

**Minutes
State Board of Education Meeting
Monday, August 13, 2012**

The State Board of Education met Monday, August 13, 2012, 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; Vicki Saviers; Toyce Newton; Dr. Tom Kimbrell, Commissioner; and Kim Wilson, Teacher of the Year

Absent: Joe Black and Mireya Reith

Reports

Chair's Report:

Mr. Cooper welcomed Teacher of the Year Kim Wilson to her first meeting of the State Board.

Mr. Cooper recognized Senator Linda Chesterfield and suggested her agenda item be moved up on the agenda.

Ms. Newton moved, seconded by Ms. Mahony, to move Senator Chesterfield's request to address the Board to the next item of business. The motion carried unanimously.

Request to Address the Board: Senator Linda Chesterfield

Senator Chesterfield expressed concern regarding the timing when closing charter schools. She urged the Board to be mindful of testing schedules and not make decisions that could negatively impact student performance on mandated tests. She also recommended giving ample notice so parents could make other arrangements.

Commissioner's Report

Commissioner Kimbrell reported Board Member Joe Black continued to show improvement from his recent illness.

The Commissioner announced the launch of the Department's new website. He said the website was greatly improved and more user friendly.

In an update on ESEA Flexibility, Dr. Kimbrell said meetings were held with Priority and Focus Schools to review expectations and next steps. He said the Exemplary Schools had been announced and explained schools were designated as Exemplary if they

demonstrated high performance; if they had large populations of at risk students with high performance; if they demonstrated high progress; or if they had populations of at risk students with high progress.

He recognized the following as Exemplary Schools:

High Performance Exemplary Schools

Pea Ridge Middle School in the Pea Ridge School District
Valley Springs Middle School in the Valley Springs School District
Academy of Technology and the Academy of Service and Technology in the
Vilonia School District
Park Magnet School in the Hot Springs School District
Mount Pleasant Elementary School in the Melbourne School District
Arnold Drive Elementary School in the Pulaski County Special School District
Haas Hall Academy Charter School

High Performance High TAGG Exemplary Schools

Norfolk Elementary School in the Norfolk School District
Tuckerman Elementary School in the Jackson County School District
Tuckerman High School in the Jackson County School District
Kingston Elementary School in the Jasper School District
KIPP Delta College Prep High School
Marshall High School in the Searcy County School District

High Progress Exemplary Schools

Van Cove Elementary School in the Cossatot School District
Clinton Junior High School in the Clinton School District

High Progress High TAGG Exemplary Schools

Luxora Elementary School in the South Mississippi County School District
West Elementary School in the Osceola School District
Cotton Plant Elementary School in the Augusta School District

Board Members suggested the Exemplary Schools share best practices with lower performing schools.

Dr. Kimbrell recognized Dr. Benny Gooden, Superintendent of the Fort Smith School District, as the new president of the American Association of School Administrators.

Informational Update on Common Core State Standards and PARCC

Dr. Laura Bednar, Assistant Commissioner of Learning Services, said the School Improvement Unit would utilize new software to help Priority and Focus Schools develop improvement plans. The software would also allow staff to monitor implementation of the plans. She suggested she and her staff provide a demonstration of the new software and an overview of the school improvement process at the next State Board workshop.

Updating the State Board on Common Core progress, Dr. Bednar said the Department had been working with teachers to align courses with the Common Core State Standards. She said 22 courses had been reviewed and updated to the rigor of the Common Core. A list of those courses was provided.

Consent Agenda

Ms. Newton moved, seconded by Ms. Gullett, to pull the Deer Mount Judea loan and bond request from the Consent Agenda. The motion carried unanimously.

Dr. Kimbrell explained the district's enrollment had fallen below 350, and the superintendent had been notified he would not recommend the loan move forward.

Ms. Newton moved, seconded by Dr. Barth, to deny Deer Mount Judea's request. The motion carried unanimously.

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

Items included in the Consent Agenda:

- Minutes of the July 9, 2012, 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
- Status Report of the Arkansas Public Charter School Program
- Review of Loan and Bond Program—Commercial Bonds—Cotter School District-\$8,006,617; Gentry School District-\$14,650,000; and North Little Rock School District-\$232,722,457
- Review of QZAB Allocation Applications—Fort Smith School District-\$12,570,000 and Fayetteville School District-\$1,290,000

Action Agenda

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

Consideration of District Conversion Public Charter School Charter Amendment: Paragould School District – Oak Grove Elementary Health, Wellness and Environmental Science Charter School

The Paragould School District requested to amend the charter of the Oak Grove Elementary Health, Wellness & Environmental Science Charter School by increasing the enrollment cap to 487 students.

Board members asked how the conversion charter compared to other district schools.

District representatives said the charter's math scores were higher but literacy scores were equal to those of other district schools.

Ms. Saviers moved, seconded by Ms. Mahony, approval to increase the enrollment cap to 487. The motion carried unanimously.

Consideration of the Surrender of District Conversion Public Charter School: Lincoln Consolidated School District-Lincoln Academic Center of Excellence

Superintendent Clay Hendrix said low enrollment at the Lincoln Academic Center of Excellence made it difficult to teach the required 38 academic courses. He attributed the decline in enrollment to more interest in the New Tech model being implemented in the district's middle school and high school. The superintendent requested permission to surrender the charter effective August 13, 2012.

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

Consideration of ABC Funding Requests

The Division of Childcare and Early Childhood Education (DCCECE) requested an increase to the professional service grants of Arkansas State University and the University of Arkansas in the total amount of \$442,489.88. The vendors billed this fiscal year for services rendered at the end of last fiscal year leaving a potential deficit in their current budgets. DCCECE also requested approval of a direct services grant to the Huntsville School District in the amount of \$72,900.00.

Board members expressed concern regarding the vendors' lack of attention to deadline for submitting invoices for services rendered.

Dr. Barth moved, seconded by Ms. Newton, approval of the direct services grant for the Huntsville School District in the amount of \$72,900. The motion carried unanimously.

Mr. Ledbetter moved, seconded by Ms. Newton, to table the request to increase the professional service grants of Arkansas State University and the University of Arkansas until more information could be provided. The motion carried unanimously.

Hearing on Waiver Request for Certified Teacher License – Timothy Irwin

PLSB Legal Counsel Katherine Donovan asked to delay this item until later in the meeting to allow the candidate an opportunity to be present.

Ms. Newton moved, seconded by Dr. Barth, to delay to later in the meeting. The motion carried unanimously.

Hearing on Waiver Request for Certified Educator License – Billy Wayne McDaniel

Ms. Donovan reported that Billy Wayne McDaniel holds an Arkansas teaching license valid until December 31, 2015. She said under Arkansas Code Annotated § 6-17-410(c), the State Board of Education shall revoke any exiting license not up for renewal of any person who has a true report in the Child Maltreatment Central Registry.

Ms. Donovan said Mr. McDaniel was notified by certified mail of the Department's recommendation that the State Board permanently revoke his license because he was reported as an offender in three true Arkansas Department of Human Services Child Maltreatment Central Registry reports. She said Mr. McDaniel had not responded to the Department's notice.

Mr. Ledbetter moved, seconded by Ms. Saviers, to revoke the teaching license of Billy Wayne McDaniel. The motion carried unanimously.

Approval of Public School Fund Budget FY 12

In presenting the FY12 Public School Fund Budget, Greg Rogers, Director of Agency Finance, said there were no major funding reductions and expenditures were within the budget approved August 8, 2011.

Board Members asked if budgeting was related to priorities. Ms. Saviers suggested priority be given to those most in need.

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

Initial Approval of Public School Fund Budget FY13

Mr. Rogers presented the FY13 budget of \$2.7 billion. The state foundation aid funding, the largest line item in the budget, is projected to be \$1.89 billion.

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

Consideration of New Praxis II Cut Scores in Driver's Education

State Board approval was requested for a new Praxis II Driver Education (0867) test. The test is designed for prospective teachers of driver education. Candidates will need to identify the fundamental concepts and principles of driver education through the recall of facts, including terminology, principles and applications and use the facts in the analysis and evaluation of specific situations. The two hour assessment contains 100 multiple-choice questions covering four content areas: Safe Motor Vehicle Operation and Procedures (25 questions); Motor Vehicle Laws and Regulations (10 questions);

Automobile Operation and Maintenance (25 questions); Instruction, Methodology, and Evaluation (20 questions); and Driver Responsibilities and Special Knowledge (20 questions).

Mr. Ledbetter moved, seconded by Ms. Gullett, approval of the Praxis II Driver Education test effective September 1, 2012. The motion carried unanimously.

Consideration of New Praxis II Cut Scores in School Superintendent Assessment (SSA)

State Board approval was requested for a new Praxis School Superintendent Assessment (6021). The three-hour assessment is divided into two parts. Part A contains 120 multiple-choice questions covering three content areas: Educational Leadership (approximately 48 questions); Instructional Leadership (approximately 24 questions); and Administrative Leadership (approximately 48 questions). Part B contains three constructed-response questions covering Integrated Knowledge and Understanding.

The Arkansas Department of Education (ADE) recommended dropping the current School Superintendent Assessment (1020) and adopting the new School Superintendent Assessment (6021) with a cut score of 160 effective January 1, 2013.

Ms. Gullett moved, seconded by Dr. Barth, approval of the new School Superintendent Assessment (6201) with a cut score of 160 effective January 1, 2013. The motion carried unanimously.

Consideration of New Praxis II Cut Scores in English to Speakers of Other Languages (ESOL)

State Board approval was requested for a new Praxis II test English to Speakers of Other Languages (0361) (ESOL). The two hour assessment contains 120 multiple-choice questions covering four content areas: Foundations of Linguistics and Language Learning (approximately 48 questions); Planning, Implementing, and Managing Instruction (approximately 36 questions); Assessment (approximately 18 questions); and Cultural and Professional Aspects of the Job (approximately 18 questions).

The ADE recommended adopting the Praxis English to Speakers of Other Languages (0361) test with a cut score of 142 effective January 1, 2013.

Dr. Barth moved, seconded by Ms. Mahony, approval of the new Praxis II English to Speakers of Other Languages test (0361) with a cut score of 142 effective January 1, 2013. The motion carried unanimously.

Consideration of Rescaled Praxis II Cut Scores in Latin

State Board approval was requested for the rescaled Praxis II test Latin (0601) with a

cut score of 161. The test items had not changed, so a standard setting study was not necessary.

The ADE recommended dropping the Latin (0600) with a cut score of 670 and adopting the Latin (0601) test with a cut score of 161 effective January 1, 2013.

Ms. Gullett moved, seconded by Ms. Mahony, approval of the new Praxis II test Latin (0601) with a cut score of 161 effective January 1, 2013. The motion carried unanimously.

Consideration of Rescaled Praxis II Cut Scores in Theatre

State Board approval was requested for the rescaled Praxis II Theatre test (0641) with a cut score of 154.

The ADE recommended dropping the Praxis Theatre test (0640) with a cut score of 580 and adopting the Praxis Theatre (0641) test with a cut score of 154 effective January 1, 2013.

Ms. Gullett moved, seconded by Ms. Newton, approval of the new Praxis Theatre test (0641) with a cut score of 154 effective January 1, 2013. The motion carried unanimously.

Consideration for Final Approval: Arkansas Department of Education Rules Governing Public School Student Services

Acts 1172 and 1204 of 2011 amended Arkansas law related to public school student services programs. The current ADE rule was last revised in September 2009. On June 11, 2012, the State Board of Education approved the proposed rules for public comment. A public hearing was held July 11, 2012. Public comments were received and revisions to the rule were made based upon those public comments.

The State Board was requested to give final approval to the proposed rules.

Ms. Gullett moved, seconded by Ms. Mahony, final approval to the proposed rules. The motion carried unanimously.

Consideration for Final Approval: Arkansas Department of Education Rules Governing Technology Training Centers in Education Service Cooperatives

ADE Rules Governing Technology Training Centers in Education Service Cooperatives were last revised in October 1996. The rules should be revised to reflect existing statutory law and ADE requirements. On June 11, 2012, the State Board of Education approved the proposed rules for public comment. A public hearing was held July 11, 2012. Public comments were received and revisions to the rule were made based upon those public comments.

The State Board was requested to give final approval to the proposed rules.

Dr. Barth moved, seconded by Ms. Gullett, final approval of the proposed rules. The motion carried unanimously.

Consideration for Final Approval: Arkansas Department of Education Rules Governing the Teacher Excellence and Support System

Staff from the United States Department of Education (USDOE) recommended that the Arkansas State Board of Education (State Board) and the ADE consider revisions to the student growth measures contained within the existing Teacher Excellence and Support System rules. In accordance with USDOE recommendations, ADE staff revised Sections 5.00 and 14.00 of the Teacher Excellence and Support System rules. On June 11, 2012, the State Board approved the proposed rules for public comment. A public hearing was held July 11, 2012. Public comments were received and revisions to the rule were made based upon those public comments.

The State Board was requested to give final approval to the proposed rules.

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

Consideration for Final Approval: Arkansas Department of Education Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program

The current ADE Rules Identifying and Governing the Arkansas Fiscal Assessment and Accountability Program should be revised to remove references to fiscal distress for education service cooperatives. The rules should also be reformatted and updated to mirror existing statutory requirements. On June 11, 2012, the State Board of Education approved the proposed rules for public comment. A public hearing was held July 11, 2012. A public comment was received, but the rule was not revised based upon the public comment.

The State Board was requested to give final approval to the proposed rules.

Ms. Gullett moved, seconded by Dr. Barth, final approval to the proposed rules. The motion carried unanimously.

Consideration for Final Approval: Proposed Open-Enrollment Public Charter School New Application and District Conversion or Limited Public Charter School New Application

Ark. Code Ann. §§ 6-23-201 and 301 require the State Board to adopt application forms for those wishing to apply for a charter to open an open enrollment, district conversion

or limited public charter school. On June 11, 2012, the State Board approved for public comment proposed revisions to the application forms. A public hearing was held July 11, 2012. No written or oral comments were received regarding the proposed changes.

The State Board was requested to give final approval to the proposed applications.

Ms. Newton moved, seconded by Ms. Saviers, final approval of the proposed applications. The motion carried unanimously.

Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules and Regulations Governing Special Education Expenditure Requirements (A-18)

These rules became effective November 13, 1997. Since that time, ADE has substantially revamped its rules related to Special Education, but it appears these rules were never repealed.

Because these rules are outdated and superseded, the State Board was requested to approve for public comment the proposed repeal of these rules.

Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules Governing the Common Core System (A-19)

These rules were approved by the State Board February 9, 1998. Since that time, they have been superseded by new statutes and by other ADE rules, in particular the Standards for Accreditation of Arkansas Public Schools and School Districts. Although these rules use the term "Common Core," they are not related to the Common Core State Standards.

Because these rules are outdated and no longer needed, the State Board was requested to approve for public comment the proposed repeal of these rules.

Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules Governing the Development of a Uniform Budget and Accounting System (A-20)

These rules were approved by the State Board June 14, 2004. Since that time, they have been superseded by new statutes and by other ADE rules, including Rules Governing the Arkansas Financial Accounting and Reporting System and Annual Audit Requirements.

Because these rules are outdated and no longer needed, the State Board was requested to approve for public comment the proposed repeal of these rules.

Consideration of Approval for Public Comment: Repeal of Arkansas Department of Education Rules Governing Waivers for Substitute Teachers (A-21)

The substantive provisions of these rules have been incorporated into the proposed new Rules Governing Educator Licensure.

The State Board was requested to approve for public comment the proposed repeal of these rules.

Ms. Gullett moved, seconded by Mr. Ledbetter, to approve for public comment agenda items A-18, A-19, A-20 and A-21. The motion carried unanimously.

Consideration of Approval for Second Public Comment Period: Proposed Arkansas Department of Education Rules Governing Educator Licensure

On June 11, 2012, the State Board released for public comment proposed new Rules Governing Educator Licensure. The ADE conducted a public hearing July 11, 2012. A total of 74 oral and written comments were received. In response to the comments, ADE proposed a significant number of revisions to the proposed rules.

The State Board was requested to approve for a second public comment period the proposed new Rules, as revised.

Ms. Newton moved, seconded by Ms. Mahony, to approve the proposed rule for a second public comment period. The motion carried unanimously.

NOTE: Timothy Irwin (Agenda Item A-4) did not appear prior to the adjournment of the meeting. Direction was given to provide him notice of the next meeting to hear his request for waiver.

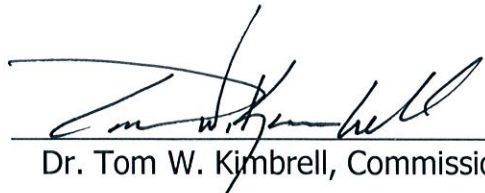
Adjournment

The meeting adjourned at 11:39 a.m.

These minutes were recorded by Phyllis Stewart.



Jim Cooper, Chair



Dr. Tom W. Kimbrell, Commissioner