A local school district may access funds through the ADE, Special Education Unit for reimbursement for educational costs on nondisabled students placed in residential treatment facilities.
- 4.04.2** The maximum amount a district may be reimbursed on a per student basis for actual educational costs will be the ~~Base Local Revenue per Student~~ Foundation Aid times 2.00.
- 4.04.3** The local school district shall not be responsible for educational costs exceeding its maximum reimbursement rate for those nondisabled students receiving educational services in a residential

treatment facility.

- 4.04.4** When the requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

4.05 Extended School Year Services (ESY)

- 4.05.1** There is no provision for extended school year (educational) services to nondisabled students when schools are not in session. This applies to nondisabled students in residential placements, as well as their nondisabled peers who attend the local public school. Therefore, there is no need for a district to convene a review team during the summer months when school is not in session.

- 4.05.2** Residential treatment facilities cannot bill school districts for educational services provided to nondisabled students during the summer months.

5.00 RESIDENTIAL PLACEMENT IN STATE - STUDENTS WITH DISABILITIES

5.01 Assignment Of Responsibility

- 5.01.1** For students with disabilities in state-operated facilities (such as the Human Development Centers) the facility is responsible for procedural safeguards and the provision of FAPE.

- 5.01.2** ~~When it is known upon admission that the student's placement will exceed 60 calendar days, the placement will be considered long-term.~~

When a student with a disability is placed for non-educational reasons in a residential treatment facility for ~~long-term~~ treatment, the district where the facility is located is the student's resident district. The district shall be responsible for procedural safeguards and the provision of FAPE.

~~When a student with a disability is placed for non-educational reasons in a residential treatment facility (other than a state-operated facility) for short-term treatment, i.e., emergency/ diagnostic, the district where the student permanently resides (home district,~~

~~usually that of the student's parent or guardian) shall continue to be the district responsible for the procedural safeguards and the provision of FAPE through 60 calendar days while the student is in residence.~~

~~If the placement exceeds 60 calendar days the district where the residential treatment facility is located (receiving district) assumes the responsibility for the procedural safeguards and the provision of FAPE on the 61st day. It is the responsibility of the home district to notify the receiving district of the transfer of responsibility.~~

5.01.3 When a student with a disability who is a ward of the state is placed in a residential treatment facility, the district where the residential treatment facility is located is responsible for educating the student; ~~regardless of whether the placement is long term or short term.~~

5.01.4 When a student with a disability is placed in a residential treatment facility for educational purposes by a school district, the placing district remains responsible for procedural safeguards and the provision of FAPE.

5.01.5 When a student with a disability is placed in a residential treatment facility for educational purposes by a parent or agent other than the school district, the parent may petition the district where the student permanently resides (home district, usually that of the student's parent or guardian) for provision of procedural safeguards and FAPE.

5.02 Procedural Safeguards

5.02.1 The procedural safeguards specified in Section 9.00 of these regulations shall be followed.

5.03 Assignment of Costs

5.03.1 For identified students with disabilities, those costs defined as being educational in accordance with the IDEA will be borne by the district responsible for provision of procedural safeguards and FAPE. For students in state-operated facilities, the facility

assumes those costs.

- 5.03.2 All other costs will be borne by either ~~DHS~~ DHHS, Medicaid, private insurance, the parent or by any combination thereof.

5.04 Funding

- 5.04.1 School districts may be reimbursed for the educational costs of students with disabilities, including those in school districts not qualifying for any State Equalization Aid, who have been placed in approved residential treatment facilities, as defined by the ADE, Special Education Unit.
- 5.04.2 The maximum amount to be reimbursed to a district on a per student basis is the amount equal to the product of the ~~Base Local Revenue per Student~~ Formula Foundation Aid times 2.10, regardless of the setting in which the education is provided. (For example, there may be instances where the student resides in a residential treatment facility but attends the public school for educational purposes.)
- 5.04.3 When the requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

5.05 Extended School Year Services (ESY)

- 5.05.1 Not all students with disabilities receiving educational services in residential placement will be eligible for or in need of ESY services.
- 5.05.2 Determination of student eligibility for ESY services is made by the school district based on the regulations governing ESY in Section 19.00 of these regulations.

6.00 RESIDENTIAL PLACEMENT OUT-OF-STATE - CHILDREN WITH DISABILITIES

6.01 Assignment of Responsibility

- 6.01.1 When a student with a disability is placed in a residential treatment facility for educational purposes by a school district, the placing school district

remains responsible for procedural safeguards and the provision of FAPE.

6.01.2 When a student with a disability is unilaterally placed in a residential facility for educational purposes by a parent or agent other than the school district, the parent may petition the school district where the student permanently resides (home school district, usually that of the student's parent or guardian) for consideration of the provision of procedural safeguards and FAPE.

6.01.3 In accordance with the Interagency Agreement between the ADE and ~~DHS~~ DHHS, when a child with a disability is a ward of the state and is placed in a residential treatment facility outside the boundaries of the State of Arkansas, the ADE is responsible for procedural safeguards and FAPE.

6.02 Procedural Safeguards

6.02.1 The procedural safeguards specified in Section 9.00 of these regulations shall be followed.

6.03 Assignment of Costs

6.03.1 For identified students with disabilities, those costs defined as being educational in accordance with the IDEA will be borne by the district/agency responsible for provision of procedural safeguards and FAPE.

6.03.2 All other costs will be borne by either ~~DHS~~ DHHS, Medicaid, private insurance, the parent or by any combination thereof.

6.04 Funding

6.04.1 School districts may request reimbursement for the educational costs of a student with disabilities placed in an approved residential treatment facility located outside the boundaries of Arkansas. Reimbursement may be used to fund the cost of such placement incurred by a school district.

6.04.2 ~~The funds~~ Reimbursement for this cost to the district will be ~~calculated using the following methodology--~~

~~A. The Base Local Revenue per Student times 2.5 plus an amount equal to 40% of the balance after the district has subtracted the product of the Base Local Revenue per Student times 2.5 from the total cost calculated on the basis of Ark. Code Ann. 6-20-107(d)(2).~~

6.04.3 When requests for reimbursement exceed the amount of funds available, the reimbursement will be prorated.

6.05 Extended School Year Services (ESY)

6.05.1 Not all students with disabilities receiving educational services in residential placement will be eligible for or in need of ESY services.

6.05.2 Determination of student eligibility for ESY services is made by the school district/agency based on the regulations governing ESY in Section 19.00 of these regulations.

7.00 JUVENILE DETENTION FACILITIES

7.01 General

7.01.1 For the purposes of these regulations, juvenile detention facilities are designated as approved residential treatment facilities.

7.01.2 The juvenile detention facility and the district where the juvenile detention facility is located are designated as responsible for educating the student consistent with federal and state laws for any period of time the student is being held in the facility.

7.01.3 The resident district of a student who is being held in a juvenile detention facility is designated as responsible for the timely transfer of a student's educational records to the district where the juvenile detention facility is located upon notification by the court or district where the facility is located of the student's placement in a juvenile detention facility.

7.02

Educational Services For Nondisabled Students

7.02.1

In order to be eligible for public school funds, each juvenile detention facility shall provide the following educational services for nondisabled students -

- A.** The teachers employed by the juvenile detention facility must hold a valid teaching license from the Arkansas Department of Education or have a minimum of a Bachelor's degree from an accredited college/university.
- B.** The maximum teacher/student caseload shall be 1 to 15 without a paraprofessional and 1:24 with a full-time paraprofessional.
- C.** The juvenile detention facility shall provide instructional materials that address the basic educational skills needed by students, appropriately address the age ranges and the abilities of the students in the facility. Such materials shall include, but are not limited to, reference materials, dictionaries, reading materials and maps.
- D.** The juvenile detention facility shall provide each student educational services for at least one hundred eighty (180) minutes per day.

7.02.2

A school district which receives a student after attendance at a juvenile detention facility shall not use absences incurred as a result of detention as the sole basis for denial of credit.

7.03

Educational Services For Disabled Students

7.03.1

In order to be eligible for public school funds, each juvenile detention facility shall provide the following educational services for disabled students -

- A.** The juvenile detention facility shall provide FAPE consistent with the student's IEP.
- B.** The teacher, employed by the JDF or local school district, who is implementing the IEP of a student with a disability must either -

1. Hold a valid teaching license as a special education teacher, or
 2. Meet the qualifications in §7.02.1A above and implement the IEP in collaborative consultation with licensed special education personnel.
- C. The procedural safeguards specified in these regulations shall be followed for those students identified as disabled and for those suspected of being disabled.

7.04 Funding For Students In Juvenile Detention Facilities

7.04.1 The juvenile detention facility may receive reimbursement from the local school district in which the facility is located for the costs of providing educational services to students in the facility, based upon the following -

- A. For nondisabled students, educational costs are costs incurred for direct educational instruction and include salaries and benefits of teachers and paraprofessionals, staff development costs and substitute pay.
- B. For students with disabilities under the IDEA, educational costs include all costs incurred in the provision of FAPE.
- C. For students suspected of having disabilities as defined by the IDEA, educational costs shall include costs incurred in the evaluation process.

7.04.2 The juvenile detention facility and the local school district in which the juvenile detention facility is located shall jointly determine the education costs incurred by the facility.

7.04.3 The local school district in which the juvenile detention facility is located shall reimburse the juvenile detention facility for educational costs incurred up to an amount not to exceed the ~~Base~~

~~Local Revenue per Student~~ Formula Foundation Aid,
times the number of students in the facility.

7.04.4 If the juvenile detention facility and the local school district cannot agree on an amount for reimbursement, either entity may appeal to the ADE for a final decision.

7.04.5 The ADE shall reimburse local school districts which have juvenile detention facilities on a quarterly basis based upon the district requesting such reimbursements.

A. The quarterly reimbursement amount will be determined by dividing the ~~agreed upon cost for educational services for a period of one (1) year~~ amount identified in §07.04.3 by four (4).

B. Should costs ~~increase or~~ decrease, the local school district in which the facility is located shall notify the ADE, Special Education Unit within thirty (30) days of revised costs.

C. Any ~~corrections/adjustments to the budget~~ reimbursements based on cost decreases will be made in the fourth (4th) quarter.

7.04.6 A local school district may request reimbursement for the costs of educational services provided to students in juvenile detention facilities and incurred by the local school district.

7.04.7 The juvenile detention facility shall provide the local school district a monthly attendance record for each student in the facility, regardless of length of stay.

8.00 SERIOUS OFFENDER PROGRAMS

8.01 It shall be the responsibility of the local school district in which a serious offender program is located to report the attendance of those students on the district's attendance report and to transfer funding to the serious offender program located within the district.

Arkansas Department of Education
Proposed Rules Governing the Regulatory Basis of Accounting

1.00 Authority

1.01 The Arkansas State Board of Education's authority for promulgating these Rules is pursuant to Ark. Code. 6-11-105.

1.02 These rules shall be known as the Arkansas Department of Education Rules Governing the Regulatory Basis of Accounting. ~~which is an Other Comprehensive Basis of Accounting (OCBOA), for Schools. OCBOA is defined and authorized by Statement on Auditing Standards, issued by the American Institute of Certified Public Accountants~~

2.00 Purpose

2.01 The purpose of these Rules is to establish a consistent basis of accounting for Schools.

3.00 Definitions - For purposes of these Rules, the following term means:

3.01 "School" - any public school district, charter school, educational cooperative, or any publicly supported entity having supervision over public educational entities.

3.02 "Regulatory Basis of Accounting" - A basis of accounting that the reporting entity (school) uses to comply with the requirements or financial reporting provisions of a governmental regulatory agency (Arkansas Department of Education) to whose jurisdiction the entity is subject.

4.00 Financial Reporting-Regulatory Basis of Accounting

4.01 The financial statements shall be presented on a fund basis format. There shall be no entity-wide statements.

4.02 The financial statements shall consist of: Balance Sheet -Regulatory Basis; Statement of Revenues, Expenditures and Changes in Fund Balances -Governmental Funds - Regulatory Basis; Statement of Revenues, Expenditures and Changes in Fund Balances -Budget and Actual -General and Special Revenue Funds -Regulatory Basis.

4.03 There shall be included a Schedule of Capital Assets, including land, buildings and equipment, as supplemental information. The Capital Assets shall be reported net of accumulated depreciation.

- 4.04 Major governmental funds shall be defined as general and special revenue. Such funds shall be presented separately in the financial statements. All other governmental funds shall be presented in the aggregate. Fiduciary fund types shall be presented in a separate column in the Balance Sheet – Regulatory Basis.
- 4.05 Revenues, except for property taxes (see below), shall be reported in the financial statements in the accounting period in which they become susceptible to accrual – that is, when they become both measurable and available to finance expenditures of the fiscal period. Expenditures shall be reported in the financial statements when the related liability is incurred. Such expenditures shall not include accruals for interest payable, compensated absences, prepaid expenses or inventories. Reported liabilities, except for deferred taxes, shall not include the current portion of long-term debt or deferred revenues. Property taxes shall be accrued or deferred, as applicable, in accordance with current approved guidelines issued by the Arkansas Department of Education (ADE). ~~in Commissioner’s Memo Numbers COM-06-081 and COM-06-093, which were effective beginning with the fiscal year ended June 30, 2006.~~ Arkansas law defines revenue receipts of a school district and includes forty percent (40%) of the proceeds of local taxes which are not pledged to secure bonded indebtedness or forty percent (40%) of the revenue from the uniform rate of tax whichever is greater collected in the succeeding calendar year, commonly known as 40% pullback, within that definition. School districts must utilize the 40% pullback amount, as calculated by the ADE and reflected on the respective county’s abstract of assessments, in recording property tax revenue as follows:
- If the amount of 40% pullback collected by June 30th is less than the calculated 40% pullback amount, the difference must be accrued;
 - If the amount of 40% pullback collected by June 30th is more than the calculated 40% pullback amount, the excess must be recorded as deferred tax revenue.
- 4.06 Revenues shall be reported by major sources, and expenditures shall be reported by major function.
- 4.07 Other transactions which are not reported as revenues or expenditures shall be reported as other financing sources and uses. Transactions related to the recording of installment contracts, capital leases, and significant insurance recoveries shall be reported as other financing sources. Losses resulting from the impairment of capital assets shall not be reported in the financial statements.
- 4.08 The carrying value of sinking funds, required by the provisions of a Qualified Zone Academy Bond (QZAB), shall be reported at cost. Risk disclosures of the related investments, as addressed in Governmental Accounting Standards Board Statement No. 40, shall not be included in the Notes to Financial Statements.

4.09 The Notes To Financial Statements (NTFS) shall include those disclosures appropriate to the regulatory basis of accounting. The NTFS shall also include the following, if applicable: summarized reporting information, if material, pertaining to component units, related organizations, and other affiliated organizations (as defined by the Governmental Accounting Standards Board), changes in private-purpose trust funds, and required disclosures related to long-term debt.

4.10 There shall be no Management's Discussion and Analysis.

4.11 The Schedule of Expenditures of Federal Awards shall be reported on the same basis of accounting as the financial statements.

5.00 Alternative Basis of Presentation

5.01 The governing body of a school district may adopt a resolution, not less than six months before the end of the school fiscal year, requiring their financial statements be presented in accordance with the standards established by the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants, and the United States Government Accountability Office. Once this resolution is made, it shall remain in effect until the governing board rules otherwise.

5.02 This resolution adopting the Alternative Basis of Presentation must be submitted to the Department of Education within ten (10) days of adoption by the local school board.



Rogers Public Schools

where all belong, all learn, and all succeed

500 W. Walnut Street • Rogers, AR 72756 • www.rogers.k12.ar.us • (479) 636-3910 • FAX (479) 631-3504

Dr. Janie Darr, Superintendent

Mr. Mark Sparks, Deputy Superintendent

Mr. Jim Johnson, Assistant Superintendent

Dr. Virginia Abernathy, Assistant Superintendent

Dr. Jane Webb, Assistant Superintendent

Mr. David Cauldwell, Business Manager

RECEIVED
ATTORNEY'S OFFICE

JUL 27 2006

DEPARTMENT OF EDUCATION
GENERAL DIVISION

July 21, 2006

Mr. Scott Smith
Arkansas State Board of Education
#4 Capitol Mall
Little Rock, AR 72201-1071

Dear Mr. Smith,

The Rogers School Board, District 30, voted on July 18, 2006, to petition the Arkansas State Board of Education to change the school district boundary between the Rogers and Springdale School Districts. The Rogers School Board is requesting specifically that the following property be transferred from Rogers School District 30 to become part of the Springdale School District 50:

All property located in the North half of the SW and the SE quarters of Section 10, Township 18 North, Range 29 West, Benton County, Arkansas, 160 acres more or less.

This area is part of the platted subdivision which consists of several large tracts of land. Several of these tracts are split by the current boundary. One of the patrons building a house on one of these tracts has circulated a petition, which is signed by the affected landowners. Because of access around the lake area this area is much more accessible to the Springdale schools than the Rogers schools.

We are in the process of placing the public notice in a newspaper of general circulation in the two school districts, as required by law. We will provide proof of publication of this notice upon receipt.

Sincerely,

David Cauldwell
Business Manager

DC/sh

Cc: Ron Bradshaw
Springdale School District

July 10, 2006

Mr. Caldwell,

Enclosed with this letter is a petition that has been signed by land owners in the Lake Shore Farms at Nelson Hollow. This is a new Subdivision off of Ervin McGarrah Rd that was once "Dead End Road". We are asking that Springdale Schools, Rogers Schools and the Arkansas Board of Education consider moving the school boundary line to allow our parcels to be included in the Springdale School district. The particulars are outlined in the petition itself.

There are two pages and I apologize for the duplication. The first page is the petition with all of the signatures of parcel owners that would be affected by the change. In addition, some of the other land owners that wouldn't be affected by the change but wholeheartedly support it have signed as well. Some of the landowners do not live locally, so the document had to be faxed a couple of times. This has not helped with the clarity of the print on the document which is why I have enclosed a duplicate page which is a more readable copy of the petition itself but does not have all of the necessary signatures.

Please consider our request. Our hope is to know one way or the other by the beginning of August – in time to enroll our 3 children in the appropriate schools. Thank you for your time and please contact us with any questions.

Best Regards,



Mike and Lil Shaddix

Cell 479-616-0291

Cell 479-616-0289

RECEIVED
ATTORNEY'S OFFICE
JUL 27 2006
DEPARTMENT OF EDUCATION
GENERAL DIVISION

June 13, 2006

To Whom It May Concern:

We, the landowners in the subdivision of Lake Shore Farms at Nelson Hollow, Lowell, AR 72745, respectfully request your consideration of the following action.

We propose that Parcels 7A, 7B, 8A, 8B, 11A and 12 be moved to the Springdale public school system. Currently, there is a district line that separates these parcels into a district separate from the other parcels in the subdivision.

Our subdivision is new and is located off of what was formerly called "Dead End Road" off of 264E in Springdale, AR. There is one road coming into our subdivision and it is in the Springdale school district. Our land specifically (Parcel 7B), is divided in half – one half is in Springdale school district, the other in Rogers. We were informed that the law states that our children must go to school in the school district where the residence is located. This just happens to be the back portion of our property which is Rogers schools. The mailbox and the road into the subdivision are in Springdale's district.

As a matter of location, our subdivision is much closer to the Springdale school system. It also seems inefficient that two separate schools systems would need to travel the same road to pick children up for school if it is not necessary. A great deal of confusion has surrounded us trying to determine what school district our 3 children will actually attend because the lines are so ambiguous.

Many phone calls were placed and visits to both school district offices were made and the resolution is still unclear. I, along with the other parcel owners that would be affected by this have signed below to indicate our desire to have our properties moved to the Springdale school district. Please consider our request to begin with the Fall 2006 school year.

7A

7B

8A

8B

11A

12A

12B

12B

Lil Shaddix

Paula Karen Gilbert

Tabetha Holmes
Cheryl Murphy

Peter R Hofstra

Elizabeth

Carol Ann Larral

Lil Shaddix

Tabetha Holmes
Cheryl Murphy

Peter R Hofstra
Elizabeth

FROM :

JUN-28-2006 THU 04:22 PM

FAX NO. :

JUN. 28 2006 05:30 PM P1

P. 02

June 13, 2006

To Whom It May Concern:

We, the landowners in the subdivision of Lake Shore Farms at Nelson Hollow, Lowell, AR 72745, respectfully request your consideration of the following action.

We propose that Parcels 7A, 7B, 8A, 8B, 11A and 12 be moved to the Springdale public school system. Currently, there is a district line that separates these parcels into a district separate from the other parcels in the subdivision.

Our subdivision is new and is located off of what was formerly called "Dead End Road" off of 264E in Springdale, AR. There is one road coming into our subdivision and it is in the Springdale school district. Our land specifically (Parcel 7B), is divided in half - one half is in Springdale school district, the other in Rogers. We were informed that the law states that our children must go to school in the school district where the residence is located. This just happens to be the back portion of our property which is Rogers schools. The mailbox and the road into the subdivision are in Springdale's district.

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7A

7B

8A

8B

11A

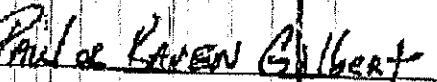
12A

12B

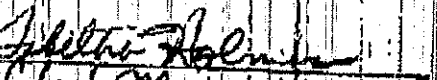

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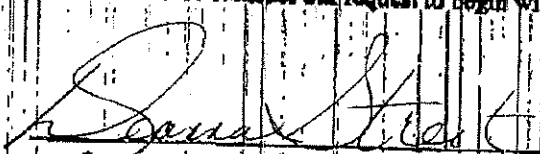


Lil Shaddix



Edmundo & JOSEFINA NUÑEZ

Lil Shaddix

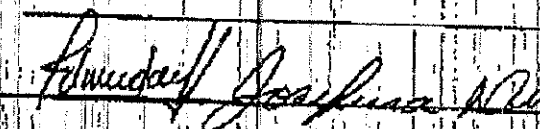
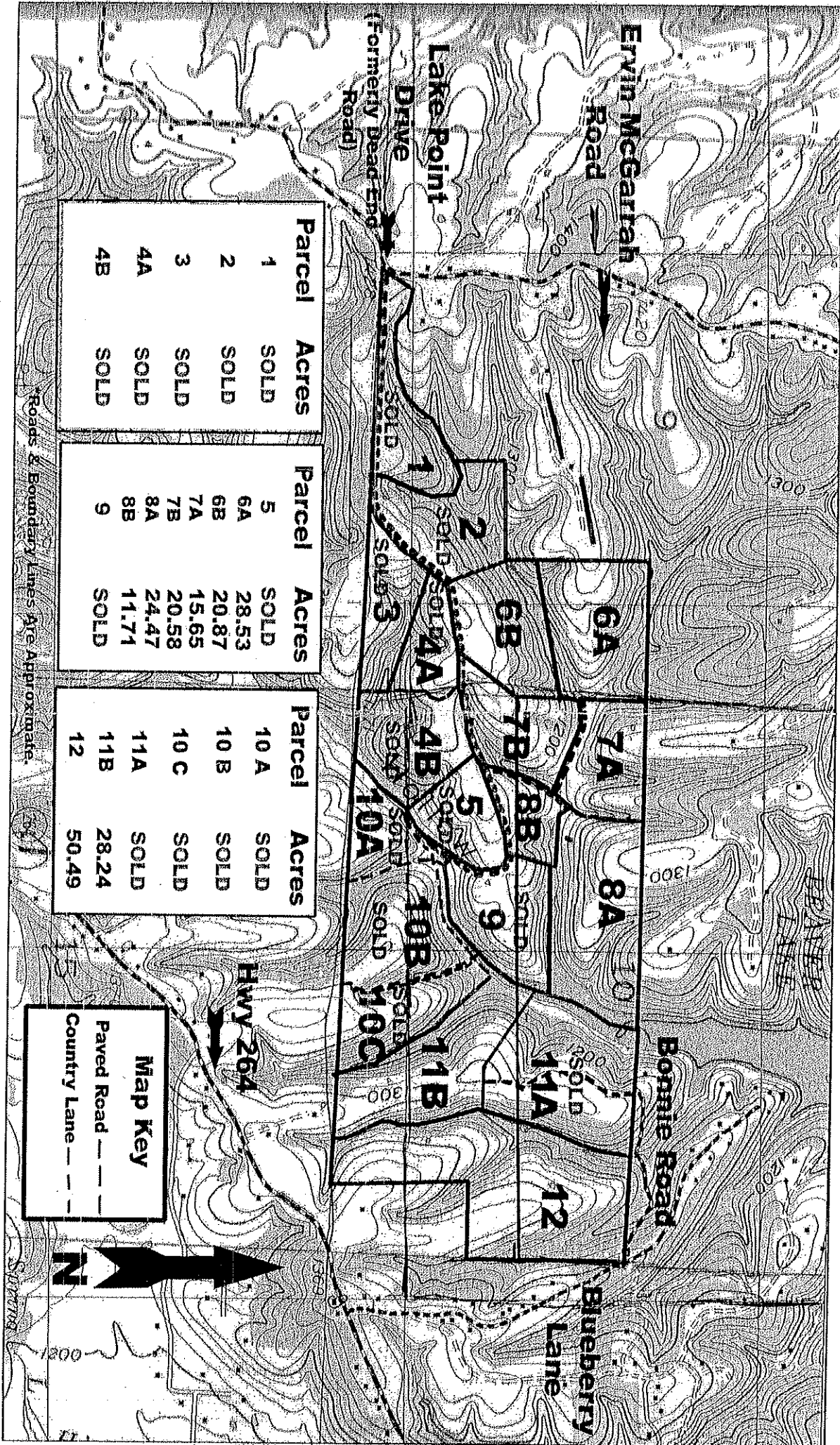





EXHIBIT "A"

Lot 7B, as shown in Plat Book 2005 at Page 1032, being a part of Lot 7, Lake Shore Farms at Nelson Hollow, Lowell, Benton County, Arkansas, as shown in Plat Book 2004 at Page 1247, Plat Book 2004 at Page 1316, and in Plat Book 2005 at Page 151, said Lot 7B being part of the SW 1/4 of Section 10, and part of the SE 1/4 of the SE 1/4 of Section 9, all in Township 18 North, Range 29 West, Benton County, Arkansas, being more particularly described as follows: Commencing at the NW corner of the NW 1/4 of the SW 1/4 of Section 10; thence South 01°56'52" West 546.54 feet to the Point of Beginning; thence South 01°56'52" West 498.86 feet; thence South 34°36'37" West 390.72 feet; thence South 22°28' West 248.52 feet; thence with a curve turning to the right with an arc length of 74.68 feet, with a radius of 63.70 feet, chord bearing of South 82°05'01" East 70.48 feet; thence South 49°43'58" East 233.93 feet; thence South 66°31'14" East 95.65 feet; thence North 81°52'08" East 107.38 feet; thence North 66°50'58" East 178.02 feet; thence North 72°52'07" East 276.26 feet; thence North 68°29'11" East 59.57 feet; thence North 31°34'06" East 370.72 feet; thence North 08°28'48" East 288.88 feet; thence with a curve turning to the right with an arc length of 185.20 feet, radius of 202.72 feet, chord bearing of North 34°39'03" East 178.83 feet; thence North 60°49'23" East 94.92 feet; thence North 82°12'51" West 291.04 feet; thence North 66°38'07" West 507.69 feet; thence South 88°34'41" West 206.09 feet to the Point of Beginning, containing 20.58 acres, more or less. Subject to covenants, easements, and rights of way, if any.



MINUTES
Regular School Board Meeting
Rogers Public Schools
RHS Lecture Hall
July 18, 2006
6:00 p.m.

SEE PAGE 3

SCHOOL BOARD MEMBERS PRESENT

Mrs. Joye Kelley, President
Mr. Jerry Carmichael, Vice President
Mrs. Cathy Allen, Secretary
Mrs. Kristen Cobbs
Mr. Walter Schrader
Ms. Faye Jeffery
Mrs. Gloria Hopper

ADMINISTRATORS PRESENT

Dr. Janie Darr, Superintendent
Mr. Mark Sparks, Deputy Superintendent
Dr. Virginia Abernathy, Asst. Superintendent
Mr. Jim Johnson, Asst. Superintendent
Dr. Jane Webb, Asst. Superintendent
Mr. David Cauldwell, Business Manager
Ms. Kathy Hanlon, District Treasurer
Mrs. Ashley Kelley, Communications Specialist

CALL TO ORDER – Mrs. Joye Kelley called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE – Mrs. Joye Kelley led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES – Minutes from the June 20, 2006, regular meeting were submitted for approval. Mr. Schrader made a motion to approve the minutes as presented and Mrs. Cobbs seconded the motion.

MOTION CARRIED

Minutes from the July 6, 2006, special meeting were submitted for approval. Mrs. Allen made a motion to approve the minutes as presented, and Ms. Jeffery seconded the motion.

MOTION CARRIED

COMMENTS FROM SCHOOL PATRONS – There were no comments by school patrons.

SNAPSHOTS FOR SUCCESS – Dr. Darr said we are “bursting with pride” over the 2005-06 ITBS, Benchmark and End-of-Course exam scores. She congratulated the principals, teachers, and students for achieving such a high level of success due to their hard work. Mr. Jim Johnson and Dr. Louise Standridge presented an overview of the exam results. Scores were above the state average in all areas, and equal to or above the region in every area.

POSITIVE COMMENTS – Mrs. Jolene Highfill, workforce education director, stated that Rogers High School is one of two schools in the state and one of 30 in the nation to be recognized as a recipient of a Gold Award of Educational Achievement in the High Schools That Work program. She explained that the recognition was because of the number of workforce education students who scored above the proficient level in all three areas set by the Southern Regional Education Board. She said the gold award was given to districts in only 14 states out of the 30 states involved. Dr. Darr stated that the strategic plan for the future emphasizes the need for all students to achieve at a high level of success, regardless of their post-secondary plans.

OLD BUSINESS

Construction Report

(Mrs. Hopper left the meeting at this point due to a possible conflict of interest.)

Junior High 3 Change Order #12 – District business manager David Cauldwell said the administration was recommending approval of Change Order #12 in the amount of \$6,801.21 which included adding \$6,869.48 for exit lighting and wiring, adding \$756.98 to run power to the overhead coiling doors at the server and installation of control stations, and the deduction of \$825.25 for omitting sealing of the resilient flooring. Mr. Schrader made a motion to approve the recommendation as presented and Mrs. Allen seconded the motion. Mr. Carmichael asked Mr. Cauldwell for a progress report on completion of the project and whether additional

major change orders would be forthcoming. Mr. Cauldwell stated the project was nearing completion, and Mr. Jim Swearingen of Crafton, Tull & Associates, Inc. said they have run the punch list on most areas and anticipate only a few minor changes.

(Mrs. Hopper returned to the meeting at this point.)

MOTION CARRIED

New Administrative Office Change Order #1 – Mr. Cauldwell said the administration was recommending approval of Change Order #1 in the amount of \$7,894 for basement lighting, ceiling grid and tile, and wall repairs for the new administrative office. Mr. Carmichael made a motion to approve the recommendation as presented and Ms. Jeffery seconded the motion. Mr. Carmichael asked if there are other anticipated costs and Mr. Cauldwell said there may be other minor projects that can be done under maintenance and operation. Dr. Darr said an open house would be scheduled when the renovation is complete.

MOTION CARRIED

Construction Update – Mr. Cauldwell gave the following updates on district construction:

Pre-K Center – Running close for the start of school but will be ready

Oakdale Addition – Looking good for the start of school

Reagan – Addition will not be complete by the start of school – library addition will be complete

RHS2 – Demolition continues – Site work will begin when concrete pads and footings are removed

Athletic/Activities Facilities – Mr. Cauldwell said the administration was recommending that the board authorize the administration to negotiate with architects to start preliminary drawings for three proposed facilities as follows:

RHS

- Football/Soccer Stadium (including artificial turf, bleachers, lighting, concession/restroom areas, pressbox, and scoreboard), track, dressing, weight and office facilities, indoor and outdoor practice areas, parking, drives, sidewalks and fencing
- Landscaping, equipment and furnishings

GATES STADIUM

- Pressboxes, entries, restrooms, chair-back seating, visitor bleacher access, terraced seating area, screen wall at back of home bleachers, storage building under west bleachers, walkway lighting under home bleachers, parking lot lighting

BOND FIELDHOUSE

- Extension of indoor practice area at Bond Fieldhouse

Mr. Carmichael made a motion to approve the recommendation as presented for the RHS1 facility and Mrs. Allen seconded the motion.

MOTION CARRIED

Mr. Schrader made a motion to approve the recommendation as presented for Gates Stadium and Mr. Carmichael seconded the motion.

MOTION CARRIED

Mr. Carmichael made a motion to approve the recommendation as presented for Bond Fieldhouse and Ms. Jeffery seconded the motion.

MOTION CARRIED

Dr. Darr asked Mr. Cauldwell when something could be presented on the drawings. Mr. Cauldwell said a progress report would be given at the August meeting. A preliminary drawing of the proposed stadium at Rogers High School was shown to the audience. Mrs. Allen emphasized that parameters for equity on both campuses have been considered. She noted that all facilities may never be exactly the same due to the number of

No. 7959 P. 5/9

students and the various schedules involved. Dr. Darr said Mayor Womack with the City of Rogers has committed to providing adequate baseball/softball shared facilities in conjunction with the school district.

There was no further old business.

NEW BUSINESS

Food Service Prime Vendor Bid – Mr. Cauldwell said the administration was recommending that the board award the 2006-07 prime vendor bid to Tankersley Foods. Tankersley's bid was \$211,193.35 less than Sysco Foods' bid based on projected quantities. Mr. Cauldwell explained that Mrs. Margie Bowers, director of food service, advertises for the prime vendor bid using an estimated quantity of all items needed throughout the year. The district is then required to purchase at least 75% of the items through the prime vendor bid. Mrs. Allen made a motion to approve the recommendation as presented and Mrs. Hopper seconded the motion. Mrs. Cobbs asked Mrs. Bowers if it cut down on efficiency to change vendors. Mrs. Bowers stated it is somewhat of a problem in the beginning due to the electronic entry system requiring updates, but that it is certainly doable.

MOTION CARRIED

Health Education Textbook Selection – Assistant superintendent Jim Johnson said the administration was recommending adoption of the 6th and 7th grade health education textbook *Choosing the Best*. The book had been presented at the June board meeting and was on display in the administration office for a month. Ms. Jeffery made a motion to approve the recommendation as presented and Mr. Schrader seconded the motion.

MOTION CARRIED

Sale of Building – Mr. Cauldwell said the administration was recommending the sale of the carpentry shop (the old armory) located behind the Boys and Girls Club for an offer of \$100,000 from Byron Black. Mr. Cauldwell stated that the Boys and Girls Club was not interested in purchasing the property. The building is approximately 2,000 square feet and the lot is approximately 50' x 75'. He said the district plans to add a bay onto the warehouse building and move the carpentry shop to the bay. Mr. Cauldwell said the addition of the bay would cost less than the revenue from the sale of the building and property. Mr. Schrader made a motion to approve the recommendation as presented and Mr. Carmichael seconded the motion.

MOTION CARRIED

School District Boundary Change -- Mr. Cauldwell said the administration was recommending the board petition the Arkansas State Board of Education for a boundary line change between the Rogers school district and the Springdale school district. Property owners in the Lake Shore Farms subdivision in the Hickory Creek area had contacted Mr. Cauldwell about the change due to their only access road going through the Springdale district. Mr. Cauldwell projected the current loss of taxes would be approximately \$1,743 each year. Dr. Darr told the board that the transportation cost just for fuel would be about \$1,600 per year, not counting insurance, driver, or maintenance. Dr. Darr stated that the proposed change must be advertised in a newspaper of general circulation in both districts prior to petitioning the state board. Mrs. Hopper stated she would like to have established procedures for how to handle requests for boundary changes. Dr. Darr said there are no procedures in place other than the current law. Mr. Schrader made a motion to approve the recommendation as presented and Mrs. Allen seconded the motion.

MOTION CARRIED

Petition for Transfer of Students – The administration recommended approval of the following Petition for Transfer of Students:

*Whitney Robinson
From Rogers to Pea Ridge*

Age 13

Mr. Carmichael made a motion to approve the transfer as presented and Ms. Jeffery seconded the motion.
MOTION CARRIED

Brittany Broadbridge Age 17
From Rogers to Springdale

Mr. Carmichael made a motion to approve the transfer as presented and Mrs. Hopper seconded the motion.
MOTION CARRIED

Makayla Luper Age 5
From Rogers to Pea Ridge

Mr. Carmichael made a motion to approve the transfer as presented and Mr. Schrader seconded the motion.
MOTION CARRIED

Jordan Fulton Age 16
From Rogers to Springdale

Mr. Carmichael made a motion to approve the transfer as presented and Ms. Jeffery seconded the motion.
MOTION CARRIED

Dr. Darr said the administration was recommending denial of the petition of transfer as follows:

Troy Shepard Age 12
Ashley Shepard Age 15
Amy Shepard Age 16
Kimberly Shepard Age 17
From Springdale to Rogers

Mr. Carmichael made a motion to approve the recommendation as presented and Mrs. Hopper seconded the motion.

MOTION CARRIED

Financial Report – Ms. Kathy Hanlon presented the attached financial report for the month ending June 30, 2006.

Power to Invest – Ms. Hanlon said Stephens, Inc. needs a resolution of authorized investors to allow her to invest money with their firm. Mr. Carmichael made a motion to approve the resolution and Mrs. Cobbs seconded the motion.

MOTION CARRIED

2007-08 Proposed Budget – Ms. Hanlon presented the 2007-08 proposed budget of expenditures, with tax levy, to be in compliance with the requirements of Amendment No. 40 to the Constitution of the State of Arkansas and Ark. Code Ann. 6-13-622. Mrs. Allen said she would like to receive information regarding the millage rate as far as rollback. Ms. Hanlon said that information would not be available until November. Mr. Cauldwell noted the district rolled back millage from 39.5 to 39.4 in 2005. Mr. Schrader made a motion to approve the recommended budget and Mrs. Allen seconded the motion.

MOTION CARRIED

PERSONNEL 2000 2:50PM NO. 7959 P. 7/9
Personnel Consent Agenda – Dr. Jane Webb said the administration was recommending approval of all personnel actions, including resignations, modifications, transfers, rehires, and new hires as listed in the consent agenda and the subsequent addendum.

Certified Personnel Resignations

Tina Fischer	GL	Sp Ed
Peggy James	RHS	Broadcasting/Speech
Becky Nokes	SS	Math
Katherine Oliver	ET	6 th Grade
Quinten Snoderly	CR	Language Arts
Lisa Snyder	BK	6 th Grade
Janis Strahan	NS	Reading Recovery
Corinne Thomas	OW	Kindergarten
Susan Wasiluk	BV	Speech Pathologist

Certified Personnel Modifications and Transfers

Karen Smith	RHS	Assistant Principal
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Certified New Hires – Contingent upon a favorable criminal background check with three-years probation according to the personnel policies.

Rachel Baker	BV	Sp Ed Resource
Ruth Cadena	RJ	ESOL
Sarah Cudney	BK	7 th Grade Social Studies
Craig Frank	RHS	SS/Assistant Girls Soccer
Erin Hecker	OD	Literacy Coach/Academic Coach
Tracey Holman	JM	Kindergarten
Jennifer House	JM	Speech Pathologist
Brittany Looney	RHS	Math/Varsity Pom/Varsity Cheer
Amanda Lowe	FT	1 st Grade
Tara McKinley	PKC	Pre-K
Whitney Malcolm	BV	Counselor
Micah Sparrow	GL	7 th Grade Math
Sandon Williams	BK	Computer/Technology Teacher
Josh Worthy	OD	Social Studies (.86)

Certified New Hires – Contingent upon a favorable criminal background check with one-year probation according to the personnel policies.

Michelle Baltrushch	GH	Sp Ed 1:15 Autism
Jerrold Blockburger	OD/RHS	SS/Assistant Football Coach
David Isbell	RJ	4 th Grade
Jacquelyn Kelley	RHS	Sp Ed Resource
Marc McCutcheon	CR	Mid Lang. Arts/SS
Shelly Martin	LW	Sp Ed Resource
Gary Springwater	RHS	CADD/Drafting

Classified Personnel Resignations

Patricia McNutt	OD	Sp Ed Instructional Assistant
Molly Pickering	BG	ESOL Instructional Assistant
Bonnie Roe	FT	Pre-K Instructional Assistant
Teresa Seifers	BG	Title I Instructional Aide

Classified Personnel Modifications and Transfers

Tammie Townzen

SS

Edulog Technology Clerk

Classified Personnel Rehire - Contingent upon a favorable criminal background check with one-year probation according to the personnel policies.

Felicia Taylor

BG

Title I Instructional Assistant

Classified Personnel Rehire - Contingent upon a favorable criminal background check.

Sara Dark

Pre-K

Pre-K Instructional Assistant

Classified Personnel New Hires - Contingent upon a favorable criminal background check with one-year probation according to the personnel policies.

Angela Cotton

ES

Duty Relief Aide

Carol Denefe

BG

Title I Instructional Assistant

Maria Mosquera

RJ

Pre-K Instructional Assistant

Christine Renuart

TBD

Social Worker

Jacque White

ES

Secretary

ADDENDUM**Certified Personnel Resignations**

Shannon Collins

EW

Sp Ed Resource

Jackie Mitchell

RHS10

ESOL (.28)

Shayne Taylor

RHS10/EW

Math

Certified Personnel Transfer

Dan Cox

DW

Dir. of Prof. Dev/Testing/
Fam.-School Relations**Certified Personnel New Hires** - Contingent upon a favorable background check with three years probation according to personnel policies.

Cean Caffee-Hevin

FT

Sp Ed 1:15

Joe "Randy" Davis

RHS

Agri

Judy Herman

OD/RHS10

Spanish

Mark McCrary

RHS

Broadcasting (.86)

Raelene Schneider

RHS10

Social Studies (Fall Semester Only)

Fred Stephens

OD

Science (.86)

Certified Personnel New Hires - Contingent upon a favorable background check with one-year probation according to personnel policies.

Teena Bell

OW

ESOL

Cindy Viala

BV

Assistant Principal

Classified Personnel Resignation

Tammi Leavitt

ES

Duty Relief Aide

Jackie Mitchell

SS

Migrant Tutor (.50)

Kimberly Wary

RHS10

Sp Ed Instructional Assistant

Classified Personnel Transfer

Ruth Ellen Hunt

Pre-K

Pre-K Instructional Assistant

Classified New Hire - Contingent upon a favorable background check with one-year probation according to personnel policies.

Brooke Collins

SS

CR Mid Instructional Assistant

Courtney Sampier

JM

Sp Ed Instructional Assistant

Karen Scoles

ET

Pre-K Instructional Assistant

Mr. Carmichael made a motion to approve the consent agenda and addendum and Mrs. Hopper seconded the motion.

MOTION CARRIED

Ribbon Cutting - Dr. Darr asked the board to set a date for the RHS Sophomore Campus ribbon cutting. Board consensus was to hold the ceremony at 10:00 a.m. on Friday, August 18, 2006.

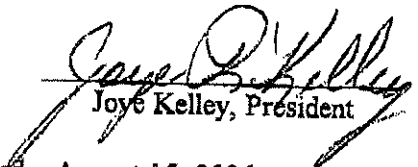
Other

There was no further business.

Announcements - Site bids for RHS2 will be opened at 2:00 p.m. at the PDC on Wednesday, June 28, 2006. All remaining bids for the RHS2 project will be opened at 2:00 p.m. in the RHS Lecture Hall on Tuesday, July 11, 2006. There will be a school board study/policy session at 5:00 p.m. on Tuesday, July 18, 2006, at the RHS Teachers' Lounge and a regular school board meeting at 6:00 p.m. on Tuesday, July 18, 2006, in the RHS Lecture Hall. There will be a special board meeting for the presentation of the strategic plan at 6:00 p.m. in the RHS Lecture Hall on August 22, 2006, and a public comment hearing on the strategic plan at 7:00 p.m. in the RHS Lecture Hall on September 5, 2006. The board study session originally scheduled for July 20, 2006, was cancelled.

Board Walk-Through Tour - The board scheduled August 8-9, 2006, for building walk-through tours.

Adjournment - Mrs. Kelley adjourned the meeting at 7:58 p.m.


Joyce Kelley, President


Cathy Allen, Secretary

Date Approved - August 15, 2006

09/20/2006 10:12 7508838 SPRINGDALE SCHOOLS PAGE 02

Springdale Public Schools
Member of North Central Association
P.O. Box 8
Springdale, Arkansas 72765
Phone (479) 750-8800 Fax (479) 750-8813

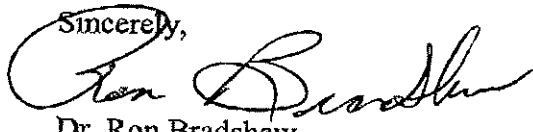
September 18, 2006

Mr. Scott Smith
General Counsel
Arkansas Department of Education
4 State Capitol Mall
Little Rock, AR 72201-1071

RE: Change in School District Boundary

Dear Mr. Smith,

Please be advised that on September 12, 2006, the Springdale School Board met and approved the transfer of proposed property from the Rogers School District to the Springdale School District. The Springdale District Update is attached. Should you need further information or have any questions, please do not hesitate to contact me at 479-750-8745.

Sincerely,

Dr. Ron Bradshaw
Assistant Superintendent for Special Services

RHB/mt

RECEIVED
ATTORNEY'S OFFICE
SEP 20 2006
DEPARTMENT OF EDUCATION
GENERAL DIVISION

Springdale School
Springdale, Arkansas



District

District Update

RECEIVED
ATTORNEY'S OFFICE
SEP 20 2006
DEPARTMENT OF EDUCATION
GENERAL COUNSEL'S DIVISION

The Springdale School Board met in regular session on September 12, 2006. Board members present were: Doug Sprouse, president; David Van Bebber, vice president; Mike Luttrell, secretary; Kathy McFetridge, Robert Farrell and Jim Bradford. Danny Dotson was not present.

The Board members approved the minutes of their regular meeting held on August 8, 2006.

Tyler Weir, president of the senior class at Springdale High School, attended the meeting as the high school rep.

Marilyn Beaver of Graduate Sales presented a commemorative ring to Ms. Sara Ford, the principal of Kelly Middle School, who had been named the Principal of the Year for 2006 by the Arkansas Association of Middle-Level Administrators (AAMLA) last term.

The Superintendent, Dr. Jim Rollins, introduced area legislators and asked them to comment on some of the issues impacting schools that will be addressed in the upcoming session of the Arkansas General Assembly. Representative Bill Pritchard (now a candidate for the Arkansas Senate), spoke about the recent decision of the Arkansas Supreme Court regarding school adequacy that had necessitated the upcoming special session of the legislature, and commented that "the make-up of the court will be different this time." He stressed that his main focus would be on education. Representative Eric Harris reported that a big issue before the legislature would be the budget surplus — how those funds would be allocated. He commented on COLA, the funding formula, and the Odden & Picus report on the issue of school adequacy that was submitted to the state's Joint Legislative Committee. Mrs. Lynn Donald-Carver, a candidate for the Arkansas Senate, stated that "Education is the top priority for me" and described herself as "a strong supporter of the pre-K program."

The district's agriculture education teachers reported on their students' involvement as exhibitors in the recent Washington County Fair, and introduced their FFA students who won honors with their respective entries.

Dr. Allen Williams, the principal of Springdale High School, reported about the 2006 Hall of Fame dinner and program held on August 11, 2006.

Dr. Jim D. Rollins, Superintendent, recognized four participants in the current "Leadership Springdale" class conducted by the Springdale Chamber of Commerce.

Mr. Brad Hammonds, an engineer with McGoodwin, Williams & Yates, obtained Board approval of: (1) a proposed contract to install a water-line extension to supply the east elementary school (scheduled to open in the fall of 2007), and (2) a proposed contract to improve Scott Hollow Road to service the east elementary school (also scheduled to open in the fall of 2007).

Dr. Rollins presented a tentative agenda for the dedication ceremonies for Turnbow Elementary School scheduled for October 6, 2006.

Dr. Rollins announced two upcoming meetings: (1) the annual fall conference for Region 1 of the Arkansas School Boards Association scheduled for October 9, 2006, in Rogers, and (2) the November 14, 2006, all-day work session for Springdale School Board members and central-office administrators.

Dr. Rollins commented on the National Anti-Gang Summit held at Har-Ber High School on September 1, 2006.

Dr. Rollins reported on the opening of school for the 2006-2007 term, and spoke about the "six elements of successful schools" described in the educational research of Mr. Jim Collins.

Dr. Rollins announced that Tyson Middle School has been chosen to be one of only three schools in the nation to participate in the PALMS program (Postsecondary Access for Latino Middle-Grades Students). The three-year program is sponsored by the Education Development Center, LULAC National Education Service Centers, and the National Forum to Accelerate Middle-Grades Reform. Tyson Middle School will be the first pilot site in the nation; other sites will be added later in the fall of 2006 in Houston and New Jersey.

Dr. Rollins described the district's recent and ongoing efforts to acquire sites for the construction of future schools.

Mr. Hartzell Jones, Deputy Superintendent for Personnel, reviewed the preliminary enrollment data for the district for the 2006-2007 school year and the corresponding staff requirements. The October 1 enrollment figures will be the official figures used by the state.

Dr. Ron Bradshaw, Asst. Supt. for Special Services, obtained Board approval of a proposal regarding the transfer of certain real property (160 acres) from the Rogers School District to the Springdale School District.

Architect Jack See reported on the status of various construction projects undertaken by the district. Dr. Rollins presented a PowerPoint slide show describing the proposed plan for the renovation of Springdale High School and the closing of the portion of Emma Avenue that now bisects that campus. He described the vision for that construction program and the projected cost.

Dr. Greg Murry, Asst. Supt. for Business Affairs, commented briefly on the school election scheduled for September 19, 2006.

Dr. Murry obtained Board approval of documents to be submitted to the Arkansas Department of Education regarding expenditures for 2005-2006 and the budget for the district for 2006-2007.

He also obtained final Board approval for the sale of the \$9,920,000.00 refunding bond issue dated September 1, 2006.

Dr. Murry obtained Board approval for the submission of an application to issue second-lien bonds for a \$14,340,000.00 construction bond issue (for construction of an elementary school to be opened in 2008).

The Board approved petitions for 26 out-of-district transfers (12 outgoing, and 14 incoming).

Dr. Murry provided a summary of the Odden & Picus report that was submitted to the Joint Legislative Committee.

Dr. Murry obtained Board approval of the financial statements for the district for the month of August 2006.

Mrs. Elaine Kelley, president of the Springdale Education Association, reported on SEA activities and the opening of school for the new term.

There being no further business to come before the Board, the meeting was then adjourned.

Reported by Cynthia Newman,



Secretary to Supt./School Board

MINUTES OF REGULAR MEETING OF THE SPRINGDALE SCHOOL BOARD

DATE: September 12, 2006

TIME: 5:00 p.m.

PLACE: Auditorium of school district's administration building
at 804 West Johnson in Springdale, Arkansas.

MEMBERS PRESENT: Doug Sprouse, President
David Van Bebber, Vice President
Mike Luttrell, Secretary-Treasurer
Kathy McFetridge
Jim Bradford
Robert Farrell

MEMBER ABSENT: Danny Dotson

OTHERS PRESENT:

School administration office staff:

Dr. Jim D. Rollins, Superintendent
Mr. Hartzell Jones, Deputy Supt. for Personnel
Dr. Marsha Jones, Asst. Supt. for Curric./Instr. (Pre-K-5)
Dr. Don Love, Asst. Supt. for Curric./Instr. (6-12)
Dr. Ron Bradshaw, Asst. Supt. for Special Services
Dr. Greg Murry, Asst. Supt. for Business Affairs
Cynthia Newman, Secretary to the Supt./School Board

Press: Rose Ann Pearce of *The Morning News*
 John Krupa of *Arkansas Democrat-Gazette*

Principals and Assistant Principals:

Principal Allen Williams of Springdale High School
Principal Danny Brackett of Har-Ber High School
Principal Sara Ford of Kelly Middle School
Principal Debbie Flora of Jones Elementary School
Asst. Principal Michele Hutton of Elmdale Elementary School

Others: Tyler Weir, the representative of the student body of
 Springdale High School
 Rep. Bill Pritchard, candidate for the Arkansas Senate
 Rep. Eric Harris
 Lynn Donald-Carver, candidate for the Arkansas Senate
 Agriculture teachers and their award-winning FFA students
 Jan Struebing, vocational coordinator
 Brad Hammonds, engineer
 Jack See, architect
 Buster Beardsley, fiscal agent
 Rick Schaeffer
 Elaine Kelley, president of the
 Springdale Education Association (SEA)
 Angie Bassett
 Four members of the current "Leadership Springdale" class

The invocation was delivered by the Superintendent, Dr. Jim D. Rollins.

The Pledge of Allegiance was recited, led by Tyler Weir, the representative of the Springdale High School student body.

The meeting was then called to order by Mr. Doug Sprouse, the president of the Springdale School Board.

Mr. Sprouse stated that the first order of business was the approval of the agenda for that evening's meeting. Dr. Rollins asked that an item "A-1" be added to his presentation, and that item "F" be moved forward. Mrs. McFetridge moved that the Board approve the agenda as revised. Mr. Farrell seconded the motion, and the motion passed by the unanimous vote of the six Board members present.

Mr. Sprouse stated that the next order of business was the approval of the minutes of the last meeting of the School Board. Mr. Van Bebber moved that the Board approve the minutes of the August 8, 2006, regular meeting of the Springdale School Board as presented. Mr. Bradford seconded the motion, and the motion passed by the unanimous vote of the six Board members.

Dr. Rollins introduced Tyler Weir, president of the senior class at Springdale High School, who reported briefly on activities at that school.

Dr. Rollins introduced Marilyn Beaver of Graduate Sales, who then presented a ring to Ms. Sara Ford, the principal of Kelly Middle School, to commemorate her selection last term by the Arkansas Association of Middle-Level Administrators to serve as the Principal of the Year for 2006. Ms. Ford spoke briefly, expressing her enthusiasm for being an educator in the Springdale school system and her daily joy in serving students.

Dr. Rollins introduced area legislators and asked them to comment on some of the issues impacting schools that will be addressed in the upcoming session of the Arkansas General Assembly. Representative Bill Pritchard (now a candidate for the Arkansas Senate), spoke about the recent decision of the Arkansas Supreme Court regarding school adequacy that had necessitated the upcoming special session of the legislature, and commented that "the make-up of the court will be different this time." He stressed that his main focus would be on education. Representative Eric Harris reported that a big issue before the legislature would be the budget surplus — how those funds would be allocated. He commented on COLA, the funding formula, and the Odden & Picus report on the issue of school adequacy that was submitted to the state's Joint Legislative Committee. Mrs. Lynn Donald-Carver, a candidate for the Arkansas Senate, stated that "Education is the top priority for me" and described herself as "a strong supporter of the pre-K program."

The district's agriculture education teachers reported on their students' involvement as exhibitors in the recent Washington County Fair, and introduced their FFA students who won honors with their respective entries.

Dr. Allen Williams, the principal of Springdale High School, reported about the 2006 Hall of Fame dinner and program held on August 11, 2006.

Dr. Jim D. Rollins, Superintendent, recognized four participants in the current "Leadership Springdale" class conducted by the Springdale Chamber of Commerce.

Mr. Brad Hammonds, an engineer with McGoodwin, Williams & Yates, sought Board approval of a proposed contract to install a water-line extension to supply the east elementary school (scheduled to open in the fall of 2007). He stated that they had received six bids for the mile-long project, and that they were very competitive. The low bid was in the amount of \$383,100.00, submitted by Goodwin & Goodwin. Mr. Hammonds stated that the cost "could be more if we need more feet." He described his positive past experience with that company on previous projects, and recommended that the district accept their bid, stating that it would be a "fully-bonded job." Mr. Bradford moved that the Board accept the low bid submitted by Goodwin & Goodwin in the amount of \$383,100.00 for the project described in the documents shown on pages 22–25 of the agenda. Mrs. McFetridge seconded the motion, and the motion passed unanimously. *(See attached exhibits.)*

Mr. Hammonds then sought Board approval of a proposed contract to improve Scott Hollow Road to service the east elementary school (also scheduled to open in the fall of 2007). Approximately 950 linear feet of road would be widened to 36 feet, he stated. He said six bids were received for that project, which would be fully bonded, and the low bidder at \$586,453.10 was NEC. Mr. Hammonds stated that he felt comfortable recommending that the Board accept the bid from NEC. Mr. Bradford moved that the Board accept the bid of NEC, Inc., in the amount of \$586,453.10 for the project described in the documents shown on pages 26–30 of the agenda. Mr. Luttrell seconded the motion, and the motion passed unanimously. *(See attached exhibits.)*

Dr. Rollins presented a tentative agenda for the dedication ceremonies for Turnbow Elementary School scheduled for October 6, 2006.

Dr. Rollins announced two upcoming meetings: (1) the annual fall conference for Region 1 of the Arkansas School Boards Association scheduled for October 9, 2006, in Rogers, and (2) the November 14, 2006, all-day work session for Springdale School Board members and central-office administrators.

Dr. Rollins commented on the National Anti-Gang Summit held at Har-Ber High School on September 1, 2006.

Dr. Rollins reported on the opening of school for the 2006–2007 term, and spoke about the "six elements of successful schools" described in the educational research of Mr. Jim Collins. He commented that the district now has 1,243 certified teachers and 770 support personnel, "over 2,000 caring adults leading our schools." He commented that the new prekindergarten program has an enrollment of 380 children.

Dr. Rollins announced that Tyson Middle School has been chosen to be one of only three schools in the nation to participate in the PALMS program (Postsecondary Access for Latino Middle-Grades Students). The three-year program is sponsored by the Education Development Center, LULAC National Education Service Centers, and the National Forum to Accelerate Middle-Grades Reform. Tyson Middle School will be the first pilot site in the nation; other sites will be added later in the fall of 2006 in Houston and New Jersey.

Mr. Van Bebber asked that Dr. Rollins put on the agenda for the November 14 work session an item to allow for the discussion of the realignment of grade configurations that may be proposed in the future.

Dr. Rollins described the district's recent and ongoing efforts to acquire sites for the construction of future schools. He commented about property on Dodd Avenue and property behind Kelly Middle School. He stated that there would be a certain efficiency to creating "sister schools." He stated that this year the district had the "second-largest growth spike ever" in its history. Dr. Rollins commented that the district may have to go to different grade configurations in the future, stating that, "It's a matter of positioning the district and planning appropriately."

Mr. Hartzell Jones, Deputy Superintendent for Personnel, reviewed the preliminary enrollment data for the district for the 2006–2007 school year and the corresponding staff requirements. The October 1 enrollment figures will be the official figures used by the state.

Dr. Ron Bradshaw, Assistant Superintendent for Special Services, reported that he had been contacted by Mr. David Cauldwell, the business manager of the Rogers School District, communicating the Rogers School Board's petition for the transfer of certain property from its school district into the Springdale School District. Dr. Bradshaw explained that the proposal was initiated by the Rogers School District because of a situation that was brought to their attention after the development of a new subdivision. Rogers desires to have the land transferred to our district because of their difficulty in transporting the students living in the subject area, which totals approximately 160 acres. He stated that all of the property owners want to send their children to the Springdale School District. The land transfer has

already been approved by the Rogers School Board, and if approved by Springdale, it would have to be approved by the Arkansas State Board of Education to become effective. The property tax on the subject land would then come to the Springdale School District instead of going to the Rogers School District. Mr. Van Bebber moved that the Board "authorize our administrators to correspond with the Rogers School District and accept the 160 acres described" in the documents shown on pages 87–92 of the agenda, allowing that land to be "annexed into the Springdale School District." Mrs. McFetridge seconded the motion, and the motion passed unanimously. *(See attached exhibits.)*

Architect Jack See reported on the status of various construction projects undertaken by the district. Dr. Rollins presented a PowerPoint slide show describing the proposed plan for the renovation of Springdale High School and the closing of the portion of Emma Avenue that now bisects that campus. He described the vision for that construction program and the projected cost.

Dr. Greg Murry, Assistant Superintendent for Business Affairs, commented briefly on the school election scheduled for September 19, 2006.

Dr. Murry presented for Board approval certain documents to be submitted to the Arkansas Department of Education regarding expenditures for 2005–2006 and the budget for the district for 2006–2007. He stated that the Board members have already seen and approved the numbers reflected in that annual financial report, but the Arkansas Department of Education requires that the report be adopted "in this format" for formal filing by September 15, 2006. Mr. Bradford moved that the Board adopt the report as presented, and Mrs. McFetridge seconded the motion. The motion passed by unanimous vote. *(See attached exhibits.)*

Dr. Murry then sought final Board approval for the sale of the \$9,920,000.00 refunding bond issue dated September 1, 2006. The district will save approximately \$1.8 million as a result of that bond issue. (The district had to wait for the specified "call date" before the subject bonds could be refinanced.) Mr. Van Bebber moved that the School Board "adopt the resolution authorizing the issuance and delivery of the \$9,920,000.00, September 1, 2006, Springdale School District refunding bond issue and other documents pertaining thereto as prepared by the Friday, Eldredge & Clark law firm." Mr. Luttrell seconded the motion, and the motion passed by unanimous vote. *(See attached exhibit showing pages 92–96 of the agenda.)*

Dr. Murry then sought Board approval for the submission of an application to issue second-lien bonds for a \$14,340,000.00 construction bond issue (for the construction of an elementary school in the Sonora area to be opened in 2008). During a discussion of the matter, Mr. Buster Beardsley of First Security Beardsley Public Finance, the district's fiscal agent, explained that the previous "conversion fee" in Arkansas confused nationwide bidders, and now the "underwriter's fee is already calculated into it." Mr. Van Bebber

made a motion "to submit an Application for a Permit to Issue Bonds, with related documents, for a \$14,340,000.00 construction bond issue to the State Department of Education, and to employ First Security Beardsley Public Finance as fiscal agent." Mr. Farrell seconded the motion, and the motion passed unanimously. *(See attached exhibit showing pages 97-102 of the agenda.)* When questioned about how the dollar amount of the bond issue was calculated, Mr. Beardsley explained that it was "an estimate of what you have to sell to *net out* the amount you need.")

Dr. Murry then presented for Board approval a total of 26 petitions for out-of-district transfers (12 outgoing, and 14 incoming), all of which were in compliance with existing Board policy. Mrs. McFetridge moved that the Board approve such petitions as presented. Mr. Bradford seconded the motion, which then passed by unanimous vote of the six Board members present. *(See attached exhibits.)*

Dr. Murry provided a summary of the Odden & Picus report that was submitted to the Joint Legislative Committee on August 31, 2006, regarding the recalibration of the Arkansas school-funding structure. He explained that "adequacy" was not supposed to be "a stagnant issue" and the Arkansas General Assembly would be addressing adequacy again in its upcoming session. The Odden & Picus report holds "no weight in law," Dr. Murry stated; it "just redefines adequacy."

Dr. Murry presented for Board approval financial statements for the district for the month of August 2006. Mr. Luttrell moved that the financial statements be approved as presented, and Mrs. McFetridge seconded the motion. The motion passed unanimously.

Mrs. Elaine Kelley, president of the Springdale Education Association, reported on SEA activities and the opening of school for the new term. She described the SEA's efforts to communicate with new teachers joining the school system.

There being no further business to come before the Board, the meeting was then adjourned.

APPROVED:

President

Secretary

Reported by Cynthia Newman,



Secretary to Supt. and School Board

AFFIDAVIT OF PUBLICATION

STATE OF ARKANSAS,
County of Benton

I, Jim Mears do solemnly swear
that I am Classified Sales Rep.

of The Morning News, a daily newspaper
having a general circulation in said county,
and do solemnly swear the said
advertisement was published for

2 consecutive
weeks in said

newspaper, the said publication appearing:

23rd day of July 2006
30th day of July 2006
____ day of _____
____ day of _____
____ day of _____
____ day of _____
____ day of _____

PUBLIC NOTICE
The Rogers School Board will petition the State Board of Education to change the Rogers/Springdale school districts boundary line. The change is described as follows:
All property in the North half of the SW quarter of Section 10, Township 18 North, Range 29 West and the North half of the SE quarter of Section 10, Township 18 North, Range 29 West, Benton County, Arkansas, which is now part of Rogers School District 30, shall become part of Springdale School District 50.
July 23, 30, 2006

Signed [Signature]

Subscribed and sworn to me this 31st day of July, 2006

OFFICIAL SEAL
KATHY FRENCH
NOTARY PUBLIC - ARKANSAS
MADISON COUNTY
My Commission Exp. May 22, 2012

[Signature]

Notary Public

My Commission expires: 5/22/2012

Publication Charges: \$ 88.00 P.O.# _____

DISP# 10774

6-13-1210. Boundary change by State Board of Education.

(a)(1) The State Board of Education shall consider a petition from a local board of directors of any school district seeking an adjustment or change of boundary lines between its district and an adjoining district.

(2) The local board of directors must file the petition with the state board at least thirty (30) days prior to the next regularly scheduled state board meeting, at which time the petition will be presented for hearing before the state board.

(b) Upon proof to the state board of public notice issued in the local newspapers of general circulation in each affected school district no less than once a week for two (2) consecutive weeks, the state board may, by approval of a majority of the members of a quorum present of the state board, issue an order changing or adjusting the boundary lines between the adjoining districts.

(c) If the local board of each of the affected school districts is unable to agree on the proposed change in boundary lines, the state board shall adjust and change the boundary lines in accordance with its best judgment subject to the requirement of subsection (f) of this section or shall rule that the boundaries remain unchanged.

(d) Upon an order from the state board to change or adjust boundary lines, it shall be the duty of the Department of Education to immediately make changes in the maps of the school districts of the county to show the changes of boundaries.

(e) The state board shall issue an order establishing the changed boundaries and shall file the order with the county clerk in each county in which every affected school district lies. The county clerk shall make a permanent record of the order, and thereafter the boundaries so established shall be the boundaries of the affected districts until changes are made according to the provisions of law.

(f) The state board shall not order any change in school district boundaries which hampers, delays, or in any manner negatively affects the desegregation efforts of the public school districts in the State of Arkansas.

History. Acts 2001, No. 1037, § 1.

END OF COURSE BIOLOGY PERFORMANCE LEVEL DESCRIPTORS

PROFICIENCY LEVEL	DEFINITION
Advanced	<p>Biology students performing at the advanced level display a comprehensive understanding of biological concepts, including the role of chemistry and cells in life processes, genetics, evolution, the diversity of life, and the ecological and behavioral relationships among organisms. These students are able to design and conduct scientific investigations which answer biological questions about real-world situations. In addition, these students are able to apply complex reasoning skills to make logical predictions and draw well-formulated conclusions.</p> <p><i>Biology students performing at this level</i></p> <ul style="list-style-type: none"> • Evaluate the relationships between the structure and function of organic and inorganic molecules and explain their role in complex life processes • Model cell relationships that will allow predictions of cell activity based on varying conditions • Analyze genetic principles to predict results based on modes of inheritance • Evaluate the mechanisms involved in the process of evolution • Predict and justify the categorization of organisms according to their levels of organization, structure, function, and taxonomic characteristics • Evaluate and model the role of cycles in the transfer of energy and nutrients in living and non-living systems and predict the outcome of cycle fluctuation • Analyze interactions within ecosystems/biomes, debate the effect of human impact on them, and propose viable solutions • Design a scientific investigation to solve complex, real world situations. Integrate, interpolate, and extrapolate information imbedded in data to draw well-formulated conclusions.

END OF COURSE BIOLOGY PERFORMANCE LEVEL DESCRIPTORS

PROFICIENCY LEVEL	DEFINITION
Proficient	<p>Biology students performing at the proficient level demonstrate a solid understanding of biological concepts, including the role of chemistry and cells in life processes, genetics, evolution, the diversity of life, and the ecological and behavioral relationships among organisms. In addition, these students are able to design and conduct scientific investigations, analyze data, and apply scientific principles to solve real-world, biological problems.</p> <p><i>Biology students performing at this level</i></p> <ul style="list-style-type: none"> • Evaluate the role of organic and inorganic molecules that are essential in life processes • Demonstrate an understanding of the relationship between the structure and function of cells • Explain and apply genetic principles to modes of inheritance • Demonstrate an understanding of the mechanisms involved in the process of evolution • Categorize and compare organisms according to their levels of organization, structure, function, and taxonomic characteristics • Analyze the role of cycles in the transfer of energy and nutrients in living and non-living systems • Analyze interactions within ecosystems/biomes and evaluate the effect of human impact on them • Implement scientific methods as they relate to current biological trends by evaluating charts and graphs, and utilizing appropriate technology

END OF COURSE BIOLOGY PERFORMANCE LEVEL DESCRIPTORS

PROFICIENCY LEVEL	DEFINITION
Basic	<p>Biology students performing at the basic level display knowledge of biological concepts, including some understanding of the role of chemistry and cells in life processes, genetics, evolution, the diversity of life, and the ecological and behavioral relationships among organisms. These students partially demonstrate the ability to apply this knowledge. They are able to conduct basic level scientific investigations, but demonstrate a need for additional assistance to reach the proficient level.</p> <p><i>Biology students performing at this level</i></p> <ul style="list-style-type: none"> • Identify and describe the functions of organic and inorganic molecules that are essential in life processes • Describe the structure and function of cells • Recognize genetic principles and modes of inheritance • Identify the mechanisms involved in the process of evolution • Demonstrate a knowledge of the levels of organization, structure, function, and taxonomic characteristics of organisms • Describe the role of cycles in the transfer of energy and nutrients in living and non-living systems • Recognize the characteristics of ecosystems/biomes and describe the results of human impact on them • Conduct a simple experiment using the scientific method and interpret charts and graphs utilizing appropriate technology
Below Basic	Below basic students fail to show sufficient mastery of biology skills to attain the basic level.

Performance Levels and Descriptors for the Tenth-Grade Science Alternate Portfolio Assessment System for Students with Disabilities

The five performance levels for Students with Disabilities are generally defined as:

Independent: Students at the Independent Level demonstrate performance well beyond the Functional Independence Level. They demonstrate mastery of authentic, age-appropriate, and challenging tasks in multiple settings. They can apply established literacy, mathematics, or science skills to real-world situations on their own. They can generalize learned skills to solve new challenges.

Functional Independence: Students at the Functional Independence Level frequently meet authentic, age-appropriate challenges. They demonstrate reasonable performance in multiple settings and are prepared for more challenging tasks. They can apply established literacy, mathematics, or science skills to real-world situations but may require minimal prompting or support. They perform these skills accurately in most instances but make occasional errors.

Supported Independence: Students at the Supported Independence Level are attempting to meet authentic, age-appropriate challenges but have limited success. They demonstrate a partial or minimal ability to apply literacy, mathematics, or science skills and require considerable prompting or support. They make errors but occasionally perform these skills accurately.

Emergent: Students at the Emergent Level do not sufficiently demonstrate the literacy, mathematics, science skills needed to attain the Supported Independence Level. They are just beginning to show understanding or use of these skills; however, they are unable to perform these skills accurately without extensive support and assistance.

Not Evident: Students at the Not Evident Level demonstrate no evidence of performance towards the literacy, mathematics, or science skills being assessed.

2006-2007 Arkansas Better Chance Program**Round #4 Recommendations for Approval**

Agency	Contact	City	Round 4 Renewal Slots	ROUND 4 FUNDING	Conditions-Comments
New Horizons	Rebecca Dixon	Mountain View	15	\$ 66,000	Submission of acceptable budget.

Arkansas Department of Education (ADE) &
Arkansas Department of Health and Human Services (DHHS)
Division of Child Care and Early Childhood Education (DCCECE)
ARKANSAS BETTER CHANCE (ABC) PROGRAM GRANT AGREEMENT

RECEIVED
AUG 25 2006
DCCECE / PROGRAM SUPPORT

Effective Dates: July 1, 2006 - June 30, 2007

I - AGENCY INFORMATION

In this agreement, "Agency" shall refer to the entity whose information is listed below:

VERNON'S HOME PRESCHOOL
Contact: **Vernon Jones**
900 West 16th, North Little Rock, AR 72114

Taxpayer ID # 20-2910216
(REQUIRED)

II - PURPOSE AND PERFORMANCE

This Agreement establishes funding guidelines for participation in the Arkansas Better Chance (ABC)/Arkansas Better Chance for School Success (ABCSS) program. If any regulation is enacted or promulgated requiring changes in this Agreement all parties to the Agreement will consider the Agreement to be automatically amended to comply with the newly enacted regulation as of its effective date.

III - RESPONSIBILITIES AND ASSURANCES

- A. Agency's failure to comply with any ABC Rule or Regulation is grounds for placement on a 90-day compliance plan or termination of participation. A compliance plan allows an ABC agency to operate under additional monitoring for a period of 90 days to ensure compliance. After 90 days, a program shall either be removed from the plan or terminated from the ABC/ABCSS program.
- B. Agencies operating a center-based or family-home based ABC program must obtain and maintain the appropriate child care license for the facility. Agency must operate program within the guidelines of all minimum licensing requirements, including child capacity. Failure to do so will result in being placed on a compliance plan or termination from program.
- C. To receive payment, Agency must enter enrollment data for each child electronically using COPA®. DCCECE shall audit electronic rosters to determine child enrollment and payment. Enrollment data for each quarter must be completed by 4:00 pm on 9/30/06, 12/15/06 and 3/30/07. **Agency shall NOT receive payment for any child not enrolled in COPA by those dates.**
- D. For children dually enrolled in centers and HIPPY/PAT, DCCECE shall accept paper rosters from the home-visiting program. Paper rosters MUST be faxed to the number listed on the paper roster no later than close of business on the dates listed in Section III(C). **Home-visiting programs shall not receive credit for any dually enrolled child whose roster is not received by those dates.**
- E. Agency must achieve and sustain an average of at least 5.5 on the Environmental Rating Scale, have satisfactory evaluation reports and have no founded licensing violations posing an immediate safety risk to children. Failure to do one or more shall result in a compliance plan or termination from the program. This provision is superseded by any requirements listed in Section IV.
- F. Agency agrees to submit all required documentation in a timely manner. This includes, but is not limited to, reports on staff qualifications and credentials. Repeated infractions of this requirement will result in termination from program.
- G. The Agency will maintain ABC/ABCSS records in a manner consistent with the Health Insurance Portability and Accountability Act (HIPAA). Such records shall be made available to DCCECE staff or representatives upon request. Violations of HIPAA shall result in disciplinary action, up to termination from program.
- H. The Agency shall comply with Titles VI & VII of the Civil Rights Act and will operate, manage and deliver services without regard to age, religion, disability, political affiliation, veteran status, sex, race, color or national origin.
- I. Participation in ABC is contingent upon DCCECE approval of a program budget. Agency may not deviate from the budget in excess of \$1,000 without the consent of DCCECE. Agency shall be terminated from participation if it is determined Agency is operating without an approved budget or not administering the grant in accordance with the approved budget.
- J. Agency shall be required to offer fringe benefits to classroom staff in a minimum amount consistent with local school district policy or 25% of the gross salary amount, whichever is less. Fringe benefits must include, at a minimum, an offer of comprehensive health insurance for the classroom staff. If insurance is not offered, agency shall compensate employee an additional amount to purchase an individual health policy. Failure to comply is grounds for non-renewal of program grant.

- K. An Agency delinquent in any tax payment is subject to suspension or termination from ABC until taxes are paid.
- L. This grant is rendered invalid immediately upon Agency's exclusion pursuant to DHHS Policy 1088. Such exclusion extends to participants, immediate family members and related parties by blood or marriage. Programs shall be required to repay funds not expended or funds expended while Agency was ineligible.
- M. If Agency submits falsified or misleading information in any form, Agency shall be terminated from participation, Agency shall be subject to DHHS exclusion and its representatives shall be subject to civil penalties and criminal prosecution allowed by law.
- N. If it is determined there is immediate jeopardy to the health and safety of any child receiving services from the Agency, DHHS may cancel this Agreement immediately upon notice to the Agency.
- O. At their discretion, either party may cancel this Agreement upon 30 days written notice for any reason allowed by law including, but not limited to, unavailability of funds to support the program.

IV—ADDITIONAL REQUIREMENTS FOR AGENCY

1. Remain in good standing with DCC-ECE and all units within.
2. Must have no adverse rulings by DHHS Appeals and Hearings to retain grant.

V – TERMS OF FUNDING AND CERTIFICATION

ADE, in cooperation with DCCECE, agrees to provide a maximum of \$44,000 in ABC/ABCSS funding to serve 10 children for the period of July 1, 2006-June 30, 2007, in accordance with the approved program narrative and budget on file with DCCECE. Final funding amount will depend upon actual child enrollment. A payment equal to one-quarter of the maximum funding amount will be made to Agency upon receipt of the signed Agreement. Additional quarterly payments, calculated using actual enrollment, will be made over the program year following the end of quarters on 9/29/06, 12/15/06 and 3/30/07. If enrollment is less than 80% of allotted slots, the payment will be reduced on a per child basis. **Any sliding fee scale contribution shall be deducted from this amount.** If Agency has additional requirements listed in Section IV, those requirements shall supersede any other ABC Rule and Regulation. Overpayments or carry-forward funds shall be deducted from future payments. By signing this agreement, Vernon's Home Preschool and its representatives understand and agree to all terms in the Agreement and shall administer the ABC program in accordance with ABC Rules and Regulations.

<u>Vernon Jones</u> Signature of Agency Authorized Official	<u>8/25/06</u> Date
<u>Vernon Jones</u> Print Name	<u>Director</u> Title
<u>Paul Lazenby</u> Associate Director, Program Development and Pre-K Education Division of Child Care and Early Childhood Education	<u>9-11-06</u> Date
<u>T. Kenneth James</u> Commissioner Arkansas Department of Education	<u>9-14-06</u> Date

AGENCY—AFTER SIGNING, MAKE A COPY AND RETURN THE ORIGINAL AGREEMENT TO:
Division of Child Care and Early Childhood Education
Attention: Paul Lazenby
P.O. Box 1437, Slot S-160
Little Rock, AR 72203

SECTION 21 – COMPLIANCE

21.1 An ABC program found to be out of compliance with any ABC Rule or Regulation shall be placed on a 90-day Compliance Plan. During this probationary period, a program must make all necessary corrections or be subject to termination from the ABC program. Compliance deficiencies may also result in immediate termination from the ABC program, denial of future ABC funds, repayment of funds and exclusion from participation in any DHHS programs.

21.2 Issues for a compliance plan may include, but are not limited to:

- Founded licensing or maltreatment complaints
- Any other violation of minimum licensing standards
- Revocation of Quality Approval status or failing to meet Quality Approval standards
- Financial mismanagement, including use of ABC funds for programs other than ABC
- Habitually late reports or missing information
- Failure to report a change in program status within five working days
- Program deficiencies documented by DCCECE or any authorized representative
- Erroneous or fraudulent billing of DCCECE vouchers or Special Nutrition programs
- Falsification of any document or information
- Hiring of unqualified staff without consultation with the Division on a Staff Qualifications Plan.
- Staff members not meeting the requirements of a Staff Qualifications Plan.

21.3 Any program who submits a falsified document will be subject to immediate termination from the ABC program, repayment of funds and possible referral of program officials and/or responsible employees for criminal prosecution.

21.4 An ABC program may appeal any adverse action taken by DCCECE. Such appeals must be in writing and be received within thirty (30) days of the notice of corrective action. A program wishing to appeal should send a written notice to Attention: DCCECE Division Director, P.O. Box 1437, Slot S-140, Little Rock, AR 72203. The Division Director will make a recommendation to the State Board of Education, which will issue a final ruling.

Mr. Vernon Jones

Hope for the Future
6105 West 32nd St
Little Rock AR 72204-

September 5, 2006

Case Number: 20053163

Re: Vernon Jones v. DHHS

Dear Mr. Jones:

Enclosed is the administrative hearing decision in the above-referenced case. This is the final agency action on this case.

You have the right to appeal this decision through the Administrative Procedure Act. If you wish to pursue judicial review, a petition must be filed in the circuit court in the county in which you reside or in Pulaski County within 30 days from receipt of the hearing decision.

If you require correspondence in alternate formats, such as Braille, large print, or audio tapes, please contact the Appeals and Hearings Office at (501) 682-8622.

Sincerely,

Lech Matuszewski

ALJcc:

cc: Tami Harlan, OCC
Mike Saxby, DCC
Tonya Russell, DCC Director

**BEFORE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
OF THE STATE OF ARKANSAS**

IN THE MATTER OF:

VERNON JONES

PETITIONER

VS

NO. 20053163

**DIVISION OF CHILD CARE AND
EARLY CHILDHOOD EDUCATION**

RESPONDENT

FINAL ORDER

INTRODUCTION

On 7/14/06, this case was presented for determination to the Office of Appeals and Hearings pursuant to the Arkansas Administrative Procedures Act. The hearing was conducted to determine whether a preponderance of the evidence exists to support the Decision made by the DHHS Director to invoke DHHS Exclusion Policy 1088, and to exclude Hope for the Future, Ms. Vernon Jones, and Ms. Nicole Swiney from the participation in the DHHS programs. Additionally, the hearing was conducted to determine the issue of the overpayment of \$7,797.68.

Present for the hearing were Vernon Jones, Petitioner; Nicole Swiney , Petitioner; Tami Harlan, Attorney for the Respondent; Michael Saxby, DCC; Kamesha Lindsay, DCC; and Lech Matuszewski, Administrative Law Judge.

From all things and matters of record, the following Findings of Fact, Conclusions of Law and Decision are entered.

FINDINGS OF FACT

1. On 8/26/05, a decision was made to invoke the DHHS Policy 1088, and to permanently exclude Hope for the Future and Ms. Vernon Jones from the participation in the DHHS programs. The decision was signed by Mr. John Selig, DHHS Director. The decision also identified the alleged overpayment of \$7,797.68.

2. On 9/01/05, the Petitioners filed an appeal with the Appeals and Hearings Office of the Department of Human Services and requested an administrative hearing.
3. The administrative hearing was held on 7/14/06.
4. The Agency presented evidence to support the allegation that there was an overpayment in the amount of \$3,801.92. The Agency submitted billing records and attendance records in support of their finding. The Petitioners both admitted the amount of \$123.62 which was included in the amount of \$3, 801.92. The remaining amount of \$3,678.30 was based on the payments made to the Petitioners' facility for services which were not provided due to the facility being closed on: 12/22/03, 12/23/03, 12/26/03, 12/29/03, 12/30/03, and 12/31/03. The Petitioners did not present evidence to refute the Agency's finding that the facility was closed on the above referenced days. Therefore, I find that the Agency showed by a preponderance of the evidence that there is an overpayment in the amount of \$3,678.30, and because the Petitioners admitted the amount of \$123.62, I find that the amount of \$3,801.92 identified by the Agency as the overpayment is correct.
5. The Agency also presented evidence to support the allegation that there was an overpayment in the amount of \$3,995.76. The Agency submitted billing records covering the period from 6/02/03 until 8/31/06. The billing records included the names of the children and the amounts billed for the services allegedly provided to these children. The Agency also submitted attendance records and daily sign in sheets. In comparing the billing records with the attendance records the Agency found that the Petitioners billed for time when the children were not in the facility and also billed for more than seven (7) allowable days. The Petitioners did not submit evidence to refute the Agency's finding. Therefore, I find that the Agency showed by a preponderance of the evidence that the amount of overpayment as it pertains to the above referenced period of time is \$3,995.76.
6. **I find that the total amount of overpayment is \$7,797.68.** This amount is a sum of \$3,801.92 and \$3,995.76. The basis for finding these amounts is explained in paragraphs #4 and #5 of these Findings of Fact. Therefore, I find that there was a preponderance of the evidence to show **that the Petitioners submitted a bill for payment which exceeded the amount to which the participant was entitled.**
7. Ms. Vernon Jones testified and minimized her involvement and responsibility for the activities of Hope for the Future facility. Ms. Jones, testimony as to her role at the Hope for the Future was inconsistent and confusing. Ms. Jones testimony indicated that she did not remember or

- was unsure if she was a Director, then admitted that she was a Director but had no responsibility for the voucher program.
8. Nicole Swiney testified that in 2003, she was an assistant Director and that Ms. Jones was a Director of the Hope for the Future.
 9. The Agency introduced in evidence statement dated 7/28/04 signed by Vernon Jones. The statement referring to the business of Hope for the Future is signed by Vernon Jones, Director.
 10. The Agency also introduced in evidence statement dated 8/26/03, showing the list of employees of the Hope for the Future. Ms. Jones testified that she is listed as an employee.
 11. Vernon Jones and Nicole Swiney both appeared on 7/28/05 at the administrative hearing representing the Hope for the Future. Ms. Jones and Ms. Swiney attended the hearing in a capacity of Director and Assistant Director.
 12. I find that there was a preponderance of the evidence to show that Vernon Jones was a Director of the Hope for the Future and that Nicole Swiney was an Assistant Director, and that they were responsible for the operations of the Hope for the Future.
 13. The Division of Child Care and Early Childhood Education (DCC) terminated the Summer Food Service Program (SFSP) agreement with Hope for the Future. The DCC also terminated the Child and Adult Care Food Program (CACFP) agreement with Hope for the Future. The Petitioners requested an administrative hearing regarding these decisions. The administrative hearing was held on 7/28/05. On 8/15/05, pursuant to the Agency's Final Order, the decision to terminate SFSP agreement and CACFP agreement with Hope for the Future was upheld. Therefore, I find that **Hope for the Future was terminated by the Agency after an opportunity for due process.**
 14. The Agency's Final Order of 8/15/05 was based amongst other facts on the improper use of the facility's funds for personal matters, including bankruptcy payments, church contributions, and others.

CONCLUSIONS OF LAW

1. 1088.0.0 DHHS PARTICIPANT EXCLUSION RULE

1088.1.0 Purpose

1088.1.1 DHHS shall conduct business only with responsible participants. Participants will be excluded from participation in DHHS programs not as penalty, but rather to protect public funds, the integrity of publicly funded programs, and public confidence in those programs.

1088.1.2 Participant exclusion is a serious action that shall be used only in the State's best interests and for the protection of the public and DHHS. DHHS shall impose exclusion only in accordance with this rule.

2. 1088.2.0 Substantive Rules

1088.2.1 Definitions:

N. Participant - a person or entity that is a party or is seeking to become a party to a contract, grant or agreement with DHHS to furnish commodities or services to, on behalf of, or as a grantee or sub-grantee or recipient of DHHS.

P. Related Party - an immediate family member or a person or an entity associated or affiliated with, or which shares common ownership, control, or common board members, or which has control of or is controlled by the participant.

3. 1088.2.3.2 DHHS shall exclude each participant upon learning that within the past year the participant was debarred, terminated, suspended, or otherwise excluded from being a participant by any unit of the federal government or any unit of a state government, provided that the debarment or exclusion was imposed after an opportunity for due process, and provided that federal law does not expressly prohibit collateral exclusion under the circumstances.

4. 1088.2.3.3 DHHS shall exclude participants for any of the following acts or omissions that are of a character regarded by the Director to be so serious as to justify exclusion:

N. Submitting, without good cause, a bill or claim for payment exceeding the amount to which the participant is entitled

5. 1088.2.3.4 Effect Of Exclusion: Exclusion applies to all participants, related parties, and the heirs and assigns of the participants and related parties. Excluded participants may not receive appropriated funds except to the extent such funds are for proper charges approved before the date of exclusion and provided that any payments are limited to the amount by which the proper charges exceed the amount of any indebtedness to DHHS.

6. 1088.2.3.6 Term Of Exclusion: The term of the exclusion shall be set after consideration of the nature and seriousness of the wrongful act or omission warranting exclusion, the length of time since any wrongful act or omission warranting exclusion, and the goals and purposes underlying this rule. The term of exclusion must be stated in the exclusion determination. Exclusion shall be for not less than one year and at least until all appropriated funds, costs, and penalties owed to DHHS by the participant are paid in full and the participant meets all contract or grant requirements as well as all applicable requirements in federal rules and laws.

DECISION

The Agency has met its burden to show that the decision to invoke the DHHS Policy 1088 should be upheld. The Agency also has met its burden to show that there was an overpayment of \$7,797.68.

DHHS shall exclude each participant upon learning that within the past year the participant was terminated, from being a participant by unit of a state government, provided that the termination was imposed after an opportunity for due process. Participant is an entity that is a party to a contract, or agreement with DHHS to furnish services

On 8/15/05, Hope for the Future was terminated by the Agency after an opportunity for due process from being a participant. Hope for the Future was a participant in the sense that Hope for the Future was a party to the agreements with the Division of Child Care and Early Childhood Education (DCC). On 8/26/05 the DHHS properly excluded Hope for the Future upon learning within "the past year" that the participant was terminated by unit of state government, in this case DCC.

Additionally, in accordance with the DHHS Policy 1088.2.3.3 (N), the DHHS shall exclude participants for acts or omissions that are of a character regarded by the Director to be so serious as to justify exclusion, including submitting, without good cause, a bill or claim for payment exceeding the amount to which the participant is entitled.

The Petitioners, as employees of Hope for the Future, were responsible for an overpayment of \$7,797.68 which was caused by submitting billing for services which were not provided or which were not supported by proper records. Therefore, I find that the DHHS properly excluded Hope for the Future based on DHHS Policy 1088.2.3.3 (N).

Exclusion applies to all participants, related parties, and the heirs and assigns of the participants and related parties. Related Party is a person associated or affiliated with, or which has control of or is controlled by the participant.

In accordance with this policy, Vernon Jones and Nicole Swiney, are related parties. Ms. Jones and Ms. Swiney were in positions of Director and Assistant Director therefore, they were associated with and had control over the participant's facility (the participant). Therefore, I find that the Agency's decision under the DHHS Policy 1088 applies to Ms. Vernon Jones, and Ms. Nicole Swiney.

In accordance with the DHHS Policy 1088.2.3.6, the term of the exclusion shall be set after consideration of the nature and seriousness of the wrongful act or omission warranting exclusion, the length of time since any wrongful act or omission warranting exclusion, and the goals and purposes underlying this rule. The term of exclusion must be stated in the exclusion determination.

The DHHS Director excluded Hope for the Future, Vernon Jones and Nicole Swiney permanently from the participation in the DHHS programs. The termination of the agreements, submission of the bill for services which were not performed or not supported by proper attendance records, as well as instances of personal use of the facility funds, are all, an indication of the very serious nature of the wrongful acts and omissions. The Petitioners did not present sufficient evidence to show why the exclusion should not be permanent. Therefore, I find that there was a preponderance of the evidence to show that this exclusion should be permanent.

The Agency's decision of 8/26/05, permanently excluding Vernon Jones, Nicole Swiney and Hope for the Future from the participation in the DHHS programs is hereby upheld. The amount of overpayment owed to the Agency is certified to be \$7,797.68.

Lech Matuszewski, ALJ

Date_____

From: [Mike Saxby](#)
To: [Paul Lazenby](#); [Jamie Morrison](#); [Tami Harlan](#);
CC: [Kamesha Lindsey](#);
Subject: Vernon Jones
Date: Wednesday, September 06, 2006 9:56:22 AM
Attachments: [image002.jpg](#)

Paul

Here is a copy of the licensing screen showing Vernon White as the owner of Hope for the Future. Vernon White is also known as Vernon White Jones and Vernon Jones. Given her ownership or co-ownership of the facility the exclusion action would apply to her personally.

Arkansas Child Care Licensing Version: (2.7.3) PRODUCTION

New Find / Edit Utilities Reports Notices Help

CCL Facility Update

Facility # 13287 Alternative Compliance ☐

Facility Name/DBA HOPE FOR THE FUTURE

Recommendation Capacity Annual Renewals Rates Additional Data

Facility Information **Owner/Director** Operating Info License Type Assign CCLS

Director/Primary Caregiver

Director/Primary Caregiver First Name LINDA MI Last Name HOLLOWAY

SSN

History

Owner Information

First Name	MI	Last Name	TIN/SSN	Asgn to Facility	Phone
VERNON		WHITE	582184191	<input checked="" type="checkbox"/>	501-562-0063
NICOLE		SWINEY		<input type="checkbox"/>	--

Alternative Compliance QA Facility

Appeals

Complaints

Corrective Action

Supervisor Review

License Fee

Past Inspections

New Inspection

Save

Cancel/Exit

License Status: CLOSED Recommended Status: CLOSED Supervisor Action: APPROVED

9:45 AM 09/06/2006 Form Name: frmUpdApp Current User: masaxby Security Role: CCLS

Start C:\ Internet Explorer Outlook Express Word WordPad Paint Control Panel Recycle Bin Taskbar Start

9:45 AM

From: [Paul Lazenby](#)
To: ["vernonjones0564@sbcglobal.net";](mailto:vernonjones0564@sbcglobal.net)
CC: [Jamie Morrison](#); [Tonya Russell](#); [Mike Saxby](#); [Tim Lampe](#);
Subject: Final Order from DHHS Appeals and Hearings RE: Vernon Jones, 20053163
Date: Tuesday, September 05, 2006 11:43:50 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.gif](#)
[Appeals-Hearings Cover Letter.doc](#)
[Vernon Jones, 20053163.doc](#)



Arkansas Department of Health and Human Services

Division of Child Care and Early Childhood Education

Program Development and Pre-K Education

P.O. Box 1437, Slot S-160 Little Rock, AR 72203 501-682-9699



MEMORANDUM

Date: September 5, 2006
To: Ms. Vernon Jones
Vernon's Home Preschool/ABC Program
From: Paul Lazenby, Associate Director, DCC-ECE
Subject: FINAL ORDER FROM DHHS APPEALS AND HEARINGS

Attached to this e-mail you will find copies of the final order which we received from Appeals and Hearings this morning. In summary, the Administrative Law Judge has upheld your exclusion as a provider from all DHHS-funded programs. This exclusion includes your Arkansas Better Chance funding.

Per the grant agreement you recently signed, continued participation in the ABC program was contingent upon no adverse rulings from the Appeals and Hearings section. Therefore, because of this order, your participation in Arkansas Better Chance is terminated effective today. The grant agreement will not be executed and payment will not be made.

If you wish to appeal the ruling, your rights and responsibilities are outlined in the attached letter. If you have any questions, please contact me or Jamie Morrison at 682-9699. Thank you.

Division of Child Care and Early Childhood Education
P.O. Box 1437, Slot S160, Little Rock, AR 72203



Paul Lazenby

Associate Director, Program Development and Public Pre-K

Confidentiality Notice: The information contained in this email message and any attachment(s) is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is intended solely for the use of the entity to whom this email is addressed. If you are not the intended recipient, you are hereby notified that reading, copying or distribution of this transmission is STRICTLY PROHIBITED. The sender has not waived any applicable privilege by sending the accompanying transmission. If you have received this transmission in error, please notify the sender by return email and delete the message and attachment(s) from your system.

From: Mike Saxby
Sent: Tuesday, September 05, 2006 10:56 AM
To: Tim Lampe; Paul Lazenby; Ivory Daniels; Curtis Curry
Cc: Ray Jones; Kamesha Lindsey
Subject: FW: Vernon Jones, 20053163

Good Morning

Attached please find the final order from the Office of Appeals and Hearings. Ms. Jones is permanently excluded under DHHS Policy 1088 effective today.

Mike

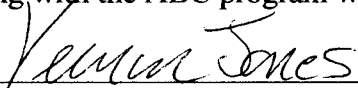
From: Lech Matuszewski
Sent: Tuesday, September 05, 2006 10:36 AM
To: Tami Harlan; Mike Saxby; Tonya Russell
Subject: Vernon Jones, 20053163

Vernon Jones
1519 Schaer
North Little Rock, Arkansas 72114
(501) 541-5043

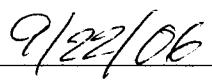
September 22, 2006

DCCECE Division Director
Attention: Tonya Russell
P.O. Box 1437 Slot S-140
Little Rock, Arkansas 72204

I Vernon Jones the owner of Vernon Home Preschool request an appeal of the termination from the ABC program. Due to the final permanent exclusion on 9/5/06 this discussion is in the appeal state at the Circuit Court House. I am requesting to continual operating with the ABC program while the appeal is in process.



Vernon Jones



Date

RECEIVED
SEP 22 2006
DCCECE / LICENSING UNIT

ACTFL Oral Proficiency Interview (OPI)

Answers to Frequently Asked Questions

What is the ACTFL Oral Proficiency Interview?

The ACTFL Oral Proficiency Interview (OPI) is a testing method that measures how well you speak a language by comparing your performance with the criteria described in the *ACTFL Proficiency Guidelines - Speaking (Revised 1999)*.

It is a one-to-one telephonic or face-to-face conversation with a real person conducted entirely in the target language.

How can I best prepare to take the OPI?

It is helpful to read the ACTFL Proficiency Guidelines in order to be familiar with the functions, discourse length and accuracy features of the level that you need to achieve.

Practice speaking as much as you can, practicing the functions that you will need to demonstrate during the interview, i.e., telling stories, giving full descriptions, etc.

How is the interview structured?

The OPI is structured so that you have a chance to provide the very best sample of real communicative language you can produce.

The interview will also stretch your abilities, and push you to your limits in the language.

What happens during the interview?

Through a conversational format, you will be asked to talk about yourself, your interests, your daily routine, etc.

The tester may use a variety of direct information questions, or ask for a description, ask you to narrate, or ask for your opinion on a familiar subject.

Will I only be required to answer questions?

During most of the interview, the tester will ask you questions about a variety of topics that are of interest to you.

The tester may also ask you to take part in a role-play situation intended to find out how well you may be able to handle a real-life situation.

What should I do if I cannot remember a particular word?

If you do not know a specific term, try to describe or paraphrase what you want to say in the language. Avoid using English, slang or making up words.

If you do use English, slang or a made-up term, do not be surprised if the interviewer asks you to describe what that word means in the language of the test.

What are the best strategies for success on the OPI?

When taking the oral proficiency interview, listen carefully to the questions asked by the interviewer before answering.

When answering, give as detailed a response as possible. Saying little to avoid making mistakes will not improve your rating.

Your participation in the interview is very important in order to demonstrate your language proficiency at its best.

Remember to relax and, engage fully in the conversation.

SUPERIOR

Speakers at the Superior level are able to communicate in the language with accuracy and fluency in order to participate fully and effectively in conversations on a variety of topics in formal and informal settings from both concrete and abstract perspectives. They discuss their interests and special fields of competence, explain complex matters in detail, and provide lengthy and coherent narrations, all with ease, fluency, and accuracy. They explain their opinions on a number of topics of importance to them, such as social and political issues, and provide structured argument to support their opinions. They are able to construct and develop hypotheses to explore alternative possibilities. When appropriate, they use extended discourse without unnaturally lengthy hesitation to make their point, even when engaged in abstract elaborations. Such discourse, while coherent, may still be influenced by the Superior speakers' own language patterns, rather than those of the target language.

Superior speakers command a variety of interactive and discourse strategies, such as turn-taking and separating main ideas from supporting information through the use of syntactic and lexical devices, as well as intonational features such as pitch, stress and tone. They demonstrate virtually no pattern of error in the use of basic structures. However, they may make sporadic errors, particularly in low-frequency structures and in some complex high-frequency structures more common to formal speech and writing. Such errors, if they do occur, do not distract the native interlocutor or interfere with communication.

ADVANCED HIGH

Speakers at the Advanced-High level perform all Advanced-level tasks with linguistic ease, confidence and competence. They are able to consistently explain in detail and narrate fully and accurately in all time frames. In addition, Advanced-High speakers handle the tasks pertaining to the Superior level but cannot sustain performance at that level across a variety of topics. They can provide a structured argument to support their opinions, and they may construct hypotheses, but patterns of error appear. They can discuss some topics abstractly, especially those relating to their particular interests and special fields of expertise, but in general, they are more comfortable discussing a variety of topics concretely.

Advanced-High speakers may demonstrate a well-developed ability to compensate for an imperfect grasp of some forms or for limitations in vocabulary by the confident use of communicative strategies, such as paraphrasing, circumlocution, and illustration. They use precise vocabulary and intonation to express meaning and often show great fluency and ease of speech. However, when called on to perform the complex tasks associated with the Superior level over a variety of topics, their language will at times

break down or prove inadequate, or they may avoid the task altogether, for example, by resorting to simplification through the use of description or narration in place of argument or hypothesis.

ADVANCED MID

Speakers at the Advanced-Mid level are able to handle with ease and confidence a large number of communicative tasks. They participate actively in most informal and some formal exchanges on a variety of concrete topics relating to work, school, home, and leisure activities, as well as to events of current, public, and personal interest or individual relevance.

Advanced-Mid speakers demonstrate the ability to narrate and describe in all major time frames (past, present, and future) by providing a full account, with good control of aspect, as they adapt flexibly to the demands of the conversation. Narration and description tend to be combined and interwoven to relate relevant and supporting facts in connected, paragraph-length discourse.

Advanced-Mid speakers can handle successfully and with relative ease the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine situation or communicative task with which they are otherwise familiar. Communicative strategies such as circumlocution or rephrasing are often employed for this purpose. The speech of Advanced-Mid speakers performing Advanced-level tasks is marked by substantial flow. Their vocabulary is fairly extensive although primarily generic in nature, except in the case of a particular area of specialization or interest. Dominant language discourse structures tend to recede, although discourse may still reflect the oral paragraph structure of their own language rather than that of the target language.

Advanced-Mid speakers contribute to conversations on a variety of familiar topics, dealt with concretely, with much accuracy, clarity and precision, and they convey their intended message without misrepresentation or confusion. They are readily understood by native speakers unaccustomed to dealing with non-natives. When called on to perform functions or handle topics associated with the Superior level, the quality and/or quantity of their speech will generally decline. Advanced-Mid speakers are often able to state an opinion or cite conditions; however, they lack the ability to consistently provide a structured argument in extended discourse. Advanced-Mid speakers may use a number of delaying strategies, resort to narration, description, explanation or anecdote, or simply attempt to avoid the linguistic demands of Superior-level tasks.

ADVANCED LOW

Speakers at the Advanced-Low level are able to handle a variety of communicative tasks, although somewhat haltingly at times. They participate actively in most informal and a limited number of formal conversations on activities related to school, home, and leisure activities and, to a lesser degree, those related to events of work, current, public, and personal interest or individual relevance.

Advanced-Low speakers demonstrate the ability to narrate and describe in all major time frames (past, present and future) in paragraph length discourse, but control of aspect may be lacking at times. They can handle appropriately the linguistic challenges presented by a complication or unexpected turn of events that occurs within the context of a routine situation or communicative task with which they are otherwise familiar, though at times their discourse may be minimal for the level and strained. Communicative strategies such as rephrasing and circumlocution may be employed in such instances. In their narrations and descriptions, they combine and link sentences into connected discourse of paragraph length. When pressed for a fuller account, they tend to grope and rely on minimal discourse. Their utterances are typically not longer than a single paragraph. Structure of the dominant language is still evident in the use of false cognates, literal translations, or the oral paragraph structure of the speaker's own language rather than that of the target language.

While the language of Advanced-Low speakers may be marked by substantial, albeit irregular flow, it is typically somewhat strained and tentative, with noticeable self-correction and a certain 'grammatical roughness.' The vocabulary of Advanced-Low speakers is primarily generic in nature.

Advanced-Low speakers contribute to the conversation with sufficient accuracy, clarity, and precision to convey their intended message without misrepresentation or confusion, and it can be understood by native speakers unaccustomed to dealing with non-natives, even though this may be achieved through repetition and restatement. When attempting to perform functions or handle topics associated with the Superior level, the linguistic quality and quantity of their speech will deteriorate significantly.



INTERMEDIATE HIGH

Intermediate-High speakers are able to converse with ease and confidence when dealing with most routine tasks and social situations of the Intermediate level. They are able to handle successfully many uncomplicated tasks and social situations requiring an exchange of basic information related to work, school, recreation, particular interests and areas of competence, though hesitation and errors may be evident.

Intermediate-High speakers handle the tasks pertaining to the Advanced level, but they are unable to sustain performance at that level over a variety of topics. With some consistency, speakers at the Intermediate High level narrate and describe in major time frames using connected discourse of paragraph length. However, their performance of these Advanced-level tasks will exhibit one or more features of breakdown, such as the failure to maintain the narration or description semantically or syntactically in the appropriate major time frame, the disintegration of connected discourse, the misuse of cohesive devices, a reduction in breadth and appropriateness of vocabulary, the failure to successfully circumlocute, or a significant amount of hesitation.

Intermediate-High speakers can generally be understood by native speakers unaccustomed to dealing with non-natives, although the dominant language is still evident (e.g. use of code-switching, false cognates, literal translations, etc.), and gaps in communication may occur.

INTERMEDIATE MID

Speakers at the Intermediate-Mid level are able to handle successfully a variety of uncomplicated communicative tasks in straightforward social situations. Conversation is generally limited to those predictable and concrete exchanges necessary for survival in the target culture; these include personal information covering self, family, home, daily activities, interests and personal preferences, as well as physical and social needs, such as food, shopping, travel and lodging.

Intermediate-Mid speakers tend to function reactively, for example, by responding to direct questions or requests for information. However, they are capable of asking a variety of questions when necessary to obtain simple information to satisfy basic needs, such as directions, prices and services. When called on to perform functions or handle topics at the Advanced level, they provide some information but have difficulty linking ideas, manipulating time and aspect, and using communicative strategies, such as circumlocution.

Intermediate-Mid speakers are able to express personal meaning by creating with the language, in part by combining and recombining known elements and conversational input to make utterances of sentence length and some strings of sentences. Their speech may contain pauses, reformulations and self-corrections as they search for adequate vocabulary and appropriate language forms to express themselves. Because of inaccuracies in their vocabulary and/or pronunciation and/or grammar and/or syntax, misunderstandings can occur, but Intermediate-Mid speakers are generally understood by sympathetic interlocutors accustomed to dealing with non-natives.

INTERMEDIATE LOW

Speakers at the Intermediate-Low level are able to handle successfully a limited number of uncomplicated communicative tasks by creating with the language in straightforward social situations. Conversation is restricted to some of the concrete exchanges and predictable topics necessary for survival in the target language culture. These topics relate to basic personal information covering, for example, self and family, some daily activities and personal preferences, as well as to some immediate needs, such as ordering food and making simple purchases. At the Intermediate-Low level, speakers are primarily reactive and struggle to answer direct questions or requests for information, but they are also able to ask a few appropriate questions.

Intermediate-Low speakers express personal meaning by combining and recombining into short statements what they know and what they hear from their interlocutors. Their utterances are often filled with hesitancy and inaccuracies as they search for appropriate linguistic forms and vocabulary while attempting to give form to the message. Their speech is characterized by frequent pauses, ineffective reformulations and self-corrections. Their pronunciation, vocabulary and syntax are strongly influenced by their first language but, in spite of frequent misunderstandings that require repetition or rephrasing, Intermediate-Low speakers can generally be understood by sympathetic interlocutors, particularly by those accustomed to dealing with non-natives.

NOVICE HIGH

Speakers at the Novice-High level are able to handle a variety of tasks pertaining to the Intermediate level, but are unable to sustain performance at that level. They are able to manage successfully a number of uncomplicated communicative tasks in straightforward social situations. Conversation is restricted to a few of the predictable topics necessary for survival in the target language culture, such as basic personal information, basic objects and a limited number of activities, preferences and immediate needs. Novice-High speakers respond to simple, direct questions or requests for information; they are able to ask only a very few formulaic questions when asked to do so.

Novice-High speakers are able to express personal meaning by relying heavily on learned phrases or recombinations of these and what they hear from their interlocutor. Their utterances, which consist mostly of short and sometimes incomplete sentences in the present, may be hesitant or inaccurate. On the other hand, since these utterances are frequently only expansions of learned material and stock phrases, they may sometimes appear surprisingly fluent and accurate. These speakers' first language may strongly influence their pronunciation, as well as

their vocabulary and syntax when they attempt to personalize their utterances. Frequent misunderstandings may arise but, with repetition or rephrasing, Novice-High speakers can generally be understood by sympathetic interlocutors used to non-natives. When called on to handle simply a variety of topics and perform functions pertaining to the Intermediate level, a Novice-High speaker can sometimes respond in intelligible sentences, but will not be able to sustain sentence level discourse.

NOVICE MID

Speakers at the Novice-Mid level communicate minimally and with difficulty by using a number of isolated words and memorized phrases limited by the particular context in which the language has been learned. When responding to direct questions, they may utter only two or three words at a time or an occasional stock answer. They pause frequently as they search for simple vocabulary or attempt to recycle their own and their interlocutor's words. Because of hesitations, lack of vocabulary, inaccuracy, or failure to respond appropriately, Novice-Mid speakers may be understood with great difficulty even by sympathetic interlocutors accustomed to dealing with non-natives. When called on to handle topics by performing functions associated with the Intermediate level, they frequently resort to repetition, words from their native language, or silence.

NOVICE LOW

Speakers at the Novice-Low level have no real functional ability and, because of their pronunciation, they may be unintelligible. Given adequate time and familiar cues, they may be able to exchange greetings, give their identity, and name a number of familiar objects from their immediate environment. They are unable to perform functions or handle topics pertaining to the Intermediate level, and cannot therefore participate in a true conversational exchange.