

**Minutes  
State Board of Education  
Monday, July 14, 2008**

The State Board of Education met on Monday, July 14, 2008, in the Auditorium of the State Education Building. Randy Lawson, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Randy Lawson, Chairman; Dr. Naccaman Williams, Vice-Chairman; Sherry Burrow; Jim Cooper; Dr. Ben Mays; and Diane Tatum. (There are two vacant positions on the Board.)

Brenda Gullett was absent.

**Chair's Report**

Mr. Lawson recognized the work of retired senior staff Dr. Bobbie Davis and Janinne Riggs. He commended their work and wished them well in retirement.

Dr. Williams reported on his attendance at the Southern Regional Education Board (SREB) in Atlanta. He noted the attendance of representatives from the Arkansas General Assembly. Dr. Williams also reported that Dr. Ken James was elected vice-chairman of SREB for the coming year.

Ms. Tatum reported attending a national symposium, which was held at the Clinton Library in Little Rock, to discuss obesity and school health issues. She stated that she was pleased with reports from Arkansas participants and with the progress being made in Arkansas to address these health issues in public schools.

Mr. Lawson welcomed Mr. Paul Gray, Arkansas Teacher of the Year, who began his one-year tenure as a non-voting member of the Board.

**Commissioner's Report**

Dr. James made no report.

**Consent Agenda**

Ms. Burrow moved adoption of the Consent Agenda. Mr. Cooper seconded the motion. The motion was adopted unanimously.

- Minutes – June 2008
- Newly Employed, Promotions and Separations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Work Force Data Report

**Action Agenda**

## **Consideration of Request for Proposed Annexation of the Greenland School District to a contiguous School District**

(The complete text of this item was recorded by the court reporter and is available from the State Board Office for review.)

Tripp Walter was recognized to present this item. Mr. Walter provided background information regarding the classification of Greenland School District in fiscal distress and described the procedure to be followed in the hearing proceedings.

Department of Education staff provided background information regarding the following: geographical considerations and a map of contiguous school districts, accountability status of schools in the Greenland School District and those in contiguous districts, and the accreditation status of the schools in Greenland School District and those in contiguous districts.

Representatives from the Greenland School District provided an update of recent work within the district toward meeting fiscal concerns.

Representatives from each of the contiguous school districts provided statements regarding the issues related to annexation that would impact the work and status of the respective districts.

Dr. James commented to concerns expressed by local district representatives by thanking them for thoughtful statements; noting that this is a very difficult situation; observing that the Department has no other option when a district is determined to have a negative balance, and stating that by legislation the Department is required to bring such issues to the attention of the Board.

Board members engaged in a series of questions and answers related to various aspects of the financial condition of the Greenland School District and events that helped move them into having a deficit balance. One of the major issues was the voluntary annexation of the Winslow District and the potential sale of property held that was once used by the Winslow School District.

Board members asked Dr. James if there were any viable options to annexation given the short amount of time before school is scheduled to begin in August.

Dr. James stated that he seldom makes policy recommendation, but is prepared to offer a recommendation for consideration. Dr. James made the following recommendation.

- That the Department of Education continue to monitor the financial conditions of the Greenland School District for at least one additional year;
- That the Commissioner would exercise the authority given by the General Assembly to remove the local board members;
- That the Commissioner would seek a well qualified individual to serve as interim superintendent and that person would answer directly to the Commissioner;
- That the Department of Education would make quarterly reports to the Board on the financial status of the Greenland School District; and
- That the Department of Education look at the existing boundaries of the district and make a recommendation as to the most efficient way to restructure the district to best meet the needs of students currently enrolled in the Greenland School District.

Dr. James noted that this is a difficult situation and difficult management decisions will have to be made to regain fiscal solvency of the district. He also observed that one immediate concern that will possibly have further financial implications will be the existing contract of the former superintendent who is being removed.

Dr. Williams asked if they can prove to become financially viable, could the Board consider reinstatement. Dr. James responded that reinstatement could happen within the two years provided by law from the date of classification in fiscal distress. Otherwise, annexation or some disbursement of the district would have to occur.

Dr. Williams moved that consideration for annexation be deferred until such time as the Department of Education determines that the Greenland School District cannot be come financially viable. Mr. Cooper seconded the motion. The motion was adopted unanimously on a roll call vote.

Ms. Tatum moved that the Board accept the recommendation as outlined by Dr. James. Ms. Burrow seconded the motion. The motion was adopted unanimously on a roll call vote.

Chairman Lawson stated that he and the Board believe in local control, but with some reluctance, when necessary, must take decisive action such as just unanimously approved when it is in the best interest of students. Furthermore, the Board is focused on the students, educators and local community in the Greenland School District while remaining ever mindful of the surrounding school districts, its students, educators and patrons and the impact any decision has on those districts and communities. As we move forward following the action today, the board will remain committed to these principles in its decision making and will endeavor to always take actions to improve the education delivery system for students.

#### **Consideration of Classification of the Decatur School District as a District in Fiscal Distress**

Tripp Walter was recognized to present this item. Mr. Walter provided background information related to the financial condition of the Decatur School District. Bill Goff also provided detailed financial data reflecting the fiscal status of this district for the past three years.

There was no response from the Decatur School District.

Ms. Burrow moved to classify the Decatur School District in Fiscal Distress as of this date. Dr. Mays seconded the motion. The motion was adopted unanimously.

#### **Final Approval of the FY08 Public School Fund Budget**

John Kunkel was recognized to present this item. Mr. Kunkel reported that minor adjustments to the FY08 Public School Fund Budget were necessary to accommodate last minute expenditures and program needs requiring budget revision.

Dr. Williams moved approval of the revised FY08 Public School Fund Budget. Ms. Tatum seconded the motion. The motion was adopted unanimously.

#### **Approval of the FY09 Public School Fund Budget**

John Kunkel was recognized to present this item. Mr. Kunkel pointed out areas in this budget where significant increases or decreases were projected then he requested approval of the FY09 Public School Fund Budget.

Ms. Tatum asked about the reduction in the budget amount for Smart Start and for special education. Mr. Kunkel responded that the amount budgeted for these two categories was increased during the FY08 budget year and they were projected at the base FY08 level for the FY09 budget. Mr. Kunkel stated that funds could be transferred into these budget categories during this fiscal year if or when needed.

Mr. Lawson asked about the term "URT" and how it impacted revenue. Mr. Kunkel responded that URT is uniform rate of taxation and it is projected to increase due to the proceeds from the Fayetteville Shale tax revenue.

Ms. Tatum moved approval of the proposed FY09 Public School Fund Budget. Dr. Williams seconded the motion. The motion was adopted unanimously.

#### **Request for Approval of 2008-2009 Arkansas Better Chance Grants – Round #2**

This item was pulled at the request of program staff.

#### **Consideration for Final Approval: Proposed Rules Governing the Requirement of Schools to Have Automatic External Defibrillators**

Tripp Walter was recognized to present this item. Mr. Walter stated that since this proposed rule was approved for public comment, a hearing was held and no one attended and no written comments were received. He noted that the rule is to be considered without revision.

Mr. Cooper moved final approval. Ms. Tatum seconded the motion. The motion was adopted unanimously.

#### **Consideration for Final Approval: Rules Governing Teacher Licensure by Reciprocity**

Beverly Williams was recognized to present this item. Ms. Williams stated that a public hearing was scheduled and no one attended and there were no comments received.

Dr. Williams asked if the adoption of this rule implies that Arkansas no longer has reciprocity or is it being reduced. Beverly Williams responded that reciprocity is no longer "automatic." Each case is reviewed based on the institution granting course work and degree credit and the type of license being requested – the program from which the candidate graduated will be reviewed.

Dr. Williams moved final approval. Ms. Burrow seconded the motion. The motion was adopted unanimously.

#### **Request for Approval: Protocol for the Review and Approval of Programs of Study Leading to Educator Licensure or Endorsement in Arkansas**

Beverly Williams was recognized to present this item. Ms. Williams stated this request was somewhat different from other policy considerations in that this is not a formal rule, but the formalization of a description of how the Department will consider and process new programs submitted by colleges and universities pursuant to licensure or endorsement.

Dr. Williams moved approval. Ms. Tatum seconded the motion. The motion was adopted unanimously.

**Petition from the Stephens School District to the State Board of Education to Move from Seven (7) to Five (5) Member School Board**

Tripp Walter was recognized to present this item. Mr. Walter stated that such requests require State Board approval and that all the conditions such as public notice and approval of the local board have been met.

Ms. Tatum asked about the loss of students in the district last year. Mr. Mark Keith, Superintendent of the Stephens School District, was present and responded that economic conditions in that area of the state seem to be the major factor: families are relocating to find employment. Ms. Tatum asked if they were coming from any specific part of the district. Mr. Keith responded that no it was generally district wide. Ms. Tatum asked if the McNeil community would continue to have representation. Mr. Keith answered yes.

Mr. Cooper moved approval of the request. Ms. Tatum seconded the motion. The motion was adopted unanimously.

**Revocation of Teacher's License – Tracy Meadows**

Tripp Walter was recognized to present this item. Mr. Walter reviewed the conditions under which this request was being made. Mr. Walter stated that Mr. Meadows had not responded to the notification of this hearing. Mr. Meadows was not present nor represented.

Ms. Tatum moved to permanently revoke the license of Tracy Meadows. Dr. Mays seconded the motion. The motion was adopted unanimously.

**Revocation of Teacher's License – Steven L. Richards**

Tripp Walter was recognized to present this item. Mr. Walter reviewed the conditions under which this request was being made. Mr. Walter stated that Mr. Richards had not responded to the notification of this hearing. Mr. Richards was not present nor represented.

Ms. Tatum moved to permanently revoke the license of Steven L. Richards. Ms. Burrow seconded the motion. The motion was adopted unanimously.

Without objection, the Chair declared the meeting adjourned at 1:05 p.m.

These Minutes were recorded and reported by Dr. Charles D. Watson

  
Dr. Ken James, Commissioner Dept of Education

  
Randy Lawson, Chair, State Board of Education