

Minutes
State Board of Education
Monday, June 14, 2010

The State Board of Education met on Monday, June 14, 2010, in the Auditorium of the State Education Building. Dr. Naccaman Williams, Chairman, called the meeting to order at 9:00 a.m.

The following Board members were present: Dr. Naccaman Williams, Chairman; Jim Cooper, Vice-Chairman; Brenda Gullett; Sam Ledbetter; Alice Mahony; Dr. Ben Mays; Toyce Newton and Vicki Saviers.

The following Board member was absent: Sherry Burrow.

Reports

Chair's Report:

- Ms. Gullett noted participation in a webinar hosted by the National Association of State Boards of Education (NASBE) pursuant to the State's participation in a childhood obesity grant. She reported that Arkansas was commended for its work in the area of student health issues. One specific activity cited was the commitment to increase the school snacks by introducing fruits and fresh vegetables.
- Ms Gullett reported on her attendance at the NASBE Governmental Affairs Committee, which met in Washington, DC. From that meeting she highlighted discussions pursuant to adoption of the Common Core Standards and the questions raised by a number of states regarding the reference to "national" as part of the title for that document. She reported the possible formation of a 501(c)3 organization at the national level to oversee the implementation of the standards and the development of frameworks.
- Ms. Mahony reported her attendance at the AIMS luncheon at which time the Arkansas Teacher of the Year participated in the program.
- Ms. Mahony reported attending the southern region meeting of NASBE and commented on a number of southern states "push back" on adoption of the Common Core State Standards and State's concern for teacher evaluation and accountability. She noted that in many southern states Departments of Education face major fund shortages and many states are finding it necessary to eliminate teaching positions. She commented that in some states, e.g. Florida, districts were opting for accelerated courses to be provided through concurrent credit as opposed to Advanced Placement courses where credit is awarded based on the AP test at the end of the year. Lastly, she commented on the positive influence of the services provided to schools through the military programs.

Commissioner's Report

- Dr. Kimbrell responded to a question about Arkansas' intent to sign the agreement for joining the Common Core State Standards. He indicated that the Standards have been provided to schools and to the Board. He indicated that it was his intent to have a discussion with the Board at the July meeting at which time he would seek a recommendation from the Board regarding adoption.

- Dr. Kimbrell complimented the work of 2009 Arkansas Teacher of the Year Susan Waggener. He stated that she has become a super spokesperson for teachers and teaching. Dr. Kimbrell noted that this would be Ms. Waggoner's final meeting with the Board in her capacity as Teacher of the Year. He recognized Vandy Nash, who was selected at Arkansas Teacher of the Year 2010 last fall and will become the teacher in residence for next academic year. Dr. Kimbrell expressed hope that more building administrators will get to know the Arkansas Teacher of the Year and will invite her participation as part of professional development in the schools.
- Dr. Kimbrell observed the loss of Deborah McMaster, a mathematics teacher in the Springhill School District, who was killed in the flooding that occurred at Camp Albert Pike.
- Dr. Kimbrell recognized the presence of Arkansas Tech students who are participating in the School Leadership Program.

Coordinated School Health – Dr. Dee Cox

Dr. Cox reported on on-going work of the coordinate school health efforts in Arkansas. She noted the emergence of a request for proposals that would be received from local schools for Coordinated Community Health Grants once each semester for the coming year. Dr. Cox stressed the need for these grant proposals to be a cooperative work between the school and the community.

Financial Report: Hope Academy – Pine Bluff – Dr. Mary Ann Duncan

Dr. Duncan provided background information regarding the status of Hope Academy and introduced Bill Goff who reviewed the current balances for Hope Academy and stated that without outside intervention it is very possible that the school will finish the fiscal year with a negative balance. He reported that the school has requested assistance from a consultant with expertise in school finance. The Board asked for a follow-up report at the July Board meeting.

Arkansas' Equity Plan – Beverly Williams

Ms. Williams noted that this plan is presented as part of the requirement to identify highly qualified teachers under the No Child Left Behind legislation. She provided data indicating an increase in the percentage of Arkansas teachers meeting the definition of Highly Qualified. Of special note was a closing of the gap of Highly Qualified teachers employed in schools having the highest percentage on economically disadvantaged students.

Ms. Saviers asked for clarification of the definition of Highly Qualified and Highly Effective. Ms. Williams noted that Highly Qualified determination is based on the teacher's knowledge of content and that the state used national measures such as Praxis to determine content knowledge. Ms. Saviers noted her concern for an effective process to evaluate the quality of teaching in the state, which more clearly reflects performance rather than just content knowledge. Ms. Williams stated that there are measures to determine teacher effectiveness that are used through the state. Ms. Williams also noted that there is a new effort to be pilot tested in the fall to examine new means for evaluating teacher effectiveness.

Consent Agenda

Dr. Mays inquired about Consent Agenda Item – C-6 (repeal of Immunization Rules). Dr. Dee Cox explained that this rule has been replaced in total by the rule adopted for final approval at the May Board Meeting. Dr. Mays expressed his concern that the state has an effective means by which schools

can address parent's wishes for not allowing children to receive vaccinations. Dr. Cox noted that those processes were included in the new rule and that those guidelines are totally in the hands of the Department of Health.

Dr. Williams asked about situations that are allowed in public schools where some home schooled students are allowed to participate in interscholastic athletics and other school activities. What process is in place to be sure that those students have the proper immunizations. Dr. Cox was not aware of this option. Dr. Williams asked for a report at the July Board meeting.

Ms. Mahony noted that the report included with Consent Agenda Item – C-7 (Charter School Annual Report) did not contain information such as enrollment data, current budget information, or information about student performance on Benchmark, End-of-Course, and other common assessments. She asked that this item be eliminated from consideration until these items are provided as part of the report. Ms. Saviers also commented that many of the descriptions appear to be written by the entity and may not be an objective picture of the situation. She asked that the descriptions be reviewed to reflect more accurately the status of the charter schools.

Ms. Saviers asked for information regarding the Academic Shortage Areas identified in Consent Agenda Item C – 21 and was concerned if there were plans to address the shortage areas. Beverly Williams responded that some of these shortage areas are continuing and they are regional and national concerns, not just in Arkansas: example mathematics and science teachers. Ms. Williams noted that teacher preparation institutions are very aware of these shortage areas and attempt to work with students in "STEM" programs to increase participation in these areas. Dr. Williams noted that there are opportunities for increasing the pools of persons working in library media services and counseling by utilizing persons trained in those disciplines, but who may not have completed a teacher education program.

Mr. Ledbetter asked how do we know we are making progress or that any of the work in these areas is being successful. Ms. Williams noted that not much has changed over time, many of these areas remain needs. She did indicate that the alternate licensure program does seem to be providing some relief in some areas.

Mr. Ledbetter moved approval of the Consent Agenda as amended by removing C-7. Mr. Cooper seconded the motion. The motion was adopted unanimously.

- Minutes May 10, 2010
- Minutes May 20, 2010
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the of the Implementation Plan
- Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications
- Consideration for Final Approval: Repeal of Rules Governing the Immunization Requirements in Arkansas Public Schools by the Arkansas State Board of Health and Arkansas Department of Health

- Consideration for Waiver of One (1) Instructional Day Due to Inclement Weather – Twin Rivers School District
- Consideration for Waiver of Two (2) Instructional Days for J.A. Fair High School Due to Storm Damage
- Request for Approval of Nominated Members for the Professional Licensure Standards Board to Replace Members Whose Terms are Expiring June 30, 2010
- Approved sanctions for teachers as recommended by the Professional Licensure Standards Board
 - Billy Woods
 - Yolanda Jones
 - Lewis Earnest
 - Sallie Kieren
 - Jeff Hudson
 - Brian Holifield
 - Ryan Carpenter
 - Kimberly Sexton
 - Jamie George
 - Tracy Jones
- Declaration of Critical Shortage Areas as Required by Ark. Code Ann. § 6-81-609 and Act 605 f 2009

Action Agenda

Consideration of ABC 2010-2011 Funding Recommendations

Jamie Morrison was recognized to present this item. Ms. Morrison indicated that the items under consideration were reviewed and recommended for funding by the ABC staff.

Ms. Mahony moved adoption as presented. Mr. Cooper seconded the motion. The motion was adopted unanimously.

Amount approved for funding: \$102,389,500

Consideration for Final Approval for Arkansas Department of Education Rules for Special Education and Related Services: Procedural Requirements and Program Standards; and Special Education Eligibility Criteria and Program Guidelines for Children with Disabilities, Ages 3-21

Marcia Harding was recognized to present this item. Ms. Harding stated that the public comment period for this rule lasted 60 days and during that time public hearings were held. She noted that the only comments received were in support of the proposed revisions; thus, no changes were made in the document from the initial submission.

Ms. Gullett moved adoption as submitted. Mr. Cooper seconded the motion. The motion was adopted unanimously.

Consideration of Request for Approval of the Creation of Career and Technical/Vocational Permits in the Areas of Latin and Japanese

Beverly Williams was recognized to present this item. Ms. Williams stated that only a few schools in the state offer instruction in Latin and Japanese and that currently there are no teacher preparation institutions in the state with approved programs, which means that there are no provisions for approving new teachers. She did indicate that it would be possible for a teacher with a license from another state to be licensed in Arkansas under reciprocity. Ms. Williams stated that the permit would allow a person who is a native speaker or one with demonstrated proficiency to be licensed to teach these languages in Arkansas. She also noted that this was a way to meet a potential need without the creation of a degree program in higher education.

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

Consideration or Final Approval: Rules Governing Initial and Standard/Professional Administrator and Administrator – Arkansas Correctional School License

Beverly Williams was recognized to present this item. Ms. Williams reported that this rule was approved for public comment several months ago, but amendments were requested to allow coordination of programs and internships through the Arkansas Department of Corrections. She noted that the Department worked with Dub Byers and others from Department of Corrections to establish a pathway for licensure for teaching employees who work exclusively at that Department. She indicated that Mr. Byers had submitted an e-mail recommending adoption of the rule. Ms. Williams also noted the questions raised by persons interested in speech/language pathology being approved to serve as a local district special education supervisor. She noted that originally the Professional Licensure Standards Board had voted not to approve speech/language pathology licensed individuals to serve as local supervisors. However, that decision has been reversed and speech/language pathology licensed persons are eligible to serve as special education supervisors.

Ms. Gullett moved approval for final adoption. Ms. Saviers seconded the motion. The motion was adopted unanimously.

Consideration for Final Approval: Rules Governing Initial, Standard/Professional and Provisional Teacher License

Beverly Williams was recognized to present this item. Ms. Williams commented that the process review and adoption of the teacher license followed a similar path as the administrator license discussed in the previous item. Ms. Gullett noted the work done to accommodate the Department of Corrections is appreciated.

Ms. Saviers moved approval for final adoption. Mr. Cooper seconded the motion. The motion was adopted unanimously.

Consideration for Approval for Public Comment: Proposed Revisions of Rules Governing the Code of Ethics for Arkansas Educators

Beverly Williams was recognized to present this item. Ms. Williams stated that the Code of Ethics Rule was adopted based on legislation and that it has been operational for about one year. She noted that during that time the Professional Licensure Standards Board (PLSB) has improved its work in hearing and reviewing cases submitted. She indicated that this year's experience has helped to identify areas where

the PLSB can further increase its efficiency by addition of a new response – a letter of concern, which may be a more appropriate response, than sanctions issued this past year.

Ms. Mahony noted that a state-wide training effort was implemented to make teachers and administrators aware of the Rule in the beginning. She asked, if approved, would a similar training be necessary. Ms. Williams responded that training would be a key component of any revision to the rules.

Mr. Cooper moved adoption for public comment. Ms. Gullett seconded the motion. The motion was adopted unanimously.

Dr. Mays requested that he be allowed to ask a question regarding the teacher licensure rule approved in Action Agenda Item A – 5. He noted that one condition that warranted a salary increase was when a teacher earned a Master’s degree. He asked if there were any provisions for review of the integrity of the degree institution, or would any degree be acceptable. Beverly Williams responded that there are limitations on which Master’s degrees count: a degree must be earned in an area that supports or is related to the teacher’s area of licensure or area in which that teacher is working. Dr. Mays expressed concern for teachers who earned a degree from an unaccredited, on-line degree mill and what constraints were in place to keep such degree programs from being used for advancement. Ms. Williams stated that the Office of Teacher Quality in the Department can offer advice upon the request of the local district. Mr. Cooper stated that the local district administrator should have the option of reviewing the credibility of the degree program and accepting that program.

Ms. Mahony asked about the defining qualifications for a Master Teacher and for a Professional Teacher. Ms. Mahony indicated that the term Master Teacher is used in association with mentors and she questioned what definition was used to determine a Master Teacher. Ms. Mahony also expressed concern that all teachers are/should be considered professional and that such a designation does not seem appropriate as part of a license. Beverly Williams responded that this was an arbitrary distinction for teachers based on advanced work, additional degrees etc., as a way of providing some recognition to teachers who do work beyond initial licensure.

Mr. Ledbetter moved, in light of the discussion regarding wording from the licensure Rule, that the Board expunge the vote for Action Agenda Item A-5. Ms. Saviers seconded the motion. The motion was adopted unanimously.

Ms. Mahony asked for further consideration of the term Master Teacher and include either a definition or eliminate the word “Master” in the Rule. Also, she requested further consideration of the need for designation of certain teachers as Professional Teachers. Dr. Mays asked for a response to how schools validate the integrity of Master’s Degrees earned by teachers as part of pay increases.

Mr. Cooper moved to table further consideration of this item until the July 12, 2010, Board meeting. Ms. Newton seconded the motion. The motion was adopted unanimously.

Election of Officers: State Board of Education for Fiscal Year 2010-2011

In the absence of Nominations Committee Chair, Sherry Burrow, Jim Cooper stated the Nomination Committee Report: Naccaman Williams, Chairman and Jim Cooper, Vice-Chairman.

Dr. Williams opened the floor to additional nominations. Mr. Ledbetter stated that in keeping with Board seniority, it is appropriate that Dr. Ben Mays be nominated as Vice-Chairman. He observed that serving as Vice-Chairman for this fiscal year would allow the possibility of Dr. Mays serving one year as chair prior to his term expiring. Mr. Ledbetter nominated Ben Mays for Vice-Chairman. Ms. Saviers seconded the nomination.

Mr. Cooper asked that his name be withdrawn as a nominee for Vice-Chairman.

The vote to elect the slate of Dr Naccaman Williams, Chairman and Dr. Ben Mays, Vice Chairman was unanimous.

The meeting adjourned at 11:25 a.m.

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