

**Minutes  
State Board of Education Meeting  
Monday, March 11, 2013**

The State Board of Education met Monday, March 11, 2013, in the auditorium of the Department of Education building. Jim Cooper, Chair, called the meeting to order at 9 a.m.

Present: Jim Cooper, Chair; Brenda Gullet, Vice Chair; Dr. Jay Barth; Sam Ledbetter; Alice Mahony; Toyce Newton; Mireya Reith; Vicki Saviers; Joe Black (present but not participating in discussion or vote); Dr. Tom Kimbrell, Commissioner; and Kim Wilson, Teacher of the Year

Absent: None

**Reports**

**Chair's Report:**

Ms. Mahony extended congratulations to Badger Elementary in the Beebe School District on its reading therapy dog program. She also pointed out a good article in the Arkansas School Boards Association's publication *The Report Card* featuring Teacher of the Year Kim Wilson.

**Commissioner's Report**

In an update on the Technology Readiness Tool, Commissioner Kimbrell said 88 percent of schools had reported data and 84 percent of devices reported met specifications for delivery of online assessments.

Dr. Kimbrell reported PARCC had released a new planning tool and guidance to help districts get ready for the next generation assessments. The tool provides a calculator that supports local technology budgeting and decision-making in preparation for computer-based administration of the tests in 2014-15. The PARCC Assessment Guidance provides districts and schools more information about the design of the PARCC assessments, as well as the number of testing sessions and the approximate time it will take students to complete the assessments. He said the testing window might conflict with the common spring break and extracurricular activities but the state was working with the Arkansas Activities Association to resolve any issues.

The Commissioner gave a progress report on the state controlled Dollarway School District. He said the district lost over 100 students and struggled to find personnel to fill openings. When the state took control of the district in June, Superintendent Frank Anthony discovered some seniors were not on track to graduate in 2013. Interventions

were put in place and all but six students will graduate if they successfully complete the requirements. Those six students are four or more credits short, and their parents have been notified. Dr. Kimbrell said Mr. Anthony's ongoing challenge is to get the school community to understand there is a sense of urgency in turning around the district.

### **Recognition of the Cross County School District as an Apple Distinguished Program**

Katherine Hughes representing Apple, Inc. announced that Cross County School District had been selected as an Apple Distinguished Program for the 2012– 2013 school year for its K-12 implementation of a 1-to-1 technology environment to support project based learning and promote 21st Century skills in the classroom.

Ms. Hughes said the Cross County School District's 1:1 Program joins 103 programs nationwide Apple is recognizing this year as exemplary learning environments. The Apple Distinguished Program designation is reserved for programs that integrate Apple technology in education and meet the five best practices: visionary leadership, innovative learning and teaching, ongoing professional learning, compelling evidence of success and a flexible learning environment.

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

Assistant Commissioner Dr. Laura Bednar said the state's teachers were benefiting from online collaboration with teachers in other states. She reported hearing from teachers who were able to share resources with other PARCC states.

Ms. Mahony said teachers were reporting insufficient collaborative planning time around Common Core State Standards.

Dr. Bednar said districts would need to look at their individual schedules to see what modifications could be made with time.

Ms. Gullett asked if there was a concerted effort to work with more veteran teachers to help them prepare for the shifts in instruction.

Dr. Bednar said there was no specific plan based on years of experience, but thought younger teachers in the schools would be a resource for that help.

Dr. Bednar provided the Board demographic information on those students who had not passed the Algebra I test.

Dr. Barth said the demographics were very pronounced by ethnicity, poverty and gender and it was clear some schools were failing the poorest students.

## **Consent Agenda**

Consent Agenda Item C-6 was pulled from the consent agenda and added to the action items.

Dr. Barth moved, seconded by Ms. Reith, approval of the Consent Agenda with exception of Item C-6. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes of the February 11, 2013, Board Meeting
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Newly Employed, Promotions and Separations
- Waivers for Teachers Teaching out of Area
- Voluntary Surrender of Arkansas Educator's License—Brooke Michelle Austin
- Voluntary Surrender of Arkansas Educator's License—Wesley Eugene Pillow
- Voluntary Surrender of Arkansas Educator's License—Nina Jane White

## **Action Agenda**

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

Mr. Cooper announced Agenda Item A-6 was pulled from the agenda.

### **Consideration of Petition by the Harrisburg School District to Close the Weiner High School Campus**

The Harrisburg School District petitioned the Sate Board of Education for an order to close the Weiner High School (grades 7-12), an isolated campus.

General Counsel Jeremy Lasiter reviewed the rules and procedures regarding isolated schools.

Representative John Hutchison spoke in support of small rural schools and expressed his desire for a solution or compromise that would work for both the Weiner and Harrisburg communities.

Superintendent Danny Sample said the Harrisburg School Board voted four to one at a December meeting to close the campus after a review revealed the district was spending less money per student at Harrisburg High than at Weiner. The review also found enrollment at Weiner High School had dropped by 37 students since the districts merged in 2010. Mr. Sample said the district could not make any more cuts at the Weiner campus without jeopardizing instructional programs. He said by combining the high schools the district could have a rigorous curriculum and extracurricular program that will help ensure the success of all students.

Gary Sisser and Ray Keller spoke against the closure saying facilities at the Weiner campus were better and academic achievement was better. Mr. Keller said that after two elections, Weiner residents were contributing more of their property taxes to their new school district than Harrisburg residents.

State Board members said it was difficult to decide a local school district issue.

Ms. Gullett moved, seconded by Ms. Saviers, to approve the petition to close the Weiner High School campus. The motion carried five to two. Ms. Mahony and Ms. Reith voted no.

### **Continuation Hearing of District Conversion Public Charter School Application: Miner Academy, Bauxite School District**

Mary Perry, Charter School Coordinator, said the Bauxite School District was requesting a conversion charter for the proposed Miner Academy. The school would serve grades 6-12 with an enrollment of 200 students.

Superintendent Jerrod Williams expressed appreciation for the additional time granted his team to work with the Department of Education and incorporate their suggestions into the application. He said the enrollment cap had been reduced to 200 and not every child would be identified as ALE. He said the school would feature flexible scheduling and the use of technology.

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

### **Consideration of Request for Renewal of Open-Enrollment Public Charter School: eStem Public Charter High School**

Ms. Perry presented a request from eStem to merge the charters of the high school, the middle school and the elementary into one and renew for a 13-year period.

John Bacon, CEO for eStem, said merging the charters into one would improve transparency in financial reporting and build capacity within the system. He also said the three governing boards would become one with up to nine members.

Mr. Ledbetter moved, seconded by Ms. Newton, approval of merging the three charters into one and renewal of the charter for a ten-year period. It was stipulated eStem was not a charter school district but a system and there was no waiver of annual reporting in the state newspaper. The motion carried six to one. Ms. Mahony voted no citing the middle school's needs improvement status.

### **Consideration of Request for Renewal of Open-Enrollment Public Charter School: KIPP Delta Public Schools**

Ms. Perry presented a request from KIPP Delta Public Schools operating campuses in Helena and Blytheville for renewal of the charter for a ten-year period.

Scott Shirey, CEO of KIPP Delta, said the schools were making dramatic changes in the lives of students in the Delta. He said the system included a Blue Ribbon award winning middle school and a high school recognized by *U.S. News and World Report* as the number two high school in the state. Mr. Shirey said he was very proud of the KIPP through college culture the system has built. He said the schools have shown in its first ten years that children in the Delta can succeed at high levels.

Ms. Newton moved, seconded by Ms. Gullett, to approve the renewal for a ten-year period. The motion carried six to one. Ms. Mahony voted no citing the Blytheville 5-8 campus needs improvement status.

**Consideration of Request for Renewal of Open-Enrollment Public Charter School: LISA Academy North, North Little Rock**

Ms. Perry presented a request from LISA Academy North for renewal of its charter for a period of up to 20 years or the maximum allowed by the State Board and an enrollment increase of 200 students.

The school opened in 2008-09 and serves 500 students in kindergarten through 12<sup>th</sup> grade.

Board members expressed concern over the number of transfers out of the school at the middle and high school levels.

School officials said they serve a large number of military families and lose students when they are relocated. The school has added extracurricular activities including athletics in hopes of retaining the upper level students.

Dr. Barth moved approval of the renewal for five years without the enrollment cap increase.

Ms. Gullett moved, seconded by Ms. Newton, a substitute motion to approve the cap increase and renew the charter for a period of five years. The motion carried unanimously.

**Hearing on Waiver Request for Certified Teacher License – Ruby J. Henry**

Katherine Donovan, PLSB counsel, said Ruby J. Henry holds a standard teaching license valid until December 31, 2016. The Department received notice that Ruby Henry has a true report on the Child Maltreatment Central Registry for failure to report sexual abuse as a mandated reporter that was upheld by the administrative law judge. Ms. Henry has exhausted her administrative appeal process with the Department of Human Services. She requested a waiver of the grounds for revocation and ineligibility for employment.

Neither the teacher nor her attorney was present for the hearing.

Ms. Ledbetter moved, seconded by Ms. Mahony, to suspend the license until Ms. Henry's name comes off the child maltreatment list. The motion carried. Ms. Gullett and Ms. Newton voted no.

### **Hearing on Request for Relief from Suspension of Certified Teacher License—Angela Charmagne Milum-Leger**

Ms. Donovan said Angela Charmagne Milum-Leger was requesting relief from the Board's December 10, 2007, stipulated agreement as a result of Benchmark testing improprieties. Pursuant to the stipulated agreement Ms. Milum-Leger's license was suspended effective May 23, 2008. She was required to complete 60 hours of professional development plus an additional 15 hours consisting solely of instruction in test security and administration between May 23, 2008, and June 30, 2009. She did not comply with the Board's order and her license expired December 31, 2008.

Ms. Milum-Leger stated personal circumstances prevented her from completing the required 60 hours during the stipulated time period of suspension. However, she has recently submitted proof of completion of 72 hours of professional development in 2012. The Department agreed to work with Ms. Milum-Leger to allow her to complete a testing administration professional development course.

Ms. Gullett moved, seconded by Ms. Saviers, to lift the suspension with the stipulation of probation for a period of two years and no other disqualifying conviction or violation of code of ethics. The motion carried unanimously.

### **Hearing on Waiver Request for Certified Teacher License – Candi Rachelle Smith**

Ms. Donovan said Candi Rachelle Smith had applied for a standard license. Ms. Smith was convicted of a felony violation of the Uniform Controlled Substances Act in 2000 in Des Arc and requested a waiver.

Ms. Newton moved, seconded by Ms. Saviers, to grant the waiver with the stipulation of probation for a period of two years and no other disqualifying conviction or violation of code of ethics. The motion carried unanimously.

### **Hearing on Waiver Request for Certified Teacher License – Angela Marie Bead-Spearmon**

Ms. Donovan explained that Angela Marie Bead-Spearmon applied for renewal of her license. Her last license expired in 1987. The Department denied her license renewal application because of a federal felony theft of government checks conviction in 1984 and notification that she has a true finding on the Child Maltreatment Central Registry for an incident in 1998.

Ms. Bead-Spearmon was present for the hearing and for the record stated her name was Cynthia not Angela. Ms. Bead-Spearmon submitted new evidence regarding her case.

Ms. Mahony moved, seconded by Ms. Newton, to table the request until the April meeting to give the Board time to review the new evidence. The motion carried unanimously.

### **Consider Revocation of Arkansas Educator's Teaching License – Denise Kathleen Garrigus**

Ms. Donovan reported that Denise Kathleen Garrigus has a current standard teaching license valid until December 31, 2015. On September 4, 2012, the ADE Office of Professional Licensure received notification that Ms. Garrigus' name was on the Child Maltreatment Central Registry for an incident in 1988. In a letter dated September 15, 2012, she was notified her name was on the Child Maltreatment Central Registry and her license was subject to revocation under Ark. Code Ann. § 6-17-410. A certified mail receipt was returned on October 1, 2012.

In a letter dated October 11, 2012, she requested a State Board hearing regarding the proposed revocation of her license. She notified PLSB that she was appealing her Child Maltreatment Central Registry finding. She was notified to keep the office updated as to the status of her DHS appeal by certified letter on October 22, 2012. On January 17, 2013, the Department licensure attorney requested an update as to the status of her DHS appeal from Ms. Garrigus or the revocation proceeding would be placed on the March 2013 state board agenda. A certified mail receipt for that letter was signed for January 19, 2013. DHS personnel informed the licensing attorney it had no record of the appeal of her status or a petition for name removal. The Department has not received any further response from Ms. Garrigus and has confirmed she is no longer employed at her district.

Mr. Ledbetter told Ms. Garrigus she needed to go through the process with DHS and if her name was removed from the list she could come before the Board with her request.

Dr. Barth moved, seconded by Ms. Newton, to suspend the license of Denise Garrigus pending her name being removed from the Maltreatment Central Registry. The motion carried unanimously.

### **Consideration of Waiver of National Board for Professional Teaching Standards (NBPTS) Repayment of State funds.**

A recommendation was made to waive the fees expended by the state for Gwen Hodge because of extenuating circumstances regarding her son's medical condition.

Ms. Gullett moved, seconded by Ms. Newton, to approve the waiver. The motion carried unanimously.

**Consideration for Final Approval: Proposed Arkansas Department of Education Rules Governing Educator Licensure**

On December 10, 2012, the State Board of Education gave emergency approval to and released for public comment proposed new Rules Governing Educator Licensure. A public hearing was held January 8, 2013, and the Department received no written or oral comments. Department staff requested the State Board to give final approval to the proposed rules.

Ms. Reith moved, seconded by Dr. Barth, final approval of the Rules. The motion carried unanimously.

**Adjournment**

The meeting adjourned at 3:07 p.m.

*These minutes were recorded by Phyllis Stewart.*

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Jim Cooper, Chair

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Dr. Tom W. Kimbrell, Commissioner