

Minutes
State Board of Education
Monday, February 11, 2002

The State Board of Education met on Monday February 11, 2002 in the Auditorium of the Department of Education Building. Robert Hackler, Chairman, called the meeting to order at 9:00 a.m.

The following members were present: Robert Hackler, Chairman; Shelby Hillman, Vice Chairman; JoNell Caldwell; Luke Gordy; Peggy Jeffries; Calvin King; Betty Pickett; and Lewis Thompson.

The following members were absent: Claiborne Deming.

Chair's Report

Mr. Hackler stated that the Chair had no report.

Director's Report

Mr. Simon reported that the Federal Court had confirmed the unitary status of the Camden Fairview School District.

Consent Agenda

Betty Pickett suggested an amendment to the January Minutes adding "on a long-term basis," in the paragraph noted below.

Donna Zornes was recognized to present this item. Ms. Zornes summarized the recommendations being advanced by staff concerning options for relicensure of teachers currently holding a valid license. Ms. Pickett questioned why such options should be available on a long-term basis given the commitment to the new licensure system. Mr. Gordy moved adoption of the staff recommendation. Ms. Caldwell seconded the motion. The motion was adopted unanimously.

Ms. Jeffries moved adoption of the suggested revision to the Minutes. Ms. Pickett seconded the motion. The motion was adopted unanimously.

Mr. Gordy moved adoption of the Consent Agenda as amended. Ms. Hillman seconded the motion. The motion was adopted unanimously.

- Minutes – Regular Meeting, January 14, 2002
- Minutes – Teleconference, January 22, 2002
- Newly Employed Promotions and Separations
- Personnel Recommendation

- Commitment to Principles of Desegregation Settlement Agreement: Report on the Execution of the Implementation Plan
- Final approval of Proposed Rules and Regulations for Act 1623
- Report of waivers granted to school districts for teachers teaching out-of-field longer than thirty (30) consecutive days, Act 1623
- Final Approval of Rules and Regulations
 - 56% Rule Exemption (Repeal)
 - Governing the Granting of School District Waivers from the 70 Percent of Net-Current-Revenue Expenditure Requirements (Repeal)
 - Governing the Distribution of Isolated Funding (Amendments)
 - Governing the Funding of Alternative Learning Environments (Amendments)
 - Governing School District Filing Requirement of Personnel Policies (Amendments)
 - Debt Service Funding Requirements (Amendments)
 - Governing the Distribution of Growth Facility Funding (Repeal)
- Loans and Bonds Applications

Action Agenda

Arkansas Better Chance Evaluation/Restructuring Task Force

Janie Fletcher Huddleston was recognized for this presentation. Ms. Huddleston reported to the Board that during the past months an intense study of the Arkansas Better Chance (ABC) Program has been conducted. She reminded the Board that this study was in response to a request from the Board to standardize programs and to establish consistent guidelines for early childhood programs. The report includes an in-depth look at the ABC program with recommendations. In addition to this study, Huddleston noted that one recommendation was to find funds outside the grant program to conduct a long-term evaluation of the program. She believes that sufficient funds can be secured from private foundation or other grant sources. Such external funding is important so that program funds are not taken from resources for pre-school children.

Mr. Hackler complimented staff for the quality and comprehensive report. He noted that funding beyond this biennium is undetermined. Ms. Huddleston confirmed that proceeds from the Beer Tax approved by the Legislature in 2001 will maintain at least level funding through the 2002-2003 school year, but longer term funding will depend on the outcome of the Lake View Case and/or further actions of the Legislature in 2003.

Mr. Gordy asked for a summary of funding on programs for the current year. Ms. Huddleston referred to the report for currently funded initiatives. Mr. Gordy also asked about accountability for Pre-K programs. Ms. Huddleston responded that currently staff and the Task Force were working on recommendations for evaluation and assessment of student performance. She noted that there are no consistent measures associated with Pre-K programs.

Ms. Caldwell asked about comparative studies that reported costs for early childhood programs operating in other states. She observed that programs in Georgia and other southern states are much less expensive in reported cost per child. Ms. Huddleston responded that the Arkansas program has higher requirements in areas such as teacher qualifications and class size ratio. Arkansas requires licensed teachers and a lower student/teacher ratio, which drive the cost up, but are essential for high-quality programs. Ms. Pickett noted that the requirement for a 40% match continues as a program recommendation. She questioned if this requirement would eliminate any applicants who needed programs, but perhaps could not sustain the 40% match. Ms. Huddleston confirmed that the match was an essential part of the process if the program was ever to be able to become independent. Ms. Huddleston asked Barbara Gilky, state Head Start Coordinator, if the match were a deterrent to communities with high numbers of poverty children. Ms. Gilky did not think the required match would limit participation in any community that was serious about quality programs for their Pre-K children. Also, she indicated that the match provided an opportunity for community buy-in into the program.

Ms. Pickett also questioned the seemingly long time-line for the evaluation study – 7 years. Ms. Huddleston stated that in keeping with other initiatives such as ACTAAP, it is important to track a group of children over time. Seven years is essential if the study begins with three year olds and continues to track students through the benchmark years.

Dr. King asked about the impact of these programs and the requirements on Enterprise Communities in the Delta. How many counties are included? Ms. Huddleston responded that 16 counties were included in this area. Dr. King also inquired if the match were required of schools that have special needs. Ms. Huddleston indicated that match can be in-kind and so far has not been a deterrent to implementation of programs.

Ms. Jeffries noted that her training and experience in the area of early childhood education stressed the need for research-based programs for early childhood initiatives. She suggested that some research findings imply that by the time children are in Grade 3, there is no significant difference in performance of children who have completed an early childhood program and those that did not. She observed that all programs should have a “sunset” provision if they cannot be proven by research to be effective in improving student performance over time. She believes that socialization and health care in early childhood programs may have greater impact than academic gains.

The issue of long term funding and the impact of proceeds from the beer tax were discussed. Ms. Huddleston noted that early childhood programs are referred to in the Lake View issue and the Blue Ribbon Commission has considered it. She did note that the beer tax was enacted to sustain programs over the current biennium. Beyond 2003, there are major funding issues to be considered. Ms. Pickett suggested that should the funding for the proposed long-term study not be secured, the ABC staff should come back to the Board for further consideration.

Ms. Pickett moved that the Board adopt recommendations 1 through 5 as proposed by the Task Force Report and approve for public comment revisions to current rules and regulations for ABC programs. Ms. Hillman seconded the motion. Ms. Jeffries requested a delay of consideration of this report until the March meeting. She believes that more information is needed before she can vote to support this issue. Mr. Simon observed that if revisions to the rules and regulations are to be completed this spring, it is important to start the Administrative Procedures process.

The motion was adopted. There were no negative votes.

Review of Conversion, Limited, and Open-Enrollment Charter School Applications

Randall Greenway was recognized to lead this discussion. Mr. Greenway informed the Board that the proposal from Van Buren School District had been withdrawn.

These Minutes highlight only the major discussion points of each of the proposals.

Conversion Charter School – Osceola School District: Mr. Milton Washington from the Osceola School District was present to respond to questions from the Board.

- Selection of teachers and staff: Mr. Washington indicated that it is the intent of the District to allow current staff to apply for positions in the Charter School. He believes there is a pool of qualified staff from which to select.
- Selection of students: Mr. Washington stated that a number of tools will be used to pinpoint student performance levels – some structured within the district, others will be similar to measures used to meet Title I requirements. Student (and school) accountability will also include the Benchmark Exams and the State’s Norm-Referenced tests. Student selection will be open to all students in grades 5-7. There will be public meetings for parents, students and the community at large. If more than the minimum number apply, there will be a lottery process established to select the student body. A priority waiting list will be maintained to fill any vacancies should they occur during the year. There is no academic requirement for entrance.
- Uniforms: Students will be required to wear uniforms. Teachers will be expected to dress professionally, but will not be required to wear uniforms similar to those worn by students.
- Community response: The entire community is behind this proposal. Mr. Washington did indicate that a previous proposal was advanced by a special interest group, but this proposal includes work from throughout the community with business and professional leadership present at the meeting.
- Measurable goals and curriculum alignment: Mr. Greenway noted that one aspect of the proposal that needs further work is the development of measurable goals and the development of a process to assure that the curriculum is aligned with the State’s Content Standards and Benchmark Exams. Mr. Greenway will secure technical assistance from ADE staff to visit with the developers of the proposal to further develop this area. This should be done prior to the March meeting.

- Waivers: Board members expressed concern for the request for waiver of all licensure standards. Mr. Washington noted that the proposal seeks to involve various community members with expertise in content areas. Many of these positions may not be full time teachers, but individuals who may teach for only one or two periods per day. Mr. Simon suggested that those “highly qualified” individuals who teach might consider the alternative licensure route as a way of receiving some training.

FOCUS Center of Learning – Conway: Mr. LeRoy McClure was present to respond to questions from the Board.

- Public Hearing: Mr. Greenway reported that all technical requirements had been met for the public hearing.
- Facilities: Concern was expressed for the seemingly limited space available at the location designated. Mr. McClure noted that the parent organization was prepared to install modular buildings to meet the immediate needs of the school. He noted that the site has adequate space for expansion of the current building. He is working with the City of Conway to meet all zoning and other requirements. Mr. Greenway will work with Dave Floyd of ADE staff to further assess the adequacy of facilities.
- Waiver for corporal punishment: Mr. McClure noted that this waiver was being withdrawn.
- Selection of Board Members: Individuals interested in a position on the Board would apply. Board members would be appointed from those who apply.
- Qualification of teaching staff: All staff would be expected to meet or be working toward initial licensure for the position they will hold. Instructional assistants would not be required to have licensure.
- Performance on TAAS: Mr. McClure stated that the poor performance of students at the Texas site on the TAAS (Texas Student Performance Assessment System) was due to the fact that the enrollment is generally composed of students who have been unsuccessful in the regular school setting and have not been adequately served by public education. He noted that many of these students were eligible for special education, but previously were not diagnosed nor placed. Also, the assessments they took were the regular tests rather than an alternative form of the assessment.
- Measurable goals and curriculum alignment: Mr. Greenway noted that one aspect of the proposal that needs further work is the development of measurable goals and the development of a process to assure that the curriculum is aligned with the State’s Content Standards and Benchmark Exams. Mr. Greenway will secure technical assistance from ADE staff to visit with the developers of the proposal to further develop this area. This should be done prior to the March meeting.

Imboden Area Charter School, Inc.: Scott Rorex was present to respond to Questions from the Board.

- Mr. Greenway reported that the required public hearing was conducted and met all required legal guidelines.
- Budget: Mr. Rorex stated that many budget issues were yet undetermined; for example, a firm bid from a contractor to renovate proposed facilities. Ms. Pickett requested that additional budget detail be provided prior to the March meeting. The amount budgeted for legal services was questioned.
- Measurable goals and curriculum alignment: Mr. Greenway noted that one aspect of the proposal that needs further work is the development of measurable goals and the development of a process to assure that the curriculum is aligned with the State's Content Standards and Benchmark Exams. Mr. Greenway will secure technical assistance from ADE staff to visit with the developers of the proposal to further develop this area. This should be done prior to the March meeting.
- Ambiguous nature of proposal: It was pointed out that this proposal has many very general phrases that provide little detail about the nature of the charter. The use of phrases, "will be," "can be," etc. are examples.

KIPP: Delta, Inc – Helena: Scott Shirey was present to respond to questions concerning this proposal.

- Mr. Greenway reported that the Helena-West Helena School District is under court order and a request for information has been sought from the U.S. Department of Justice. There has been no response to this inquiry.
- Contact with area school districts: Mr. Shirey reported that the public hearing was held within the Helena-West Helena District, but notices were posted in local news media distributed throughout Phillips County and the surrounding area. No formal meetings had been conducted in communities outside Helena and West Helena.
- Extended school year: Mr. Shirey explained that the KIPP philosophy stresses the importance of high academic achievement and often it is necessary for an extended school year to assure all students meet the expectations of the curriculum.
- National Connection: Mr. Shirey stated that KIPP is a national model that is based on intense professional development for the administrators and staff. Programming is not narrowly structured, but flexible to meet the needs of students and include the content standards of the state. There are two components to accountability – accountability to the KIPP model and accountability to the State ACTAAP Standards.
- Student uniforms: Students are expected to wear KIPP shirts. Faculty is not expected to wear school uniform, but expected to dress professionally.

City of Wabbaseka – Open enrollment Charter School: No one represented this applicant.

- Mr. Greenway reported that the required public hearing did not meet legal requirements as outlined in the guidelines.

- Mr. Greenway reported that the Altheimer Unified School District is under court order and a request for information has been sought from the U.S. Department of Justice. There has been no response to this inquiry.

Ms. Pickett moved that since the City of Wabbaseka has failed to meet the legal requirements of the public hearing, the Board should not give further consideration to this proposal. The motion died for lack of a second.

Little Rock School District – Surrender of Charter

Randall Greenway was recognized for this presentation. Mr. Greenway stated that the Department was in receipt of a letter from Dr. Ken James, Superintendent of the Little Rock School District, stating that due to financial considerations and lack of enrollment, the Little Rock District Board has voted to surrender this Charter and the school would close at the end of this school year. Dr. James was present and confirmed this report. Ms. Pickett moved acceptance of the Charter from Little Rock. Ms. Hillman seconded the motion. The motion was adopted unanimously.

Review of Annual Charter School Evaluation Process

Randall Greenway was recognized for this report. Mr. Greenway shared the staff work to date on a model that is being developed for the external evaluation of Charter Schools. Mr. Gordy asked for more clarity in the stages of alert or awareness when schools do not measure up to the approved Charter. No action was taken on this issue.

Mr. Gordy commended staff for the work completed in reviewing these Charter School applications.

Adjournment

Ms. Hillman moved adjournment. Mr. Gordy seconded the motion. The motion was adopted unanimously. The meeting adjourned at 11:50 a.m.

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

Raymond Simon, Director

Robert Hackler, Chairman