

Minutes
State Board of Education Meeting
Monday, August 8, 2011

The State Board of Education met Monday, August 8, 2011, in the auditorium of the Department of Education building. Jim Cooper, Vice Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Vice Chair; Joe Black; Brenda Gullett; Sam Ledbetter; Alice Mahony; Toyce Newton; Mireya Reith; Vicki Saviers; and Dr. Tom Kimbrell, Commissioner

Absent: Ben Mays, Chairman; and Kathy Powers, Arkansas Teacher of the Year

Reports

Chair's Report:

No report was given.

Commissioner's Report:

Dr. Kimbrell said there was great concern regarding the federal government's debt ceiling and how it would impact education. He said the government set 10-year caps on discretionary spending, which contribute to almost all federal education and early childhood programs.

The Commissioner reported that as a result of many states' plea for flexibility in the unrealistic requirements of No Child Left Behind, the U.S. Department of Education would consider waivers of adequate yearly progress. The details for application are to be released in September.

Dr. Kimbrell reminded the Board the state's request submitted last spring had been denied. Therefore, the Department was anxious to learn more about the new application process.

Commissioner Kimbrell said the Council of Chief State School Officers had indicated an interest in helping Arkansas develop a new accountability system that would align with the Common Core State Standards and PARCC's next generation assessments.

Presentation Concerning the Employer Support of the Guard and Reserve (ESGR) Program

Members of the Arkansas National Guard thanked Commissioner Kimbrell, the State Board and the Arkansas Department of Education for cooperation and support of guard member and ADE General Counsel Jeremy Lasiter who was deployed to Afghanistan in 2009.

Dr. Kimbrell was presented the Defense Department's Patriot Award, which honors those who support employees of the Guard.

Informational Update on Common Core State Standards and PARCC

In an update on Common Core State Standards, Dr. Laura Bednar, Assistant Commissioner of Learning Services, said the goal was to be ready when PARCC's next generation assessments arrive in 2014-15. Dr. Bednar said school districts across the state were at different levels in readiness for CCSS. She noted the importance for districts to look at their resources and align those to the CCSS and to take advantage of professional development around the common language of CCSS.

Dr. Bednar reported that Dr. Bill Daggett, keynote speaker at the Arkansas Association of Educational Administrators' summer conference, told conference participants Arkansas was positioned well for the CCSS. In his review of the state's current standards, he found Arkansas's problem would not be what to add but what to take away.

Dr. Bednar stated communication efforts were ongoing. She said new brochures for parents had been developed and posted on the website; an Arkansas Common Core State Standards logo was available for use; a meeting was held with print journalists to promote better understanding of CCSS; and staff continued to speak and train at events across the state.

She also announced PARCC had released for public review draft content frameworks in English language arts and mathematics.

Update on Grades 1 and 2 Assessments

Dr. Gayle Potter, Director of Assessment, provided additional information on testing first and second grade students. A survey of states revealed Arkansas was one of a few that required first and second graders to take nationally standardized tests. A listing of states, their assessment directors and contact information, and the assessment/specific instrument was provided.

Dr. Potter said PARCC's working group was trying to develop an appropriate assessment of young children. She said the PARCC assessments would be designed to meet the widest range of needs and could be used for accountability purposes.

Ms. Mahony suggested eliminating the requirement for a licensed teacher to proctor End of Course exams in order to allow for more time to teach the new standards.

Dr. Potter pointed out that millions of taxpayer dollars were invested in assessing students and that children learned while testing. She said licensed teachers insured security of the tests.

Dr. Kimbrell noted recent accounts of testing improprieties in other states.

Discussion of Academic Distress Rule

General Counsel Jeremy Lasiter gave a summary of mechanisms set forth in Arkansas law to address schools and school districts that fail to meet academic achievement standards. Current Rule defines an academically distressed school district as one in which 75 percent or more students score at below basic on the state Benchmark and End of Course exams.

Mr. Lasiter said state law authorizes the State Board to define and identify academically distressed school districts and then require them to correct deficiencies or face state takeover.

Mr. Ledbetter said academic distress is not a reality and the established threshold would not likely reveal underperforming schools.

Board members agreed that academic distress should be meaningful and not abstract. They noted that actions should be geared to the district's leadership.

Commissioner Kimbrell recommended any academic distress measure take into account achievement growth at a school or district, some of which started behind others. He said he and his staff would work with leaders of the state's education related organizations on early indicators for academic distress and "tipping points" at which a school or district would go into academic distress.

The Board asked that academic distress be the first item for discussion at the work session in September. Dr. Kimbrell said the staff would be ready to present some concepts that could become part of a new rule.

Consent Agenda

Item C-10 (PLSB Case Michael Binns) was pulled from the agenda.

Mr. Ledbetter moved, seconded by Ms. Newton, approval of the Consent Agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the July 11, 2011, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers to Educational Agencies for Teachers Teaching Out of Area for Longer than 30 Days
- Revolving loans totaling \$79,500 (Dierks); 10 second lien bonds for a total of \$19,675,000 (Cossatot River, Elkins, Fort Smith, Greenbrier, IZard County, Jasper, Marion, Prairie Grove, Van Buren and Westside Consolidated) and 13 voted bonds totaling \$65,095,000 (Bay, Clinton, Cutter Morning Star, East End, East Poinsett County, Elkins, Fordyce, Jackson County, Lee County, Midland, Mountain View, Ozark and Western Yell County)
- Qualified Zone Academy Bonds in the amount of \$4,000,000 (Fort Smith)
- Sanction for Teachers as Recommended by the Professional Licensure Standards Board
 - Tim Estes
 - John A. Dawson
 - Karen Sue "Becky" Mathis
 - Gayla Lynette Maxwell

Action Agenda

(Complete records of the hearings are available in the State Board office.)

ABC Funding Recommendations 2011-12

Jamie Morrison, ABC Program Administrator, presented funding recommendations reviewed by the ABC staff and found to meet established guidelines.

Ms. Mahony moved, seconded by Mr. Ledbetter, approval of the recommendations. The motion carried unanimously.

Nineteen proposals were approved totaling \$5,886,525.

Approval of Public School Fund Budget FY11

Commissioner Kimbrell noted the Public School Fund Budget was actually part of the Executive Branch budget. He said the budget was typically brought to the State Board to keep members informed on how the funds were expended.

As reported by John Kunkel, Director of Agency Finance, there was \$1.3 million in net adjustments to the FY11 budget making the year-end balance approximately \$56 million. Mr. Kunkel said the balance was carried forward into FY12. About half of the carry forward will be used to make the FY12 budget.

Mr. Ledbetter moved, seconded by Ms. Gullett, approval of Public School Fund Budget FY11 as adjusted. The motion carried unanimously.

Initial Approval of Public School Fund Budget FY12

Mr. Kunkel presented the FY12 budget of \$2.6 billion. The state foundation aid funding, the largest line item in the budget, is projected to be \$1.84 billion. Foundation aid is distributed to school districts to help ensure each will have at least \$6,144 per student.

Ms. Newton moved, seconded by Ms. Gullett, approval of the Public School Fund Budget FY12. The motion carried unanimously.

Consideration of Final Approval: Repeal of Rules Governing Use of Net Athletic Event Gate Receipts by Public Schools

In this presentation, staff attorney Mark White said the provisions of the rule were transferred to the proposed amendments to the Rules Governing Athletic Expenditures by Public Schools. He said a public hearing was held June 20, 2011, with no oral comments and no written public comments.

Ms. Newton moved, seconded by Ms. Reith, final approval of the Rules Governing Use of Net Athletic Gate Receipts by Public Schools. The motion carried unanimously.

Consideration of Final Approval: Proposed Open-Enrollment Public Charter School New Application and District Conversion or Limited Public Charter School New Application

Mr. White stated that on June 13, the Board adopted the rules on an emergency basis and released them for public comment. Since that time, no public comments have been received.

Ms. Saviers moved, seconded by Ms. Newton, final approval of the Proposed Open-Enrollment Public Charter School New Application and District Conversion or Limited Public Charter School New Application. The motion carried unanimously.

Consideration of Emergency Adoption: Revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

General Counsel Jeremy Lasiter reported that on July 11, 2011, the Arkansas Department of Higher Education recommended the 2010-2011 concurrent credit pilot program be extended for the 2011-2012 school year in order for additional information to be gathered concerning the effectiveness of the pilot program.

Mr. Lasiter said many Arkansas public school districts would begin the 2011-2012 school year August 15, and students who wish to participate in the pilot program may have to decide whether to do so by that date. Mr. Lasiter requested emergency adoption of the rules in order to extend the pilot program for the 2011-2012 school year.

Ms. Newton moved, seconded by Ms. Gullett, emergency adoption of revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who have Completed the Eighth Grade. The motion carried unanimously.

Consideration of Approval for Public Comment: Revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade

Mr. Lasiter said on July 11, 2011, the Arkansas Department of Higher Education recommended that the 2010-2011 concurrent credit pilot program be extended for the 2011-2012 school year in order to gather additional information concerning the effectiveness of the pilot program. He said the Arkansas Department of Education drafted rule revisions to extend the concurrent credit pilot program.

Mr. Black moved, seconded by Mr. Ledbetter, approval for public comment revisions to Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Current Arkansas Department of Education Rules and Regulations Governing Limited English Proficiency Funding

Mr. White said since the rules were approved in April 2000, the underlying statutes had been repealed and the rules had been superseded by the Department's Rules Governing the Distribution of Student Special Needs Funding. The Board was requested to approve

and release for public comment the proposed repeal of these outdated rules.

Ms. Gullett moved, seconded by Ms. Newton, approval for public comment repeal of current Arkansas Department of Education Rules and Regulations Governing Limited English Proficiency Funding. The motion carried unanimously.

Consideration of Approval for Public Comment: Proposed Rules Governing Required Training for School Board Members

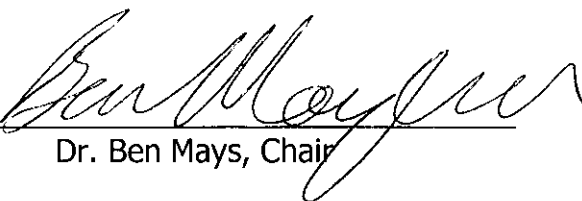
Assistant Commissioner Bill Goff said Act 1213 of 2011 created additional requirements in Ark. Code Ann. §6-13-629(a) (1) – (2) concerning training for school district board members. Mr. Goff said the Department drafted changes to the existing rule to reflect the additional requirements.


Mr. Ledbetter moved, seconded by Ms. Saviers, approval for public comment the proposed Rules Governing Required Training for School Board Members. The motion carried unanimously.

Adjournment

The meeting adjourned at 11:00 a.m.

These minutes were recorded by Phyllis Stewart.


Dr. Ben Mays, Chair


Dr. Tom Kimbrell, Commissioner