

**Minutes  
State Board Meeting  
October 13, 2022**

Present: Ouida Newton, Chair, Dr. Sarah Moore, Vice-Chair; Steve Sutton, Kathy McFetridge; Dr. Fitz Hill; Lisa Hunter; Jeff Wood, Jessica Saum, 2022 Arkansas Teacher of the Year, Johnny Key, ADE Secretary

Attended via ZOOM: Randy Henderson

Absent: Adrienne Woods

The Arkansas State Board of Education (State Board) met Thursday, October 13, 2022, Chair Ouida Newton called the meeting to order at 9:02 AM, followed by a moment of silence.

**Recognition**

**Arkansas Safe Schools Week Resolution**

Recognition of Arkansas Safe Schools Week was presented by Dr. Cheryl May, Director, Criminal Justice Institute.

A motion to adopt the Arkansas Safe Schools Resolution and recognize Arkansas Safe Schools Week, October 16-22, 2022, was made by Dr. Sarah Moore, seconded by Mr. Steve Sutton. The motion unanimously passed.

**Changes to the Agenda**

**Removed:**

VI.5.d. – Standards of Accreditation Waiver Request – North Little Rock School District

**Added to Consent Agenda:**

Embedded Course Approval: Helena/West Helena

A motion to add Embedded Course Approval: Helena/West Helena to the Consent agenda was made by Mr. Randy Henderson, seconded by Mr. Steve Sutton. The motion unanimously passed.

## Consent Agenda

Items included for consideration in the Consent Agenda were as follows:

1. Minutes 09-08-22
2. Newly Employed, Promotions and Separations
3. Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
4. Review of Loan and Bond Applications
5. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 22-118 Julie Wallace
6. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 22-131 Jacob Schroeder
7. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 2-152 Sarah Long aka Betsy Laughter
8. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 2-086 Nancy Green

A motion was made to approve the Consent agenda, adding Embedded Course Approval: Helena/West Helena was made by Ms. Kathy McFetridge, seconded by Dr. Sarah Moore. The motion unanimously passed.

## Action Agenda

### VI.1. Pine Bluff Report and Recommendation

Item VI.1. was presented by Ms. Stacy Smith, Division of Elementary and Secondary Education (DESE) Deputy Commissioner. Present from Pine Bluff School District were Ms. Barbara Warren, Superintendent, Kelvin Gragg, Principal, Phillip Carlock, and Dee Davis, Executive Director of Curriculum and Instruction.

The Pine Bluff Report was presented to the State Board by Pine Bluff administration to highlight progress and goals of the district. The report was followed by a recommendation to the State Board to move forward with an Appointed Limited Authority Board.

Public comment was heard by the State Board.

A motion was made that the State Board begin the process of establishing a seven (7)-member Pine Bluff School District Limited Authority Board (Board) to operate under the direction of the Commissioner of Education (Commissioner), and that the Board invite members of the Pine Bluff community, who are interested in serving on the limited authority board to submit an application on or before October 23, 2022.

A five (5)-member committee (Committee) be formed to review applications, conduct interviews, and consult with the Commissioner concerning its findings, and that the Committee shall include:

- One (1) State Board member, appointed by the Chair, and
- Four (4) members appointed by the Commissioner with consideration given to community members, Department of Elementary and Secondary Education, and School Boards Association.

After consulting with the Committee, the Commissioner shall recommend to the State Board appointments to the limited authority board.

The motion was made by Ms. Lisa Hunter, seconded by Mr. Jeff Wood. After roll call, the motion unanimously passed.

**Roll Call**

Steve Sutton	Yes
Lisa Hunter	Yes
Jeff Wood	Yes
Kathy McFetridge	Yes
Dr. Fitz Hill	Yes
Randy Henderson	Yes
Dr. Sarah Moore	Yes
Ouida Newton	Yes

Hearing no objection from the State Board, Ms. Ouida Newton, State Board Chair volunteered to serve on the subcommittee. Secretary Key will notify the State Board of the four (4) appointments of the limited authority board upon selection.

Ms. Newton excused herself from the State Board meeting to attend a prior engagement and attended the remainder of the State Board meeting via ZOOM while in transit. Co-Chair, Dr. Sarah Moore assumed Chair responsibilities.

## **VI.2. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 22-119 Kevan Moore**

Item VI.2. was presented by Ms. Amy Douglas, DESE Managing Attorney, Professional Licensure Standards Board (PLSB).

The State Board requested PLSB 22-119 Kevan Moore be pulled to the Action agenda at the last Board meeting on September 8, 2022. Kevan Moore was notified of the hearing date via certified mail.

A motion finding that there was violation of the Code of Ethics was made by Mr. Steve Sutton, seconded by Mr. Jeff Wood. The motion unanimously passed.

Next, a motion to accept the rationale of the findings of the PLSB that Mr. Moore violated the Code of Ethics was made by Mr. Steve Sutton, seconded by Ms. Kathy McFetridge. The motion unanimously passed.

Finally, a motion to permanently revoke the license of Mr. Kevan Moore was made by Mr. Steve Sutton, seconded by Ms. Kathy McFetridge. The motion unanimously passed.

## **VI.3. Consideration of Request for Approval of Nominated Members for the Professional Licensure Standards Board**

Item VI.3. was presented by Ms. Karli Saracini, ADE Assistant Commissioner of Educator Effectiveness & Licensure.

Under Ark. Code Ann. § 6-17-422 members of the PLSB serve rotating terms and are appointed by the State Board from nominations made by professional education associations. The Arkansas Public School Resource Center has nominated Phong Tran, Superintendent of Friendship Aspire Schools for Arkansas to fill the position vacated by Luanne Baroni. The term of Mr. Tran is to begin immediately upon appointment and end on June 30, 2025.

A motion was made to appoint Mr. Phong Tran to the PLSB Board was made by Ms. Kathy McFetridge, seconded by Ms. Lisa Hunter. The motion unanimously passed.

## **VI.4. Consideration of Requests for Act 1240 Waivers**

Item VI.4. was presented by Ms. Lori Freno, DESE General Counsel.

Pursuant to Ark. Code Ann. § 6-15-103 (Act 1240 of 2015), a traditional public school district may petition the State Board for waivers granted to an open-enrollment public charter school.

#### **VI.4.a. Earle School District – Act 1240 Waiver Request**

Item VI.4.a. was presented by Ms. Lori Freno, DESE General Counsel. Further information was provided by Ms. Stacy Smith, DESE Deputy Commissioner. Also present was Ms. Tish Knowles, Superintendent, Earle School District.

The Earle School District requests a waiver to accommodate a Student Teacher Residency Model Program in its Kindergarten class at Earle Elementary School. It also requests a waiver of teacher licensure for only one educator. The district seeks the waiver for a three-year period.

A motion to approve the Act 1240 waiver request for Earle School District for Earle Elementary School to accommodate a Student Teacher Residency Model Program for three years and the Act 1240 Waiver request of teacher licensure for only one teacher for three years was made by Ms. Kathy McFetridge, seconded Ms. Lisa Hunter. The motion unanimously passed.

#### **VI.5. Requests for Standards for Accreditation Waivers**

Item VI.5. was presented by Dr. Matthew Sutherlin, DESE Office of Public School Accountability, Coordinator of Standards and Systems of Support/Charter.

Pursuant to Ark. Code Ann. § 6-15-202(b)(2), school districts may seek State Board approval of a Standard for Accreditation for a period of no longer than one school year.

#### **VI.5.a. Standards for Accreditation Waiver Request – Alpena School District**

The Alpena School District seeks a waiver of Standard 4-E.2, which sets forth the student to school counselor ratio.

A motion to approve waiver request for Alpena School District for one year was made by Mr. Steve Sutton, seconded by Mr. Jeff Wood. The motion unanimously passed.

#### **VI.5.b. Standards for Accreditation Waiver Request – Earle School District**

The Earle School District seeks a waiver of Standard 1-A.5, which establishes maximum class size.

A motion to approve waiver request for Earle School District for one year was made by Mr. Steve Sutton, seconded by Mr. Randy Henderson. The motion unanimously passed.

### **VI.5.c. Standards for Accreditation Waiver Request – Heber Springs School District**

Present via ZOOM was Dr. Andy Ashley, Superintendent.

The Heber Springs School District seeks a waiver of Standard 1-A.5, which sets maximum class sizes.

A motion to approve waiver request for Heber Springs School District for one year was made by Mr. Randy Henderson, seconded by Mr. Steve Sutton. The motion unanimously passed.

### **VI.6. Standards for Accreditation Conversion - Act 1240 Waivers**

Item VI.6. was presented by Ms. Lori Freno, DESE General Counsel.

In the past, Standard 1-A.5 of the Division's Rules Governing the Standards for Accreditation encompassed both class size and teaching load. In the new Standards for Accreditation rules, which took effect May 2, 2022, class size and teaching load were divided into two separate Standards: Standard 1-A.5 (class size) and Standard 1-A.6 (teaching load). Due to this change in rules, to ensure that all school districts retain the Act 1240 waivers they previously held, the Division is seeking to add Standard 1-A.6 to the Act 1240 waivers granted to various school districts.

A motion to add Standard 1-A.6 to the Act 1240 waivers granted to various school districts listed on Item VI.6. of the Action agenda of October 13, 2022, was made by Mr. Jeff Wood, seconded by Ms. Lisa Hunter. The motion unanimously passed.

### **VI.7. Standards for Accreditation Conversion -- Open Enrollment and District Conversion Charter School Waivers**

Item VI.7. was presented by Mr. Thomas Coy, Public School Program Advisor, DESE Public School Charter Office.

In the past, Standard 1-A.5 of the Division's Rules Governing the Standards for Accreditation encompassed both class size and teaching load. In the new Standards for Accreditation rules, which took effect May 2, 2022, class size and teaching load were divided into two separate Standards: Standard 1-A.5 (class size) and Standard 1-A.6 (teaching load). Due to this change in rules, to ensure that open enrollment and district conversion charter schools retain the waivers they previously held, the Division is seeking to add Standard 1-A.6 to the waivers granted to various open enrollment and district conversion charter schools.

A motion to not review the decision of the Charter Authorizing panel was made by Mr. Jeff Wood, seconded by Ms. Kathy McFetridge. The motion unanimously passed.

## **VI.8. Consideration for Final Approval: DESE Rules Governing the Succeed Scholarship Program**

Item VI.8. was presented by Ms. Courtney Salas-Ford, DESE Chief Legal Counsel.

The State Board approved these rules for public comment release on July 14, 2022, pending Governor's Office approval. The Governor's Office approved them on August 11, 2022. No public comments were received and no substantive changes were made. The Division requests this Board's final approval of these rules.

A motion to approve the final DESE Rules Governing the Succeed Scholarship Program was made by Ms. Kathy McFetridge, seconded by Mr. Steve Sutton. The motion unanimously passed.

## **VI.9. For Public Comment Release: Division of Elementary and Secondary Education Rules Governing School Counseling Programs**

Item VI.9. was presented by Ms. Whitney James, DESE Attorney Specialist. Also present were Ms. Lupe Peña de Martínez, Director, DESE Student Support Services and Ms. Andrea Fortner, Guidance and Counseling Coordinator, DESE Student Support Services - Guidance and Counseling.

The Division requests that the Board release the DESE Rules Governing School Counseling Programs, pending Governor's Office Approval.

A motion to approve to release the DESE Rules Governing School Counseling Programs, pending Governor's Office Approval, was made by Mr. Steve Sutton, seconded by Ms. Lisa Hunter. The motion unanimously passed.

## **VI.10. Education Ombudsman Report**

Item VI.10. was presented by Ms. Carol Heringer, DESE Education Ombudsman.

A report on Reading in Arkansas was presented to the State Board to accept.

A motion to accept the report of the Education Ombudsman, Reading Education in Arkansas, was made by Mr. Jeff Wood, seconded by Dr. Fitz Hill. The motion unanimously passed.

**New Business**

None

**Public Comments**

None

**Adjournment**

A motion to adjourn the State Board meeting was made by Mr. Steve Sutton, seconded by Ms. Kathy McFetridge. The motion unanimously passed. Acting Chair, Dr. Sarah Moore, adjourned the State Board meeting at 3:05 PM.

*Minutes recorded by Angela Scaife.*

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**Johnny Key, Secretary**  
**Arkansas Department of Education**

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**Ouida Newton, Chair**  
**State Board of Education**