

# State Board of Education

## Minutes

July 10, 2000

The State Board of Education met on Monday, July 10, 2000, in Room 2-B of the Statehouse Conference Center. Luke Gordy, Chairman, called the meeting to order at 1:45 p.m.

The following members attended: Luke Gordy, Chairman; Richard Smith; Vice-Chairman; JoNell Caldwell; Claiborne Deming; William Fisher; Robert Hackler; Shelby Hillman; Betty Pickett and Anita Yates.

Members absent: Lewis Thompson, Jr.

Mr. Gordy read a resolution of appreciation addressed to James M. McLarty, III, recognizing his service to the Board. (Attached) Mr. Fisher moved approval of the resolution as drafted. Ms. Pickett seconded the motion. The motion passed unanimously.

### **Chair's Report**

Mr. Gordy reported that he was a member of the Arkansas delegation at the Milken Conference and Awards Ceremony. He indicated that Arkansas was one of seven states to be selected for a Milken Family Foundation pilot project focusing on teacher quality. At that conference those attending engaged in dialogue concerning the issues of teacher quality, recruitment, retention and other concerns to the states. He indicated that much of the information he shared with the Board during the Work Session was from the Milken Conference.

Ms. Caldwell reported that she also attended the Milken conference and attended the annual Board of Directors' meeting of the Southern Regional Education Board (SREB).

Ms. Yates attended the Northwest Arkansas Cooperative Board retreat. She indicated that Board members shared openly and the information exchange was productive.

Mr. Deming reported that his home school district, El Dorado, had just funded and hired the second endowed chair – science. The District conducted a search for the position and employed a well-qualified individual with an earned doctorate who will be responsible for developing curriculum, professional development and assisting throughout the district in improving student scores in all areas of science.

Ms. Hillman visited schools in the Conway School District and met with teachers concerning their involvement and participation in Smart Start. She was impressed by their team teaching and organization for special tutoring for students who were performing below grade level.

Mr. Fisher meets regularly with the Workforce Education Board and visited with the school-to-work program for east Arkansas.

## **CONSENT AGENDA**

Ms. Caldwell moved approval of the Consent Agenda. Mr. Deming seconded the motion. The motion passed unanimously.

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## **ACTION AGENDA**

### **Director's Report**

Mr. Simon indicated that his remarks made earlier in the day to the Smart Start Conference would serve as his report.

## Recommendation of the Proposed Public School Fund Budget for fiscal year 2000-2001

John Kunkel was recognized for this report. Mr. Kunkel indicated that the budget outline as presented in the Board materials was the same as reported to the Board in June. Mr. Fisher thanked Mr. Kunkel for the information provided as a follow up to the June meeting. Mr. Fisher moved approval of the Budget as presented. Ms. Caldwell seconded the motion. Mr. Gordy questioned if \$200,000 would be sufficient to fully fund the stipend and support for teachers who seek National Board Certification. He suggested from the numbers reported as registering for the program and based on national passage rates, the \$200,000 amount would be insufficient to fully fund the program.

Ms Pickett asked when the budget under consideration would become the Base Level budget for the next biennium. Mr. Kunkel indicated it would become the Base Level for the next biennium, which would begin in July 2001. Mr. Kunkel informed the Board if that line item should be found to be insufficient, the Department could request additional funding be added to the program. Ms. Pickett noted that the base year of funding was important in setting the budget for the biennium.

Mr. Kunkel suggested that the National Board Certification line item could be increased by \$300,000 for a total of \$500,000 each year of the biennium and the Fund Balances would be reduced by \$300,000. Mr. Deming moved to amend the motion by increasing the line item *National Board of Professional Teaching Standards* to \$500,000 and decreasing the fund balances by \$300,000. Ms. Hillman seconded the motion. The amendment passed unanimously. Mr. Deming inquired as to why there were no expenditures projected for the *Consolidation Incentive*. Mr. Kunkel indicated that currently there were no districts actively pursuing consolidation; but it is important to maintain the category.

The amended motion was approved unanimously.

**Approve Petition Submitted for the Van Buren School District to Decrease One Position from the Van Buren School Board of Directors (Act 1078 of 1999)**

Brenda Matthews was recognized for this presentation. Ms. Matthews noted that this petition was being considered by the Board due to the dissolving of county boards of education pursuant to Act 1078 of 1999, which became fully implemented on July 1, 2000. The Board's responsibilities under this statute were discussed earlier in a Work Session. Ms. Matthews reported to the Board that this petition to reduce the number of board members in the Van Buren District was being recommended by the Board and the school administration. She indicated this was the first of what may be a considerable number of similar requests. Ms. Yates moved approval of the Van Buren request to decrease the number of Board members from eight to seven. Ms. Hillman seconded the motion. Ms. Pickett asked what condition might constitute a situation that would be a detrimental instance? Ms. Matthews indicated it might be a situation in which districts had consolidated years ago and commitments were made to various communities that compose the district, or in a case where the decrease was being proposed for personal reasons. The motion passed unanimously.

**Probationary Teacher Status Report to the Board**

Scott Smith was recognized to present this item. Mr. Smith indicated to the Board that this revocation hearing is a follow up to action the Board took approximately one year ago by issuing a one-year probationary certificate to Mr. William H. Clemmons, Jr. Mr. Smith suggested a slightly different approach to revocation hearings to more closely align them with the Administrative Procedures Act. He requested that Michelle Griffin, Department staff, review for the Board the history of this case. She outlined events consistent with those provided in the Board materials. Ms. Griffin reported that a letter was received from Mr. Clemmons on July 3, 2000 stating that he would not be attending the hearing. Ms. Griffin also

pointed out that the request for pardon, as required by the Board as a condition of continuance, was received by the U.S. Department of Justice on June 8, 2000.

Mr. S. Smith stated to the Board that it was the Department's position to recommend revocation based on the apparent lengthy delay in submitting a request for pardon.

Mr. Fisher observed that Mr. Clemmons did request and receive a pardon from New York. S. Smith indicated that the letter indicating a pardon was somewhat inconclusive in that one statement on that document states, "... is not considered to be a pardon." S. Smith suggested this document provides Mr. Clemmons the opportunity to teach in the state of New York and would probably not be germane to Arkansas. Mr. R. Smith stated it was his opinion that a one-year waiver was given based on getting the presidential pardon. Mr. Hackler stressed that receiving the presidential pardon was a condition for any further action after last year's awarding of the provisional certificate. Completing an application in June does not show good faith effort to meet the conditions.

Mr. Fisher recalled that the felony conviction was based on Mr. Clemmons using the funds for other teachers, not for his personal gain. Ms. Pickett stated that applying for and receiving a presidential pardon must be a long process and the fact that he does not currently reside or wish to teach in the state could be a factor. Ms. Yates indicated her belief was that he should have been given a full certificate last year rather than a provisional.

Scott Smith informed the Board that it is his opinion that Mr. Clemmons has not acted in a timely manner and in good faith to get the request for the pardon filed and completed. He indicated that an alternative to suspending the certificate might be suspension until the issue of the pardon is cleared or a specified amount of time has lapsed. He does not see continuation of the probationary

status. Ms. Pickett moved suspending the certificate of Mr. Clemmons until he produces a presidential pardon. Ms. Caldwell seconded the motion. The motion passed 7-1 (Mr. Fisher voted no.)

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

Ernie Huff represented Dr. Charity Smith to make this report. Mr. Huff stated that Mr. Strickland who formerly held this position resigned effective June 30 to become a principal in the Springdale District. Mr. Huff referenced the section, "working with parties," on Page A4-6 which covers the actions seeking to make contact and meet with all the parties to reestablish meeting dates pursuant to the proposed desegregation monitoring and assistance plan. The first date that was acceptable to all parties was August 2, 2000, at 1:30 p.m. Ms. Caldwell moved acceptance of the report. Ms. Yates seconded the motion. The Board suggested that staff in preparing the teacher quality report could identify minority teachers and list shortages that exist and share that information with the Board. The motion to accept the report was approved unanimously.

Ms. Caldwell moved adjournment. Mr. Deming seconded the motion. The motion passed unanimously. The meeting adjourned at 2:30 p.m.

Recorded and reported by Dr. Charles D. Watson.