

**AGENDA  
STATE BOARD OF EDUCATION  
November 18, 2002**

Auditorium, Department of Education Building

9:00 a.m.

**Work Session**

- WS – 1      **Early Childhood Education: What the research means to Arkansas children -  
- Dr. Robert Bradley, UALR**  
At the request of the Early Childhood Commission, Dr. Bradley will provide an overview of research related to early childhood education and its potential impact on educational performance in Arkansas.  
**Recommended action:** No action required
- WS – 2      **Discussion of Legislative Issues – Raymond Simon**
- Alternative Learning Environment  
Arkansas Rural Education Report  
Other
- Pursuant to preparing for the 2003 Legislative Session, the Board is invited to engage in a discussion of issues that will be considered for revision.  
**Recommended action:** No action required.

**Chair’s Report – Shelby Hillman**

**Director’s Report – Raymond Simon**

**Consent Agenda**

- C – 1      **Minutes - Regular Meeting October 14, 2002.**  
**Recommended action:** Approve the Minutes
- C – 2      **Newly Employed, Promotions and Separations – Clemetta Hood**  
Information item only  
**Recommended action:** No action required.
- C – 3      **Personnel Recommendations – Raymond Simon**  
Pursuant to State Board Policy any person recommended for employment at Grade 22 or above must have review and approval by the State Board of Education. Personnel recommendations for two positions, each grade 22, were distributed under separate cover.  
**Recommended action:** Approve these recommendations.
- C – 4      **Commitment to Principles of Desegregation Settlement Agreement:  
Report on the Execution of the Implementation Plan – Willie Morris**  
As part of the Agency’s continuing obligation to the Pulaski County desegregation suit, the Board receives a monthly update of activities and events. Highlights of activities since the last report include: a report of the Tri-District Staff Development Committee and monitoring of selected schools across the districts.  
**Recommended action:** Receive this report.

- C – 5      **Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623 – Dr. Charity Smith**  
 Act 1623 requires local school districts to secure a waiver when classrooms are staffed with unlicensed teachers for longer than 30 days. Waiver requests were received from 35 districts covering a total of 169 positions. These requests have been reviewed by Department staff and are recommended for approval  
**Recommended action:** Approve these waiver requests.
- C-6      **Program Review Recommendation [Henderson State University's Program Proposal for the degree of Educational Specialist (Ed.S.)] – Donna Zornes/Kristi Pugh**  
 In keeping with Board policy, the Board must review and approve any new degree programs from a college or university that prepares candidates for licensure. Henderson State University requests approval of a new degree program – Education Specialist. This proposal has been reviewed and recommended for approval by a Department of Education Review Committee. This request is for a temporary approval with final review and approval to follow after the next regularly scheduled visit of the National Council for Accreditation of Teacher Education (NCATE) visit.  
**Recommended action:** Approve this proposal.

### Action Agenda

- A – 1      **Charter School Appeal Hearing - Randall Greenway**  
 The FOCUS Centre of Learning, Inc., submitted an application for an Open Enrollment Charter School to be located in the Conway area. Subsequently, the Conway School District Board of Education has voted to deny the application. In keeping with state statutes, the State Board must conduct a hearing at which time both the FOCUS Centre and the Conway District have the opportunity to present issues related to this issue. A final decision on the approval of the school's application is scheduled for the December meeting of the State Board of Education.  
**Recommended action:** Conduct this hearing.
- A – 2      **Request to Change School District Boundary Lines  
 Jasper and Oark School District Boundary Hearing – Scott Smith**  
 The Jasper and Oark School Districts have agreed to a revision of school district boundary lines and have petitioned the State Board for approval. State statutes require such review and approval.  
**Recommended action:** Approve this request
- A – 3      **Audit Report – Dr. Bobbie Davis/John Kunkel**  
 The Board received, under separate cover, a copy of the Annual Financial Report for the Department of Education for the fiscal year ending June 30, 2001. Dr. Davis and Mr. Kunkel will summarize the findings and state actions to be followed.  
**Recommended action:** Receive this report.
- A – 4      **Stipulated Agreement in the Matter of a Teaching License Ms. Denise Buchanan – Ken Williams**  
 Upon renewal of the teaching license, a criminal background check revealed a conviction of a felony offense – Theft in the First Degree – dating 1984. There is no evidence of other offenses. The Attorney's Office notified Ms. Buchanan of the findings and suggested a stipulated agreement of one year's probationary status teaching license. After one year she may apply for full certification provided she successfully completes the probationary period to the satisfaction of the State Board of Education.  
**Recommended action:** Approve the stipulated agreement of one year's probation after which time she may apply for full licensure.

Minutes  
State Board of Education  
Monday, November 18, 2002

The State Board of Education met on Monday, November 18, 2002 in the Auditorium of the Department of Education Building. Shelby Hillman called the meeting to order at 9:00 a.m.

The following members were present: Shelby Hillman, Chairman; JoNell Caldwell, Vice-Chairman; Dr. Calvin King, and Robert Hackler.

The following members were absent: Luke Gordy, Peggy Jeffries, and Lewis Thompson.

**Work Session**

**Early Childhood Education**

Ms. Hillman recognized Janie Huddleston to introduce the first session. Ms. Huddleston presented Dr. Robert Bradley, a professional educator from Arkansas, who works in the area of early childhood programs through the University of Arkansas at Little Rock. Dr. Bradley cited numerous references to the impact of early intervention of children, especially children in poverty, who participate in early childhood programs. He also noted the impact of parents on the education of young children and the importance of working with parents to assure their proficiency in providing the quality learning experiences that help young children benefit from formal education.

Ms. Hillman asked about some earlier reports that cited studies suggesting the benefit of early learning is diminished by the time a child is in third grade or later. Dr. Bradley acknowledged the reports, but advised that most of the cases reported in that literature based data on half-day programs or summer intervention as opposed to full-day programs. Dr. Bradley stated that the program is the key and the way the program is implemented makes a major difference in the residual effect on children later in their education.

Dr. King asked about the impact of poverty, expectation and conditions under which young children were exposed as factors in the child's later performance. Dr. Bradley again noted that the curriculum and the impact of the curriculum on the student's learning seemed to be a key ingredient, regardless of situational impact. Successful early-learning programs help the child build confidence.

**Discussion of Legislative Issues**

Mr. Simon was recognized to lead this discussion. He noted that there has been considerable discussion and interest on the work of the Department in the last few weeks concerning the naming of schools on the "School Improvement List." Mr. Simon suggested that many of the contacts reflect a frustration with the reality of being identified as poor performing. He indicated that a detailed description of the process that

was invoked to identify schools for school improvement, as required by Title I, would be provided at the December meeting.

Mr. Simon noted that discussions linked to the legislative process and the upcoming session are on going. He and other staff members have been meeting informally with legislators. At the forefront of these discussions are items that were identified by the State Board Advisory Committee. The Committee's report, he reminded, also includes priorities of the Board. Mr. Simon indicated that through this session he wanted to further clarify the Board's interest and priorities among some of the issues listed.

*Alternative Learning Environments (ALE):* Mr. Simon stated that the current enabling legislation was general and somewhat vague. The rules and regulations seek to clarify some of the major components, but provide for considerable interpretation in implementing an ALE program. ALE is an expensive program, often serving only a few students at a time. Funding, inadequate for full implementation, has diminished over time down to zero this year. Data collected suggest that at most 182 identified and reported programs were operational at one point. The quality of service to students varies widely among the districts that implement an ALE program. Mr. Simon thinks this is an important program and it should be strengthened and services provided through every district. Increased funding, even beyond the \$3 million, will be necessary.

Dr. King inquired how schools were continuing the ALE program without funding. He also was interested to know if 21<sup>st</sup> Century grants could help. Mr. Simon indicated that the current funding was up to the local district at this point. The 21<sup>st</sup> Century funds are competitive grant funds that are not widely available. Those funds also must be directed to programming outside the regular school day. ALE programs have generally operated within the school day.

Mr. Hackler supports restoring and increasing funding for ALE programs as funds become available. He believes this should continue to be a priority for the Board.

*Response from the Arkansas Rural Education Association:* The Department received written comments from this group of superintendents through its president, J.M. Edington. This Association has prepared a thoughtful letter, which is the only formal response received regarding the priorities of the Advisory Committee and the Board's priorities. The primary plea from this response is not to pursue the minimum class size recommendations. They support the need to offer the full curriculum of 38 units each year, but cannot do that if there is a minimum class size. Mr. Simon expressed the opinion that the request is reasonable and he supports a compromise on this issue.

Mr. Simon highlighted the following items from the Legislative Report that should be further developed as part of the Board's legislative package for January.

- Monetary incentives for "high needs" teachers – mathematics and science teachers, special education, and teachers who agree to teach in distressed districts. Mr. Simon supports such incentives over and above regular salary schedules, which should be maintained. He noted such incentives might become increasingly more essential once the Lake View decision is received.

- Establish and implement a developmental reading program for students through high school.
- Require all schools to offer each of the 38 core curriculum courses every year.
- A long-term goal would be to develop end-of-course exams for each of the 38 required courses in high school. He noted that such exams now exist for Algebra I, Geometry, and Literacy. Under *No Child Left Behind* the State will have to add an end-of-course exam in science by 2007-08, which would be biology.
- Establish regional high schools throughout the state. Mr. Simon expressed the opinion that this could be the single most important initiative for improving schools that has been offered since 1983. There are a number of ways that this could emerge and there is no recommendation for how to draw boundary lines. There are too many variables that would impact such decisions. However, he believes that offering some incentive for districts to voluntarily start such schools that would be beneficial for students would be the best policy at this time.
- Support alternative means of providing courses such as distance learning or cooperative agreements.
- Advance thinking that would establish some shared leadership. Several districts might find a way to share administrative leadership or bookkeeping services. The regional service cooperatives can play an integral role in such shared services.

Mr. Simon also noted from the Rural Educators response a plea for no “unfunded mandates” from the State. Their response stresses the importance of a revenue stream following requirements placed on districts.

Mr. Hackler reminded the Board that he previously voted against the recommendation to establish a sliding scale for funding of four-year-old programs. It’s his belief that if a program is established and required to be provided by the State, it should be funded. One cannot justify the difference between requiring kindergarten and providing full funding and requiring four-year-old programs and partially funding them.

Dr. King inquired as to the age that a child was required to be in school. The response was State statutes require children between the ages of 6 and 17 to be in school, but provides for students to enter kindergarten at age 5.

### **CHAIR’S REPORT**

Ms. Hillman reported on a recent visit she made to the KIPP Academy Charter School in Helena.

### **DIRECTOR’S REPORT**

Mr. Simon reported that he is a proud grandfather. His daughter and her husband who live in Cleveland, OH, have just adopted a son from Russia.

### **CONSENT AGENDA**

Ms. Caldwell moved adoption of the Consent Agenda. Mr. Hackler seconded the motion. The motion was adopted unanimously.

- Minutes of the Regular Meeting October 14, 2002
- Newly Employed, Promotion and Separations
- Personnel Recommendations
- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Report of Waivers to School Districts for Teachers Teaching Out-of-Field for Longer than Thirty (30) Consecutive Days, Act 1623
- Program Review Recommendations (Henderson State University's Program Proposal for the Degree of Educational Specialist (Ed.S.)

### **ACTION AGENDA**

#### Charter School Appeal Hearing

Randall Greenway was recognized to introduce this item. Mr. Greenway reported that the application for an Open Enrollment Charter School – FOCUS Centre of Learning, Inc. was submitted in keeping with established guidelines. The location of this proposed school is in the Conway School District. Mr. Greenway reported that the Conway Board of Education voted to deny approval of this school. State law and the rules and regulations provide for an appeal hearing to be conducted by the State Board of Education pursuant to an appeal submitted by Mr. LeRoy McClure, CEO of FOCUS Centre of Learning, Inc. Mr. Greenway explained that the Conway School District would have 20 minutes for presentation of information pursuant to its denial of approval to be followed by 20 minutes from FOCUS Centre. Mr. Greenway also informed the Board that no decision is expected today, this session is only for informational purposes.

James Simmons, Superintendent, Charlotte Vann and Ann York represented Conway Public Schools. The following points were made by these presenters.

- The Conway District seeks to serve all students who reside in the district. They believe that the low attendance (six persons, all reported to be family members of the convener) at the public hearing demonstrates low interest and need for such a school in the Conway area.
- The facility proposed to house the school is reported to be owned by a family member and the \$90,000 annual rental will be paid to that individual.
- The proposal does not address any use of technology in the instructional program to be implemented at the school.

- Most of the children who would be targeted for enrollment in the school would be “academically challenged” students. This setting would not be the least restrictive setting as required under special education guidelines.
- Conway District has received a 21<sup>st</sup> Century grant that addresses before and after school needs of these children.
- A request for waiver of grading scale is not in the best interest of these students.
- The reading program as proposed does not address a balanced literacy approach, which is supported in *No Child Left Behind* as a research-based program.
- The proposal seeks a waiver of licensure to work with these students who have special identifiable needs.

LeRoy McClure and Patricia Burton, Assistant Superintendent for Instruction represented FOCUS Centre. They offered the following points.

- They noted disparity among the schools in the Conway District of student performance on the Benchmark Exams.
- FOCUS Centre in Texas recorded high gains on the Texas TAAS Exam as compared to data presented a year earlier.
- FOCUS is working to incorporate curriculum alignment and assessment strategies into its curriculum to assure student performance of students attending.
- Staff development will be directed to meeting individual student needs, providing research-based instruction, and assessment of student performance in the classroom.
- The presenters affirmed their commitment to provide whatever services needed to meet the individual needs of students that would enroll.

Mr. Simon announced the resignation of Randall Greenway effective at the end of the week. Mr. Greenway has been instrumental in leading the Department’s Charter School initiative since its beginning. He commended Mr. Greenway for the accomplishments of the program under his leadership.

### **Request to Change School District Boundary Lines**

Scott Smith was recognized to present this item. Mr. Smith indicated that this request is made to adjust the legal description of school district boundaries in keeping with the records of the Newton County Clerk’s Office. These adjustments have been agreed to in official meetings of the two local boards involved. Mr. Hackler moved approval of the request as presented. Dr. King seconded the motion. The motion was adopted unanimously.

Mr. Smith requested that the Board approve the addition of an item to the Agenda that would allow for technical amendments to boundary line descriptions between Mount Judea and Deer Districts that were reviewed and approved previously by the Board. Mr. Hackler moved to amend the Agenda to include this item. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Mr. Smith reported that a 40-acre track of land had been inadvertently omitted from the legal description of the property included in the boundary line revision made between the Mount Judea and Deer Districts, which was adopted by the Board at the August meeting. Mr. Smith proposed to substitute this new description for that adopted in August. Both local boards have approved this amendment. Ms. Caldwell moved adoption of the amendment. Mr. Hackler seconded the motion. The motion was adopted unanimously.

### **Audit Report**

Dr. Bobbie Davis was recognized for this presentation. Dr. Davis stated that a complete audit report had been mailed to the Board under separate cover. She noted that final hearings by the Legislative Audit Committee were not completed until October. Only one finding remained, which related to a reporting issue involving a theft of money from an activity account at the Arkansas School for Mathematics and Science at Hot Springs. No action was required.

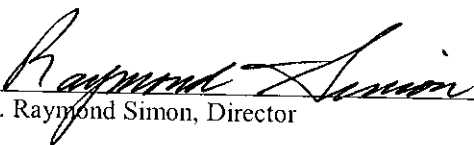
### **Stipulated Agreement in the Matter of a Teaching License: Denise Buchanan**

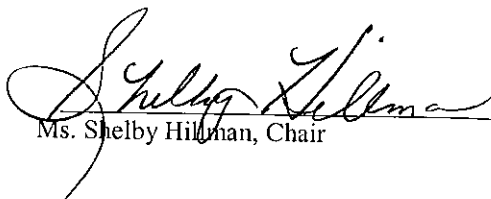
Ken Williams was recognized to present this issue. Mr. Williams reported that Ms. Buchanan was found guilty of collecting unemployment compensation even after she was gainfully employed. She made full restitution for the offense that dated back to 1984. Mr. Williams recommended that the Board issue a one-year provisional license with the stipulation that a full license would be granted if no further offense occurs. Dr. King moved acceptance of staff recommendation for one-year provisional license to be followed by full licensure. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Mr. Hackler moved adjournment. Dr. King seconded the motion. The motion was adopted unanimously.

The meeting adjourned at 11:30 a.m.

The Minutes were recorded and reported by Dr. Charles D. Watson.

  
Mr. Raymond Simon, Director

  
Ms. Shelby Hillman, Chair