

MINUTES
ARKANSAS SCHOOL FOR MATHEMATICS, SCIENCES,
AND THE ARTS
BOARD OF VISITORS REGULAR MEETING
October 4, 2005
5:00 p.m.

The Arkansas School for Mathematics, Sciences, and the Arts (ASMSA) Board of Visitors met in the Boardroom on the first floor at 200 Whittington Avenue, Hot Springs, Arkansas.

I. CALL TO ORDER

Mrs. Lynda Samons, Chairman, convened the Board of Visitors regular meeting into open session at 5:00 p.m.

II. ESTABLISH QUORUM

Members Present

Mrs. Lynda Samons, Chairman
 Mr. Paul Lindsey, Vice Chairman
 Ms. Marynell Branch
 Mr. Luke Gordy
 Ms. Robin King

Members Absent

Ms. Kathy McFarland
 Mr. Charles Nelson

Ex-Officio Members Present

Ms. Ann Biggers, designee for Dr. Ken
 James, Director, Arkansas Department
 of Education

Dr. Gail McClure, designee for
 Dr. John Ahlen, President, Arkansas
 Science & Technology Authority

Dr. Suzanne Mitchell, designee for
 Dr. Linda Beene, Executive Director
 Arkansas Department of Higher Education

Ms. Joy Pennington, designee for Ms. Cathie
 Matthews, Director, Department of Arkansas Heritage
 Dr. Clinton Atchley, Vice President, Parent's Association
 Ms. Jennifer Wu, President, Student Government
 Association

Ex-Officio Members Absent

None

Administrative Members Present

Dr. John Measel, Director
 Dr. Janet Hugo, Dean of Academic Affairs
 Mrs. Diana Hampo, Interim Dean of Residential Affairs
 Mrs. Kay Provus, Fiscal Manager
 Mr. Christopher Robbins, Outreach Director
 Mrs. Lorraine Munroe, Administrative Assistant

Administrative Members Absent

Mr. Jeff Nixon, Public Relations/Recruiting Director

III. APPROVAL OF MINUTES

A motion was made by Mr. Gordy and seconded by Mr. Lindsey to approve the minutes of the Board of Visitors Regular Meetings of December 7, 2004 and April 5, 2005. Motion passed unanimously.

IV. CONSENT AGENDA

1. Information – Dr. Measel

Dr. Measel stated that he needed some guidance/direction from the Board regarding the Arts program. Dr. Measel said that he has done some investigating to determine how much it would financially take to do the Arts program. In order to get the Arts program moving forward with regard to facilities, Dr. Measel stated that the five-story Cedar Street Building could be completed for approximately \$3 million. He stated that a multi-purpose building would cost approximately \$2.2 million and \$500,000 to upgrade elevators, etc. Dr. Measel stated that the cost did not concern him since there is an amount already budgeted to hire an Annual Fund Coordinator – a person dedicated to raising money. He reported that resumes are currently being collected and the former Director of the University of Arkansas Foundation is helping Dr. Measel in the search. Dr. Measel stated that his biggest concern is how to get money for the year-to-year operations. Dr. Measel reported that the current cost is \$16,400 per student, per year, to attend ASMSA. If the school were to add seventy-five art students in the junior and senior classes, it would be slightly less than \$15,000 per student, per year, to have the Arts program. If that figure is multiplied out, the school would have to have approximately \$2 million per year for operating expenses. Dr. Measel stated that the operating budget without distance education is close to \$7 million so it is not an unreasonable figure. Dr. Measel said that the institution can set the Arts program as a Charter school. It would give the school approximately \$500,000 for equipment and \$5,000 per student, per year, for operating expenses which would leave approximately \$10,000 per student short. However, Dr. Measel stated that if that route is taken, it may leave the school in a position where it could not go back to the state in the future. Dr. Measel stated that this is where he needs the Board's direction. He stated that once the school goes down that pathway, there is no turning back -- so he would like the Board's input.

Ms. Branch asked Dr. Measel if he could tell her about the Charter School application and if there would be a Charter School for the Arts. Dr. Measel stated that there would be a Charter school under the umbrella of the regular school. The Charter School would use all the same teachers and same administration. Teachers and faculty would be used in the regular school application and a Charter School application. Ms. Branch asked Dr. Measel what the advantages would be if ASMSA became a Charter School. Dr. Measel stated that the school would be guaranteed \$5,400 each year (FTE). Ms. Biggers added that a waiver could be asked for certain state rules and regulations.

Dr. Measel stated that he and Ms. Branch went to the Oklahoma School to see a two-week arts program that cost \$1.4 million. Dr. Measel reported that the State of Oklahoma paid one-half and Oklahoma industry paid one-half.

Ms. Branch asked Dr. Measel if ASMSA would be included in the bond issue that was being floated since the school is part of the University of Arkansas System. Dr. Measel stated that ASMSA will be receiving \$300,000 for technology upgrades. Dr. Measel reported that ASMSA is considered a non-formula entity since the school does not charge tuition. Dr. Measel reported that a finite number would have to be determined by the school before any final student numbers were decided on. Dr. Measel stated he would like for the Board to tour the seventh floor of the Residential Life Building after the December board meeting since it will almost be completed by that time. The seventh floor will accommodate approximately fifty new students. Mr. Lindsey stated that perhaps more students can be added to the Arts program because of the loss of students in the math and science part of the school. Dr. Measel cautioned that the law would have to be changed because the school is to have 300 students in math and science and at the present time, the school does not have that number. Mr. Lindsey stated that he never liked the idea of getting away from the format that the Legislature had originally established and set up the school up as a Charter School. Dr. Measel stated that setting up a Charter School is a way to get money.

Mr. Gordy stated that there is nothing wrong with a Charter School (a startup school) that is a public school. Mr. Gordy discussed Cabot as an example. Cabot established a Charter School that has an internet technology-based instruction. Mr. Gordy stated that at the last legislative session, legislation was passed to allow ASMSA to apply for Charter School status. Mr. Gordy reported that it doesn't mean that if ASMSA applies for Charter School status that they will receive it. Mr. Gordy stated that there is a one time charge of front-end money required and the problem is that there is no facilities funding attached to it. Mr. Gordy concurred that if ASMSA receives Charter School status, the school will be locked in at a \$5,400 level and would have to come up with an additional \$9,600.

Mrs. Samons stated that having the Arts program in a Charter School is immediate. Mrs. Samons reported that she believes that ASMSA would get the Arts program much sooner if the Charter route is taken; however, she also believes that it is a more unsure route because there would not be any assurance of funding. Mr. Gordy stated that approving the Charter School without having a \$10,000 per child policy would be difficult to get through the Legislature. Mrs. Samons stated that the first priority would be to establish a quality program starting with the hiring of an Annual Fund Coordinator. Mrs. Samons stated that the beginning of the Arts program has already been established at the institution with existing basic classes in photography and creative writing. Ms. Branch stated that having an Arts program is not an option -- Arts has already been established as being a part of ASMSA. Ms. Biggers asked Dr. Measel how many students will be in the Arts program. Dr. Measel stated that the number of students in the Arts program has not been specified and that he picked seventy-five students as an arbitrary number.

Dr. Hugo interjected explaining that Dr. Pat Widhalm, Executive Director of the Louisiana School for Math, Science and the Arts visited ASMSA and held a summer retreat for the Board. At that meeting, Dr. Widhalm stated that during LSMSA's twenty-five year history, LSMSA has never had more than forty students in their Arts program and the typical number has been twenty-five. Dr. Hugo stated that if ASMSA envisions accepting 150 art students, Arkansas will do what no other state has achieved and she stated that those numbers are unrealistic. Dr. Hugo stated that if you look at the course catalog, there are several classes already in place – Photography, Multi-dimensional Art, AP Studio Art, American Folk Music and Acoustics with a combination of physics and creative writing. Dr. Hugo stated that what the institution does not have is the funding to build the facilities or personnel necessary to support the Arts program. Dr. Hugo reported that if becoming a Charter School will not provide the facilities needed for the Arts program, then another avenue needs to be looked at that will provide what is needed. Curriculum wise, Dr. Hugo reported that ASMSA is nowhere near where it needs to be to have an Arts program. Dr. Hugo stated that when the Arts program is up and running the vision is to have a student who is applying for the Arts program audition as part of the process. Dr. Hugo stated that a student who is currently focused in math and science will not be allowed to shift to the Arts program because the student will lose credit and it would create too much turmoil. Dr. Hugo's major concern is that there is a lack of facilities to support the Arts program.

Mr. Gordy stated the Arts program needs to be looked from a higher education institution standpoint as far as how it is funded rather than a public school either through legislation or partner in some way with the university. Dr. Hugo stated that the recurrent costs of an Arts program are very expensive and perhaps the Annual Fund Coordinator can get a building campaign together to achieve the goal of raising the funds needed to build facilities for the Arts program.

Ms. Biggers stated that perhaps it would be easier to start the Arts program with the least expensive phase and in subsequent years, slowly add to it. Dr. Hugo stated that Ms. Biggers' suggestion was made in the original proposal; however, facilities is still a major problem. Dr. Hugo stated that she would provide a copy of the proposal to the new Board members. Mr. Lindsey stated that when the seventh floor in the Residential Life Building is completed, the institution will accommodate 300 residential students but there would not be enough classroom space to support that number of students.

Dr. Measel asked the Board that if they had any ideas on how to approach the Arts program to please call him or Dr. Hugo.

Ms. Branch asked about the responsibilities of the Annual Funds Coordinator. Dr. Measel responded stating that the position will be responsible for raising money for the school and will also work with Chris Robbins who is the institution's grant writer.

Dr. Measel stated that the school's natural gas bill is estimated to be \$114,000 more than last year's bill. Dr. Measel stated that the money that the legislature gave the school has been wiped out with the energy prices.

Dr. Measel stated that the Majestic Hotel is closing and it concerns him because an empty building tends to attract street people. Dr. Measel also stated that the Presbyterian Church wants to have a soup kitchen which worsens the situation. Dr. Measel stated that he is concerned about theft and discussed a situation of his secretary was away from her desk and a person was trying to rob her. Due to this instance, the security policy is being changed.

Dr. Measel reported that he looked at perhaps purchasing the Majestic Hotel for the school but the problem in trying to do so is that the hotel does not meet any of the safety standards. The hotel does not have a sprinkler system and has a lot of asbestos. Dr. Measel stated that he had engineers look at the building and they advised him and Dr. Sugg that it would cost more to renovate it than it would take to build a new building.

Mr. Lindsey asked Dr. Measel if a sprinkler system was installed in the Nunnery this past summer. Dr. Measel reported that the Nunnery did not get sprinkled because the second and third floor must have a sprinkler system, fire escape and a new elevator. Dr. Measel stated that the first floor is the only floor that can be used right now. Dr. Measel reported that the City will not pay for the system but stated that the school does have the money for the sprinkler system to be installed. Dr. Measel stated that the City started the first of five phases for the HVAC system and the first stage has yet to be completed.

Dr. Measel reported that several people have complained of breathing problems in the Administration Building and filters are being replaced with similar-type HEPA filters. Dr. Measel stated that a contract has been signed to clean all the ducts because the ducts have not been cleaned since the building was built.

Dr. Measel stated that Wes Burton from the City has been hired as Facilities Manager and is doing a great job in getting tasks completed.

2. a. Financial and Physical Plant – Mrs. Provus

No request for clarification of this report.

b. Security Report - No request for clarification of this report.

c. Powers of Arkansas – Monthly Energy Report

No request for clarification of this report.

d. Maintenance Report - No request for clarification of this report.

3. Student Services Report – Dean Hampo

No request for clarification of this report.

4. Academic Life Report – Dr. Hugo

No request for clarification of this report.

5. Outreach Director's Report – Mr. Robbins

No request for clarification of this report.

Mr. Lindsey asked Mr. Robbins if ODE has collected the money owed from the State. Mr. Robbins stated that he did receive \$190,000. Mr. Lindsey stated that the State shorted ASMSA \$159,000 last fall and owed the institution \$35,000 from last spring. Mr. Robbins stated that ASMSA did not receive all the money but did get equipment money partially in lieu of receiving the above funds. Mr. Robbins stated that ADE was under no obligation to give ASMSA the equipment money at all. He said that he notified the districts that if they had a shortfall with funding from ADE, tuition would be prorated and it would be passed on to the districts. Mr. Robbins stated that if he did not receive more than 50% of the funds from ADE, then districts would pay 50% prorated tuition.

Mr. Lindsey asked Mr. Robbins if ODE was receiving more money per student than ASMSA. Mr. Robbins said that probably the funding for the distance learning center in Maumelle is still grant funded through Hot Springs School District and has been historically. Mr. Robbins reported that ODE has not passed on a tuition charge to their districts that Mr. Robbins is aware of. Mr. Lindsey stated that he thought the charges last year were built into the law and that amount was what ASMSA was to receive. Mr. Robbins stated that the law authorizes the department to draw down one-sixth of what was, at that time, the base local revenue per student. Mr. Robbins stated that what the law authorized and what the actual appropriation was is different. Mr. Robbins stated that he is not sure that the ODE office is appropriating all of the money that the law actually authorizes. Mr. Robbins stated that the law does say that it should be drawn down in an amount for each student enrolled in the distance ed course.

Mr. Gordy stated that the legislature authorizes matters but money may not always be appropriated for such matters. Mr. Lindsey stated that the money is there but it is a matter of the Department of Education paying it to the school instead of diverting it somewhere else. Mr. Lindsey stated that he thought that was why ASMSA billed ODE \$535,000 last spring and ODE was to reimburse ASMSA "x" amount of dollars per class and ODE reneged on the payment.

Ms. Biggers interjected stating that there was a meeting that included Mr. Robbins, Mrs. Samons, Dr. Hugo, Ms. Biggers, and the Licensure department at Little Rock regarding this subject. Mr. Robbins stated that the net result was that ASMSA received more money because additional faculty members became certified. Mr. Robbins reported that there was a tremendous miscommunication between ODE and ASMSA. ODE felt like they were enforcing the letter of its policy and ASMSA acted on the best information it received from ODE. Mr. Robbins stated that there was culpability for miscommunication on both sides. Ms. Biggers stated that by the end of that meeting both sides came to an agreement on what needed to be done.

Mr. Robbins stated that it was a good compromise. He reported that ASMSA did not receive all of the money promised but did receive some.

Ms. Biggers stated that as far as the money was concerned, Mr. Boardman has certain authority over the money and there is nothing that states that he has to give 100% of whatever the amount was to distance learning. Ms. Biggers stated that Mr. Boardman had said in front of everyone at their meeting, that he had discretion over the money and the money he had given to ASMSA distance learning had not been outside of the parameters. Ms. Biggers stated he had not given more or less than what he is allowed to give.

Mr. Robbins reported that the law is vague. He stated that the law authorizes an appropriation of what is permitted to draw down the funds. Mr. Lindsey asked Mr. Robbins how much per pupil will ADE reimburse ASMSA. Mr. Robbins stated that ADE will reimburse ASMSA approximately \$250-\$300 (ballpark) per student, per year. Mr. Lindsey stated that if ASMSA was reimbursed \$250-\$300 per student, then everyone else who offers distance learning should not be getting any more or less than ASMSA is receiving because it has not always been fair in the past and ASMSA needs to make sure that it is equal for everyone. Mr. Lindsey stated that in the past, ASMSA has seen the Department of Education ODE Program grant money to the Hot Springs School District to run a distance ed program and hire away ASMSA distance ed teachers. Mr. Lindsey stated that ASMSA must make sure that everyone is on the same page. He also stated that he did not understand why ASMSA billed ADE \$535,000 last spring if we knew we were not going to receive it. Mr. Robbins stated that ADE was billed the amount of money that he legitimately believed ASMSA was owed. Mr. Robbins stated that the issue came down to certification. Mr. Lindsey again questioned the reason the money was held back was because ASMSA did not have certified personnel. Mr. Robbins agreed that it was the primary obstacle. Mr. Lindsey said that it is stated somewhere in the law that distance education did not have to have certified personnel. Mr. Robbins stated that the law provides an exemption from certification for distance ed instructors. The law that authorized the grant appropriation, or the appropriation of funds that ADE utilizes, does not obligate them to follow anything. Mr. Robbins continued to report that ADE can set criteria for grants. Mr. Robbins stated that the tuition funds were administered as grants previously and are again and that is where the latitude comes in. Mr. Robbins reported that the funds are administered as a grant but the grantor has the right to set whatever requirements it wants to set. Mr. Lindsey asked if there was something written this year on what the rules are and if there is not, something needs to be written. Mr. Robbins stated that he received a letter from Mr. Boardman on grant funding and licensure issues.

In an unrelated statement Dr. Mitchell stated she knew ASMSA was not a Title I school and is not eligible for Title I money under "No Child Left Behind" but wanted to know if ASMSA has pursued Title II, Part A, professional development money. Mr. Robbins stated that he met with Diane Julian, ADE Assistant Commissioner, on July 1st since the Title money will fall under her purview. Mr. Robbins had given her a written request from ASMSA for clarification in ADE's opinion what Title funds ASMSA is eligible for, what obligations it commits ASMSA to in terms of legal, paperwork obligations, etc., and what will ASMSA need to do to access those funds. According to Mr. Robbins, Dr. Julian took those requests to Scott Smith and

representatives from the System office. Dr. Measel interjected that he does not have an answer as yet.

Dr. Measel asked Dr. Mitchell if ASMSA was a Title I organization. Dr. Mitchell responded stating that Title I was for low-income students. Dr. Mitchell stated that ASMSA should qualify for the Title I money if ASMSA has the Title I designation. Dr. Measel stated that the ASMSA attorney is currently trying to receive some answers from ADE. Dr. Mitchell stated that there is approximately \$26 million for Arkansas for "No Child Left Behind". Dr. Mitchell stated that there are millions of dollars going to school districts that qualify under Title II, Part A. Dr. Mitchell stated that there is technology money under Title II, Part D. Dr. Mitchell stated that for four years ADE has not been letting ASMSA teachers access this money and since she knows the language of "No Child Left Behind", she would be willing to go to talk to someone about the different Titles. Dr. Measel stated that ADE has admitted that they should do something and Melissa Rust (System attorney) can talk to Scott Smith to resolve the situation. Dr. Measel stated that Ms. Rust has informed Scott Smith that if ASMSA is eligible to receive Title money, another year will not pass without receiving it. Ms. Samons stated that ASMSA does not receive any extra money.

Ms. Biggers stated that Diana Org and Janinne Riggs, special assistant to the Commissioner, are doing all of the "No Child Left Behind" and the average yearly progress in professional development.

Mr. Robbins stated that ASMSA is not viewed by ADE as a school. Ms. Biggers concurred and stated that when she (ADE) tried to give ASMSA money for advanced placement, Ms. Biggers was told that she could not give the school money because ASMSA was not a school. Dr. Measel reported that the law states that ASMSA is a school. Mr. Lindsey stated that ASMSA has been fighting this fight for three to four years and nothing has ever been done to resolve the situation. Dr. Measel stated that it was the reason why it was turned over to a lawyer. Mr. Lindsey stated that unless a lawsuit is filed and a deadline is given, nothing will be done. He also stated that ADE has done what they wanted to do for years ever since he has been on the Board. Ms. Biggers stated that she didn't exactly agree with Mr. Lindsey's opinion but said that everyone needs to sit down together to resolve the issue.

Ms. Samons stated that a school improvement plan was to be submitted by September 30, 2005 to be put into the program that was created by SWEDL (Southwest Educational Development Laboratory), and that initiatives need to be taken to get ASMSA into the database.

Dr. Hugo stated a few years ago, ASMSA had to submit a school improvement plan. Dr. Hugo reported that the following year she went to file an update and was told that ASMSA was not a school, it was not in the system, and she could not file an update. Dr. Hugo stated that ASMSA has not been permitted to file an update since that time. Dr. Hugo reported that regarding an NCA visit scheduled for November, she had to explain to NCA in a forty-five minute conversation about ASMSA's inability to file a school improvement plan. (Dr. Hugo requested her remaining comments to be off the record. After a time, Mr. Gordy requested that Dr. Hugo's comments should be on the record since it was a public meeting.)

At this point Dr. Hugo stated that ADE's representative, Ann DeLoney, had worked well with her on non-traditional licensure. Dr. Hugo stated that Ms. DeLoney processes the paperwork for her and is now on track. However, another issue has now come up with ADE. Dr. Hugo stated that now non-traditional licensure can no longer issue licenses. Licenses are now issued through Professional Licensure. Dr. Hugo stated that she talked to Licensure over a month ago and she was told it would take ten days to process the paperwork and it is now over a month and it still has not been done. Dr. Hugo stated that people who are teaching need those licenses. Dr. Hugo stated that problems are continually on-going with ADE. Dr. Hugo stated that ADE sees ASMSA differently depending on what the situation may be. Dr. Hugo stated that Dr. Measel has been on the phone many times in trying to rectify situations with ADE.

Ms. Branch stated that Board representation needs to be made during the meetings between ADE and ASMSA regarding these issues. Ms. Biggers stated that wherever a problem exists contact needs to be made with the respective department(s) that is handling the situation.

Mr. Gordy commented that based on the information that he had heard, ASMSA wants to be a public school if it is beneficial to them, and wants to be in higher ed when it is beneficial to them. Dr. Measel repudiated Mr. Gordy's comment. Dr. Measel stated that ASMSA was not recognized as a school when it was a part of ADE.

Mr. Lindsey stated that ASMSA had to get out of ADE because ASMSA could not even have a budget. He stated that a budget was submitted for ASMSA by ADE to the legislature. Dr. Hugo stated to Mr. Gordy that nothing has changed with ADE because ASMSA does not fit any particular area. Dr. Hugo stated that when a discussion takes place about Title money, it seems easy and logical that ASMSA should receive it, but it has not been easy at all. Mr. Lindsey stated that ASMSA has fought for three years to get an LEA number. He stated that the law stipulated that ASMSA should receive it, the Attorney General said that ASMSA was entitled to it, and ADE said that ASMSA is not entitled to get it. Dr. Hugo stated that one of the reasons why ASMSA needed an LEA number was because ASMSA participates in end-of-course testing.

Ms. Biggers suggested that ASMSA should meet with people instead of making phone calls and sending letters. Ms. Biggers stated that by meeting with all the players in the distance ed situation, much was resolved by having everyone together and that is what she suggests needs to be done about licensure. Dr. Hugo said that ASMSA is not asking for special treatment – it is about providing services for children.

Mrs. Samons stated that a retreat is in order when the Annual Fund Coordinator is hired to talk about where ASMSA is with the funding that it has and what is going to be required with the funding and what are the possibilities of receiving Title money, federal funding, etc. Mrs. Samons stated that discussions could take place in a retreat setting to find out the needs of ASMSA. Mrs. Samons stated that a Board member would be designated to be present at all of the meetings with ADE.

Ms. Samons stated that it is very political when you mix and match funding and the Board needs to be clear on what the Board wants for ASMSA.

Ms. Biggers stated that if she knew the date well in advance when the ASMSA Board would like to meet with certain representatives from the Department of Education, she would contact the representatives to see if they would be available at that time.

Ms. Branch stated that she concurred with Mrs. Samons' suggestion of having the Board meet to determine what the needs of the school are and asked Dr. Measel and the faculty to come to the Board and advise them of their past priorities and go from there.

A motion was made by Ms. Branch and seconded by Mr. Lindsey for the Board to meet for a winter retreat after the Annual Fund Coordinator is hired by ASMSA. Motion passed unanimously.

Mr. Lindsey asked if there were additional offices that have been setup for distance learning. Mr. Robbins responded stating office space is adequate at this time.

6. Staff Development Report – Monthly Conference Travel

No request for clarification of this report.

7. Public Relations/Recruitment Report - Mr. Nixon

No report given - Mr. Nixon was absent from the meeting.

8. Parents' Association Report – No report given

9. Student Government Report - No report given

VII. AUDIENCE WITH INDIVIDUALS OR GROUPS

No request or comment from an individual or group.

VIII. EXECUTIVE SESSION

There were no items for Executive Session

IX. ADJOURNMENT

With no further business to conduct, the meeting was adjourned at 6:42 p.m.

Approved as written _____ Approved as amended _____



03-07-06
(Date)