

State Board of Education

Minutes

January 10, 2000

The State Board of Education met on Monday, January 10, 2000, in the Auditorium of the Department of Education Building. Luke Gordy, Chairman, called the meeting to order at 10:00 a.m.

The following members attended: Luke Gordy, Chairman; Jo Nell Caldwell; Claiborne Deming; William Fisher; Robert Hackler; Shelby Hillman; James McLarty; Betty Pickett Richard Smith; and Lewis Thompson, Jr.

Members absent: Anita Yates.

CHAIR'S REPORT

Mr. Gordy invited Board members to report on activities since the November meeting.

Mr. McLarty: Was invited and accepted the invitation to co-chair the Committee on Social Promotion and Retention of NASBE for the coming year.

Mr. Gordy: Joined Mr. Simon and Dr. Franks from Workforce Education at the recent Superintendent's Symposium. Represented the Board at the dedication of a new Adult Education Center in Van Buren School District. The new center is named to honor Mr. Ed Thicksten, former Representative from western Arkansas.

Mr. Gordy announced that Consent Agenda Item – C-5, Approval of Revision of Rules and Regulations Governing the College Preparatory Enrichment Program (CPEP) for public comment, was being moved to the Action Agenda.

Mr. Fisher moved that two items be added to the Action Agenda: (1) Approval of Charter Schools and (2) Adoption of Board Guidelines. Mr. Smith seconded the motion. The motion passed unanimously.

CONSENT AGENDA

Mr. McLarty moved adoption of the Consent Agenda as amended. (Removal of Item C-5). Mr. Hackler seconded the motion. The motion passed unanimously.

- Minutes, December 1999
- Newly Employed, Promotions and Separations
- Final Approval Rules and Regulations Governing Waivers for Substitute Teachers
- Approve State Board of Education Stipends and Expenses
- Approval of Organizations for Implementation of Act 648 Community Service Program

DIRECTOR'S REPORT

Mr. Simon highlighted the following in his report to the Board

- The latest edition of the Smart Start Newsletter has been printed and distributed to schools.
- As a follow-up to the e-mail report on test scores, Mr. Simon used the Superintendent's Symposium as the forum to announce the results of the 1999 Norm-Referenced Testing Program. The results are most promising; there is clear evidence that the state is headed in the right direction. In the reporting format, there are 51 areas in which data are reported. Within those areas, there was no change in 7 of the areas, but growth in the other 44. Mathematics, which is one of the greatest needs, showed the most gain.
- The Department of Education recently received notification of funding of a discretionary grant for Even Start from the U.S. Department of Education. This award is for \$233,000 in Year one and \$311,000 in Year Two. A team of Department staff led by Dr. Charles Watson, Mary Kay McKinney and Susan Underwood developed the grant. Grant activities will be directed toward coordinating family literacy and early childhood education services among the state's many service providers.
- The Director shared a response to the recent Fordham Foundation Report assigning a grade of "F" to Arkansas for its development and implementation of a standards-based curriculum and performance assessment system.

ACTION AGENDA

Request for Waiver on the Denial of a Teaching Certificate

Dr. Charity Smith was recognized to present this item. Dr. Smith indicated that new evidence was presented pursuant to this issue earlier today (January 10, 2000) that may impact the decision. This information was provided too late to be distributed for this meeting. Dr. Smith requested that this item be deferred until a later time.

Presentation: Arkansas Nurses Association

Ms. Margo Swanson, School Nurse with the Little Rock Public Schools was recognized for this presentation. Ms. Swanson's comments indicated that the Arkansas School Nurses Association advocates using a portion of the tobacco settlement to fund nurses in public schools at the level of 1 nurse per 1000 students. Ideally, the settlement would fund salaries for the next 20 years. Even if that were not realistic, funding for a period of time so that nurses could demonstrate their effectiveness in working with students to learn and understand the impact of tobacco use on individual health is desired. She requested support from the Board for fully funding school nurses. The proposal from the

School Nurses Association includes the following components: seeking Medicaid funds for working with Medicaid eligible students, information for students on tobacco use and its effects on health, and training for new school nurses.

Final Approval Rules and Regulations Governing Proposed Revisions of Standards for Accreditation Arkansas Public Schools, Revised May 1993

Dr. Charity Smith was recognized to make this presentation. Dr. Smith reported to the Board that these rules and regulations had been presented previously and were the subject of five regional meetings held geographically across the state. Comments received were included in the Board materials.

Mr. McLarty inquired if the revisions, as presented, were impacted by the Standards Commission created in the 1997 session of the Arkansas Legislature. Dr. Smith indicated that those recommendations were considered prior to making initial revisions last October.

Mr. McLarty noted that one revision in the K-4 and Grades 5-8 Curriculum Sections included a new entry – “Viewing.” He asked which law or regulation specified “viewing” as a required area of the curriculum. Krista Underwood, Department Reading Program Manager responded that viewing was a new area in the reading area that was added by teacher committees when the curriculum frameworks were revised. The inclusion in the Standards makes that document consistent with the frameworks, which were previously reviewed and approved by the Board. Mr. McLarty stated that he did not view this as part of the reading curriculum and was opposed to this revision. Ms. Underwood responded that the teacher’s rationale for including viewing in the curriculum was to help students inform their choice of programs on television, video, or the Internet. This is a new area impacted by the high number of hours children spend with those media.

Mr. Fisher moved approval of the Standards as presented. Mr. Smith seconded the motion.

Mr. McLarty asked for clarification of the addition of the statement, “Other options as approved by the Department of Education,” in the 9-12 Curriculum section. He stated his belief that the Board was the only entity with review and approval authority, not the Department. He stated his position was that the Board should not cede its authority to the Department, thus, any options not specifically listed should be at the approval of the Board.

Bob Maddox responded that the intent was to list core subject areas that were required of all schools, then provide some discretion in selecting other courses that would be offered through a school’s curriculum.

Mr. Gordy asked if the Standards provided for options from all schools. Mr. Maddox responded that the Department did have a review and approval process. The idea of removing the list of courses was to provide options for local schools.

Ms. Pickett stated that she saw no need to provide options. She moved to amend the motion to eliminate other options and let districts choose alternative courses to be offered. Mr. McLarty seconded the amendment to the motion.

Ms. Caldwell indicated options were important, but there should be some oversight.

Mr. Simon stated that schools should have some choices, but it would not be a favorable situation to accept anything schools want to substitute in the curriculum.

Mr. Hackler indicated it was his experience that schools could develop options, but having a list of possible alternatives was helpful.

The vote on the amendment to the motion failed 2-7. (McLarty and Pickett voted yes.)

Mr. McLarty moved to amend the motion by eliminating viewing from the K-4 and Grades 5-8 curricula. Ms. Pickett seconded the amendment. The amendment failed 2-7. (McLarty and Pickett voted yes.)

The main motion passed 8-1. (McLarty voted no.)

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

Mr. Edwin Strickland was recognized for this report. Mr. Strickland indicated that the Department had received confirmation from each of the three districts that a review of the adopted rules and regulations from the past year did not negatively impact desegregation. His report to the court for the current year is now complete.

Mr. McLarty cited from the Minutes of the December 1999 meeting a request to have staff or someone from Little Rock address the issue of selection of a test to be used to determine adequate progress in meeting the repayment issue at the January meeting. He observed that no such item was included on the agenda and that the Board has a lot of work to do in this area. Mr. Gordy apologized that this was overlooked at the agenda setting meeting. Mr. McLarty requested that it be scheduled for February. Mr. Gordy noted his approval and requested that Ms. Riggs include this on the notes for the agenda setting meeting.

Ms. Pickett moved approval of the report. Ms. Hillman seconded the motion. The motion passed unanimously.

Approval of Revision of Rules and Regulations Governing the College Preparatory Enrichment Program (CPEP) for Public Comment

Ms. Pickett cited a reference from the March 1998 Board Minutes that summarized the Board's last action on this issue. Her position is that the method of funding and distributing funds to schools for this program is not in keeping with the intent of the program. She noted that this program is to direct funds to schools or consortia of schools to implement remediation programs for students who score 18 or below on the ACT Test. However, these rules and regulations allocate funds based on the poverty index. Pickett's reference to the Minutes called for a review of the program's success after one year of operation. To date no evaluation of the program has been formally presented to the Board. She also noted that it appears that the Department of Workforce Education was not fulfilling its commitment to fund the Plan and Explore Exams.

Dr. Charity Smith was recognized to respond. Dr. Smith reported that the Department does have data from funded programs in 1998-99. The report indicates that for all students, who participated in the program that year, the ACT score was increased an average of 2.5 points upon retaking the test. Dr. Cummins reported that, after discussing the funding of Plan and Explore with representatives from both Workforce Education and ACT, it was decided that it was more appropriate for the program to remain under the auspices of the Department of Education rather than Workforce Education.

Mr. Gordy asked for an explanation as to why this program is funded based on the poverty index, not number of students scoring 18 or below on the ACT test.

John Kunkel responded that any funding of programs on a statewide basis that is not specifically linked to the poverty index or other special educational needs index must be included in the calculation of public school funding allocation. Any such funding impacts the state's Federal Range Ratio and thus total funding for education in the state.

Ms. Pickett stressed her point that funding of this program as proposed may not impact all students who need these services. The state needs to find a way to assure services to all students who qualify.

Mr. McLarty asked if any districts received funding and did not develop or provide a program. Dr. Smith indicated that was the case. However, she noted that the Department encourages schools to use cooperative ventures to develop and deliver services. Some funds are returned to the Department.

Mr. McLarty inquired how students who qualify for the program were served if their district returned the funds. Dr. Smith stated that some districts cannot find staff to operate the program in the summer and thus choose not to offer a program. That is a decision made at the local district level.

Mr. McLarty also inquired about the policy of serving students in the program who do not meet the eligibility requirements. Dr. Smith indicated that programs must first serve students who score 18 or below. If those slots are not filled, then the local district has the option of allowing other students to enroll in the program. Mr. McLarty asked if there

were any data to support attendance, specifically how many students were attending who were not eligible. Dr. Smith indicated that the Department has enrollment information, but those data have not been fully analyzed nor reported.

Ms. Pickett indicated that if timing were not critical, she would like to see the data before voting to approve the rules and regulations. She expressed further concern for students who meet the eligibility requirement, but there is no program provided by the school. Dr. Smith asked if she were implying that rules and regulations should mandate that all schools provide a program. Ms. Pickett indicated that redistribution of unused funds might be an incentive for more schools to offer programs.

Mr. Gordy suggested that the state must maintain flexibility in allowing schools to host such activities. He asked Dr. Smith if approval of these rules and regulations were an emergency. Her response was no, but we're only asking for approval for public comment. This will allow additional time for discussion.

Mr. Deming requested a brief summary of the CPEP program. He indicated his position as a new Board member almost precludes his interaction and ability to make a decision due to a lack of information.

Mr. Fisher moved approval of these revised rules and regulations for public comment. Ms. Caldwell seconded the motion. The motion passed unanimously. Mr. Gordy requested that Dr. Smith prepare an executive summary of this program with appropriate data to support questions raised by Board members.

Charter School Application from Rogers School District

Ms. Pickett moved that the conversion Charter School Application from Rogers School District be approved pending submission of the following items: (1) a description of strategies for parent involvement and (2) a listing of requested waivers of standards. Mr. Smith seconded the motion. The motion passed unanimously.

Mr. Simon congratulated the Board for making history. This is the first recommendation for approval of a Charter School in Arkansas.

Review of Board Operating Guidelines

Mr. Fisher moved adoption of the following revision to the Board Operating Guidelines as discussed in the Work Session.

Public Comment

As a public Board, the Board of Education welcomes public comment. An individual or group wishing to appear before the Board should notify the Director's Office of the Department of Education in writing by Wednesday prior to the Board meeting date.

Anyone wishing to address the Board who has not notified the Director of the Department of Education shall be allowed to do so only upon a majority vote of the Board members present.

While in session, comment shall be received:

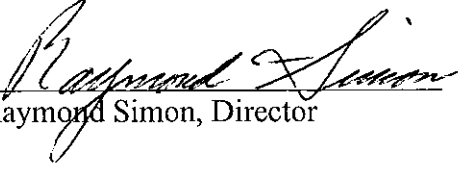
1. On an agenda item, following initial presentation and before the Board undertakes discussion and deliberation. Absent Board consent, public comment will be limited to three minutes. Repetitive presentations will be restricted by the chair.
2. For matters not on the Board agenda, public comment will be received at the conclusion of the published agenda. Presentations will be limited to three minutes absent Board consent. Written material as well as the name and contact information of the presenter is appreciated for the Board's full understanding of the issue addressed.

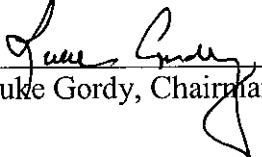
Mr. Hackler seconded the motion. The motion passed 8-1. (McLarty voted no.)

Ms. Caldwell moved adjournment. Mr. Smith seconded the motion. The motion passed unanimously.

The meeting adjourned at 11:10 a.m.

Reported by Dr. Charles D. Watson.


Raymond Simon, Director


Luke Gordy, Chairman