

**Minutes
State Board of Education
Monday, April 9, 2007**

The State Board of Education met on Monday, April 9, 2007, in the Auditorium of the State Education Building. Diane Tatum, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Diane Tatum, Chairman; Randy Lawson, Vice-Chairman; Sherry Burrow; Dr. Calvin King; Dr. Tim Knight; Dr. Ben Mays; MaryJane Rebick; and Dr. Naccaman Williams.

Board members absent: Jim Cooper.

Chair's Report

Ms. Tatum reported the following visits and presentations:

- Magnolia Rotary Club
- Camden-Fairview School District – Career Week for Grades 5 and 6
- Schools in White Hall and Redfield – Arkansas Scholars Program
- Noted that Dr. James will be her guest at Pine Bluff Rotary Club during the following week

Commissioner's Report

Dr. James reported speaking engagements at three Rotary Clubs recently. He also noted that the 86th Arkansas General Assembly is in recess until early May at which time they should adjourn. Dr. James indicated that over 100 Acts were passed that will require work by the Department over the next few months, which included positive progress for K-12 initiatives. He reported that he was recently appointed to the Governing Board of the Southern Regional Education Board (SREB), which is based in Atlanta and that he would be attending a Board meeting later in the week. He noted that Dr. Williams is also a Board Member.

Consent Agenda

The chair requested a revision of the Minutes to amend the report of her activities during the Month of February. Revised Minutes to reflect the changes.

The Loans and Bonds Office submitted a correction to Consent Agenda Item C-5 to revise data submitted for the ADM for Heber Springs to read 1,707 instead of 1,660,000.

Ms. Burrow moved adoption of the Consent Agenda as amended. Mr. Lawson seconded the motion. The motion was adopted unanimously.

- Minutes, March 12, 2007 (as amended)

- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Report of Waivers to School Districts for Teachers Teaching Out-of-Area for Longer than Thirty (30) Consecutive Days, Act 1623 of 2001
- Review of Loan and Bond Application (as amended)
- Consideration of Waivers from Standards for Accreditation for Dumas School District as a Result of Damage from a Tornado on February 24, 2007

Action Agenda

(The Action Agenda items concerning charter schools, teacher licensure and Non-Certified employment were recorded and reported by a court reporter. A complete transcript of those transactions is available in the SBE office upon request as an attachment to these Minutes.)

Continuation of Hearing of Conversion Charter School Application and ADE Review: Mount Grove Preparatory Academy – Texarkana Arkansas School District, Texarkana, Arkansas

Dee Cox was recognized to present this item. Ms. Cox reported that the Department received a letter from Dr. Dee Human, Superintendent of schools in Texarkana, requesting that the application for the Mount Grove Conversion Charter School in the Texarkana School District be withdrawn. Mr. Lawson moved to accept the withdrawal of the Mount Grove Conversion Charter School. Dr. Williams seconded the motion. The motion was adopted unanimously on a roll call vote.

Review of Open-Enrollment Charter School: FOCUS Learning Academy, Conway, AR

Dee Cox was recognized to present this item. Ms. Cox reported that Mr. Leroy McClure, administrator of the FOCUS Learning Academy, submitted a letter to the Department on March 9, 2007, stating the intent to close the operation of FOCUS Learning Academy in Conway due to the lack of students and financial deficits. Mr. McClure was recognized to address the Board and entered a statement detailing the intent to close operation of the charter school. Ms. Rebick moved to accept the surrender of the Charter for FOCUS Learning Academy. Dr. Williams seconded the motion. The motion was adopted unanimously.

Review of Request for Conversion Charter School Amendment: Academic Center of Excellence, Osceola School District, Osceola, AR

Dee Cox requested that Superintendent Milton Washington of the Osceola School District be recognized to present documentation on the proposed amendment. Ms. Burrow move approval of the amendment to add Grade 10 to the Academic Center of Excellence Conversion Charter School in Osceola. Dr. Williams seconded the motion. The motion was adopted unanimously.

Review of Request for Amendment to Charter of KIPP Delta College Preparatory, Open Enrollment Charter School, Helena, AR

Dee Cox requested that Scott Shirey, Director of KIPP Academy, be recognized to present documentation on the proposed amendment. Mr. Shirey noted that the request is to allow the Delta KIPP Academy to add grades 9 through 12 and thus serve students throughout their high school years. He reported that the school has secured additional grant funding to allow expansion of the facility to accommodate the increased number of students.

Dr. Williams moved approval of the proposal to add grades 9 through 12 and that a cap of 300 be set for the number of students in grades 9 through 12. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Renewal of Open-Enrollment Charter School Application: Academics Plus Charter School, Maumelle, AR

Dee Cox requested that Dean Elliott, president of Academics Plus Board, be recognized to present documentation pursuant to the renewal application. Mr. Elliott reported that the current school year has been successful, enrollment is up, there is projected to be a fund balance of approximately \$200,000 at the end of the fiscal year, and the administrative leadership has been a key factor in the improved management of the program. Mr. Elliott noted that efficient space utilization will allow classroom space for Grades K through 2 without additional buildings, which, if approved, will allow a seamless transition for students through the school without the current blip when entering at grade 3.

Dr. Williams moved approval of the renewal of the Academics Plus charter for five (5) years, approval of the proposal to expand grades by adding K through 2 and setting a student enrollment cap at 375 students for Grades K through 12. Mr. Lawson seconded the motion. The motion was adopted on a vote of 6 yes and 1 no (Rebick voted no). Ms. Rebick stated her no vote was based on her belief that a five-year extension is too long given the instability of the school prior to the present year and she would like to see a program review at two or three years out.

Renewal of Open-Enrollment Charter School Application: Lisa Academy, Little Rock, AR

Dee Cox requested Omar Ozmeral be recognized to present Lisa Academy documentation pursuant to the renewal application. Bilgehan Yasar provided performance data to the Board via PowerPoint presentation highlighting enrollment, student performance, honors earned and other accomplishments. Facilities lease agreement, staffing, and fiscal management were points for discussion.

Mr. Lawson moved approval of the renewal of the Lisa Academy charter for five (5) years to include Grades 6 through 12 and that a cap be set at 600 students in those grades. Dr. Knight seconded the motion. The motion was adopted on a vote of 6 yes

and 1 no (Mays voted no). Dr. Mays stated his no vote was based on his perception that the demographics of the student body does not reflect the diversity proposed in the original charter and it is very different from that observed in the Little Rock School District.

Renewal of Open-Enrollment Charter School Application: Arkansas Virtual School, Little Rock, AR

Dee Cox recognized Karen Ghidotti, administrator of Arkansas Virtual School, to present Arkansas Virtual School documentation pursuant to renewal of the charter. Ms. Ghidotti described the nature of virtual learning that engages students through this school. She stated that the school currently serves students in Grades K through 8 and that the staff does not feel adequately prepared to engage in a full high school curriculum at this time. She reported the current maximum number of students projected to be served by the school is 500. Ms. Ghidotti affirmed that students in each of the ACTAAP tested grades are required to register with one of the regional service cooperatives to take the Benchmark and Norm-Referenced tests.

Dr. Mays moved to approve renewal of Arkansas Virtual School charter for two (2) years consistent with legislative funding with cap as authorized by legislative funding. Ms. Rebick seconded the motion. The motion failed on a vote of 3 yes and 4 no (Mays, Knight and Rebick voted yes and Burrow, Lawson, King and Williams voted no).

Mr. Lawson moved to approve renewal of Arkansas Virtual School charter for five (5) years. Dr. Williams seconded the motion. The motion was adopted on a vote of 6 yes and 1 no (Mays voted no).

Consideration of Petition Letters from Lead Hill and Dollarway School Districts Requesting Removal From Fiscal Distress Status

Dr. Bobbie Davis was recognized to present this item. Dr. Davis summarized work accomplished by the Lead Hill District pursuant to improving the financial status of the district. Dr. Shari Marshall, Superintendent of the Lead Hill District, was introduced. Dr. Marshall cited cooperation of the local board members, the community and staff of the Lead Hill District along with the assistance provided by the Department of Education helped move the district to a more stable financial condition.

Dr. Williams moved that Lead Hill School District be removed from fiscal distress classification. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Dr. Davis also summarized work accomplished by the Dollarway School District pursuant to improving the financial status of the district. Mr. Thomas Gathen, Superintendent of the Dollarway School District thanked Department staff for assistance during the years the school was classified in fiscal distress and for helping design a plan that would lead to a more stable financial status for the district.

Mr. Lawson moved that the Dollarway School District be removed from fiscal distress classification. Dr. King seconded the motion. The motion was adopted unanimously.

Review and Consideration of the 2006 Arkansas School Performance Report (Report Card)

Dr. Charity Smith was recognized to present this item. Dr. Smith stated that the Report Card is published annually by the Department to meet a legislative mandate. She reported that there is always a tension between including all the legislative mandated data, formatting of the report into a user friendly document, having local district staffs review and confirm the accuracy of the data, and meet the legislated timeline for release of the report. Dr. Smith reported that this year's report was released three days after the projected delivery date due to the fact that many districts were dismissed for snow days during the time that schools were reviewing the data.

Ms. Burrow moved that the Report Card data be accepted as presented. Dr. Mays seconded the motion. The motion was adopted unanimously.

Consideration of Technical Documentation Act 35 School Performance Rating System

Dr. Charity Smith was recognized to present this item. Dr. Smith summarized the document as distributed and highlighted key components of the work of technical advisory committees in keeping with developing both growth and performance the idea of adopting standards for accountability is somewhat unique among states. All states have some type of standards for assessment, but few have engaged in establishing standards for accountability. She noted that other states are watching this work as a way of informing similar development in those other states.

No action was taken.

Each of the following items considers approval of a stipulated agreement of waiver request for non-certified employment with a local school district. The details of the stipulated agreements can be found in the court reporter's complete transcript which is available upon request in the SBE office.

Angela Smith – Norphlet School District

Mr. Lawson moved acceptance of the stipulated agreement. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Joy Scott – Camden Fairview School District

Dr. Knight moved acceptance of the stipulated agreement. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Mary Thurman – Mountainburg School District

Dr. King moved acceptance of the stipulated agreement. Ms. Rebick seconded the motion. The motion was adopted unanimously.

Molly Grier – Gravette School District

Ms. Burrow moved acceptance of the stipulated agreement. Dr. Williams seconded the motion. The motion was adopted unanimously.

Peter Palmer – Lake Hamilton School District

Dr. Mays moved acceptance of the stipulated agreement. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Sarah Lancaster – Gravette School District

Dr. Williams moved acceptance of the stipulated agreement. Dr. King seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Little Rock School District – James Adams

Mr. Adams was present and represented himself before the Board. Mr. Adams stated that it was his opinion that the offenses cited are not within those listed as those requiring removal as stated in legislation. He noted that there was only one count and that was in 1981, which was non-violent and non-sexual in nature.

Ms. Rebick inquired as to why he had changed jobs often in recent years. Mr. Adams noted that in each case it was to better his salary or to be eligible for additional benefits in addition to better working conditions.

Ms. Rebick moved that the waiver be granted provided that Mr. Adams secure employment within 30 days and that a probationary period of five (5) years be instituted. The motion required rescinding of the waiver should employment not be secured within the 30 day window. The motion died for lack of a second.

Ms. Rebick moved that waiver be granted with the requirement of a 2 year probationary period. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Certified Teacher’s License – Joseph Sean Cornell

Mr. Cornell stated that he completed student teaching in Hope High School in 2005 and has been substitute teaching in Texarkana since that time. He noted that he is seeking an Arkansas license primarily so he can use reciprocity to get a Texas

license. He noted that he has the possibility of a job in Texas. Ms. Rebick noted that a misdemeanor is usually not a disqualifying offense.

Dr. Mays moved approval of the waiver. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the Lake Hamilton School District – Raymond Thomas

Mr. Thomas was not present nor represented. Ms. Rebick moved to deny request for waiver. Dr. Knight seconded the motion. The motion was adopted unanimously.

Hearing on Revocation of Certified Teacher’s License - Kelli Hogue

Ms. Hogue was not present nor represented. Courtney Ford summarized events that led to the request for revocation, which included falsifying data pursuant to adding an area of licensure to her current teacher licensure. Dr. James stated falsifying licensure information is a serious offense and should not be tolerated among the professional community.

Ms. Rebick moved permanent revocation of the teacher’s license for Kelli Hogue. Dr. Mays seconded the motion. The motion was adopted unanimously.

Hearing on Waiver Request for Non-Certified Employment with the South Central Service Cooperative – Tami Wayne (Tabled from March 12, 2007)

Ms. Ford presented additional information regarding the former employment status of Ms. Wayne with the South Central Arkansas Service Cooperative. It was determined that although the Cooperative Board declined to recommend re-employment, she has support from the local district where she was placed during her employment.

Ms. Rebick moved to grant the waiver. Dr. Mays seconded the motion. The motion was adopted unanimously.

Committee Report: NASBE Membership

Dr. Williams, committee chair, stated that the committee had not met to further consider this issue. He did state that the Chair indicated the need for some guidelines under which members would participate in NASBE events should the Board elect membership.

Ms. Rebick suggested that the Board should go ahead with consideration of membership and the committee could work with ADE staff to complete the guidelines at a later time.

Ms. Rebick moved that the Board affiliate with NASBE and ask Dr. Watson to work out financial agreement and that the committee meet to work out guidelines. Dr. Mays seconded the motion. The motion was adopted on a vote 5 yes, 2 no and 1 abstain. (Lawson voted no and Williams abstained.)

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

The meeting adjourned at 2:55 p.m.

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