

MEETING SUMMARY

**JOINT MEETING
OF THE
HOUSE AND SENATE INTERIM COMMITTEES ON EDUCATION**

**Monday, October 29, 2012
1:30 P.M.
Room 171, State Capitol
Little Rock, Arkansas**

Representative Johnnie Roebuck, the Vice Chair of the House Interim Committee on Education, called the meeting to order at 1:30 p.m.

MEMBERS OF THE SENATE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Senator Jimmy Jeffress, Chair; Senator Mary Anne Salmon, Vice Chair; Senator Gilbert Baker; Senator Joyce Elliott; Senator Kim Hendren; Senator Gene Jeffress; and Senator Johnny Key.

MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Representative Johnnie Roebuck, Vice Chair; Representative Duncan Baird; Representative Toni Bradford; Representative Les Carmine; Representative Robert Dale; Representative Debra Hobbs; and Representative Tommy Wren.

NON-VOTING MEMBERS OF THE HOUSE INTERIM COMMITTEE ON EDUCATION IN ATTENDANCE: Representative Homer Lenderman; and Representative Garry Smith.

OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ATTENDANCE: Senator Stephanie Flowers; Senator Eddie Joe Williams; Representative Billy Gaskill; Representative Kim Hammer; Representative Buddy Lovell; Representative Mike Patterson; Representative James Ratliff; and Representative Jeff Wardlaw.

Minutes:

Without objection, the minutes of September 10, 2012, and September 11, 2012, were approved as written.

Exhibits:

Exhibit C1 – 09/10/12 Minutes

Exhibit C2 – 09/11/12 Minutes

Reports from Members Who Attended Recent Meetings Concerning Public or Higher Education

Representative Roebuck noted that she and five other legislators recently attended the annual meeting of the Arkansas Association of University Professors, at which various issues, including performance funding, were discussed.

The Honorable Johnny Key, State Senator, District 1, was recognized, and said that, at the meeting, there was a lot of good discussion on many activities in which legislators have been involved for the past two or three sessions, and from which both sides gained understanding. He commented on the need for more communication and interaction between legislators and university instructors.

Representative Roebuck announced that there would be a deviation from the agenda to allow commentary on subsequent updates made to proposed rules that had been presented to the Committees at a previous meeting.

Status Report – Rules Governing the Academic Facilities Partnership Program and Rules Governing the Facilities Master Plan

Presenter & Synopsis:

Mr. Tony Wood, Deputy Commissioner, Arkansas Department of Education, was recognized. Mr. Wood discussed additional changes to the proposed rules. He drew the members' attention to the change that there will be a \$10 million pool of funds that is prioritized to continue to do "warm, safe, and dry" systems projects over the next two funding cycles, encompassing the 2015-2017 and 2017-2019 cycles. He said the other significant aspect is that the money is targeted specifically to school districts in Arkansas with the lowest enrollment ("smaller") and with the lowest wealth index ("poorer"). He said in slightly over thirty (30) days, following a period of public comment, the draft rules will be returned to the Commission for Arkansas Public School Academic Facilities and Transportation with a request that action be taken.

Issues Included in the Discussion:

- o effect of the change on issue of systems going from the point of needing repair to one of needing replacement, and
- o change allowing for systems replacement over the next two cycles with a cap of \$10 million and a sunset at the end of 2019.

Handout:

Arkansas Division of Public School Academic Facilities and Transportation Status Report – Rules Governing the Academic Facilities Partnership Program and Rules Governing the Facilities Master Plan

Report from the Higher Education Subcommittee of the House Interim Committee on Education Concerning its October 29, 2012 Meeting to Review the Arkansas Department of Education Rules Governing Concurrent College and High School Credit for Students Who Have Completed the Eighth Grade Referred by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council

Presenter & Synopsis:

The Honorable Tommy Wren, State Representative, District 71, was recognized. Representative Wren stated that this morning the Higher Education Subcommittee of the House Interim Committee on Education heard a presentation by the Arkansas Department of Education (ADE) concerning the proposed ADE rule. Following examination of the proposed rule, discussion by the Subcommittee, testimony by the ADE, the Arkansas Department of Higher Education (ADHE), and other interested parties, this to advise that the Subcommittee has reviewed the rule, and has referred it back to the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council.

Review of Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Maintenance and Operation of Public School Buses and Physical Examinations of School Bus Drivers Referred by the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council

Presenter & Synopsis:

Mr. Mark White, Staff Attorney, Arkansas Department of Education, was recognized. Mr. White explained that the rules were originally revised following legislative changes made in 2011. He said that additional revisions needed to be made in order to clarify the Division of Public School Academic Facilities and Transportation's enforcement authority, which was addressed in the statute, but not in the rules. He stated those additional changes were made and the rules put out for a second public comment period. Mr. White said a different approach was taken to rework the rules and a solution was found that satisfies those who had a problem with the original version, and that meets the needs of the Division.

Contributor to the Discussion:

Mr. Mike Simmons, Senior Transportation Manager, Division of Public School Academic Facilities and Transportation

Issues Included in the Discussion:

- differences between state and national requirements for a physical examination,
- implementation of legislation that requires certain signage and numbering be painted on new school buses,
- funding for physical examinations,
- age requirements for drivers of public school buses,
- prosecuting those whose vehicles illegally pass stopped school buses,
- schools requiring the Department of Transportation (DOT) exam for bus drivers,
- parental monitors for school buses,
- addressing the mental health status of bus drivers in statute,
- criminal background checks, and
- speed limit for school buses.

Relevant Actions:

Representative Roebuck made a motion that the proposed rule, Commission For Arkansas Public School Academic Facilities and Transportation Rules Governing Maintenance and Operations of Public School Buses and Physical Examinations of School Bus Drivers, had been reviewed by the Committees and would be sent back to the Administrative Rules and Regulations Subcommittee of the Arkansas Legislative Council. The motion was passed without objection.

Exhibit:

Exhibit F – Commission For Arkansas Public School Academic Facilities and Transportation Rules Governing Maintenance and Operations of Public School Buses and Physical Examinations of School Bus Drivers

Handout:

Status Report – Rules Governing the Academic Facilities Partnership Program and Rules Governing the Facilities Master Plan

Discussion of Interim Study Proposal (ISP) 2011-164 by Senator Elliott, TO ENSURE THAT CHILDREN WITH DYSLEXIA HAVE THEIR NEEDS MET BY THE PUBLIC SCHOOL SYSTEM.

Presenter & Synopsis:

The Honorable Joyce Elliott, State Senator, District 33, was recognized. Senator Elliott acknowledged and thanked all of the visitors to the meeting who have an interest in the issue of dyslexia. She explained that the presentation would start with a ten-minute informative video, followed by a brief discussion of the ISP, and testimony by parents of dyslexic children.

Contributors to the Discussion (in order of testimony):

Ms. Kim Head, Parent, Conway

Ms. Tracy Jemerson, Parent, Little Rock

Ms. Holly McCauley, Parent, Conway

Mr. Tony Ball, Parent, and daughter, **Haylea Ball**, Vilonia

Ms. Vicki King, M.Ed., Certified Academic Language Therapist

Ms. Martha Kay Asti, Interim Associate Director, Special Education, Division of Learning Services, Arkansas Department of Education

Dr. Laura Bednar, Assistant Commissioner, Division of Learning Services, Arkansas Department of Education

Issues Included in the Discussion:

- ∴ support systems for overcoming dyslexia,
- ∴ phonemic awareness training for young children with dyslexia,
- ∴ types of dyslexia specialists in Arkansas,
- ∴ Response to Intervention (RTI) tiers,
- ∴ estimated number of students with dyslexia in the public school system in Arkansas,
- ∴ remediation of students with dyslexia,
- ∴ recognizing dyslexia in students,
- ∴ addressing schools' reluctance to identify dyslexia,
- ∴ dyslexia and specific learning disabilities,
- ∴ dyslexia and funding by the Individuals with Disabilities Education Act (IDEA),
- ∴ qualifications of licensed special education professionals to teach dyslexic students,
- ∴ regulations involving learning disorders,
- ∴ numbers of children who are misdiagnosed,
- ∴ testing children who can't read on level by the third grade,
- ∴ homeschooling children with dyslexia,
- ∴ definitions so worded to provide a broad enough avenue to secure funding,
- ∴ tests and administrators of tests for diagnosing dyslexia,
- ∴ out-of-pocket costs for tests to arrive at a diagnosis of dyslexia,
- ∴ collecting data on children with dyslexia in Arkansas,
- ∴ parental rights regarding disagreement with the results of an evaluation, and
- ∴ identifying factors, strategies, and accommodations used by other states.

Video:

Informational Video on Dyslexia

PowerPoint Presentation:

Developmental Dyslexia, The Who, What, Why and How Questions of Developmental Dyslexia

Exhibit:

Exhibit G – Interim Study Proposal 2011-164

Handouts:

Developmental Dyslexia (*hard copy of PowerPoint presentation*)

Written comments of Holly McCauley

Next Scheduled Meeting:

Monday, November 26, 2012, at 9:00 a.m. in Room 171 of the State Capitol in Little Rock

Adjournment:

The meeting adjourned at 4:13 p.m.

Approved: 06/10/13