

Minutes
State Board of Education
Monday, January 9, 2006

The State Board of Education met on Monday, January 9, 2006, in the Auditorium of the Department of Education Building. Dr. Jeanna Westmoreland, Chair, called the meeting to order at 9:00 a.m.

The following Board members were present: Dr. Jeanna Westmoreland, Chair; Diane Tatum, Vice Chair; Sherry Burrow, Shelby Hillman; Dr. Calvin King; Randy Lawson; Dr. Ben Mays; Mary Jane Rebick; and Dr. Naccaman Williams.

No Board Members were absent.

Chair's Report

Dr. Westmoreland introduced and welcomed Dr. Ben Mays, a new member on the Board.

Dr. Westmoreland invited Board members to share information about visits made or other Board related activities.

Dr. Westmoreland reported that she attended the SREB conference in November, which addressed the senior year of high school and explored ways to make the most of the senior year for accelerated students as well as those who need remedial assistance.

Ms. Rebick reported attending the Bessie Moore Economic Education Award Luncheon held annually in December. Ms. Rebick reported that it was an interesting and rewarding ceremony for teachers integrating economic education into everyday classroom activities.

Ms. Tatum reported that she also attended the Bessie Moore Education Award Luncheon and the Arkansas Association for Supervisor and Curriculum Development (AASCD) Shareholders Retreat for redesigning America's high schools and aligning curriculum K-12.

Ms. Burrow participated in the Valley View School celebration, which followed the school district's receiving the KTHV Golden Apple Award. She noted that Valley View was number one in the state for two consecutive years. A district-wide academic pep assembly was part of the celebration. Ms. Burrow was impressed with the attendance of city officials, parents, and grandparents. She observed that community involvement is obvious and a key to the success of this school.

Dr. Williams attended the Teacher of the Year awards ceremony in late November. Many outstanding candidates were presented. He emphasized that each Board member

needed to stop and recognize that Arkansas has some great teachers. Dr. Williams also attended the Koret Task Force presentation on education reform.

Congratulations were extended to Ms. Rebick for serving on a task force for the National Association of State Boards of Education (NASBE).

Commissioner's Report

Dr. James reported that he attended the AASCD Shareholders Retreat and made a presentation on high school redesign efforts. He reported that the participants were actively engaged in positive dialogue. He noted that this was the first meeting in the rollout of the National Governor's Association (NGA) grant and it also linked to ACHIEVE and Comprehensive Alignment Review Team (CART) meetings. Dr. James announced that there would be a CART meeting on January 31.

Dr. James reported on the release of the Quality Counts data. He stated that Arkansas was the 4th highest in the nation in terms of teacher quality with an A-; received a B- in resource equity; and C+ in standards/accountability and school climate. Dr. James also noted that the state was marked down in the area of standards because there was no science or social studies assessment. He stressed that progress is being made and Arkansas is gaining respect nationally.

Work Session

Information Update on Augmented Assessment

Dr. Gayle Potter was recognized to present this item. She reported that the Department issued a request for proposals (RFP) for an augmented norm-referenced test (NRT). This test would combine criterion-referenced items into the NRT and result in one examination. She noted that Mr. Gordy presented information in November and requested adoption of an augmented norm test. Dr. Potter stated that since that time, the Department convened a committee, which met to review two bids that were received as a result of the RFP. Dr. Potter reported that members from the review committee, which was chaired by Dr. Frank Holman, Superintendent of Cabot School District, were present and available to answer questions. Dr. Holman was recognized and he introduced three other committee members who were present. He stated that there were 16 committee members who spent two days working to score the proposals received. Mr. Holman made the following points related to the Committee and its work:

- The review and scoring was a task-driven process.
- It is very critical that an augmented NRT be approved by the U.S. Department of Education before it is implemented.
- It is equally important to know how to distinguish between NRT and CRT items.

- The number of open response items needed must be substantiated: suggest looking at research and at what other states are doing.
- It is known by schools, administrators, teachers and others that we are in transition, so effective and concise communications are essential to explain this move.
- There is a need for a communications plan to discuss the issues of an augmented test with teachers, principals and the public.
- There is a need to consider overall costs; will this produce a savings or not?
- There is a need to keep looking at online assessments for quicker turn around with scores.

Dr. Holman informed the Board that the Committee scored and added comments for each of the two bids received, but did not make a recommendation. He stated that the Committee suggested more study to make sure conclusions are correct before adopting either of these proposals.

Dr. Williams agreed with the recommendations and asked what the next step should be. He asked, since there are obviously concerns related to this RFP, if the Department would be able to put together a new RFP based on these recommendations? Dr. Potter stated it could be done. Dr. James responded that the Department wanted to bring the report along with the Committee recommendations to the Board and elicit discussion and then pursue next steps. He stressed, whatever direction this work takes, if we move to do something different, it all has to be approved by USDOE. Dr. James related to the Board that the Department would be looking at other states to observe how they might be addressing similar issues. He stated that he was not sure if another RFP was needed. He noted that the vendors were given latitude to present options differently, so the Agency needs further discussion as to whether another RFP should be issued or to negotiate this RFP. Dr. Williams asked about timing: does the state need a test in place by spring of 2007? Dr. James said yes, we are still on line for that. This is not a three or four month-long process, but the Department does have some time.

Ms. Rebick asked if it is correct that the RFP provides "wiggle room" for Dr. Potter to administer the assessment program. Dr. Williams said he thought a 50 percent open response in RFP was overwhelming. He asked if the Department could ascertain the parameters and provide additional information to the Board. Dr. Potter said the timeline parameters in the RFP are for when school reports had to be returned. Each RFP included the testing dates.

Ms. Tatum asked if there are any other states using an augmented assessment. Dr. Potter responded that there are other states in development or currently using augmented assessments. She stated that in preparation for the RFP process, the Department received information from five or six states, which was used in the Department's writing of this RFP.

Ms. Hillman asked if criticism came to the Committee about going to augmented testing. Dr. Holman said yes; originally the committee was only going to consider the

task of looking at two RFPs. He stated there was a lot of discussion regarding the pros and cons and items of concern listed on philosophical reasons of having an augmented test. Dr. Holman stated that many educators don't want to administer assessments in February, so the Committee wanted to know what research says about constructed items (open response items). He questioned why issue a RFP at this time before making sure it is in the best interest of the students.

Ms. Hillman said SBE is receiving correspondence about this – some of it negative. She questioned how should the Board deal with such inquiries. Dr. Holman said he believes the Committee's task is finished. If the Department wants some of us to come back together, we would like to continue the dialogue

Mr. Lawson complimented the Committee's work and encouraged the Department to study whether to issue a new RFP or negotiate. Mr. Lawson expressed the opinion that he believes the Committee is headed in the right direction.

Dr. Williams asked for feedback from teachers regarding ACTAAP and NRT preparations separately, plus quarterly assessments. He observed that if there were just one test used to address both those issues, it could alleviate having students take two major assessments and the results would still be helpful.

Dr. James said that the Committee has completed its assigned task but will continue to be asked to take part in the conversation. He pointed out that when the Department went to CRT, from ADE and SBE perspective, it was determined that that the CRT needed to have 50% open response items. He noted that percentage may still be good or it may not be what is needed. As a result, the Agency didn't feel it had the authority to put out an RFP that differed from previously adopted policy. Dr. James stated that last spring a group of schools piloted an augmented test – for the most part, comments received were positive but there was a relatively small group that participated. He assured the Board that the conversation will continue and it is critical that the best assessment system for the State of Arkansas be found and implemented.

Arkansas Better Chance for School Success Program

Mr. Paul Lazenby of Arkansas Department of Health and Human Services was recognized to present the interim report to the legislature as well as some assessment updates. He highlighted that: 18,500 children being served in ABC programs and of teachers, 73 percent of lead teachers have Bachelor's Degree or Master's Degree. He reported that those who don't have P-4 certification are on track to earn it. He assured the Board that continued monitoring for quality and high standards have been realized and, for the most part, funded projects are meeting the high expectations. Mr. Lazency also reported the Longitudinal Study being conducted by Rutgers University is on-going and that the first round of data collection has been completed. He noted that preliminary data is expected in May but early indications suggest that teachers are giving students the tools they need to meet identified skills and be kindergarten ready.

Ms. Hillman expressed her admiration for the quality of the ABC Programs. She remarked on the improvement these at-risk children can make with good teachers. She also expressed concern with the tax situation and not having the money from that tax. She questioned where the program would be in future years. Mr. Lazenby said ABC is looking at all funding possibilities to replace the beer tax. He stressed that the staff does not wish to shut down any of these programs. He assured the Board that Tonya Russell, Early Childhood Director, is looking at all existing resources available with the pending "sun setting" of the beer tax/excise.

Ms. Rebick asked if the merger of Health and DHS had any negative impact. Mr. Lazenby said it brought some resources not available before and allowed ABC to get a better idea where the kids are healthwise.

Ms. Burrow asked what percentage of kids finishing ABC are kindergarten ready. Data shows between 60 and 70 percent were demonstrating proficient in all indicators. Ms. Burrow asked about interventions for ones not proficient. Mr. Lazenby said ABC is hoping to bring the children in at 3 years to get in two years of ABC services. Thinks it will make a big difference.

Dr. Williams said he has been volunteering in an elementary school with an ABC program on campus and he had noticed the preparation of those kids moving into kindergarten is night and day when compared to children without ABC facilities. They know how to line up and how to behave in school. Mr. Lazenby said no new programs are planned because there is no new funding but would like to have school personnel go out and talk about it to encourage schools to start it. Ms. Hillman asked the percentage of children in ABC. Mr. Lazenby said about half of the children entering the public school system. Dr. Williams inquired about the working relationship between the private ABCs and the public schools. Mr. Lazenby said transition activities would be the key in renewing programs next year.

Dr. James commented that the \$8 million tax loss comes right off the top. He noted that if extra funding is not available the \$8 million has to be replaced or it comes right off the top.

Consent Agenda

Ms. Hillman moved that the Consent Agenda be adopted as presented. Mr. Lawson seconded the motion. The motion was adopted unanimously.

- Minutes – November 14, 2005
- 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-Field for Longer than Thirty (30) Consecutive Days

- Report of Revolving Loans and Commercial Bonds Approved by the Commissioner as Authorized by Resolution of the State Board of Education on November 14, 2005.
- Approve Payment of Stipends and Expenses to Board Members

Action Agenda

Dr. Westmoreland announced that Action Item 11, Request State Board of Education to Accept Petition Letters from Crossett, Heber Springs, and Lakeside (Garland County) School District for Removal from Fiscal Distress Status, was being moved to the first Action Item due to extenuating circumstances.

This item was recorded by a court reporter and transcripts of it will be available for review as part of the minutes. This document will only highlight actions taken and record the vote on each item. Future readers of the minutes may refer to the transcript for more detail.

Approval by State Board of Education to Accept Petition Letters from Crossett, Heber Springs and Lakeside (Garland County) School Districts for Removal from Fiscal Distress Status.

Dr. Bobbie Davis was recognized to present this item. She referred to the report made to the Board in November that certified these three districts had met the requirements of their plan and had followed recommendations of the Department. She noted that each of these districts was qualified to petition for removal.

Crossett School District increased millage and lowered debt and expenditures. Janice Warren, Superintendent of Crossett addressed the Board. She expressed her pleasure in requesting removal from classification and thanked staff and community.

Ms. Hillman moved that the Crossett School District be removed from Fiscal Distress Status. Ms. Tatum seconded the motion. The motion was adopted unanimously by roll call vote.

Heber Springs presented information on new controls on expenditures and on purchasing. Superintendent Rick Rana and School Board President Ronnie Fair were in attendance. Superintendent Rana said faculty and staff and Board have worked very hard to remove Heber Springs School District from fiscal distress.

Ms. Rebick asked about saving \$100,000 on computer costs by hiring a staff member to work in that area. Superintendent Rana said the district had been outsourcing repairs to a company scheduled in the district one day a week. He reported that the district hired a staff member to maintain computers and the network, which saved a great deal of money.

Mr. Lawson moved removal of Heber Springs School District from Fiscal Distress Status. Ms. Burrow seconded the motion. The motion was adopted unanimously by roll call vote.

Lakeside School District (Garland County): Superintendent Sean Cook was recognized and presented a detailed chronology of events and strategies implemented subsequent to being identified in fiscal distress. Superintendent Cook thanked ADE for its cooperation and technical assistance. Superintendent Cook recognized Bob Evans who was hired as interim superintendent when the district was initially classified as fiscal distress. He thanked him, students and teachers for pulling together to get to this point.

Ms. Rebick asked the population of the district. Mr. Cook responded 2,700 students.

Ms. Burrow moved removal of the Lakeside School District from fiscal distress status. Dr. Williams seconded the motion. The motion was adopted unanimously by roll call vote.

Ms. Rebick commended ADE staff for the summary format.

Approval for Public Comment of the Department of Education on the Proposed Rule Governing Non-Traditional Licensure

Beverly Williams was recognized to present this item. She highlighted proposed changes, which include reformatting the document to specify requirements in greater detail. Ms. Williams discussed an effort to add a grade point average (GPA) requirement to non-traditional format. No college of education has less than a 2.5 requirement for graduation in a teacher education program. She stressed the need to make the non-traditional program consistent with other licensure options. Ms. Williams noted that there are approximately 1,100 non-traditional licensed teachers and the average grade point average (GPA) for each of groups was over 3.0. She stated that one had a GPA of 1.6. She reported that approximately ten percent fall below the recommended 2.5 GPA. She outlined the following impact based on those 1,100 holding non-traditional licensure.

- 56 were in early childhood-middle school program, 48 of them were never hired.
- Others in non-shortage areas.
- 25 out of 1,100 persons lost if this recommendation were adopted.

Dr. Williams asked if grade replacement were commonly used in computing of GPA when a course is retaken, does the new grade substitute or just get added on. Dr. Westmoreland said the new grade substituted for GPA calculation but original grade remained on transcript.

Ms. Williams stated that another area of change is the Arkansas history requirement. Required of non-traditional licensure program before they are awarded a full certificate.

She also stated that the revision states that P-4 non-traditional teachers must have methods for teaching reading. Ms. Williams pointed out that the process should allow candidates to acquire such coursework in advance of final licensure. She noted that the revisions provide for a teacher having a non-traditional license and completing all requirements for another discipline through testing (Praxis), that those individuals should be approved to teach in the second content area. Ms. Williams stated that the current Rule does not provide that option.

Ms. Williams stated that the revisions also include the option of adding endorsements, i.e. journalism.

Mr. Lawson asked about requirement to teach more – what if schools have block schedule? Ms. Williams responded that schools operating on an A/B block should be considered as one day. Mr. Lawson questioned how schools would get that interpretation. Ms. Williams suggested that interpretation could be added to the comments that are provided to the public with the information that is distributed for public comment. Mr. Lawson questioned what constituted an instructional module? Ms. Williams stated it is usually a two-week unit of training that focuses on a specific topic such as lesson planning. Mr. Lawson asked about a professional wanting to teach one class a day, but might not go through the licensure training. Ms. Williams responded that this is not allowed under these rules. Mr. Lawson observed that he would like to see more flexibility in the system to offer opportunities to professionals and those who would be considered highly qualified, e.g. a CPA in accounting or an architect for drafting, to be allowed to teach a class at the high school level. Ms. Williams said some vocational skill areas could go through Workforce Ed for a permit.

Ms. Burrow asked how much training must be completed before these teachers actually are allowed to teach in the classroom. Ms. Williams stated they must attend one summer module before being assigned to a classroom, then they must attend monthly modules on Saturday during school year and have mentors in school district.

Dr. Mays asked how the Koret report's vision of non-traditional licensure, especially in the area of early childhood education, is related and what credentials are required for teaching reading and dealing with this age group. Ms. Williams stated they must have a Bachelors Degree or higher and pass content exam for early childhood education and that many go through the program but do not do the teaching to secure a license. He further asked for an estimate of how many individuals might come through a degree program in early childhood education and not be enrolled in an education degree program. Ms. Williams indicated that few would be, but there could be a way that could happen.

Ms. Rebick asked what criteria would be used to determine the length of program that would be assigned for completion. Ms. Williams noted that some students may have completed an elementary education major, but did not complete an internship (student teaching), those students could be assigned a program that might be completed in one year, but then another individual might have none of the education courses, then that

person would probably be assessed more modules, which would take longer to complete.

Ms. Tatum moved approval of the request for public comment. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Approval for Public Comment of the Department of Education on the Proposed Rule Governing the Adding of an Additional Area of Licensure of Endorsement and Probationary Route to Certification.

Ms. Beverly Williams was recognized to present this item. She emphasized that these revisions are intended to bring an older Rule into full compliance with legislation and consistent with revisions to the licensure policies. She noted that one of the components added was definition of ALP program. She suggested that previously, education college graduates were issued a standard license and that new licensure program provides for the issuance of an initial license until they pass the Praxis III. She also commented that the revision seeks to clarify the process of accommodating those applicants from out of state so that they can get ALP while working on additional requirements for Arkansas license.

Ms. Rebick moved approval of the request for public comment. Ms. Tatum seconded the motion. The motion was adopted unanimously.

Approval for Public Comment of the Department of Education on the Proposed Rule Governing Required Training for School Board Members

Mr. Tripp Walter was recognized to present this item. He highlighted changes and clarification, i.e. hours of training were delineated. Mr. Walter noted that the revision provides for a carry over of additional hours for items earned in a particular year and they can be applied forward to the next three calendar years. He stated that the staff worked with the Arkansas School Boards Association in framing these proposed Rules.

Ms. Rebick asked about training content as specified. Should it be more specific than included in the current text?

Hillman moved approval of the request for public comment. Dr. King seconded the motion. The motion was adopted unanimously.

Approval for Public Comment of the Department of Education Proposed Rule Governing the Consolidation or Annexation of Public School Districts and Boards of Directors of Local School Districts

Mr. Scott Smith and Mr. Tripp Walter were recognized to present this item. Mr. Smith stated that most commonly the Board has dealt with Act 60 – 350 minimum student count – related to consolidation issues. He noted that this rule has to do with voluntary annexations -- main difference between this and Act 60 merger is that there is no

mandate for set enrollment number or set timeline. He emphasized that this Rule is for districts that decide to consolidate or annex – although often these are due to accountability requirements. Mr. Walter added that the Department has worked to maintain consistency among the various types of consolidations/annexations that may be proposed and the Rule is very similar to Act 60 provisions that are already in place. He noted that documentation formats that may be needed are included in the rule to make it “user ready” for districts considering these types of actions.

Mr. Lawson moved approval of the request for public comment. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Approval of the Arkansas Department of Education Proposed Rule Governing Waivers of the Earnings of Limitations Under the Teacher Retirement System

Mr. Scott Smith was recognized to present this item. Mr. Smith asked Dr. Davis and Ms. Williams to join him. Previously the Board passed an emergency rule and ran this for public comment. Mr. Smith stated that this rule governs the ability of the Department to request earning limitation waivers when dealing with distressed districts or with critical shortage areas.

Dr. Davis listed four major changes from the 2001 Rule resulting from changes in teacher retirement law:

- Limits effect to public school;
- Limits total number of years of waiver to three;
- Limits teachers to shortage areas only;
- Districts that receive a waiver must pay employer and employee match. Also includes opportunity for when district is in fiscal distress, Commissioner can request a waiver.

Smith asked to include in the motion an extension of the emergency rule until this rule becomes final.

Hillman moved approval of the Rule and to extend the emergency rule until final adoption. Lawson seconded the motion.

Ms. Tatum asked about limitations to be eligible for earning limitations and the deleting of sections. Mr. Smith explained that a renumbering would take place and the numbering would be correct.

The motion was adopted unanimously.

Approval of the Arkansas Department of Education K-2 Iowa Test of Basic Skills (ITBS) Cut Scores

Dr. Gayle Potter was recognized to present this item. Dr. Potter asked for final approval for K-2 Iowa Test of Basic Skills (ITBC) cut scores. Dr. Potter summarized Department actions related to public comments related to setting these cut scores.

- A public hearing on 9/15/05 at the Department of Education
- One person attended but opted to make no oral comments.
- Twelve written comments were received.
 - One had no bearing on cut scores;
 - Eleven said ADE should be using normal curve distribution because of the design of the exam.
- Received some informal comments suggesting that Grade 3 scores be used as a base for determining K-2 cut scores.
- Response was solicited from the Technical Advisory Committee and they recommended that ADE use cut scores at Grade 3 and stipulated the option of tracking backward so children would be at the appropriate level for entering Grade 3.

Dr. Williams asked for clarification on whether scores listed were raw scores. Dr. Potter told him those are standard scores. Dr. Williams also asked what moderating of scores means and what it does for the final scores. Dr. Potter said it means bringing them into alignment for design of the test and the expectation of the test and also with what is expected for third grade.

Dr. King moved approval of the ITBS K-2 cut scores. Dr. Williams seconded the motion. The motion was adopted unanimously.

Approval of a Modification to the P-4 Endorsement for Grades 5 and 6 and the Inclusion of a New 7-12 Endorsement from Grades 5 and 6 by Content Area Only

Ms. Beverly Williams was recognized to present this item. Ms. Williams stated that in January 2005, the Board approved an extension of the P-4 license to allow an endorsement that would cover Grades 5 and 6. She noted that this was intended to help alleviate shortage area for Grade 3 5 - 6 endorsement. Ms. Williams observed that these rules required two qualifications for endorsement that included two courses and passing the Praxis. She stated that this proposal modifies the procedure to allow flexibility for when a candidate must take the Praxis and be eligible for Grades 5 and 6 classrooms. Also adds endorsement for teacher licensed to teach Grades 7-12 in their content specialty area (limited to English, mathematics, science and social studies) in Grades 5- 6 in their content area only.

Ms. Williams stated to the Board that any reference to the term probationary license be removed due to elimination of the probationary license last December.

Ms. Rebick asked how much time it would take to pick up required courses? Ms. Williams responded, one summer – 3 classes.

Ms. Hillman moved approval of the modification. Dr. Williams seconded the motion. The motion was adopted unanimously.

Dr. Williams added that this is important because he believes a math specialist teacher is necessary in 5th and 6th grades. Dr. James explained that when the state moved to middle school organization, many teachers weren't prepared to teach subject specific classes. He affirmed that this is a step in right direction for the State.

Approval of the Arkansas Department of Education Proposed Performance Rating System

Dr. Charity Smith was recognized to present this item. Initial rating system approved. Came to board with two different options – stanine approach and weighted average approach. Dr. Smith stated that she talked with more than 1,200 people about these two options and their opinion was overwhelmingly the weighted average system. She indicated that Dr. Kennedy, a statistician from UAMS, assisted with developing the system recommendations. She noted that this system was preferred because it would be consistent, be understandable, and transparent.

Dr. Kennedy was introduced and described a proposed system for determining the representation on the state standard setting committee. He noted that the standard setting team composition would include school board members, teachers, parents, members of the business community and professional educators. The team would include 8 to 10 of each from across the state, which would include a total of 40 to 50 people with a day-long meeting to establish school accountability standards.

Dr. Williams stated his support for the weighted average system. He asked for Dr. Smith's opinion on growth rate adjusting for economic factors. She observed that low performance often will demonstrate more growth than other higher performing schools. Dr. Williams asked about the proposed timeline for the standard setting process. Dr. Smith stated that she would like to come to the Board in April with proposed Rule for this process. She noted that for the report card, which is to be published in March, will put in component in which schools would rate themselves.

Dr. May asked for clarification of the intent to report performance of schools or performance of students. Dr. Smith responded the intent is to report on schools. Dr. May expressed concern for public understanding on the performance of school is absolute linear with performance of students. Dr. Smith stressed the importance of public understanding of growth and the introduction of a growth model in the overall accountability system.

Ms. Rebick wants to know which ADE line item pays for all the activities for travel and work being done. Dr. Smith noted that only travel was incurred to this point. She further stated the meetings proposed would be one-day sessions and not require large expenditures of funds.

Dr. King moved approval of the Proposed Performance Rating System. Ms. Rebick seconded the motion. The motion was adopted unanimously.

The remaining items in these minutes were recorded by a court reporter and transcripts of this material will be available for review as part of the minutes. This document will only highlight actions taken and record the vote on each item. Future readers of the minutes may refer to the transcript for more detail.

Approval of the Arkansas Department of Education for Removal of the Altheimer School District from Academic Distress Status

Mr. Lawson moved approval of the removal of Altheimer School District from Academic Distress status. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Approval of the Arkansas Department of Education for the Removal of the Elaine School District from Academic Distress Status

Dr. Williams moved approval of the removal of Elaine School District from Academic Distress. Mr. Lawson seconded the motion. The motion was adopted unanimously.

State Board of Education Review of the Failure to Correct 2004-2005 Accreditation Violations in the Elaine School District by the Established Deadline

Ms. Rebick moved to take the ADE recommendation under further consideration and defer the vote until after July 1, 2006. Ms. Tatum seconded the motion. The motion was adopted unanimously.

State Board of Education Review of the Failure to Correct 2004-2005 Accreditation Violations in the Waldo School District by the Established Deadline

Dr. Williams moved to defer action until after July 1, 2006. Ms. Burrow seconded the motion. The motion was adopted unanimously.

State Board of Education Review of the Failure to Correct 2004-2005 Accreditation Violations in the Clinton School District by the Established Deadline

Ms. Hillman moved to table the motion. Dr. King seconded the motion. The motion was adopted unanimously. This item brought back to table. Mr. Lawson moved to defer to after July 1, 2006. Dr. King seconded. The motion passed unanimously.

Request from Clinton School District for Approval to Close Two Isolated Schools: Alread High School and Scotland High School

Mr. Scott Smith was recognized to present this item. He outlined the procedure that would be followed and considerations the Board must take into account in making decisions. He also noted that there was no negative desegregation impact in merger of districts or known desegregation orders linked to the district.

Testimony by Bob Pack for Alread and Derryl Black from Scotland. Bob Pack stated he had no objection to closing the high school. Darryl Black stated he also had no objection to closing the high schools. Dr. Gammell, Assistant Superintendent for Clinton School District, presented for the district. The Discussion included information that it is necessary to close campuses as soon as possible to meet February 1st deadline.

Dr. Mays disclosed that he was a previous member of Clinton School Board and will need to recuse on votes concerning the high school and will recuse if the rest of the board so wishes from elementary vote.

Ms. Rebick moved approval of request for closure of the two high schools in the Clinton School District. Dr. King seconded the motion. The motion was adopted by roll call with May recusing.

Request from Clinton School District for Approval to Close Two Isolated Schools: Alread School Grades K-8 and Scotland School Grades K-8

Mr. Scott Smith was recognized to present this item. Mr. Smith reported that the proposed closing would take place on July 1, 2006. He also noted that there were no desegregation issues related to the proposed closures. Dr. Gambell, Assistant Superintendent for Clinton School District, referred to proposal and stated that due to low enrollment, it is improbable to keep these two campuses open.

Ms. Rebick moved approval of the petition to close the two schools. Mr. Lawson seconded the motion. The motion was adopted on an 8 yes, 1 no vote. Dr. Mays voted no.

Request from Corning School District for Approval to Close an Isolated School: Biggers-Reyno High School Campus

Mr. Scott Smith was recognized to present this item. Mr. J. M. Eddington, Superintendent of Corning School District, presented for the Corning School District. Mr. Stanley Eddington, Mayor of Reyno, presented for Biggers- Reyno High School. Scott Smith noted that there were no desegregation issues affecting these closures. He stated that the proposed closure was scheduled to take place July 1, 2006.

Ms. Rebbick moved approval of petition for closing of high school. Ms. Burrow seconded the motion. The motion was adopted unanimously by roll call.

Request from Corning School District for Approval to Close an Isolated School: Biggers-Reyno Elementary Campus

Mr. Scott Smith was recognized to present this item. Mr. J. M. Eddington, Superintendent of Corning School District presented for the Corning School. Mr. Stanley Eddington, Mayor of Reyno presented for Biggers-Reyno Elementary School.

Ms. Tatum moved approval of petition for closing of elementary school campus. Ms. Rebick seconded the motion. The motion was adopted unanimously by roll call.

Review of Open Enrollment Charter School Application from Hope Academy.

Ms. Mary Ann Brown was recognized to present this item. Mr. Smith discussed the time cycle by which petitions of application are submitted. Options available to the Board are to approve or reject. If the petition is rejected, then the school has the option to present a new application in the future.

Ms. Tatum moved that the petition be rejected due to lack of documentation. Ms. Hillman seconded the motion. The motion was adopted by roll call vote of 8 yes and 1 no. Dr. Williams voted no.

Review of Open Enrollment Charter School Application from Great River Academic Center for Excellence

Ms. Mary Ann Brown was recognized to present this item. Application to IRS for 501(c)3 status appears to be received in the IRS office complete and on expedited status. The school expects to receive it in next 20-30 days. Respectfully requested table review until next month when Charter School can validate retroactive application. Mr. Smith stated that his position is that at the time of presentation of request, the school did not have a valid 501(c)3 and they do not have one today. Thus, it is not a viable application.

Dr. Williams moved to reject application. Ms. Tatum seconded the motion. The motion to reject the application was adopted unanimously by roll call.

Review of Application for Renewal of the Open Enrollment FOCUS Charter School

Ms. Mary Ann Brown was recognized to present this item. Mr. Smith explained to the Board the options available to them. Mr. Smith stated the time elements available to each party to the discussion.

FOCUS Charter School is located in Conway. Their charter will expire February 2006.

Mr. Lawson moved to extend charter until 6/30/06 and authorize ADE staff to work with charter to obtain requested information for future review. Ms. Hillman seconded the motion. The motion was adopted unanimously by roll call.

Revocation of the Teachers License of John Swaty

Mr. Tripp Walter was recognized to present this item. Neither Mr. Swaty nor his representative were present. Mr. Swaty, a teacher at Texarkana High School, was found guilty by jury of one count of sexual assault, A Class B Felony. Mr. Swaty was given 20 years in prison.

Ms. Hillman moved for permanent revocation of Mr. Swaty's teacher's license. Ms. Tatum seconded the motion. The motion was adopted unanimously.

Further Discussion of the Approval of Denial of Initial Licensure through Reciprocity for Adrienne Brown.

Mr. Smith said ADE has obtained some additional information. Ms. Brown has hired counsel and is trying to obtain additional paperwork. Mr. Smith requested continuance until the February meeting.

The meeting was adjourned at 3:50 p.m.

The Minutes were edited by Dr. Charles D. Watson.

Dr. T. Kenneth James, Commissioner of Education

Dr. Jeanna Westmoreland, Chair