

**Minutes**  
**State Board of Education Meeting**  
**Monday, January 9, 2012**

The State Board of Education met Monday, January 9, 2012, in the auditorium of the Department of Education building. Mr. Jim Cooper, Vice Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Vice Chair; Joe Black; Brenda Gullett; Sam Ledbetter; Mireya Reith; Toyce Newton; Vicki Saviers; Dr. Tom Kimbrell, Commissioner; and Kathy Powers, Teacher of the Year

Absent: Dr. Ben Mays, Chair; and Alice Mahony

**Reports**

**Chair's Report:**

Mr. Cooper announced that Dr. Ben Mays, Chairman of the Board, was absent due to a death in his family, and Ms. Alice Mahony was representing the Board at a meeting out of state. He also announced Items A-2 and A-6 had been pulled from the agenda.

**Commissioner's Report**

Commissioner Kimbrell reported the ADE had contracted with Education Counsel, a non-profit group in Washington, to produce an application for ESEA Flexibility. He said Ed Counsel provides strategy and policy support to education leaders across the nation to help improve student achievement and close achievement gaps.

Dr. Kimbrell said the application would seek waivers for outdated provisions of the current ESEA for which the state can demonstrate college-and-career readiness, rigorous accountability metrics that emphasize growth and focus on closing the achievement gap and support for effective instruction and school leadership. He said he hoped to integrate parts of the revised academic distress rule.

The Commissioner emphasized the state was not backing up from accountability but trying to give schools credit for student achievement growth. He said the proposal would be brought to the State Board for review at the February meeting.

Board members expressed hope the work underway on the ADE's academic distress rule could be incorporated into the request to help bring about bold change.

## **Informational Update on Common Core State Standards and PARCC**

In an update on Common Core State Standards, Dr. Laura Bednar, Assistant Commissioner of Learning Services, said PARCC had released the Item Development Invitation to Negotiate (ITN). She said the ITN lays the foundation for the major components of the PARCC assessment system as it will procure the development of English language arts/literacy and mathematics items, tasks and related materials for the mid-year, performance-based and end-of-year assessments. The procurement will generate a large bank of items to support the construction of assessments for grades 3-11 that will be given in PARCC states beginning in the 2014-15 school year.

She encouraged the Board to read through the ITN as it was a critical step for being on time with the next generation assessment system.

## **Consent Agenda**

Ms. Gullett moved, seconded by Ms. Reith, approval of the Consent Agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the December 12, 2011 Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers to Educational Agencies for Teachers Teaching Out of Area for Longer than 30 Days
- Interim Report for Standards Assurance Unit July 1-December 31, 2011
- Sanction for Teachers as Recommended by the Professional Licensure Standards Board
  - John Michael Jones
  - Russell Darin Eudy
  - Kristine Ann Hoskins (Worden)
  - Bradley Joel Breeding
  - Geoffrey Trisollini
  - Kristin Elizabeth Rich

## **Action Agenda**

*(Complete records of the hearings are available in the State Board office.)*

### **Hearing of District Conversion Public Charter School Application and ADE Review: Cross County Elementary Technology Academy– Cross County School District**

Dr. Mary Ann Duncan, Charter School Coordinator, presented a proposal for Cross County Elementary Technology Academy, a district conversion public charter school to be located within the Cross County School District. The proposed school would serve grades K-6 with an enrollment of 500 students.

Superintendent Dr. Matt McClure said the program would feature interdisciplinary learning, technology immersion and project-based learning to better prepare students for transition to the seventh grade in the existing Cross County New Tech High School. Both schools are designed to promote college and career readiness.

Board members expressed excitement for the program and the likely economic trend for that community.

Ms. Newton moved, seconded by Ms. Saviers, approval. The motion carried unanimously.

### **Hearing of District Conversion Public Charter School Application and ADE Review: Elkins ExPLORE Charter School– Elkins School District**

This item was pulled from the agenda at the request of the applicant.

### **Hearing of District Conversion Public Charter School Application and ADE Review: Lincoln High School; New Tech– Lincoln Consolidated School District**

Dr. Duncan presented a proposal for Lincoln High School; New Tech, a proposed district conversion public charter school to be located within the Lincoln Consolidated School District. The school would serve grades 8-12 with a proposed enrollment of 850 students.

Lincoln Assistant Superintendent Clay Hendrix explained the proposal would expand upon the two classes that piloted the New Tech design this year. He said the district's new high school was designed to accommodate the combined classes, student work groups and flexible scheduling that are part of the New Tech instructional program.

Ms. Gullett moved, seconded by Mr. Black, approval. The motion carried unanimously.

## **Hearing of District Conversion Public Charter School Application and ADE Review: Osceola STEM Academy– Osceola School District**

In presenting the Osceola STEM Academy, Dr. Duncan explained it was a proposed district conversion public charter school to be located within the Osceola School District. The school would serve grades 5-8 with a proposed enrollment of 450 students.

The proposed middle school will emphasize instruction in science and math and will teach students to work together to solve problems and complete projects.

Board members questioned whether a school district that had been so dysfunctional had the leadership and capacity to operate an innovative school.

Superintendent Mike Cox said the district had made significant progress over the past year—removal from fiscal distress and schools meeting state standards. He said there was more work to do.

The school district first proposed operating two middle schools, one featuring the new math, project-based learning strategies and the other a more traditional instructional program. After the interview with the ADE Charter Review Council, the district decided to operate one middle school in which all students would experience the new program.

Mr. Ledbetter suggested the Board delay action until the Charter Review Council could review the amendment.

Dr. Kimbrell said he believed the Review Council would likely support the proposed changes.

Mr. Ledbetter moved, seconded by Ms. Saviers, approval as amended. It was further stipulated the school was to give a progress report after one full year of operation or when the data was available. The motion carried unanimously.

## **Hearing of District Conversion Public Charter School Application and ADE Review: Eastside New Vision Charter School– Warren School District**

Dr. Duncan presented a proposal for Eastside New Vision Charter School, a district conversion public charter school to be located within the Warren School District. The school would serve grades K-3 with a proposed enrollment of 510 students.

Superintendent Andrew Tolbert and other staff members explained the proposed charter was designed to accommodate students' different learning styles and rates of learning. The existing kindergarten through third grades will be eliminated and students will be assigned learning levels based on their academic needs. Students will progress through the five levels of learning based on a review of their skills and recommendations of a team of educators, not on a period of time they attend a particular grade.

Staff explained the proposed school was designed after the Adams 50 School in Denver and planning had been underway for two years.

Board members asked if there was community support for the proposed charter and if instruction would be geared to special populations.

Mr. Tolbert said he meets regularly with community leaders and civic groups and all were supportive of the district's efforts.

Ms. Newton moved, seconded by Ms. Gullett, approval. The motion carried unanimously.

**Continuation Hearing of Open Enrollment Charter Application Appeal and ADE Review: Special Training in Remedial Instruction and Vocational Education (STRIVE) Institute of Technology, Marianna, Arkansas**

This item was pulled at the request of the applicant.

**Consideration of Waiver of National Board for Professional Teaching Standards Repayment of State Funds – Melynda Hawkins-Thomas**

Dr. Karen Cushman, Assistant Commissioner of Human Resources/Licensure presented a request from Melynda Hawkins-Thomas to be considered and granted a waiver of National Board for Professional Teaching Standards repayment due to health and/or extenuating circumstances.

Ms. Gullett moved, seconded by Ms. Saviers, approval. The motion carried unanimously.

**Consideration for Final Approval: Proposed Rules Governing Incentives for Teacher Recruitment and Retention in High Priority Districts with an Average Daily Membership of 1,000 or Fewer**

These rule revisions implement definitional changes required by Act 1135 of 2011. In addition, two deadlines are being moved back. The deadline for the Arkansas Department of Education to identify high-priority districts is being moved from September 1 to February 15, and the deadline for districts to submit their list of eligible employees is being moved from July 1 to June 1 to allow payment of the incentive bonuses during the same fiscal year they are earned. A public hearing was held December 15, 2011, and only one written comment was received resulting in no changes to the proposed revisions. The State Board was requested to give final approval to the proposed rules.

Ms. Gullett moved, seconded by Ms. Saviers, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Repeal of Arkansas State Board of Education Policy and Procedures Concerning Teacher Licensure Hearings**

The Department proposed to repeal these hearing procedures and replace them with the Proposed Rules Governing Background Checks and Licensure Revocation. A public hearing was held December 15, 2011, and no oral or written comments have been received. The State Board was requested to give final approval to the repeal of these hearing procedures.

Mr. Black moved, seconded by Ms. Newton, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Repeal of Rules Governing the Requirement of a Criminal Background Check for the Employment of Personnel in School Districts**

The Department proposed to repeal these rules and replace them with the Proposed Rules Governing Background Checks and Licensure Revocation. A public hearing was held December 15, 2011, and no oral or written comments have been received. The State Board was requested to give final approval to the repeal of these Rules.

Ms. Saviers moved, seconded by Ms. Newton, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Repeal of Rules Governing Criminal Background Checks for Substitute Teachers**

The Department proposed to repeal these rules and replace them with the Proposed Rules Governing Background Checks and Licensure Revocation. A public hearing was held December 15, 2011, and no oral or written comments have been received. The State Board was requested to give final approval to the repeal of these Rules.

Ms. Gullett moved, seconded by Mr. Black, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Rules Governing Background Checks and Licensure Revocation**

These proposed rules are intended to replace the existing Rules Governing the Requirement of a Criminal Background Check for the Employment of Personnel in School Districts, the existing Rules Governing Criminal Background Checks for Substitute Teachers, and the existing State Board procedures for teacher licensure hearings. The substantive provisions from the existing rules have been revised in the new rule for clarity and to incorporate legislative changes from the 2009 and 2011 legislative sessions. A public hearing was held December 15, 2011, and only one

comment was received. Based on the comment, changes have been made to conform the proposed rule to statute. The State Board was requested to give final approval.

Ms. Reith moved, seconded by Mr. Ledbetter, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Rules Governing Eligibility and Financial Incentives for Certified Speech-Language Pathologists**

Ark. Code Ann. § 6-17-413 provides for yearly incentive bonuses to be paid to speech-language pathologists who are employed by a school or education service cooperative and are nationally certified. These proposed rule revisions implement Act 1035 of 2011, which created repayment requirements for pathologists who receive an incentive bonus payment but fail to remain employed with a school or cooperative for at least three years. A public hearing was held December 15, 2011; one oral comment was received supporting the proposed revisions. The State Board was requested to give final approval to the proposed revisions.

Ms. Saviers moved, seconded by Ms. Gullett, final approval. The motion carried unanimously.

### **Consideration of Final Approval: Proposed Rules Governing the Administration of Glucagon to Arkansas Public School Students Suffering from Type 1 Diabetes**

Act 1204 of 2011 allows trained volunteer school personnel to administer glucagon in emergency situations to public school students who suffer from Type 1 diabetes. The Act directs the State Board and the Arkansas State Board of Nursing to adopt rules implementing the Act. The State Board approved these rules for public comment November 14, 2011. A public hearing was held December 15, 2011, in the ADE Auditorium. The public comment period expired December 22, 2011. Both written and oral comments were received. Minor changes were made to the rule as a result of these comments. The State Board was requested to give final approval to these rules.

Mr. Ledbetter moved, seconded by Ms. Newton, final approval. The motion carried unanimously.

### **Request to Address the Board: Jamie Willis**

Mr. Jamie Willis, a patron of the Jasper School District, shared with the State Board the desire of approximately 200 patrons to be released from Jasper and allowed to join the Deer Mt. Judea District. Mr. Willis said the Jasper District had ignored requests of the former Oark District patrons and had failed to maintain facilities.

## **Adjournment**

The meeting adjourned at 1:55 p.m.

*These minutes were recorded by Phyllis Stewart.*

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Dr. Ben Mays, Chair

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Dr. Tom W. Kimbrell, Commissioner