

State Board of Education
Minutes
January 8, 2001

The State Board of Education met on Monday, January 8, 2001, in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 9:00 a.m.

The following members were present: Luke Gordy, Chairman; Richard Smith, Vice Chairman; JoNell Caldwell; Claiborne Deming; Bill Fisher; Robert Hackler; Shelby Hillman; Betty Pickett; Lewis Thompson, Jr.; and Anita Yates.

No members were absent.

The first order of business was consideration of applications for Open-Enrollment Charter Schools. A complete transcript of these proceedings is prepared and submitted by a licensed court recorder and is attached to these minutes.

Mr. Gordy called the Agenda Session of the Board to order at 11:15 a.m.

Ms. Pickett moved that an item be added to the Action Agenda to consider when, during the school year, the norm-referenced test – Stanford 9 – would be administered. Mr. Smith seconded the motion. The motion passed unanimously.

Ms. Pickett moved that an item be added to the Action Agenda to adopt recommendations from the Teacher Quality Task Force Report. Ms. Hillman seconded the motion. The motion passed unanimously.

Mr. Fisher moved that an item be added to the Action Agenda to consider recommendations for change in fair dismissal and school choice legislation. Mr. Deming seconded the motion. The motion passed unanimously.

Ms. Hillman informed Board members of her visit to the Gateway Charter School. She stated that it was her opinion that the school was making a difference in meeting the educational needs of children who attended the school. She indicated that when afforded the opportunity all Board members should see first hand the program afforded through this first Charter School.

CONSENT AGENDA

Ms. Pickett moved adoption of the Consent Agenda. Mr. Smith seconded the motion. The motion passed unanimously.

- Minutes from December 11, 2000
- Newly Employed, Promotions and Separations

- Approve State Board of Education Stipends and Expenses
- Personnel Recommendation

DIRECTOR'S REPORT

Mr. Simon distributed a summary of the major categories in the education budget as presented to the Joint Budget Committee during the previous week. He indicated that members of the committee had requested converting requests from lump sum amounts to reflect the amount schools would receive per pupil and the hand out reflected such conversions. Mr. Simon indicated that Board members would need to study the report in detail to gain full understanding of the figures. He noted that there is wide variation in the amount of money schools receive when the unit is observed on a per pupil cost.

Mr. Simon pointed out that the report gives a fair indication of expected revenues and a view of projected expenses. He also indicated that every effort is being made to provide additional revenue to meet the teacher salary raises projected by the Governor. To meet this budget, all agencies, including the Department of Education will be on a very limited, if any, growth over the biennium. He indicated that the only exception might be funds for prisons.

Mr. Simon noted that he would be meeting with administrator groups and other educational associations over the next two weeks to explain that if the salary priorities are to be met, changes in the way resources are managed will have to occur. The idea of business as usual will not produce the needed results this year. His message to school administrators will be that continued increases in reserve funds may not be possible if the budget is to be met. He also indicated that it is apparent teacher salaries are not receiving priority for resources as they once did. If this budget is to be met, schools will have to reevaluate spending and make salaries a higher priority again. Simon stated that schools across the state are demonstrating increased student performance and those successes are the result of a laser-like focus on instruction and basic skills. He stated the thing that ultimately makes the focus work is the hard work of the teacher. Teachers in Arkansas deserve credit for and support from local school administrators and local Boards. Teachers and increased salaries must be given renewed priority if these proposed raises are realized.

Ms. Pickett questioned if all teachers in the state were slated to receive the proposed \$3,000 raise, even those teachers in districts that pay above the state average. Mr. Simon indicated it was the plan for each teacher to receive the flat increase of \$3,000 regardless of current salary.

Mr. Gordy stated that the Department and staff have done everything to make salary recommendations work within the confines of the revenue.

Adopt Recommendation from the Teacher Quality Task Force Report

Ms. Yates moved adoption of the recommendation from the Teacher Quality Task Force Report and that they be forwarded to the legislature. Ms. Pickett seconded the motion. The motion passes unanimously.

Recommendations for Changes in the Fair Dismissal and School Choice Legislation

Mr. Gordy indicated that at the final meeting of the Teacher Quality Task Force, Rich Nagel, Executive Secretary for the Arkansas Education Association (AEA), made a strong statement in opposition to any change in the Teacher Fair Dismissal Act. Gordy recognized Mr. Nagel for a statement to the Board. Mr. Nagel expressed his opinion that the Teacher Fair Dismissal requirements are not too difficult to implement when care is given to meet timelines, and adequate documentation is provided along the way. He stated that many cases are heard each year. Mr. Nagel pointed out that much hard work has gone into getting the Act to where it is now. In past years weaker policies have been in place, and he hopes the system does not go backward.

Mr. Gordy stated that several Board members have been approached by superintendents requesting changes in the wording of the Teacher Fair Dismissal Act from strict to substantial compliance with the statutes. Mr. Deming noted that a strict adherence of such a policy in the business world is very difficult to achieve. He stated it seems unreasonable to have such a tough standard related to compliance of these issues. Some flexibility is needed. He encouraged the Board to adopt proposed changes for recommendation to the legislature.

Mr. Nagel suggested substantial policy actions do not provide clear information as to why a teacher is not recommended for renewal. Mr. Hackler stated that effective evaluations have to be written on all staff. He further indicated that some professional development is needed to support development of high quality evaluations and classroom observations. Mr. Hackler also observed that documentation for dismissal can be burdensome, and if a critical step is missed, a needed dismissal could not be carried out.

Ms. Pickett stated that all supervisors should want to follow due process and should be willing to follow procedure guidelines. Mr. Deming responded that it was not his intent or suggestion to do away with procedures or the process, but to give the employer some flexibility in dealing with the formality of the process. Mr. Smith questioned why someone would question following procedures in dismissing a staff member.

Mr. Fisher moved that ADE draft a revision to the Teacher Fair Dismissal Act reflecting a substantial following of the process as opposed to strict adherence to the process. Ms. Hillman seconded the motion. The motion passed on a 7 to 2 vote. (Pickett and Smith voted no.)

Mr. Fisher moved that the Board request ADE staff to prepare a draft of amended legislation related to School Choice. The draft legislation should remove the provision

that a district can vote to not participate in School Choice. Students should have flexibility to attend school where they get a quality education. Ms. Pickett seconded the motion. Brenda Matthews reminded Board members that the Choice statutes have a provision that student transfers may not negatively impact desegregation. Mr. Fisher also noted that any Choice options should not cause a district to be out of compliance with class size or facilities accreditation status. Mr. Fisher said that districts should not be able to arbitrarily stop Choice options. Mr. Hackler questioned how districts were supposed to react when classrooms were full. It was requested that a proposal be presented at the February meeting limiting the option of districts to participate in Choice. The motion passed unanimously.

Ms. Matthews reported that revisions to current legislation were also being developed for the Charter School Act and others. Ms. Pickett wanted to limit the number of times a Charter School applicant may submit a "Letter of Intent" and be funded for a planning grant.

Schedule for Administration of Norm-Referenced Test

Ms. Pickett moved that the Board adopt policy retaining the administration of the norm-referenced test (SAT-9) in the fall of the year so that data are available for diagnostic purposes. Mr. Thompson seconded the motion. The motion was adopted with an 8-1 vote. (Yates voted no.) Mr. Fisher indicated that in the past waivers had been allowed for districts to test in the spring as opposed to the fall. He expressed concern that the issuance of waivers might skew results for statewide data purposes. Ms. Pickett moved that no waivers be approved by neither the Board nor the Department. Mr. Smith seconded the motion. The motion was adopted unanimously.

Revocation of a Teaching Certificate, Christopher Parks

Scott Smith was recognized to present this item. Mr. Smith informed the Board that Mr. Parks had voluntarily surrendered his license and that no further action was needed.

Revocation of a Teaching Certificate, Nora Roberts

Scott Smith was recognized to present this item. Mr. Smith informed the Board that staff had not been able to inform Ms. Roberts of the pending action and recommended no action at this time.

Denial of a Request for a Teaching Certificate, Kevin Baer

Scott Smith was recognized to present this item. Mr. Smith informed the Board that Mr. Baer had voluntarily withdrawn his request for a license and that no further action was needed.

Revocation of a Teaching Certificate, Gerald Hanry

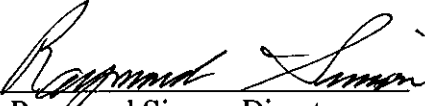
Scott Smith was recognized to present this item. Mr. Smith reviewed information provided in the Board materials. He indicated that Mr. Henry was present, as was his counsel, Mark Henry. Mr. Henry was recognized to make a statement on behalf of Mr. Henry. Mr. Henry noted that it was in the Board's options to provide a waiver of revocation. He indicated that the criminal acts under question were committed when Mr. Henry was 19 or 20 years old and it was an isolated event with no previous record nor any record since. Also, he cited an amendment to the record clarifying the alleged amount of controlled substance in possession. Since that time Mr. Henry has completed his college degree and has a successful career of teaching. A former principal was present to serve as a character witness. His letter of support was in the packet. Ms. Pickett moved that Mr. Henry be granted renewal of the license. Mr. Smith seconded the motion. The motion was adopted unanimously.

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

Dr. Charity Smith was recognized for this report. Dr. Smith apologized to the Board for providing a copy of the report that did not highlight new actions since the previous month's report. A revised report was distributed. Dr. Smith reported that meetings have taken place during the previous month and that recommendations are being drafted. However, she requested that a formal reporting be deferred until further clarification is made. A full reporting will take place at the February meeting. Mr. Fisher moved acceptance of the report. Mr. Hackler seconded the motion. The motion passed unanimously.

Mr. Deming moved adjournment. Ms. Hillman seconded the motion. The motion passed unanimously.

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



Raymond Simon, Director



Luke Gordy, Chairman