

ARKANSAS STATE BOARD OF EDUCATION

Minutes

June 12, 2000

The State Board of Education met on June 12, 2000 in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 10:30 a.m.

The following members were present: Luke Gordy, Chairman; JoNell Caldwell; Bill Fisher; Robert Hackler; James McLarty; Betty Pickett; and Richard Smith.

The following members were absent: Anita Yates, Vice Chairman; Claiborne Deming; Shelby Hillman; and Lewis Thompson, Jr.

Mr. Gordy informed the Board that Consent Agenda Item C-4, Final Approval of Rules and Regulations Governing Professional Development, and Consent Agenda Item C-5, Approval of Salaries and Employment for fiscal year 2000-2001, were being moved to the Action Agenda.

Mr. Hackler moved approval of the Consent Agenda as modified. Ms. Caldwell seconded the motion. Mr. McLarty noted that he should be reported as being present for the conference call meeting on May 23, 2000. The motion passed unanimously.

CONSENT AGENDA

Minutes, May 8, 2000

Minutes, May 23, 2000

Newly Employed, Promotions and Separations

Review of Loan and Bond Applications

ACTION AGENDA

State Board of Education Election

Mr. Fisher, Chairman of the Nominating Committee, was recognized to present this item. Mr. Fisher reviewed the report of the Nominating Committee that was presented at the May 8, 2000 meeting: Luke Gordy, Chairman, and Richard Smith, Vice-Chairman. Mr. Fisher moved adoption of the Nominating Committee Report. Mr. Hackler seconded the motion. The motion passed unanimously.

Approval for Salaries and Employment for fiscal year 2000-2001

Mr. Simon referred to the information previously received by the Board. He informed the Board that since that information was distributed, he received the resignation of Mr. Ed McKinney as Assistant Director of the School Improvement and Instructional Support Section effective July 1, 2000. Mr. McKinney's resignation impacts the information presented in this report. Due to the nature of this Section and the urgency for filling the position with a well-qualified person, Mr. Simon announced his intent to make a recommendation for filling that position. He indicated his recommendation is Janinne Riggs who currently heads the Public Relations and Special Projects Office. Ms. Riggs has been instrumental in advancing the Smart Start and Smart Step programs, has a broad base of experience in Arkansas education as a classroom teacher, curriculum specialist/assistant principal, ADE staff member and education liaison from the Governor's Office. If approved Ms. Riggs would assume the duties of Assistant Director for School Improvement and Professional Development on July 1. Ms. Caldwell moved approval of the Director's recommendation to employ Janinne Riggs as Assistant Director of School Improvement and Professional Development. Mr. Smith seconded the motion. The motion passed unanimously. Mr. Fisher moved approval of Salaries and Employment for Fiscal Year 2000-2001 as revised in the previous motion. Mr. Hackler seconded the motion. The motion passed unanimously.

ADE Organizational Structure

Mr. Simon summarized the information previously mailed to the Board. He noted that for the Department to meet its mission of service to schools, it is critical that all sections go forward with one voice, one plan. He indicated for that to occur, some minor shifts in the Agency's organizational structure are necessary. The proposal only involves two sections – School Improvement and Instructional Support and Accountability.

Mr. Fisher moved approval of the Director's proposal. Mr. Hackler seconded the motion.

Ms. Pickett stated that she has always been an advocate of combining curriculum and assessment. However, she indicated some reservation for combining curriculum, assessment and accountability. She believes that having these groups separated allows some degree of checks and balances in the design of Department priorities. She does feel that there is a need to balance the number of programs and staff across the sections. She also supports bringing professional development and instructional services closer together in the organizational structure, but questions the wisdom of combining curriculum, assessment and instruction.

Mr. Simon indicated that Senior Staff had expressed some of those same concerns. When the job descriptions of those staff are considered, there is much that is similar. He also indicated that it was essential that assessment mirror the standards and those staff members must work together. One of the considerations for his final recommendation was the total number of staff within each of the sections. Mr. Simon noted that some of the new job descriptions have not been fully rewritten and some adjustment may be warranted in the future.

Ms. Pickett moved to amend the motion for approval of the Director's proposal by leaving the Assessment and Instruction unit in the School Improvement Section until a study could be completed on the job functions of those staff members. Mr. McLarty seconded the amendment. The amendment to the motion failed on a vote of 3 in favor and 4 opposed. (Pickett, McLarty and Smith voted yes; Caldwell, Fisher, Hackler and Gordy voted no.) The original motion passed on a vote of 4 in favor and 2 opposed. (Hackler, Caldwell, Fisher and Smith voted yes; McLarty, Pickett voted no.)

Approve ACTAAP Revisions

Mr. Simon reminded the Board that the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) document was previously adopted by the Board and the suggested revisions are necessary to update information based on new assessment results, reporting to parents and the general public, and assessment of special populations. The revisions have been posted since the end of March with only one comment received.

Ms. Caldwell moved approval of the proposed amendments to the ACTAAP document. Mr. Hackler seconded the motion.

Mr. McLarty expressed his concern for excluding of special populations in the public reporting required under the ACTAAP document. He believes that all students should be included in the student reporting process. Mr. Simon explained that under the proposed revision there is required reporting for the general population, designated special populations and the combined groups within a school.

Mr. McLarty noted under the ACTAAP sanctions definition process, a student could attend a school that would be under some sanction for up to six years. He suggested that the state should find ways to bring meaningful intervention to the school more quickly.

Mr. McLarty referred to the Tier I indicator of fully certified teachers and expressed the concern that teachers working under a deficiency removal plan should be considered as not being fully certified.

Mr. Fisher referred to the comments from Dr. Benny Gooden, superintendent of the Fort Smith District, concerning reporting on disaggregated groups having relatively small sample size. Mr. Simon indicated that the Department is aware of the issues related to sample size of some groups and that scores would not be reported when small numbers of student are involved. It is not the intent of the Department to expose any student in the public reporting process.

Mr. Simon responded to the concern for addressing the needs of schools designated in any of the categories of distress. He indicated that working with Dr. Charity Smith and the Accountability Section, the Department would be aggressive in addressing the needs of those schools and assisting with the development and implementation of an improvement plan.

Ms. Pickett observed that some schools stay in academic distress for a long time. Even though the state is providing assistance, it appears that there is little movement. She indicated that improvement in some of these schools is not at a pace acceptable to her. Mr. Simon stated that meaningful school improvement takes time and that he would not be comfortable to walk in and close a school without some definite data.

Mr. Hackler asked if it would be possible for the Board to receive a short summary on the process of addressing those schools in academic distress and examine the progress being made. Mr. Simon agreed to provide such information.

The Board unanimously approved the proposed revisions to the ACTAAP document as presented.

Health Insurance

Dr. Bobbie Davis was recognized for this presentation. Dr. Davis distributed a revised report reflecting 265 responses from school districts to the questionnaire prepared to ascertain the number of districts contributing beyond the required minimum toward employee health insurance premiums. (Attachment) She highlighted major points contained in the report.

Mr. Gordy announced that Linda Pondexter, President of the Arkansas Education Association (AEA) had requested the opportunity to address the Board on this issue. Ms. Pondexter was recognized. She introduced Mr. Rich Nagel, who recently was named Executive Secretary of the AEA. Ms. Pondexter's plea was for the Board to support an increase in the minimum contribution toward health insurance premiums for public school employees. The AEA's position is that with the high and rising cost of health insurance many school employees cannot afford the cost of insurance with the small amount paid by the school/state.

Mr. McLarty moved that the Board adopt an increase in the required minimum contribution by local districts toward employee health insurance premiums from the current \$114 to \$130 per month. Mr. Smith seconded the motion.

Mr. Hackler indicated he appreciated the position taken by Ms. Pondexter and Mr. Nagel and that his calculations were consistent with those presented. He indicated that he did not support the conjecture that a higher payment toward the premium would increase the participation in the program. He thinks there is no correlation between minimum payment and an increase in participation in the insurance program. He stated that he personally could not support the motion.

Mr. McLarty observed that a return of 80% on this survey is disturbing and wonders why so many districts ignore a request of the Department for information. He identified a number of schools that report neither giving staff a

raise nor increasing insurance contribution with funds made available a year ago. In those cases it is apparent that the money was used for something other than support of teachers. He observed that insurance premiums continue to increase and teachers are denied increases in minimum reimbursement for premiums. Mr. Fisher stated his overall support for teachers and recognized their need for additional salary. He indicated that the total increase proposed was \$192 per year. He does not believe that the \$192 would keep a teacher from leaving the profession or attract someone to apply for a position.

Mr. Smith appealed to the board to support teachers by adopting this motion. He stated that teachers in his area of the state are very dependent on salary and most do not have other incomes to support their teacher pay. His position is that teachers should be recognized for the work they do and should have reasonable options for affordable health insurance.

Ms. Pickett stated that in her tenure on the Board, this item has been considered a number of times and the Board has never voted to increase the insurance compensation. She believes the Board is abdicating its responsibility to the teachers.

Mr. Gordy stated that the Board should not be making these decisions for local districts. The Board has approved increases in funds and the local districts, in many instances with support from teachers, have made the decision to raise salaries for all employees rather than increase insurance benefits, which may not affect all employees.

Call for the Question: The motion to approve an increase in required minimum insurance payment failed. (McLarty, Pickett and Smith voted yes; Hackler, Caldwell, Fisher and Gordy voted no.)

Charter School Issues – Approval of Charter School Contracts

Mr. Randall Greenway was recognized to present this item. Mr. Greenway informed the Board that Charter School Contracts were prepared for the conversion schools – Little Rock, El Dorado and Rogers. Those contracts have been reviewed and approved by the Attorney General's Office. Representatives from those districts (except Rogers) are present to sign. Mr. Fisher moved approval of the contracts and authorized the Chairman to sign for the Board. Ms. Caldwell seconded the motion. The motion passed unanimously.

Charter School Issues – Gateway Charter School

Mr. Greenway referred to the budget as submitted by the Gateway Charter School to meet the May 30, 2000 deadline as imposed by the Board. He reported that the funding for the first year was assured. He further reported that representatives of the Gateway school had met with the licensing specialists from the Department of Human Services (DHS). The request for approval will not be considered until a review panel meets on July 26. The school is seeking alternative compliance dealing with sleeping arrangements at the school that would require two adult counselors be in the cabins with students. They anticipate a favorable recommendation from the Panel.

Mr. Fisher moved approval of the contract contingent on a favorable response to the licensure issue from DHS. Ms. Pickett seconded the motion. The motion passed with a 5 to 1 vote. (McLarty voted no.) Mr. Fisher indicated that his motion included holding signing of the contract until after the DHS licensure approval is received.

Charter School Issues – Final Approval of the Rules and Regulations Governing Charter Schools

Mr. Fisher noted that he has received a letter from the Arkansas School Board's Association (ASBA) with a number of suggestions and comments concerning the

proposed revisions. Mr. Greenway indicated that staff had considered each of the recommendations and had incorporated two of the suggestions in the final draft. Mr. Fisher noted that there was a total of eight recommendations submitted by ASBA and requested information as to why others were not accepted. Mr. Greenway cited each section in question and presented the staff rationale for not adopting the ASBA suggestions.

Mr. Hackler moved adoption of the revised Rules and Regulations Governing Charter Schools. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Report: Technology Plan

Jim Boardman introduced Drew Mashburn to review the proposed revised Educational Technology Plan. Mr. Mashburn informed the Board that the revisions have been in process for over a year and over forty educators statewide have contributed in the formation of the recommendations. The previous plan was adopted in 1997.

In response to questions about the requirements in the plan, Mr. Simon indicated that this Plan contains a series of recommendations to schools and districts. Any policy requirements will be brought back to the Board in the form of rules and regulations, which was the case for mandating six hours professional development as part of the annual 30-hour requirement.

Mr. Fisher moved that the Board accept the report. Ms. Pickett seconded the motion. The motion passed unanimously.

Approval for Public Comment the Proposed Revisions to the Rules and Regulations Establishing the Academic Standards for Student Participation in Competitive Interscholastic Athletics.

Brenda Matthews was recognized to present this issue. She informed the Board that the original rules and regulations were developed in 1993 and revised in 1997. This revision merely provides clarification of procedures and adds various reporting requirements.

Mr. Fisher moved approval for public comment. Mr. Hackler seconded the motion. The motion passed on a 5-1 vote. (McLarty voted no.)

Final Approval of Rules and Regulations Governing Professional Development

Mr. Fisher referred to Dr. Benny Gooden's letter that indicated requirements imposed by the revision could not be implemented at once due to contractual agreement of the district with the teachers association. Mr. Simon stated that it was his opinion that if a contractual agreement were in place, a Board could adopt new rules and regulations that will supersede the contractual agreement. Anything passed before July 1 would impact the local district for the following school year. It was stated that some degree of flexibility would be exercised in districts such as Fort Smith that have negotiated contracts already in place for next year. Mr. Fisher asked if such a motion were needed. Mr. Simon indicated no.

Mr. Fisher inquired about the issue of only allowing 3 hours of professional development credit for a college/university course. Mr. Simon indicated this issue has been considered at various times in the development and hearings on the rules and regulations. He indicated that when the total number of hours of professional development requirement is increased, some adjustment might be warranted. This policy does not say college/university courses are not important, but there must be some limit. It is important for staff to be engaged in training beyond the university classroom.

Mr. Smith moved final approval of the revisions to the Rules and Regulations Governing Professional Development. Mr. Hackler seconded the motion. The motion passed unanimously.

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

Edwin Strickland was recognized for this report. Mr. Strickland reported that an executive summary report was filed with the court on May 31, 2000 in keeping with the monitoring agreement. He indicated that the report from higher education concerning the number of minority scholarships for teachers has not been received. This report is anticipated very soon and will be part of the July summary.

Mr. Smith moved approval of the report. Mr. Fisher seconded the motion.

Mr. McLarty asked if there was any further information from Harcourt Brace Company concerning the use of the Stanford Achievement Test to determine loan forgiveness. Mr. Strickland indicated that Harcourt Brace representatives had responded and indicated that the company could not produce the type of information necessary to make decisions such as are required in the agreement. He indicated that discussions with statisticians from the University of Arkansas were underway to determine an alternative strategy.

The motion passed unanimously.

Teacher Raises

Mr. Fisher moved the issue of teacher raises discussed during the Board work session be added to the Action Agenda. Mr. Smith seconded the motion. The motion passed unanimously. Mr. Fisher moved that the Chairman appoint a special committee to review the issue of teacher compensation for the next biennium. The committee would work with appropriate Department staff and

consider research and data such as distributed by the Southern Region Education Board (SREB) and make a formal report to the Board. Ms. Pickett seconded the motion. The motion passed unanimously.

Other Business

Mr. Gordy read a letter of appreciation from Michael Sheppard of Marion School District thanking the Board for the recognition and lunch for teachers who completed the National Board Certification process.

Mr. Simon distributed the agenda for the Smart Start/Smart Step Conferences to be held at the Statehouse Convention Center in Little Rock on July 10-13. The July Board meeting will be scheduled to allow members to attend conference sessions.

Recognition of Service by James McLarty

Mr. Gordy announced that the June Board meeting was the final regular meeting prior to the expiration of the term of Mr. James McLarty. McLarty has served 10 years on the State Board of Education. Mr. Gordy presented him with a desk plaque and thanked him for his dedicated service and advice to the Board over these years.

Mr. Fisher moved that a resolution be drafted recognizing the dedicated service to the Board over the past ten years. Ms. Pickett seconded the motion. The motion was adopted unanimously.

Mr. McLarty responded with a challenge to the Board to pursue with diligence the issue of teacher salaries so that the state can be a leader, rather than at the near bottom of the ranking of compensation for the state's teachers. He suggested that the next major initiative, when funds become available, should be addressing the educational needs of four-year-old children. Such programs would go along

way in helping all students be prepared and ready to enter kindergarten and first grade.

Mr. Hackler moved adjournment. Ms. Caldwell seconded the motion. The motion passed unanimously. Meeting adjourned at 12:45 p.m.

Minutes reported by Dr. Charles D. Watson.