

**Minutes**  
**State Board of Education Meeting**  
**Monday, March 12, 2012**

The State Board of Education met Monday, March 12, 2012, in the auditorium of the Department of Education building. Dr. Ben Mays, Chair, called the meeting to order at 9 a.m.

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

Absent: None

**Reports**

**Chair's Report:**

Ms. Gullett said she had the privilege of attending the PARCC Institute as a member of the Arkansas team and was proud of the recognition given the state for its implementation and communication of the Common Core State Standards. She noted the Achieve leadership took time from the national meeting to honor Dr. Gayle Potter for her work and leadership in assessment and to acknowledge her retirement at the end of the school year.

Ms. Reith commented on the work of ARKTESOL, a statewide association that promotes opportunity for the teaching and learning of English as a second language to individuals whose first language is not English. She said the group was committed to solutions to the challenges English learners have in access to higher education.

Ms. Mahony reported having attended the Education Renewal Zone conference at Southern Arkansas University in Magnolia. She complimented Dr. Tracy Tucker's presentation on remediation. She announced she and Ms. Newton would again host the GLAM conference and hoped for 200 participants.

**Commissioner's Report**

Dr. Kimbrell confirmed Dr. Potter's retirement at the end of the school year. He acknowledged her revered status as a national leader in assessment.

Commissioner Kimbrell added the state's application for ESEA Flexibility would undergo peer review the week of March 26-30. He expressed appreciation to Department staff and to the Arkansas Leadership Academy for the hard work and commitment to the state's new accountability plan.

Dr. Kimbrell also noted Kathy Powers, Teacher of the Year, was one of 35 across the nation to receive the award for teaching excellence. Ms. Powers will travel to China in June to experience the Chinese culture and learn about their educational system.

### **Recognition of 2011 Milken Educator**

Andrea Morales McKenna, a teacher at J.O. Kelly Middle School in the Springdale School District, was recognized as the 2011 Arkansas Milken Educator. Ms. McKenna is one of 66 educators in the state to have been named Milken Educators since 1987.

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

Dr. Laura Bednar, Assistant Commissioner of Learning Services, briefed the State Board on the Common Core Summit recently held statewide. She explained the Department partnered with Arkansas ASCD to conduct conversations across the state to raise awareness of the Common Core among community leaders and parents. Dr. Bednar said the summit started with a CIV broadcast, followed by facilitated discussions at approximately 18 sites and ended with questions and answers from the various sites.

Dr. Bednar reported PARCC had provided a rubric and a self-assessment tool that would help the state continue its work to implement the Common Core State Standards.

Ms. Gullett asked that the State Board be provided the rubric. She indicated it could be helpful in current work.

### **Use of ITBS for Grades 1 and 2**

Dr. Gayle Potter, Director of Assessment, said the Iowa Test of Basic Skills is the assessment currently used to measure student performance as required by law at grades 1 and 2. She reported a group of PARCC states is currently working on a joint request for information (RFI) for developmentally appropriate assessment instruments which give formative and summative information for children at these grade levels.

Ms. Mahony said many of the items on the test are not being taught. She questioned how the test would be used and if teachers will be penalized if their students don't do well.

Dr. Potter explained there are always items on the norm-referenced test that aren't taught and aren't targeted at a particular grade level as criterion-referenced tests are.

Dr. Kimbrell pointed out educators never taught to ITBS; they taught Arkansas standards.

Dr. Potter said the norm-referenced tests are used to identify interventions for students who need early supportive help.

Mr. Cooper asked if money was an issue on the timing of the tests.

Dr. Kimbrell said the state looked at moving the tests but the \$2.8 million cost was prohibitive. He said he hoped the move to online testing would allow for a later testing date.

Ms. Mahony said Arkansas and Massachusetts had the highest assessment costs.

Dr. Potter noted Maryland and Massachusetts ranked ahead of Arkansas in assessment costs. She attributed the high costs to the hand scoring required in Arkansas's tests. She said PARCC states hoped to see some savings with the new assessment system.

### **Professional Licensure Standards Board Licensure Task Force Report**

Don McGohan, Assistant Superintendent in the Bryant School District and a member of the Professional Licensure Standards Board, said over the past year the PLSB examined the process for licensing. He asked the State Board to review the recommendations of the Task Force and forward their comments to Commissioner Kimbrell.

Dr. Kimbrell noted the work of Dr. Mary Gunter and Mr. Raymond Simon who facilitated the meetings and discussions. He said Department staff would look at the seven current rules and the Task Force recommendations to draft a rule for State Board approval for public comment.

### **Consent Agenda**

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

Items included in the Consent Agenda:

- Minutes of the February 13, 2012 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
- Voluntary Surrender of Teaching License—Leisa Wheeler

## **Action Agenda**

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

### **Consideration of Resolution in Support of Breakfast in the Classroom**

Dr. Mays presented a resolution in support of the Breakfast in the Classroom initiative that takes the traditional school breakfast approach and improves it with one key ingredient: the classroom. Children enjoy nutritionally well-balanced foods served directly in their classroom or grabbed from a cart in the hallway.

### **Consideration to Transfer ABC Slots**

Child Development, Inc. (CDI) voluntarily relinquished 388 Arkansas Better Chance slots to the Division of Child Care and Early Childhood Education (DCCECE). Pursuant to Act 49, DCCECE requested the temporary transfer of 388 slots from CDI to Community Development Institute of Denver for the period of February 13, 2012, through June 30, 2012. Additionally, DCCECE requested the temporary transfer of 10 slots from Community Development Institute of Denver to the Booneville School District for the period of March 1, 2012, through June 30, 2012.

Mr. Cooper moved, seconded by Ms. Newton, approval of the transfer of slots. The motion carried unanimously.

### **Petition for Voluntary Annexation: Lead Hill School District into the Ozark Mountain School District**

In presenting a proposed annexation of the Lead Hill School District to the Ozark Mountain School District, Regina Brown, Lead Hill Superintendent, said the district sought a partner when enrollment dropped below 350 in kindergarten through 12<sup>th</sup> grade. Ms. Brown said it was an effort to pre-empt an involuntary school district merger and possible school closures if enrollment remained below 350 the next school year.

Ms. Brown said Ozark Mountain was already successfully overseeing three separate kindergarten through 12<sup>th</sup> grade rural campuses—Western Grove, Bruno-Pyatt and St. Joe. Ms. Brown said she would remain in the merged district one year to oversee the transition, but Joe Hulseley would continue as Superintendent of the Ozark Mountain School District.

Senator Johnny Key from Mountain Home, Representative Kelley Linck from Flippin and former Representative Bill Abernathy from Mena urged the State Board to support the proposal.

Board members were concerned about the 30 miles between the Lead Hill campuses and the Bruno-Pyatt elementary and high schools, which would be the closest to Lead Hill in the Ozark Mountain system. Those would likely be the schools Lead Hill students would be assigned in the event Lead Hill campuses were closed by the Ozark Mountain District.

Mr. Cooper moved, seconded by Mr. Black, approval of the annexation of Lead Hill School District with Ozark Mountain School District. The motion failed five to four in a roll call vote.

Black-yes  
Cooper-yes  
Gullett-yes  
Ledbetter-no  
Mahony-no  
Mays-no  
Newton-no (abstained)  
Reith-no  
Saviers-yes

**Request for District Conversion Public Charter School Charter Amendment:  
Cloverdale Aerospace Technology Conversion Charter Middle School**

Dennis Glasgow, Associate Superintendent in the Little Rock School District (LRSD), requested to amend the charter of the Cloverdale Aerospace Technology Conversion Charter Middle School by replacing the block schedule with an eight period day. The change would allow the charter to follow the same schedule used in other LRSD middle schools.

Ms. Saviers expressed concern about the chronically under performing school. She noted the school was a recipient of a federal School Improvement Grant but had failed to make significant improvement with the additional funding.

Commissioner Kimbrell suggested a report on Cloverdale, its programs and its funding be included on the April agenda.

Mr. Ledbetter moved, seconded by Mr. Cooper, approval of the amendment. The motion carried. Ms. Mahony voted no.

**Hearing on Waiver Request for Certified Teacher License – Patricia Dale**

Katherine Donovan, PLSB counsel, said Patricia Dale applied for an initial license and was requesting a waiver of her 1991 guilty plea to felony burglary in Pennsylvania.

Mr. Cooper moved, seconded by Ms. Newton, approval of the waiver with the stipulation of probation for a period of two years and no other qualifying conviction or violation of code of ethics. The motion carried unanimously.

### **Hearing on Waiver Request for Certified Teacher License – Rebecca Holder**

Ms. Donovan presented a request from Rebecca Holder for waiver of her disqualifying conviction. Ms. Holder holds a standard five-year license in Early Childhood Education. In 2003, she entered a guilty plea to felony violation of the uniform controlled substances with intent to deliver and was found guilty by the court. However, the Circuit Court of Hot Spring County suspended the imposition of a sentence for three years conditioned upon not being convicted of any other felony offense. Her record was sealed upon successful completion of the three-year period.

Mr. Cooper moved, seconded by Ms. Newton, approval of the waiver with the stipulation of probation for a period of two years and no other qualifying conviction or violation of code of ethics. The motion carried unanimously.

### **Hearing on Waiver Request for Certified Teacher License – Bobbie McLean**

This item was postponed at the request of the teacher.

### **Hearing on Waiver Request for Certified Teacher License - Brenda Riddle**

Ms. Donovan explained Brenda Riddle had applied for a lifetime teaching license and was requesting a waiver of her 1976 disqualifying federal conviction for felony forgery.

Mr. Ledbetter moved, seconded by Ms. Saviers, approval of the waiver with the stipulation of probation for a period of two years and no other qualifying conviction or violation of code of ethics. The motion carried unanimously.

### **Consideration to Suspend the Teaching License of Five (5) National Board of Professional Teaching Standards (NBPTS) Candidates Who Owe Money to ADE**

The State Board was requested to suspend the license of five teachers who had unresolved balances on NBPTS accounts. The teachers are: Marcia Ashby, Angela Nelson-Yoder, Priscilla Stone, Gayla Sydoriak and Melanie Tubbs.

Ms. Gullett moved, seconded by Ms. Mahony, suspension of the license of the five teachers effective June 1, 2012, contingent upon payment of monies owed. The motion carried unanimously.

### **Consideration of Approval for Public Comment: Proposed New Rules Governing Education Service Cooperatives**

Act 739 of 2011, codified at Ark. Code Ann. 6-13-1021, requires the Arkansas Department of Education to promulgate rules concerning evaluations of education service cooperatives. The State Board was requested to approve the proposed rules for public comment.

Mr. Cooper moved, seconded by Ms. Saviers, approval of the proposed rules for public comment. The motion carried unanimously.

### **Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing Teacher Licensure by Reciprocity**

On September 12, 2011, the State Board approved and released for public comment proposed revisions to these rules to implement the many changes made by Act 1178 of 2011. As a result of comments received during the first public comment period, the Department substantially modified the proposed revisions, and the State Board approved and released a second version for public comment December 12, 2011. The Department received numerous written comments and held public hearings on the proposed rules September 27, 2011, and January 12, 2012. Additional minor changes were made to the rule as a result of comments. The State Board was requested to give final approval to the proposed rule revisions.

Mr. Ledbetter moved, seconded by Ms. Gullett, final approval of the rules. The motion carried unanimously.

### **Consideration of Final Approval: Revisions to Arkansas Department of Education Rules Governing the Non-Traditional Licensure Program**

On September 12, 2011, the State Board approved and released for public comment proposed revisions to these rules to implement the many changes made by Act 1178 of 2011. As a result of comments received during the first public comment period, the Department substantially modified the proposed revisions, and the State Board approved and released a second version for public comment December 12, 2011. The Department received numerous written comments and held public hearings on the proposed rules September 27, 2011, and January 12, 2012. Additional minor changes were made to the rule as a result of comments. The State Board was requested to give final approval to the proposed rule revisions.

Mr. Cooper moved, seconded by Ms. Newton, final approval of the rules. The motion carried unanimously.

### **Adjournment**

The meeting adjourned at 2:44 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