MINUTES – EMERGENCY MEETING OF THE
STATE BOARD OF CAREER EDUCATION
11:00 a.m.

April 26, 2012

The State Board of Career Education (SBCE) was called to order by Chairman Phil Taylor. The meeting was held at Arkansas Rehabilitation Services, 525 W. Capitol Avenue, Little Rock, Arkansas.

A record of member attendance is as follows:

PRESENT

*Mr. Phil Taylor, Chairman
Mr. John Riggs, Vice Chairman
Mr. John Yates
*Dr. Thomas Flowers

Ex-Officio Nonvoting Members
Mr. William L. "Bill" Walker, Jr., Ex-Officio Secretary

*Conference Call

ABSENT

Mr. Richard Smith
Mrs. Lucy Ralston
Mrs. Martha Dixon

Ex-Officio Nonvoting Members

Dr. Tom Kimbrell
Mr. Shane Broadway

Director Walker recognized the visitors in attendance, including adult education administrators, state Rep. Jane English, Legislative Council staff members, Mrs. Sarah Agee from the Governor's Office, and Mr. Brandon Robinson from the Attorney General's Office.

Chairman Taylor called for an official attendance roll call of the members, and Mrs. Tina LaFountaine called the roll.

Attendance Roll Call: John Yates – present, John Riggs – present, Dr. Thomas Flowers – present, Mr. Phil Taylor – present, Mrs. Lucy Ralston – absent, Mrs. Martha Dixon – absent, Mr. Richard Smith – absent.

Mr. John Riggs stated that at the last board meeting, there was a question on the adult education funding formula rule as to whether it was within the purview of the board to change the funding formula or whether the rule needed to go through the state Administrative Procedures Act. Mr. Riggs asked Mr. Brandon Robinson to update the board members regarding this question.

Mr. Robinson stated that the 80-20 funding formula rule approved by the board in February is a rule change under the Administrative Procedures Act and thus subject to the rulemaking requirements outlined in the act, including the public comment period. The timing required to move the rule through the requirements of the Administrative Procedures Act is likely to conflict with school law deadlines by overlapping or even passing those deadlines. As a result, today's emergency meeting was called to address this issue.

Mr. Taylor stated that according to what he had just heard, he understood that the board would have to reverse its February decision or adopt a motion to delay action on implementation of the funding formula. Mr. Robinson stated that since the change to the 80-20 formula was not yet in effect under the Administrative Procedures Act, he would recommend that the board rescind its

February vote to change the formula.

Mr. Walker advised Mr. Taylor that Rep. Jane English wanted to address the board.

Mr. Taylor asked that Rep. English be recognized to address the board.

Rep. English stated that she has been impressed with the work of the Department of Career Education in the development of a new adult education funding formula. Rep. English stated that adult education is critical to Arkansas's future workforce. She stated that many Arkansans who may not have made wise decisions when they were younger need the opportunity to earn their GEDs so that they can live productive lives. She added that if these individuals have the motivation to come to class to further their education. then the state needs to find a way to ensure funding for adult education. Rep. English further stated that she knows adult education has been fighting for funding for many years and that with an expected decrease in federal funding, it is critical that funding is made a priority for the state legislature.

Mr. Blake Robertson, president of the Adult Education Administrators Association, stated that he also wanted to thank the Department of Career Education for its work in developing a new funding formula for adult education. Mr. Robertson stated that the advisory council did recommend to the department a study to determine what constitutes a quality adult education center. He added that the association further recommended regional meetings of members of the Adult Education Advisory Council, staff from the Governor's Office, legislators, and the Department of Career Education to establish the standards of a quality center.

Mr. Robertson stated adult education administrators are concerned about the possible mergers of centers and worry that their programs might no longer exist under the new formula.

Mr. Taylor asked what funding formula would be in effect if the board rescinded its February vote. Mr. Robinson stated the formula would revert to the 70-30 split with a 10-percent cap on loss or gain.

Dr. Flowers commented that the board's February action addressed the board's concern regarding adult education funding and said that he hoped that the board would continue to seek better ways to serve students if the February action was rescinded. He further stated that while adult education would benefit from increased funding, it is also important for agency staff and adult education administrators to work together to ensure the most efficient use of the dollars. If there are programs that do not have funding adequate to meet the needs in their area, then alternatives such as combining some administrative units might make for a more efficient use of the dollars, especially if there is no increase in the funding. Dr. Flowers said that he understands the concern from the adult education community about the action the board took but that the issue is how to best serve the students and that maintaining the status quo is definitely not the solution.

On a motion by Mr. Riggs and second by Mr. Yates, the State Board of Career Education unanimously approved to rescind the action taken on the adult education funding formula at the February 2, 2012, board meeting.

Mr. Riggs stated that he would like to echo the comments made by Dr. Flowers. Mr. Riggs said that the issue is not about eliminating any programs but instead about providing strong and vibrant programs in every county in the state, as required by law. He added that continuing to do what we are doing is not a solution. Mr. Riggs further stated that with the current funding, it is essential to be exceptionally efficient, which was the board's thinking when the process of changing the funding formula was begun in February. Mr. Riggs thanked the staff for their diligent and good-faith efforts to develop an effective formula and added that the board would continue to work on this issue and would propose a formula for next year. Mr. Riggs concluded by stating that the rulemaking process would be followed with as much advance

notice to all the centers as possible and that the Governor's Office would be involved in the process as well to ensure a fair, efficient and successful system.

ADJOURNMENT

Mr. Taylor adjourned the meeting at 11:26 a.m.

William L. "Bill" Walker, Jr., Ex-Officio Secretary
State Board of Career Education

Phil Taylor, Chairman
State Board of Career Education