

ARKANSAS STATE BOARD OF EDUCATION

Board Meeting Minutes:
November 13, 2000

The State Board of Education met on Monday, November 13, 2000, in the Auditorium of the State Education Building. Luke Gordy, Chairman, called the meeting to order at 8:40 a.m.

The following members were present: Luke Gordy, Chairman; JoNell Caldwell; Bill Fisher; Robert Hackler; Shelby Hillman; Betty Pickett; and Anita Yates.

The following members were absent: Claiborne Deming; Richard Smith and Lewis Thompson, Jr.

Mr. Gordy informed the Board that Consent Agenda Item C-3, Final Approval of Rules and Regulations Governing the Allocation of Qualified Zone Academy Bonds, was being moved to the Action Agenda.

CONSENT AGENDA

Mr. Fisher moved adoption of the Consent Agenda as amended. Mr. Hackler seconded the motion. The motion passed unanimously.

Minutes from October 9, 2000

Newly Employed, Promotions and Separations

Final Approval of the Revisions of Rules and Regulations Governing the Probationary Status and Accreditation of Public Schools

Director's Report

Mr. Simon reported that the following schools have been named as recipients of the Blue Ribbon School Award.

Barling Elementary School – Fort Smith School District

Euper Lane Elementary School – Fort Smith School District

Rena Elementary School – Van Buren School District

Sunnymede Elementary – Fort Smith School District

Westwood Elementary – Springdale School District

Mr. Simon expressed appreciation to Board members who participated in the distance learning teleconference to announce the results from the fourth and eighth grade Benchmark Exams.

ACTION AGENDA

Mr. Fisher moved that an item be added to the Action Agenda to consider a resolution of support for the issuance of a special license plate series "Committed to Education," which was discussed during the Work Session. Ms. Yates seconded the motion. The motion passed unanimously.

Dr. Cummins distributed copies of a proposed resolution resulting from the presentation by Leadership Class XV of the Greater Little Rock Chamber of Commerce. The resolution supports the statewide sale of special designated license plates "Committed to Education" that raise revenue to purchase and distribute computers to sixth-grade students who demonstrate high performance on the State Benchmark Exams. Ms. Hillman moved adoption of the proposed resolution. Ms. Yates seconded the motion. The motion passed unanimously.

Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan

Dr. Charity Smith was recognized for this report. Dr. Smith reviewed updates to the plan as presented in the Agenda. She noted that a meeting of the parties was scheduled for November 16 at which time all parties agree to attend. Dr. Smith also stated that a small group of legislators (Senators Bisbee, Argue and

Mahony) have initiated efforts to work toward resolving some of the remaining difficult issues still facing the districts and the state. She will share information from such sessions at the December meeting.

Mr. Fisher inquired as to which staff members were represented at the training described under Section VI Remediation. Dr. Smith responded that the training provided was conducted at representative sites throughout the state including Pulaski County. At the Pulaski County site all three districts were represented.

Mr. Fisher referred to Section XI Financial Assistance to Minority Teacher Candidates and inquired as to why only 91 scholarships were funded. Dr. Smith indicated the funds available were exhausted at that level. She also noted that this was the first year that there were sufficient qualifying applications to request the total funds available. Mr. Fisher asked if the Board should request additional funding for minority scholarships from the legislature. Dr. Smith stated that additional funding would be necessary to fill all requests and that the interest in scholarship applications from minority teacher candidates appears to be increasing.

Ms. Pickett questioned if the unused funds for the Master's level program might be transferred to the undergraduate scholarship program. Dr. Smith indicated that there are two separate funds and no guidance is in place that would allow such blending of the funds.

Adjustments to the Public School Fund

John Kunkel was recognized for this presentation. Mr. Kunkel summarized the materials provided in the Agenda Book. The issue focuses on the lack of adequate funds to support delivery and storage of surplus commodities, which benefit the school food service program in public schools. The Department of Human Services maintains the program, but public schools receive

approximately 80% of the commodities. Mr. Kunkel explained that it has become necessary to secure a new storage facility and issue new delivery contracts. These services now cost considerably more than has been charged in the past. Mr. Kunkel stated that staff recommends a revision in the operating budget to support the increased costs in the amount of \$472,000. Mr. Hackler asked if this increase would apply to the 2001 budget as well. Kunkel responded yes and that the increase would be worked into the new budget as it is being prepared. Mr. Fisher asked the source of funds. Kunkel indicated that it would come from fund balances. Mr. Fisher moved adoption of staff recommendation to increase the budget line item for "Surplus Commodities" by \$472,000. Ms. Hillman seconded the motion. The motion passed unanimously.

Charter School Hearings

Transcripts of these hearings were recorded by a court recorder and are presented separately.

State Board of Education Appeal Process for Parents Who Are Denied a Transfer Request from the Resident School District to Another District Under Arkansas Code Annotated 6-18-307 (Repl. 1999)

Brenda Matthews was recognized for this report. Ms. Matthews indicated this is another of the responsibilities inherited by the Board previously delegated to county boards of education. She highlighted suggested guidelines for hearings that may occur when a student's choice of district is contested. Mr. Fisher noted that the 45-day guideline for hearing could cause the Board to call a special session just to hear one of these cases within the timeline. Scott Smith suggested it would be possible for staff to request a waiver of the 45 days from the parents involved in the request. This would allow the Board to act during a regularly scheduled session.

Ms. Pickett suggested that the Board should review its policies on school choice. Mr. Fisher indicated that the Board might want to review new information being sent from schools, not districts, to parents. He observed that there are many schools in the state not participating in the choice options. Mr. Fisher stated that the increased number of students in charter schools, home schools, etc. may escalate the Board's need to review the choice policies.

Mr. Gordy interjected that a discussion of proposed legislation would be on the Work Session Agenda for the December meeting. The Board requested that Brenda Matthews assist with the discussion of the 2001 Legislative Agenda. Mr. Fisher suggested that the Board should review the schools and counties that actively participate in school choice. It was noted that a district must vote NOT to participate in choice, otherwise they are included. Mr. Fisher observed that up to 50% of the schools do not participate in the choice options. Mr. Simon indicated that in general districts that opt not to participate in the choice program are fast growing districts and those that experience facility problems.

Final Approval of Rules and Regulations Governing the Allocation of Qualified Zone Academy Bonds (QZAB)

Mr. Gordy stated it was his decision to move this item from Consent to Action. He invited Patricia Martin to recap the major components of these rules and regulations and to highlight changes that have been made in the final version. Ms. Martin identified the source of funds and the funding available along with highlighting the potential uses of the funds by local schools. Mr. Gordy asked about the rate to be set for the bonds that would be issued. Ms. Martin indicated that the rate would be calculated monthly, but once a rate is established for a bond, it would be constant for the life of the bond. Mr. Fisher asked how the rate would be set. Ms. Martin responded that it would be posted monthly by the federal government.

Ms. Martin informed the Board that currently the program is authorized at \$14 million and the first issue will be for \$4.625 million, which must be awarded by December 31, 2001. The current timeline calls for proposals to be considered at the April 2001 Board meeting. A second round of funding \$5.433 million would be issued in August 2001. The balance would be funded before December 31, 2001. Mr. Gordy confirmed that the amount of funding a school could request had been decreased from \$500,000 to \$250,000. Ms. Martin agreed. She further noted that although there is major difference in the size of school districts, the variance in school size is much less. She vowed that it is equitable for the school limit to be set at one amount.

In response to a question of assistance to districts with low millage, Ms. Martin stated that the program only requires a 10% match and that match can be from in-kind sources as long as they are documented. In-kind matches can be from parent participation and other similar sources.

Mr. Gordy questioned the rationale for inclusion of Section 7.07, which gives preference to schools in districts experiencing fiscal distress. He observed it appears that we're giving preference to districts that demonstrate poor management practices. Ms. Martin suggested this was one way to help those schools by giving them an advantage over other districts. Mr. Gordy suggested that Section 7.07 be stricken from the rules and regulations.

Ms. Caldwell moved adoption of the proposed rules and regulations with Section 7.07 removed. Ms. Hillman seconded the motion. The motion passed unanimously.

Executive Session

Mr. Fisher moved that the Board go into Executive Session to discuss personnel matters – the Director's evaluation. Mr. Hackler seconded the motion. The motion was adopted unanimously.

Following the Executive Session, Mr. Fisher moved that the Board reconvene in its regular session. Mr. Hackler seconded the motion. The motion passed unanimously.

Mr. Fisher reported that only one item was discussed during the executive session and that was the Director's evaluation.

Ms. Caldwell moved adjournment. Ms. Hillman seconded the motion. The motion passed unanimously. The meeting adjourned at 3:30 p.m.

Minutes recorded by Dr. Charles D. Watson.