

**MINUTES**  
**STATE BOARD OF EDUCATION**  
**August 9, 2004**

The State Board of Education met on Monday, August 9, 2004, in the Auditorium of the State Education Building. JoNell Caldwell called the meeting to order at 9:00 a.m.

The following Board members were present: JoNell Caldwell, Chairman; Dr. Jeanna Westmoreland, Vice Chairman; Sherry Burrow; Shelby Hillman; Randy Lawson; and Dr. Naccaman Williams.

The following Board members were absent: Dr. Calvin King, MaryJane Rebick, and Dianne Tatum.

Ms. Caldwell welcomed Dr. Williams to his first regular meeting since being appointed to the Board.

Ms. Caldwell announced that the following agenda items were being deleted from consideration:

- Work Session – 4: Update from the Professional Education, Development, Licensure and Assessment Board (PEDLAB)
- Action – 1: Appeal of Accreditation Status of Bradford Elementary School in Bradford School District
- Action – 5: Appeal of Accreditation Status of Mann Magnet, Parkview and Central High Schools in Little Rock School District
- Action –8: Appeal of Accreditation Status of Saratoga Elementary and High Schools in Saratoga School District
- Action – 15: Student Transfer – Bradley School District / Bright Star School District

**Summary Report of Implementation Activities of Act 1220 of 2003**

Dr. Bobbie Davis reviewed actions from meetings of the Child Health Advisory Committee and informed the Board that work in this area was a collaborative process involving the Department and the Department of Health. She stated that in the near future Rules will be framed and it will be the responsibility of the Board to promulgate and adopt them for the administration of requirements of Act 1220 of 2003.

Ms. Hillman noted the recommendation related to serving food at the elementary schools, even when parents provide it. She observed that the booklet has good information and schools should be cooperative in order to lead the children to the level of health desired.

Ms. Caldwell asked about revenues that previously have been generated for schools either from sale of food items or from contracts. Dr. Davis noted that some recent research suggests that when “healthy snacks” are available for purchase or in vending machines, the revenue does not appear to decrease.

No action was taken.

### **Report on Student Performance Data**

Dr. James shared information from the spring testing of the Grades 4, 6 and 8 Benchmark tests, End-of-Course Algebra I and Geometry and from Grade 11 Literacy. He noted the overall upward trend for each of these tests.

Ms. Hillman asked Dr. James if he thought Smart Start and Smart Step were helping with the improvement of test scores. Dr. James responded, definitely. He also noted that high quality professional development and focused training are essential for the long-term success in achievement gains.

Ms. Burrow inquired about the different level of performance between the January administration and April administration on the high school tests. Dr. James noted the differences and stated that Department staff will be closely examining possible explanations, which will include a survey of schools using block scheduling.

Dr. Williams asked if there would ever be an opportunity for the State to follow a class through the grades as opposed to continually looking at each different class when they are at the fourth or sixth grade. Dr. James responded that one component of Act 35 (of the Second Extraordinary Session of 2003) requires assessments at every grade. As the full assessment system becomes operational it will be possible to follow a group of students over time.

Mr. Lawson stated that longitudinal – value added – tracking provides the best barometer for how we are progressing. He noted that incorporating the longitudinal data analysis would help understand and give information for decision-making or for observing the impact of instructional delivery.

### **Update on Compliance with Act 60 of the Second Extraordinary Session 2003**

Mr. Smith stated that there is no new information from the consolidation issue of Sparkman/Harmony Grove. He expressed optimism that there will be movement in the deliberation in the very near future. Mr. Smith reported that Judge Eislee had established an August 2 deadline for the parties to submit any additional information pursuant to the consolidation of Crawfordsville with Marion. He stated that the parties met that deadline. He also reported that the Office of Justice has given an opinion supporting the merger of these two school districts. Mr. Smith stated that he is hopeful for a resolve to this issue by the September Board meeting.

No action was taken.

### **Director's Report**

Dr. James reported that the annual joint meeting of the State Board of Education, the Higher Education Coordinating Board and the State Board of Work Force Education and Career Opportunities would be on September 13, which is the time for the regular State Board of Education September meeting. He noted that this will be an opportunity for

members from the three Boards to attend a seminar to be hosted by the University of Arkansas discussing policy issues pursuant to implementation of the No Child Left Behind legislation. Dr. James stated that he would survey Board members to determine a preference for an abbreviated meeting on Sunday, September 12, or for another date in September.

### **Consent Agenda**

Ms. Hillman moved approval of the Consent Agenda. Mr. Lawson seconded the motion. The motion was adopted unanimously.

- Approval of Minutes:            June 14, 2004  
   June 28, 2004    Teleconference  
   July 27, 2004    Teleconference
- Commitment to Principles of Desegregation Settlement Agreement:  
  Report on the Execution of the Implementation Plan (June and July)
- Newly Employed, Promotions and Separations (June and July)
- Approval of Organizations for Implementation of ACT 648 Community Service Program
- Recommendation to Continue Policy of DIR-03-017 until June 30, 2006

### **Action Agenda**

A transcript of the following appeal hearings was recorded and reported by a court reporter. That document is attached as an amendment to the Minutes. These Minutes reflect only the action taken by the Board.

Dr. Charity Smith was recognized to provide an overview of the accreditation process used by Department staff to arrive at the recommended status for each school in the state. These hearings are the result of appeals submitted by the school pursuant to the final accreditation status for that school. Tripp Walter summarized the procedure as specified in the Rule, which applies when a school appeals the status recommended by the Department.

#### **Appeal of Accreditation Status of County Line High School in County Line School District**

Mr. Lawson moved approval of the Department recommendation for probationary status for the 2003-2004 school year. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

#### **Appeal of Accreditation Status of Fouke Middle School in Fouke School District**

Dr. Westmoreland moved approval of the Department recommendation for probationary status for the 2003-2004 school year. Ms. Hillman seconded the motion. The motion was adopted unanimously.

**Appeal of Accreditation Status of Hartford Elementary School in Hartford School District**

Ms. Hillman moved approval of the Department recommendation for probationary status for the 2003-2004 school year. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Appeal of Accreditation Status of Mountain Pine High School in Mountain Pine School District**

Ms. Hillman moved approval of the Department recommendation for probationary status for the 2003-2004 school year. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Appeal of Accreditation Status of Pleasant View High School in Pleasant View School District**

Ms. Burrow moved approval of the Department recommendation for probationary status for the 2003-2004 school year. Dr. Williams seconded the motion. The motion was adopted unanimously.

**Approval of Annual Accreditation Status Report for Arkansas Public Schools**

Dr. Charity Smith and Annette Barnes were recognized to present this item. Dr. Smith reported that Department staff review the data from each school annually. Additionally, half of the schools receive an on-site monitoring visit each year. Ms. Barnes reported the following status for schools based of the actions just completed, which denied appeals of the recommended accreditation status.

- 786 – accredited
- 201 – accredited cite
- 123 – accredited probation
- 1,110 – total number of schools accredited

Ms. Hillman moved approval of the accreditation status of each school as reported. Dr. Westmoreland seconded the motion. The motion was adopted unanimously.

**Final Approval of Rules Governing Incentives for Teacher Recruitment and Retention in High Priority Districts with an Average Daily Membership of 1,000 or Fewer (ACT 101)**

Dr. Bobbie Davis was recognized to present this item. Dr. Davis reported that this rule was previously approved for public comment and it was not submitted for final approval with the other rules because of the impact of consolidations and annexations on the number of districts eligible.

Ms. Caldwell inquired as to the number of districts now eligible under this Rule. Dr. Davis responded, 11.

Ms. Hillman moved final approval of this Rule. Ms. Burrow seconded the motion. The motion was adopted unanimously.

**Request for Approval for Public Comment for Amended Rules Governing Advanced Placement Courses in the Four Core Areas in High School (Act 102)**

Ann Biggers was recognized to present this item. Ms. Biggers reported that the Rule under consideration has previously been submitted for public comment; however, a number of revisions were made as a result of comments. As a result, she requested that the Rule be resubmitted for further public comment.

Ms. Burrow asked about the difference between the Advanced Placement program and the International Baccalaureate (IB) program. Ms. Biggers responded that these are two very different programs and that IB is specifically exempted from the statute that is the subject of this Rule.

Dr. Westmoreland moved approval of the Rule for public comment. Mr. Lawson seconded the motion. The motion was adopted unanimously.

**Request for Open Enrollment Charter Amendment Haas Hall Academy (The Academy)**

Jim Boardman was recognized to present this item. Mr. Boardman stated that the Charter School Office received a written request to change the facility in which the Haas Hall Academy would operate. He reported that Dave Floyd, Department Fiscal Plan Specialist, visited the new site and reported that the proposed facility met code and could be approved.

Mr. Lawson inquired about enrollment status and projected starting date for the 2004-2005 school year. Dr. Martin Shoppmeyer, Jr. responded that the Academy currently has approximately 40 students enrolled and is scheduled to start on schedule, August 18.

Mr. Lawson moved approval to change the facility location. Dr. Williams seconded the motion. The motion was adopted unanimously.

**Review of Loan and Bond Applications**

Patricia Martin was recognized to present this item. Ms. Martin summarized the materials provided in the Agenda Book. She stated that two districts requested permission to issue commercial bonds that exceeded the 27% limit set by statute and Rule. Ms. Martin stated that Board action was required when a district's debt rate exceeded 27%.

Charles Dyer, Superintendent Alma School District, was recognized. Mr. Dyer stated that the Alma district was a rapidly growing district, which is expecting an additional 100 new students for the coming year. He stated that this situation is not new for the Alma District, the District has always met its fiscal obligations in a timely manner, and is working to structure its millage rate to 25% for maintenance and operation and to restructure or renew current bonds. Dr. Williams asked what the new debt rate was projected to be. Mr. Dyer responded approximately 30%. Mr. Lawson asked about the student population. Mr. Dyer stated that last year's enrollment was 3,044 and that the District had experienced an average growth of 40 students per year over the past several years. Mr. Lawson inquired about the per pupil expenditure. Mr. Dyer stated that it was approximately \$5500 per student, which is about the state average.

Mr. Randall Williams, Superintendent Pottsville School District, reported that his district also is in a period of rapid growth, which is about 20% each year for the past five years. He reported that the Pottsville District has approximately 1200 students and a five-year projection has their enrollment at 1600.

Mr. Lawson moved approval of the Loan and Bond issues as presented. Ms. Hillman seconded the motion. The motion was adopted unanimously.

#### **Petition to Approve the Corporate Name Change for the Marshall School District**

Scott Smith was recognized to present this item. Mr. Smith reported that following annexation of Witts Springs and the Leslie Districts; the Marshall School District local school board has requested that the official name of the resulting district be changed to Searcy County School District. Ms. Hillman moved approval of the name change for this district. Dr. Williams seconded the motion. The motion was adopted unanimously.

#### **Consideration for Public Comment of Proposed Rules Governing "Highly Qualified" Teachers Pursuant to the No Child Left Behind Act of 2001**

Dr. Frank Servideo was recognized to discuss this item. Dr. Servideo stated that these Rules are required as part of the No Child Left Behind legislation and the requirement that by the 2005-2006 school year all classes must be taught by a "highly qualified" teacher. Mr. Lawson asked if one of the criteria listed in Appendix A – papers published in a referred journal – satisfies the intended purpose of the Act. Dr. Servideo responded that that was only one of a number of items that contributed to the "AHOUSSE" definition, but it was in keeping with what seems to be an option provided in other states.

Dr. Westmoreland asked about the National Teacher Exam (NTE) and should that not have been Praxis II. Dr. Servideo explained that the NTE was a test taken by teachers prior to the Praxis and that many teachers currently "in service" would have taken that as a measure of content proficiency. Dr. Westmoreland asked if any other content assessment might be used to determine content proficiency. Dr. Servideo responded that the NTE was used as the certifying exam in previous years and no other test has been recognized for that purpose.

Dr. James noted that this proposed procedure is similar to what many other states are enacting to address this requirement. He confirmed that the NTE was formerly used as a licensure exam and thought it was appropriate for this purpose. He further noted that Arkansas is behind in getting this policy in place and stressed the need for a quick response.

Ms. Hillman asked if the process proposed, keeping the documentation at the school site, was consistent with other state's procedures. Dr. James responded that this procedure was consistent.

Ms. Hillman moved approval of the Rule for public comment. Mr. Lawson seconded the motion. The motion was adopted unanimously.

Ms. Hillman moved adjournment. Dr. Westmoreland seconded the motion. The motion was adopted unanimously. The meeting adjourned at 11:55 a.m.

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