

STATE BOARD OF EDUCATION

Sunday, November 9, 1997

Minutes

The State Board of Education met for the regularly schedule meeting on Sunday November 9, 1997, in the Auditorium of the Department of Education Building. Bill Fisher, Chair, called the meeting to order at 3:05 p.m.

Members present: Bill Fisher, Chair; Luke Gordy, Vice-Chair; Edwin Alderson; Carl Baggett; JoNell Caldwell; Martha Dixon; James McLarty; Betty Pickett; Richard Smith; Lewis Thompson, Jr.; Sherry Walker and Anita Yates.

Mr. McLarty moved the approval of the minutes of the October 12th meeting as distributed. Mr. Gordy seconded. The motion passed unanimously.

Mr. Fisher noted that the Board was well represented at the recent meeting of the National Association of State Boards of Education (NASBE). Mr. McLarty reported on a session presented by Governor Hunt of North Carolina in which Hunt linked success in student achievement to professional development. The annual meeting for 1998 is slated for Denver and 1999 for New Orleans. The location for 2000 is yet undetermined. Mrs. Pickett was elected to a position on the NASBE Board of Directors which will decide the site for the 2000 conference. There is strong support for Arkansas to be considered as that site. The Chair will appoint a committee to pursue that effort. Mrs. Walker highlighted a session by Tim Dyer who is executive director of the secondary principals' organization that included recommendations for the emerging American High Schools that should have implications for Arkansas' high schools. Mrs. Pickett and Mr. McLarty served on NASBE study groups for 1996-97.

Mrs. Yates reported on her attendance at the Break the Mold Conference sponsored by the Rockefeller Foundation. This conference highlighted the partnerships that have developed between nine college/university teacher education programs and public school teachers to enhance teacher training for new teachers. She also visited schools in northwest Arkansas and attended a community breakfast in Lincoln.

Mrs. Pickett and Mrs. Walker attended the workforce education conference in Hot Springs at which Gene Bottoms from the Southern Region Education Board discussed High Schools that Work.

Ms. Caldwell attended one of the regional hearings on the 2.0 GPA Rules and Regulations.

Mr. Fisher indicated to the Board that Consent Agenda Item C-8 was the list of textbooks and instructional materials previously reviewed and recommended by the textbook selection process.

The Consent Agenda includes personnel recommendations mailed to the Board on November 4, 1997, in a memo from Mr. Simon and Clemetta Hood, Personnel Manager. (Attachment #1)

Mrs. Yates moved the adoption of all items on the Consent Agenda. Mr. McLarty seconded. The motion passed unanimously.

Mr. Fisher announced Action Agenda Item A-5, Discussion of the Board's Operating Guidelines, was being withdrawn and would be on the December Agenda. Also, he reported that Action Agenda Item A-9, Gentry Hearing, would be rescheduled and that the parties were working on a settlement.

Mr. Alderson moved adjournment. Mr. McLarty seconded. The motion passed unanimously. 3:20 p.m.

The Board moved into committee working sessions.

Monday, November 10, 1997

The State Board of Education met on Monday, November 10, 1997, in the Auditorium of the Arkansas Department of Education. The meeting was called to order at 8:05 a.m. by Bill Fisher, Chair.

Members present: Bill Fisher, Chair; Luke Gordy, Vice-Chair; Edwin Alderson; Carl Baggett; JoNell Caldwell; Martha Dixon; James McLarty; Betty Pickett; Richard Smith; Lewis Thompson, Jr.; Sherry Walker and Anita Yates.

Mr. Fisher announced that the Director's Comments would be moved to the last item on the agenda to facilitate a brief executive session to discuss personnel.

Mr. Fisher named the following committee to study the possibility of making a proposal to NASBE for Arkansas to host the annual meeting in 2000. The committee members are Richard Smith, Chair; Betty Pickett and Anita Yates.

Discussion and actions on Final adoption of Rules and Regulations on Establishing the Academic Standards for Student Participation in Competitive Interscholastic Activities.

These Rules and Regulations have been previously reviewed by the Board. The Department staff conducted public hearings and received public comment on the recommended policies, and the Senior Management Team for the Department prepared recommendations based on the public comment. Attachment #2 is a set of recommendations provided by Senior Management after the Board materials were mailed. The Board decided to consider each suggested change and vote on the revision separately, then vote on the entire document. A final revised copy as adopted by the Board is attachment #3.

Section 3.02 proposed changing the wording of “in the regular classroom,” to “in academic courses.” Mr. Alderson moved that this change **not** be made. Ms. Pickett seconded. Discussion centered on the issue of when supplemental instruction would be provided - during the school day or outside the school day. Mr. McLarty indicated that the public views what we are doing as lowering the standards. Whatever we do must be done in a meaningful way and not lowering the standards. Ms. Pickett pointed out that schools can get a waiver from the Rules and Regulations if they can prove that their approach is effective. Mr. Alderson said that we should close as many loopholes as possible and make this a serious effort while providing as much flexibility as possible. Mr. Smith indicated that how a school chooses to implement the supplemental instruction program is not as important as if it is effective. Schools must do something to alleviate the problem. The motion passed. (The vote was 7,4 in favor)

Section 3.02.6 - Ms. Pickett moved that wording in this section be revised to read as follows.

A program with procedures defined by the local district for monitoring student progress that includes requiring a progress report to be filed each grading period from the classroom teacher(s) in the subject area(s) where the student’s inadequate performance has occurred with the report(s) sent to and held by the district’s appointed director of the program.

Mr. McLarty seconded. The motion passed unanimously

Section 3.03.2 - Ms. Walker moved to accept proposed change. Ms. Yates seconded. The motion passed unanimously.

Section 3.03.3 - This section is added to accommodate students in schools that operate on a block schedule. On a block schedule some students may only have three academic courses during any period, thus not meeting the requirement to pass four (4) courses. Motion to accept this addition was made by Mr. Gordy. Mr. Smith seconded. The motion carried. (McLarty voted no.)

Sections 3.04 and 4.02 - Definition of “Bona Fide Student” Mr. Smith moved to delete the definition of Bona Fide Student which is section 3.04 and leave Section 4.02. Discussion determined that a definition of Bona Fide Student did not contribute to the understanding of these Rules and Regulations and that it was included in other documents. Mr. McLarty made a substitute motion that would eliminate both sections 3.04 and 4.02. Ms. Pickett seconded. The substitute motion passed unanimously.

Section 5.01 - Mr. Smith moved adoption of revised wording. Ms. Yates seconded. The motion passed unanimously.

Section 5.02.1 Ms. Walker moved adding language to further clarify the tests and grade levels affected as follows (underlined wording was added).

Have earned a minimum Grade Point Average from 2.0 from all academic courses the previous semester,

or

Have met the “proficiency standard” as defined by the State Board on Education on the state criterion-referenced tests including both the mathematics and literacy tests, for twelfth-grade eligibility.

or

Have achieved at or above the 50th percentile on the Basic Battery on the most recent norm-referenced test administered by the state for the tenth and eleventh grade eligibility.

Mr. Smith seconded. The motion passed unanimously.

Section 5.02.2 - Mr. Alderson moved adoption of change as presented. Mr. McLarty seconded. The motion passed unanimously.

5.03.1 Ms. Pickett moved that the wording “outside the regular school day” not be deleted. Mr. Smith seconded. The motion passed.

Mr. McLarty moved that the second part of this section be amended to read, “students should have no unexcused absences for the current semester or its equivalent.” Ms. Walker seconded. The motion passed unanimously.

Mr. Alderson moved that the third part of this section be amended to read, “have no disciplinary actions for the current semester or its equivalent or known criminal convictions.” Mr. McLarty seconded. The motion passed unanimously.

Ms. Pickett moved that Section 5.03.6 be moved to follow Section 5.03.1 so that all references to disciplinary action be together. The motion also included adoption of the proposed additional wording in Section 5.03.6. Mr. McLarty Seconded. The motion passed unanimously.

Section 5.03.2 (now becomes Section 5.03.3) - Ms. Walker moved the adoption of this section as revised. Ms. Yates seconded. Following discussion as to who would actually be responsible for making the determination of adequate progress, Mr. McLarty made a substitute motion to insert that the determination would be made by “the supplemental instruction program director.” Ms. Pickett seconded. The substitute motion passed unanimously.

Section 5.03.3 (now becomes Section 5.03.4) - Ms. Walker moved to accept the revision of this section as included in the senior management version. Mr. McLarty seconded.. The motion passed unanimously.

Section 5.03.4 (now becomes Section 5.03.5) - Mr. McLarty moved adoption of this section as revised. Mr. Smith seconded. The motion passed unanimously.

Section 6.01 - Mr. Gordy moved that the last sentence of this section be deleted. Mr. Thompson seconded. The motion passed unanimously.

Section 7.01 - This section is appropriate for schools operating on a traditional semester schedule, but would not be appropriate for schools operating on a block schedule. The addition of Section 7.02 adjusts policy for schools on a block schedule. Mr. McLarty moved the adoption of these changes as proposed. Mr. Smith seconded. The motion passed unanimously.

Mr. Smith moved the adoption of the Rules and Regulations for Establishing the Academic Standards for Student Participation in Competitive Interscholastic Athletics as amended. Ms. Yates seconded. The motion passed unanimously.

Mr. Simon asked how waivers were to be handled. Mr. Alderson stated that options should be provided. Mr. McLarty suggested that schools requesting waivers should be invited to make a presentation before the Board on a school by school basis. He stated that the Board needs to understand an alternative proposal. The chair recognized this direction.

Mr. Alderson commended Mrs. Matthews for her work on developing these rules and regulations and seeing the procedure through.

Discussion and actions on Proposed Rules and Regulations Governing the Distribution of Catastrophic Loss Funding

John Kunkel reviewed information on distribution of these funds as contained in pages A4-1 through A4-8 of the Agenda Book and in materials mailed from Mr. Simon (Attachment #4). Board members also raised the issue of legislative intent for distribution of these funds over time especially when a district experienced a large loss of revenue. Mr. McLarty stated that in previous years priority for funding has gone to schools with unexpected growth, it's time to share with schools that have experienced loss. Mrs. Pickett asked if the Department had sought legal counsel on the issue of disbursement of loss funding to schools. Staff responded that it had not at this point. Mr. McLarty moved that this issue be tabled until the December meeting and that staff be instructed to seek legal counsel on the question of disbursement of catastrophic loss funding and the question of whether the Department could legally disburse catastrophic loss funding to districts as a hold-harmless measure. Mrs. Pickett seconded. The motion passed unanimously.

Mr. McLarty moved that staff prepare data spanning a five-year period that would identify districts that have experienced a loss of student population greater than one standard deviation over that period of time. Mrs. Pickett seconded. The motion passed unanimously.

Action Agenda Item #5 Discussion of the Board's Operating Guidelines was postponed for discussion in December.

Committee #1 - Carl Baggett Reporting

Department Audit: Mr. Baggett reported that the annual audit of the Department had been cleared and that all questions had been resolved. He also indicated that a fiscal agent had been hired for the Arkansas School for Mathematics and Science.

Agency and Board Budget: Mr. Baggett reported that the Committee and subsequently the Board would begin the budget process at the winter retreat. In addition to working with the Agency budget, the Committee needs to work on a budget for the Board.

Rules and Regulations for Schoolhouse Construction Standards: The Committee reviewed Proposed Revisions of Minimum Schoolhouse Construction Standards. With minor modifications to the proposed media center allocation, the committee suggested that staff proceed with developing proposed rules and regulations to be brought before the Board in February.

Rules and Regulations Governing Loans and Bond Applications: Tristan Greene summarized for the Board background information that was presented to the Committee. The Board suggested that staff schedule four to five public hearings on these rules and regulations. Mr. Gordy confirmed that these rules and regulations would go before the desegregation oversight panel before final approval. Mr. Gordy suggested that the procedure for developing and adopting these rules and regulations should be moved forward as quickly as possible. Mr. Baggett moved that staff proceed with the development of proposed rules and regulations and public hearings. Mr. Smith seconded. The motion passed unanimously.

Committee 2 - Jim McLarty Reporting

Licensure: Mr. McLarty referred to the information received in Mr. Simon's November 4 Memo (Attachment #5) with the recommendation that the Board approve the set of competencies listed for each of the certification areas under the new licensure standards. A sample of one area was included in the Memo and other documents are available if requested. Mr. McLarty moved the adoption of competencies for each of the 39 areas. Ms. Yates seconded. The motion passed unanimously.

Mr. McLarty moved that the Director appoint an Advisory Committee for Teacher Licensure consistent with the recommendations from the Teacher Licensure Task Force Report. (Attachment #6) Mr. Smith Seconded. The Board requested that a member of the Board be added to the proposed Advisory Committee. The motion passed unanimously.

Alternative Certification: The Committee reviewed the information pertaining to alternative certification. Additional information was provided to the committee by staff concerning the number of teachers who hold or are pursuing alternative certification. (Attachment #7) Mr. McLarty moved that the alternative certification program continue until the new licensure

standards are operational and procedures are in place for assessment of performance criteria. Mr. Gordy seconded. Motion passed. (Pickett and Walker voted no.)

Phase II Academic Distressed Schools: The committee heard a report from Mr. Anthony concerning the status of the Phase II Academically Distressed Districts. The Committee voted to extend an invitation to the superintendents of the two districts in Phase Two status (Altheimer and Elaine) to meet with the Board at the December meeting. - No other action.

Revocation: The Committee voted to defer action on the revocation of the teaching certificate of Mr. Steve Garmath in order to receive further information. - No other action.

Revocation: The Committee reviewed correspondence from Mr. William Clemons concerning the revocation of his teaching certificate and request for a re-hearing before the Board. The Committee determined that a re-hearing should be granted. Mr. McLarty moved that the Board reconsider the earlier action and allow Mr. Clemons a re-hearing before the Board in December. Mr. Smith seconded. The motion passed unanimously.

Technology Plans: The Committee received an update on the development of local district technology plans and recommended maintaining the established date of December 1 for receipt of those plans by the Department. The Committee requested that staff prepare a list of private donors, including the Milken Foundation, who might be able to provide assistance to schools with technology needs. Mr. Boardman provided excerpts from an Education Week report to be released on November 10, 1997, in which Arkansas will compare favorably with other states in the area of technology in schools.

Professional Development Plan: The Committee reviewed staff recommendations concerning the development of a Professional Development Plan. Staff was requested to prepare a time line for development of the plan and to suggest the structure for an advisory group to include a member of the Board and a working team to actually develop the plan. Dr. Potter distributed a suggested time line and recommendations for the Professional Development Advisory Committee. (Attachment #8) Mr. McLarty moved that staff be directed to move forward with the proposed schedule for the Professional Development Plan. Ms. Pickett seconded. The motion passed unanimously.

Committee #3 - Sherry Walker Reporting

ABC Rules and Regulations: The Committee reviewed proposed amendments to the Rules and Regulations Governing the Arkansas Better Chance Program in compliance with Act 212 of 1991. These amendments are necessary due to changes in the legislation from the 1997 session. Ms. Walker moved adoption of the proposed Rules and Regulations for the purpose of advancing them for public comment. Ms. Pickett seconded. The Motion passed unanimously.

Explore and Plan: The Committee continues to gather information concerning the assessment at Grade 8 and Grade 10 (Explore and Plan) and the impact these have on the overall assessment system. The College Board (ACT) has agreed to help gather information about this program. No further action.

Core Curriculum: Dr. Potter provided the Committee with additional information concerning the Core Curriculum detailing on-going work among the Department, the Department of Higher Education and the Department of Workforce Education. (Attachments #9) Also, she summarized comments received at the public hearings conducted during the past month. These fall into three major areas: stressing that the Curriculum Frameworks will indeed drive the development of the Core; advocacy groups such as fine arts and foreign language want to be included; and concern expressed from school administrators and counselors that the standards being imposed are too high. The Committee believes strongly that communications about the core must be succinct and written in consumer friendly terms. Parents, students and members of the public must be able to read and understand what is being asked of students - any published document should not use educational jargon. Initial discussions link a common core for graduation with a requirement for a career focus for each student. Students who seek unconditional admission to a college or university will be required to complete additional components such as a fourth year of mathematics and two years of a foreign language. Technology would be inbedded rather than added as a separate area of study. Ms. Walker also stated that a number of additional documents would be needed to support the common core curriculum concept. Ms. Walker moved that the staff proceed with the development of proposed rules and regulations for Common Core Curriculum. Mr. Alderson seconded. The motion passed unanimously.

Closing Actions

Ms. Yates asked about the possibility of Board members receiving copies of the committee materials provided beyond that of the member's committee assignment. Mr. Fisher advised her, or any other Board member, to request additional packets from Ms. Riggs.

Mr. Fisher recognized Jan Spann who is a member of the Workforce Education Commission.

Mr. Gordy moved that the Board go into executive session for personnel matters. Mr. McLarty seconded. The motion passed unanimously. 11:20 a.m.

At 11:40 a.m. Mr. McLarty moved that the board resume its regular session. Ms. Walker seconded. The motion passed unanimously.

Mr. Fisher called on Mr. Simon to make recommendations to the Board concerning hiring of staff. Mr. Simon recommended to the Board that the following be hired: Kevin Penix in the position of Assistant Director for School Improvement and Instructional Support; Patricia Martin in the position of Assistant Director for Public School Finance and Administrative Support; and Ron Fair in the position of Program Support Manager for Training Programs. Ms. Walker moved

approval of these staff recommendations. Mr. Alderson seconded. The motion passed unanimously.

Mr. Gordy moved that the meeting be adjourned. Mr. McLarty seconded. The motion passed unanimously. Meeting adourned at 11:45 a.m.

Recorded by Dr. Charles D. Watson, Arkansas Deptment of Education Staff.


Bill Fisher, Chairman


Ray Simon, Ex Officio Secretary