

**Minutes**  
**State Board of Education Meeting**  
**Thursday, April 11, 2019**

The Arkansas State Board of Education (State Board) met Thursday, April 11, 2019, in the Arkansas Department of Education (Department) Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:00 a.m.

Present: Dr. Jay Barth, Chair; Charisse Dean, Vice-Chair; Diane Zook; Ouida Newton; Brett Williamson; Susan Chambers; Dr. Fitz Hill; Dr. Sarah Moore; Kathy McFetridge; Randi House, 2018 Arkansas Teacher of the Year; and Johnny Key, Commissioner.

Absent: None

**Changes to Agenda**

There were no changes to the agenda.

**Recognitions**

**2019 Designated Master Principals**

Arkansas Leadership Academy Director Dr. Clint Jones said that the Master Principal Program is a rigorous three-year program which allows leaders to enhance and accelerate student and adult learning.

Master Principal Program Leader Ms. Brenda Tash announced that Ms. Karrie Arbuckle of Thomas Jefferson Elementary School in the Bentonville School District has been designated as a 2019 Master Principal. Ms. Arbuckle has both a bachelor's and master's degree from Harding University, where she serves as an adjunct professor. She serves on the Alternative Learning Environment Placement Committee as well as an elementary representative for the Bentonville School District's Personnel Policy Committee. She also partners with Amazeum to support the implementation of Maker Space in the Bentonville School District.

Ms. Arbuckle thanked all of her supporters and noted that this recognition was not only for herself, but also her school family. She said that this validates the high level of learning in her building as well as honoring the hard work of her building staff.

**United States Senate Youth Program**

Public School Program Advisory Ms. Melissa Starkey said the United States Senate Youth Program was created by Senate Resolution 324 in 1962 in order "to increase young Americans' understandings of the interrelationships of the three branches of government, learn the caliber and responsibilities of federally elected and appointed officials, and emphasize the vital importance of democratic decision making not only for America but for people around the world." Ms. Starkey said that this year's Arkansas delegates are Ms. Isabelle Jones, a senior from the Academies at Jonesboro High School, and Mr. Sojas Wagle, a senior from Har-Ber High School.

Ms. Jones described her experience during Washington Week for the United States Senate Youth Program as transformative. She said both the speakers and her fellow delegates provide

her a lot of inspiration. She said that the program has taught her that we can truly lean on one another, our values, and our democracy.

Mr. Wagle also described his experience during Washington Week and said that it was the best week of his life. He talked about how he could really see the passion of the politicians who spoke to their group. He said that it was inspiring to see the amount of cooperation between the different parties regarding certain issues in comparison to the discord that he normally sees in the news.

### **Military Families**

Public Information Manager Mr. John Kaminar said the Department of Defense recognizes April of every year as Month of the Military Child. Each year the Board honors families from the various branches of the military to show support for military-connected students. Mr. Kaminar recognized the Phillips and Andrews families, both of which are military connected, during the meeting.

## **Resolutions**

### **Month of the Military Child**

Public Information Manager Mr. John Kaminar said the Board annually adopts a resolution recognizing the Month of the Military Child in April to honor military-connected students. Mr. Kaminar read the resolution.

Ms. Chambers moved, seconded by Ms. Dean, to adopt the resolution. The motion passed unanimously.

### **Arkansas Educator Commitment Signing Week**

Public Information Manager Ms. Meghan Ables said that she was requesting that the Board show its support for Educator Commitment Signing Week by adopting the requested resolution. She provided the Board with a packet of information regarding the week's events.

2008 Arkansas Teacher of the Year Dr. Paul Gray provided an overview of the Teacher Cadet program and his experience in teaching the Teacher Cadets. Dr. Gray asked the students in the Teacher Cadets program from Russellville High School to introduce themselves.

2018 Arkansas Teacher of Year Randi House spoke and invited the Board members to attend the event on Friday, April 12, 2019, and to sign their own tomorrow, encourage to sign their own commitment to education certificate. She also noted that Educator Commitment Signing Week can be followed on social media using the hashtag, #ARSigningWeek2019.

Dr. Barth read the resolution.

Ms. Zook moved, seconded by Ms. Newton, to adopt the resolution. The motion passed unanimously.

## **Consent Agenda**

Ms. Zook said that she had questions on items 4 and 10. Ms. Newton also had a comment on item 4. Dr. Barth had a question on items 5 and 8.

- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-012 Amanda Spand
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-032 Stephanie Goddard
- Consideration of Revocation of Teaching License --Licensure Action Case No. 18-020-- Kevin K. Kyzer
- Bald Knob School District Act 1240 Annual Progress Report
- Kirby School District Act 1240 Annual Progress Report

## **Action Agenda A**

### **A-1 Consideration of Legislative Report: Little Rock School District**

State Superintendent Dr. Mike Hernandez said pursuant to Ark. Code Ann. § 6-13-112 & 6-15-2917, a quarterly status report is provided for each school district currently under state authority.

Dr. Hernandez highlighted that there have been 540 teacher engaged in some portion of the R.I.S.E. Arkansas training. He noted that the district is getting training in several different areas; however, it is time to move forward to the question of being able to know that the training is being implemented in the classrooms. He said that it is important to know the types of monitoring that the district is implementing at the building levels. The district has been working on the adoption of literary resources that support the science of reading. He said that the district is updating their TESS handbook to align with current law. The district is using multiple data points to update the school level improvement plan and that they are actively working to clear the Standards for Accreditation exceptions.

Dr. Hernandez said that the following schools are actively participating in the Feet to the Seat/Arkansas Campaign for Grade Level Reading Initiative: Bale Elementary, Baseline Elementary, Brady Elementary, Chicot Elementary, Dodd Elementary, Mabelvale Elementary, Meadowcliff Elementary, McDermott Elementary, Romine Elementary, Stephens Elementary, Terry Elementary, Wakefield Elementary, Washington Elementary, Western Hills Elementary, Cloverdale Middle, Henderson Middle, Mabelvale Middle, Hall High, JA Fair High, and McClellan High. Other schools will be recommended to participate in the 2019-2020 school year.

Dr. Hernandez said that there have been three district teacher absenteeism audits for the 2018-2019 school year. As of April 8, 2019, there were 203 notices of concern, 106 written warnings, and 48 written reprimands. The process for teacher chronic absenteeism is as follows:

1. Notice of Concern: 10+ Sick Days (or 5+ if it is early in the SY)
2. Written Warning: 12-15 Sick Days
3. Reprimand: 16-18 Sick Days
4. Suspension without Pay: 18-20 (5 days for hearing request)
5. Termination

Dr. Hernandez said that they are working with the district to collect evidence needed regarding the exit criteria.

Assistant Commissioner Ms. Stacy Smith said, regarding adoption of a core literacy program that includes intervention resources, that there is no one program that you can purchase that

Ms. Newton asked, regarding item 4, if there was some way to obtain data to determine if it is better to have a teacher on an Additional Licensure Plan (ALP) or a teacher with a waiver. Mr. Key asked what metrics that Ms. Newton wanted the Department to consider and Ms. Newton was unsure of what would be best. Mr. Key said that the Department would work on pulling data together for the Board's consideration. He said that he thinks it is likely what will be found is that some of the districts with teacher on waivers would also be providing support for those teachers to obtain licensure.

Dr. Moore suggested that the Department add an asterisk on future ALP reports beside district that have waivers.

Ms. Zook asked if special education and elementary teachers who are teaching out-of-area given a priority for R.I.S.E. Arkansas training. Assistant Commissioner Ms. Stacy Smith said no and there is a waitlist at all of the education service cooperatives; however, there are multiple pathways to the science of reading. Ms. Zook asked if it was a requirement for principals to accompany their teachers to R.I.S.E. Arkansas trainings. Ms. Smith said that it is not a requirement unless the principal is planning to become an assessor in the science of reading.

Dr. Barth said, regarding items 5 and 8, that he noticed that in cases of permanent licensure revocations that there is also a fine. He asked if the money was ever actually paid. Professional Licensure Standards Board Chief Investigator Mr. Eric James said that the fine is part of their rules. He said there is no parameter for them to collect the fine, but there have been fine payments made.

Ms. Zook said that items 7 and 10 seem very similar; however, there were differences in the rulings. She asked if Mr. James had seen a large difference in the cases. Mr. James said that there was a difference and, if needed, he could explain somewhat more about the differences in the cases in a recess of the Board meeting.

Ms. McFetridge moved, seconded by Ms. Dean, to approve the consent agenda. The motion passed unanimously.

Items included in the consent agenda:

- Minutes
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications
- 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
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-147 Brittany Morrison
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-154 Erika Burdick
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-160 Micah Qualls
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-165 Leanna Morris
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-168 Hilaree Henderson

addresses all components of literacy at a high level. The district and the Department has been going through multiple programs and resources to determine what will meet the science of reading requirement. The district provided their suggestion to the Department and the Department provided feedback. The district has not yet made a final decision regarding the choice of program.

Ms. Smith said that the Department is also working with the district on a comprehensive dyslexia plan. She said that much of the dyslexia plan revolves around the adoption of literacy materials. They are looking for resources which align with the core resources. She said that six priority areas have been identified.

1. Increasing the educator's knowledge around dyslexia;
2. Identifying a dyslexia program;
3. Identifying the correct dyslexia personnel;
4. Identifying students for dyslexia intervention;
5. Coordinating with the RTI plan; and
6. Develop a system of tracking students receiving dyslexia intervention.

Ms. Smith said that many teachers have gone through the R.I.S.E. Arkansas training; however, it is evident that more coaching support is needed.

Ms. Zook asked if the curriculum selection would be done in time for the teachers to have training this summer. Ms. Smith that is what the goal for the selection is currently.

Ms. Smith said for the special education monitoring report, the district is still within the 90 days to respond (ending May 29, 2019). There have been four meeting scheduled with the district regarding corrections. She said that she knows that the district has already provided professional development to their staff in many of the areas of concern. Ms. Smith said that she hired a consultant who is a previous special education LEA supervisor to help with the questions that did not necessarily pertain to monitoring. The consultant has provided reports based on various school visits and the noted issues are being addressed.

Ms. Zook said that she sent an email to Ms. Smith and Special Education Division Manager Mr. Matt Sewell asking if there is a tool in place to measure results. Mr. Sewell said yes and that he has a comprehensive email prepared in response which he said he would send to Ms. Zook soon.

Ms. Zook asked what dyslexia screeners were being used. Ms. Chandle Carpenter said that the district uses a Level 1 screener packet. She said that they want to try to do Level 2 testing which is administered currently by a school psychologist for the high school students. Also, for 3-12 grade they use the Phonological Awareness Screening Test as well as Scholastic Core Phonics Survey and Developmental Spelling Analysis. She also mentioned the Arkansas Rapid Naming Assessment. Ms. Zook asked if they are staffing an interventionists. Mr. Poore said they are still in process of several determinations in the district based on budget reductions and other factors.

Assistant Commissioner Ms. Stacy Smith said that there is a need for more coaching support district-wide for the R.I.S.E. Arkansas training for science of reading and the connecting to materials and resources used in the classroom. Ms. Smith gave an example of work currently happening, saying that in an elementary school her staff is working in there was some

intervention time which took up a lot of the core instruction time. She noted that per her staff's recommendation to the district that school no longer does that practice. Ms. Smith said though there have been many different recommendations in each building, for the district to move forward in literacy, it is really about identifying the proper materials and resources as well as ensuring proper training for teachers and administrators.

Ms. Zook said that while there is a lot of focus on J.A. Fair, McClellan, and Hall High Schools, she wanted to express her concern about the achievement gap at Parkview and Central. Mr. Poore said that he would agree and that all schools in the district are focused on improvement.

Ms. Zook moved, seconded by Ms. Dean to hear public comment. The motion passed unanimously. Public comment was heard. ADE Special Advisor Ms. Hope Worsham responded to the public comment regarding concerns about Little Rock School District students being able to complete recent testing. Ms. Worsham responded saying that the issue at Pulaski Heights was caused by an antivirus software trying to decrypt the assessment. The Department provided support to the district regarding the testing errors. Ms. Zook asked if there is a way for the schools to ensure that they were prepared for the testing that day. Ms. Worsham said yes, there is an infrastructure trial which tests the internal school systems. She said that the infrastructure trial is recommended, but not required. Dr. Hill asked if it should be required. Ms. Worsham said that the trials were required for the first two months of online testing; however, if there is nothing different with a school's system, but there is not necessarily a need to complete an infrastructure trial. Mr. Poore said that the district had checked all systems prior to the testing day and they are looking into what changed between the checks and the testing day.

Mr. Williamson moved, seconded by Ms. Chambers, to accept the Little Rock School District report. The motion passed unanimously.

## **A-2 Consideration of Legislative Report: Dollarway School District**

State Superintendent Dr. Mike Hernandez said the Dollarway School District is using 1003 grants funds to continue their PLC work with Solution Tree. He said the district is on pace to start the planning for year two of the PLC process. The district also is making plans to outsource food service and lawn care for 2019-2020 as well as reducing staffing cost and restructuring district supports for school improvement. Dr. Hernandez said that the district has been working very hard to have a clean audit. Overall, there were minimal audit findings for FY18. The district is also planning for a Community Advisory Board which is hoped to begin in August. They are working on updating their fiscal distress planning template. He also said that the exit criteria is under development. Dr. Hernandez said that the district is working with their staff to identify the essential standards. He said that regarding the rightsizing of teaching staff, they have raised the salary schedule twice in two years in order to be competitive with the surrounding districts. He also reviewed students and teacher attendance data and said that overall there has been improvement.

Ms. Newton asked how the teacher turn-over is looking for the upcoming school year. Dollarway School District Superintendent Ms. Barbara Warren said that they have one counselor who is retiring and six other staff members who they are losing to attrition.

Ms. Newton asked about the progress of science of reading implementation in the classroom. Dr. Hernandez said that in the Dollarway School District this has not been examined as much as

it has in other districts; however, they are working on this. He said that he does know that they did the R.I.S.E. Arkansas training.

Dr. Barth said that he would like to see more quantifiable measures beyond test scores, for instance graduation rates. Mr. Key said the difficulty with adding graduation rates to the measures is that there were things happening in 2014 which were systemic issues. Some students had to repeat grades prior to the state takeover and that directly affected their graduation rates. Assistant Commissioner Ms. Deborah Coffman said that there are several factors which can affect a student graduation rates; however, what is now being strongly recommended is starting a student in credit recovery as soon as the school knows that the student is failing and being more proactive with intervention.

Ms. Zook would like to see a dyslexia and special education audit at the district.

Zook wants a dyslexia and special ed audit. She also encourages a review of the programs which the district has acquired with NSLA funds to ensure the district is receiving quality programs.

Ms. Dean moved, seconded by Ms. Chambers, to accept the Dollarway School District report. The motion passed unanimously.

### **A-3 Consideration of Legislative Report: Pine Bluff School District**

State Superintendent Dr. Mike Hernandez said the Pine Bluff School District is working with Solution Tree to plan year one of their PLC process and are using 1003 grant funds to continue this work. The district is working to reduce staffing cost and operational costs to align with revenue. He said that the district is reworking facility usage to include safety elements. The district is currently in discussions with Pine Bluff Lighthouse Academy to partner for summer school and they are exploring facility partnerships with Go Forward Pine Bluff. The district's exit criteria is under development. He said that the district had done some pieces of the R.I.S.E. Arkansas training; however, they have basically restarted that process. Regarding dyslexia, Dr. Hernandez said screening was completed; however, the numbers do not match the students being served and so those numbers will need to be analyzed further.

Dr. Hernandez said in terms of staffing, they are finishing the establishment of new job categories as well as staffing levels for 2019-20. There was also a RIF letter sent out for the first round of staffing cuts.

Dr. Moore asked if there was a plan the adopted of a curriculum. Pine Bluff School District Superintendent Dr. Jeremy Owoh said that for the last three to four months the instructional facilitators have been working on this for grades K-12.

Dr. Barth asked if the community was engaged in the decision to close one of the elementary schools. Dr. Owoh said that conversation started as an internal discussion and then held community meetings to get the communities feedback. He said that most of the community understood the need for the closure.

Ms. Zook asked if the district had discussed special education monitoring. Dr. Owoh said they have requested an audit of their special education services through Dr. Hernandez. Ms. Zook asked if they do interim testing and if so, which tests do they use. Dr. Owoh said they use ACT Aspire and STAR.

Ms. Zook moved, seconded by Dr. Hill, to accept the Pine Bluff School District report. The motion passed unanimously.

#### **A-4 Consideration of Legislative Report: Earle School District**

State Superintendent Dr. Mike Hernandez said the Earle School District is working on the construction of their elementary school and they are within budget. He said that the projected ending fund balance will be slightly higher than the previous fiscal year, but they are still looking for ways to cut the budget. Also, there were significantly fewer audit findings than the previous fiscal year. He said that they did a good job a getting their personnel policy committee started of the refinement of personnel policies. Dr. Hernandez said the community has reported feeling that the district is being more transparent. He noted that over 40% of the staff are not certified; however, a recruitment and retention plan is being determined. He said that they are spending a lot of their time focused on professional development for effective instruction. They are still working on parental involvement in the district.

Dr. Hernandez said the reading curriculum used by the district was created by the Springdale School District and they are working to revise the curriculum to fit the specific needs in Earle. Currently 55% of teacher in grades K-6 are participating in R.I.S.E. Arkansas training and the remaining teachers will begin training this summer.

Ms. Newton asked how long it would be until the district is down paying the misused funds back. Dr. Hernandez said they are at the bare minimum trying to pay the funds back and not break the district. They are looking at about 60 months. Mr. Key said that the district was in a deep hole financially and the last thing the Department wants is to put the district on a settlement plan which harms the services to the students. Ms. Newton asked if the payment plan can be adjusted as needed and Mr. Key said that he thinks we must be flexible.

Mr. Key asked Dr. Hernandez to give an update on the construction of the elementary school. Dr. Hernandez said the last time he was there to take photos, about half of the building was up and they are currently meeting their building goals. Mr. Key said that he knows that there were some delays due to weather.

Ms. Zook said that the community has been showing their support for the needs of the district and that they have passively requested to the designated as in need of Level 5 support in academics. Dr. Hernandez said that there was a letter requesting that and it is planned to bring that request before the State Board at the next month's State Board meeting.

Ms. Zook said that the program that the district is using for dyslexia is actually not recommended by the company over the program for dyslexia. Earle School District Curriculum and School Improvement Special Ms. Tish Knowles said that they are aware of this and they are in the process of getting ready for a two-year program through the education service cooperative.

Ms. McFetridge moved, seconded by Ms. Zook, to accept the Earle School District report. The motion passed unanimously.

#### **A-5 Consideration of Waiver Request for Teaching License -- Licensure Action Case No. 19-02 --Christopher Bethel**



Staff Attorney Mr. Taylor Dugan said Mr. Christopher Bethel is seeking a teaching license. On December 27, 2018, the Department notified Mr. Bethel that he was ineligible for licensure and employment in an Arkansas public school based on a disqualifying offense enumerated in Ark. Code Ann. § 6-17-410. Mr. Bethel requested a waiver of the disqualifying offense. Mr. Bethel represents himself. Mr. Dugan reviewed the procedures.

Mr. Bethel is wanting a waiver to start his pre-service teaching to become an elementary special education teacher. Mr. Bethel said that the disqualifying offense was 11 years ago and is the only offense he has ever had.

Mr. Dugan reviewed the evidence packet provided to the State Board.

Ms. Zook asked if he has completed his probation and if so, how long ago. Mr. Bethel said he completed the probation nine years ago.

Dr. Barth asked if there was a Department recommendation. Mr. Dugan said no.

Ms. Newton asked if he underwent any counseling. Mr. Bethel said he went through anger management and he has since finished. She asked if he felt his anger was under control. Mr. Bethel said that his anger is under control.

Mr. Key asked how old Mr. Bethel was at the time of the offense. Mr. Bethel said that he was 22 years old.

Dr. Barth asked if Mr. Bethel felt confident that he would be okay teaching special education and elementary students who may have the potential for contributing to a triggering event for Mr. Bethel's anger. Mr. Bethel said that he is confident that he will not be triggered and has experience with special education and elementary age children.

Ms. Newton moved, seconded by Ms. Dean, to grant the waiver. The motion passed unanimously.

#### **A-6 Consideration of Waiver for Standards for Accreditation - Future School Fort Smith**

Assistant Commissioner Ms. Deborah Coffman provided an explanation of the processes. She said that when the accreditation standards were revised, there was always a section in the rules that gave the Board the right to grant waivers and that is still in the standards. What changed, she said, was the timing of when the Board would hear the requests. The timing is more proactive than reactive. She said that these waivers would only for the school year and would expire on June 30.

Ms. Newton asked if it were possible that a standards violation is so egregious that they would not get a waiver. Ms. Coffman said yes, that is possible. Ms. Newton also asked if there was anything in the standards which showed their different levels. Ms. Coffman said that each standard is either a probationary standard or a citation standard. A probationary standard has a direct relationship to students. Citation standards are further removed from students.

Public School Program Advisor Ms. Virginia Perry said Future School of Fort Smith is requesting a waiver for 2018-2019 for Standards for Accreditation 1-A.5.2 Planned Instructional Day.

Ms. Zook asked if this waiver has contributed to the plummeting reading scores. Ms. Perry said that she does not believe so since the waiver only covers 30 minutes on Wednesdays for their

internship program. Future School of Fort Smith Superintendent Mr. Boyd Logan said, via phone call, that he is confident that the scores will be much better for this year.

Dr. Moore asked if all students participate in an internship and Mr. Logan confirmed.

Ms. McFetridge moved, seconded by Mr. Williamson, to grant the waiver through the end of this school year. The motion passed unanimously.

#### **A-7 Consideration of Waiver for Standards for Accreditation - Capital City Lighthouse**

Public School Program Advisor Ms. Virginia Perry said Capital City Lighthouse is requesting a waiver for 2018-2019 for Standards for Accreditation 4-E.2 District Student / Guidance Counselor Ratio. The charter already has a waiver of 4-E.1, Guidance Counselor position.

Capital City Lighthouse Superintendent Ms. Lenisha Roberts noted, via phone call, that they are a grade K-8 school.

Dr. Moore asked for clarification of whether the school contracts with mental health agencies presently. Ms. Roberts said that they already are contracting with agencies. Ms. Perry also confirmed that they already have a culture coordinator.

Ms. Newton moved, seconded by Ms. Chambers, to grant the waiver through the end of the school year. The motion passed unanimously.

#### **A-8 Consideration of Waiver for Standards for Accreditation - Pine Bluff Lighthouse Charter School**

Public School Program Advisor Ms. Virginia Perry said Pine Bluff Lighthouse Charter School is requesting a waiver for 2018-2019 for Standards of Accreditation 4-E.2, District Student / Guidance Counselor Ratio. The charter already has a waiver of 4-E.1, Guidance Counselor position. The charter also has a waiver of 2-C.1, Plan for Student Services and 2-C.2, Guidance Program.

Mr. Williamson moved, seconded by Ms. Newton, to grant the waiver through the end of the school year. The motion passed unanimously.

#### **A-9 Consideration of Waiver for Standards for Accreditation - Jacksonville Lighthouse Charter**

Public School Program Advisor Ms. Virginia Perry said Jacksonville Lighthouse Charter, is requesting a waiver for 2018-2019 for Standards of Accreditation 4-C.2, Principal Licensure.

Ms. McFetridge moved, seconded by Ms. Dean, to grant the waiver through the end of the school year. The motion passed unanimously.

#### **A-10 Consideration of Waiver for Standards for Accreditation - SIATech Charter School**

Public School Program Advisor Ms. Virginia Perry said SIATech Charter School is requesting a waiver for 2018-2019 for Standards of Accreditation 1-A.6, Class Size and Teaching Load.

Dr. Moore asked if all courses are taught through virtual instruction. Ms. Perry answered that is correct, but sometimes the teachers may do some small group instruction. Dr. Moore asked if they have teacher licensure waivers and Ms. Perry confirmed.

Ms. Zook asked if the students are screened for dyslexia. Ms. Lisa Romero, a teacher at SIATech Charter School said that students are not directly screened for dyslexia. The school administers a STAR reading exam to all students when they come in to determine reading level and the students are referred to the special education director if it is determined that there is an underlying issue which will require additional assistance to manage.

Ms. Chambers moved, seconded by Dr. Hill, to grant the waiver through end of school year. The motion passed unanimously.

#### **A-11 Consideration of Waiver for Standards for Accreditation - Friendship Aspire Academy Pine Bluff**

Public School Program Advisor Ms. Virginia Perry said Friendship Aspire Academy Pine Bluff is requesting a waiver for 2018-2019 for Standards of Accreditation 4-E.2, District Student / Guidance Counselor Ratio and 4-F.2, School Student / Library Media Specialist Ratio. The charter already has waivers of 4-E.1, Guidance Counselor and 4-F.2, Library Media Specialist positions.

Friendship Aspire Academy Pine Bluff Superintendent Mr. Phong Tran noted that they are a grade K-1 school.

Dr. Moore asked if they if they have any partnership with the local county library and Mr. Tran not at this time. Dr. Moore asked if there were plans to hire a counselor as they expand and Mr. Tran said yes. Dr. Moore also asked if the students were aware of whom to seek currently if they required counseling and Mr. Tran said yes.

Dr. Barth said that a clearer plan for providing more assistance to students as the school expands would be helpful.

Ms. Newton moved, seconded by Ms. Dean, grant the waiver through the end of the school year. The motion passed unanimously.

#### **A-12 Consideration of Waiver for Standards for Accreditation - Haas Hall Academy**

Public School Program Advisor Ms. Virginia Perry said Haas Hall Academy is requesting a waiver for 2018-2019 for Standards of Accreditation 4-E.2, District Student / Guidance Counselor Ratio and 4-C.2, Principal Licensure Requirements. The charter already has waivers of 4-E.1, Guidance Counselor and A.C.A. 6-17-302, Principal Licensure.

Ms. Chambers moved, seconded by Ms. Dean, to grant the waiver through the end of the school year.

#### **A-13 Consideration of Waiver for Standards for Accreditation - Highland School District**

Public School Program Advisor Ms. Dorie Summons said Highland School District is requesting a waiver for 2018-2019 for Standards of Accreditation 4-F.1, Library Media Specialist certification and 4-F.2, School Student / Library Media Specialist Ratio. The district already has waivers of Library Media statute §§ 6-25-104(a)(1).

Highland School District Superintendent Mr. Don Sharp said they do have person in line to hire, who is licensed, but they are currently teaching and they do not want to remove her from the classroom.

Ms. Zook moved, seconded by Ms. McFetridge, to grant the waiver through the end of the school year end. The motion passed unanimously.

#### **A-14 Consideration of Waiver for Standards for Accreditation - Marked Tree School District**

Public School Program Advisor Mr. Charles Nowak said Marked Tree School District is requesting a waiver for 2018-2019 for Standards of Accreditation 1-A.1.3.1, English Language Arts (6) Credits, of which .5 units must be oral communication.

Presenter: Charles Nowak Mr. Matt Wright, Superintendent of

APSRC Staff Attorney Tripp Walter said that the district believed that they were in compliance with the standards; however, when they found that they were not, they took the appropriate actions to correct the issue. This waiver is needed through the end of the school year, until the district receives Department approval to embed the oral communications portion into their English course.

Marked Tree School District Superintendent Mr. Matt Wright said that he wanted the Board to know that no students were harmed academically due to this issue.

Ms. Dean moved, seconded by Ms. Chambers, to grant the waiver through the end of the school year. The motion passed unanimously.

#### **Action Agenda B 1:00pm**

##### **B-1 Consideration of the Arkansas Better Chance 2019-2020 Grant Renewals**

Division of Early Child Care's Ms. Susan Underwood that pursuant to the authority granted to the State Board of Education, the Division of Child Care and Early Childhood Education respectfully requests approval of 23,499 Arkansas Better Chance slots as outlined in the Arkansas Better Chance Renewal Grants for the 2019-2020 school year. Totaling \$102,376,494.

Dr. Moore asked how many programs are new programs. Ms. Underwood said that all programs have existed for ABC before. Dr. Moore asked how much the increase per child was for this year. Ms. Underwood said it was \$106 per child. Dr. Moore asked for clarification on the difference per child for home visiting. Ms. Underwood said the difference comes from the lack of cost for a classroom and related items which a home visiting situation would not require.

Ms. Zook asked if they were still planning on completing the longitudinal study. Ms. Underwood said that they still have the study and provided Ms. Zook with a copy of what they had thus far.

Ms. Newton moved, seconded by Ms. Dean, to authorize the grant renewal. The motion passed unanimously.

##### **B-2 District Request for Waiver Granted to Open-Enrollment Charters**

###### **a. District Request for Waivers Granted to Open-Enrollment Charters: Forrest City School District**

Public School Program Advisor Ms. Kelly McLaughlin said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers

granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district. Representatives of the Forrest City School District are appearing before the Board with a petition of waivers for class size and teaching load. Their 90 days expires on May 14, 2019.

Forrest City School District's Ms. Tiffany Hardrick provided the presentation. Ms. Hardrick said that this is a three year waiver request. The district is requesting the waiver to support their Opportunity Culture work. Under this model, the district plans to hire a multi-classroom leader, direct reach teacher, and reach associate. The district's next steps are to finalize school design models, continue the hiring process, and finalize staffing plans on each campus.

Dr. Moore inquired about Opportunity Culture. Ms. Hardrick said that North Little Rock was the first district to have the Opportunity Culture program and this year the Department added three more districts.

Ms. Zook asked if there was a licensed principal at the school or a consultant. Ms. Hardrick said that they made staffing adjustments and now have a principal and two assistant principals. These principals have an executive coach to help train them.

Dr. Barth asked if they received school personnel feedback on the model and waiver. Ms. Hardrick said that they did on the model through school and district based teams.

Ms. Newton asked which campuses this would affect. Ms. Hardrick said the junior high and the pre K-2 campus for the time being.

Dr. Moore asked if the district is planning on changing the pay scale. Ms. Hardrick said yes, they are changing the pay scale.

Ms. McFetridge moved, seconded by Dr. Hill, to grant the waiver. The motion passed unanimously.

**b. District Request for Waivers Granted to Open-Enrollment Charters: Heber Springs School District**

Public School Program Advisor Ms. Kelly McLaughlin said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district. Representatives of the Heber Springs School District are appearing before the Board with a petition of waivers for flexible scheduling. Their 90 days expires June 6, 2019. They are requesting the waiver for five years.

Heber Springs High School Principal Mr. Mark Griffin said that they are wanting to expand their course offerings to all students. Mr. Griffin said that the waivers will provide a variety of benefits for all of their students.

Ms. Zook said that this request shows that the district is culturally responsive and listens to the needs of the community. She noted that she appreciates the district's engagement with the community.

Dr. Moore asked if the digital option would allow for a student to complete their coursework completely online. Mr. Griffin acknowledged that could be a potential

opportunity. He also said that the district does not plan on having a large number of students completing with a solely digital coursework. Dr. Moore asked if the waiver would cover all grades or just the high school. Mr. Griffin answered that the waiver would only cover high school.

Ms. Newton suggested looking into putting Wi-Fi on the school buses for those students that are spending a good amount of time on buses throughout the day. This way the students can work on coursework during their transition periods.

Ms. Newton moved, seconded by Ms. Dean, to grant the waiver. The motion passed unanimously.

**c. District Request for Waivers Granted to Open-Enrollment Charters: Omaha School District**

Public School Program Advisor Ms. Kelly McLaughlin said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district. Representatives of the Omaha School District are appearing before the Board with a petition of waivers for school day. Their 90 days expires on May 14, 2019 and are requesting the waiver for five years.

Omaha School District K-12 Assistant Principal Dr. Clay Hendrix said they are requesting the ability to release school early on a certain number of days during the school year. The students would be sent home early and the staff would remain to work on PLCs.

Dr. Moore asked if the students would have after school options. Dr. Hendrix said that no one has committed at this time. Dr. Moore asked if they discussed this request with the community and school board and Dr. Hendrix said yes and have received no negative feedback.

Ms. Zook suggested reaching out to other districts as time goes on to learn about how they are completing the same work with different methods and not with the same waiver.

Mr. Key asked if Dr. Hendrix had spoken with Vilonia School District or other districts in the area with similar waivers. Dr. Hendrix confirmed.

Ms. Dean moved, seconded by Ms. Chambers, to grant the waiver. The motion passed unanimously.

**d. District Extension Request for Waivers Granted to Open-Enrollment Charters: Kirby School District**

Public School Program Advisor Ms. Kelly McLaughlin said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district. Representatives of the Kirby School District are appearing before the Board with a petition to extend their current waivers for class size and teacher load. Their 90 days expires June 26, 2019 and they are requesting for five years.

Kirby School District Superintendent Mr. Pike Palmer discussed the successful, previous usages of this waiver for the past few years. Mr. Palmer said that the full information was included in the Board's packet for this and the next action item.

Dr. Moore asked what class the licensure waiver would affect. Dr. Palmer said it would affect the K-6 elementary physical education class.

Ms. Zook moved, seconded by Ms. Dean, to grant the waiver for five years. The motion passed unanimously.

**e. District Request for Waivers Granted to Open-Enrollment Charters: Kirby School District**

Public School Program Advisor Ms. Kelly McLaughlin said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district. Representatives of the Kirby School District are appearing before the Board with a petition of waivers for part of section 7 regarding educator licensure.

Ms. Newton moved, seconded by Ms. Zook, to grant the waiver for five years. The motion passed unanimously.

**B-3 Review of Charter Authorizing Panel Action on Open Enrollment Charter School Amendment: Southeast Arkansas Preparatory High School**

Director of Public Charter Schools Mr. Reginald Ballard said on February 25, 2019, representatives of Southeast Arkansas Preparatory High School appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request. On March 14, 2019, the State Board exercised a right of review and decided to conduct a hearing on the Charter Authorizing Panel's determination.

Southeast Arkansas Preparatory High School Superintendent Principal Mr. Alex Noguera said there are three primary areas that are thought about when you think about guidance counseling: academic counseling, socio/emotional counseling, and assessment/evaluation. Regarding academic counseling Mr. Noguera and another teacher handle this aspect of the counseling. The socio/emotional counseling is handled by the dean of students, who has a background in counseling. There is also an advisory program which is used to help teach students soft skills. Regarding assessment and evaluation, they have another teacher who acts as their testing coordinator.

Mr. Noguera said there are also three primary areas related to library media services: library operations, media operation, and instruction information technology. He said that they have classroom libraries which are maintained by teachers because there is not enough space to house a main library. They also use online services. Mr. Noguera noted the county library is being rebuilt and they hope to partner with that library when it reopens. He said for media operations they had one-to-one technology and their information technology contractor ensures that technology is maintained. He said that they try to embed instruction for information technology in the English classes.

Mr. Noguera also said the Board wanted for information about their school board. He said they are an independent charter school and so they have no CMO. The school board is made up of

community members who care about education. Their board members go through the same training as other school boards across the state. The board meetings are well attended and the members are very active to in the community.

Ms. McFetridge asked what other duties the teacher leader coordinators have aside from counseling. Mr. Noguera said those educators teach a reduced load and they have embedded student counseling time during the day. He said that the school also reaches out to community organizations when a student may require a bit more assistance than what is available through the school. Ms. McFetridge asked if a child could receive services at any time during the day and Mr. Noguera confirmed.

Ms. Newton asked who handles the emotional needs of the students. Mr. Noguera answered that the dean of students does and hold a certification in behavioral health management. Ms. Newton asked how many classroom libraries were available to students. Mr. Noguera said there are two English classrooms; however, they are working toward expansion of book availability to students all of the time. These libraries include both class books and books for general enjoyment.

Ms. Zook encouraged Mr. Noguera to keep an eye on the new legislation regarding school counselors to ensure that they are keeping up with the increased amount of time requirement for counselors.

Ms. Newton asked if their school had reached out to the Pine Bluff School District to partner with them. Mr. Noguera said that they have recently reached out to that district.

Staff Attorney Ms. Mary Claire Hyatt said that the Board's packet has mentions of a business manager waiver; however, that was pull in front of the charter authorizer. The school no longer requires that waiver. Dr. Barth clarified the requested waivers.

Ms. Newton moved, seconded by Ms. McFetridge, to grant the requested waivers. The motion passed unanimously.

#### **B-4 Requested Annual Reporting from Haas Hall Academy**

Director of Public Charter Schools Mr. Reginald Ballard said on January 12, 2004, the State Board of Education approved the application for Haas Hall Academy. On October 15, 2014, the Charter Authorizing Panel approved the application for Haas Hall Academy Bentonville. Both charters are approved to serve students in grades 7-12 with a total maximum enrollment of 2,000. Representatives of Haas Hall Academy are appearing before the State Board of Education to report on the results of its diversity outreach efforts and student enrollment demographics, as requested. On February 14, 2019, Haas Hall Academy staff presented their diversity report, and the State Board rejected the report and requested additional information.

Haas Hall Attorney Mr. Mark Henry said that in addition to the addendum, they also brought additional information for the Board. This information included strategies for diverse prospective scholar engagement and diverse faculty/staff recruitment as well as information on why students left Haas Hall Academy.

Executive Director of Academy Admissions and Communications Ms. Kelly Barnett discussed the recent lottery draw process. She said that she administers the lottery for all four campuses and she recently completed 24 successful lottery draws. Between September 4, 2018 -



February 4, 2019, they received 1,560 applications for grades 7-12. They were able to offer 501 seats and just over half of the seats have already been accepted. She said that they are in the process of their second round of seat offers and are still accepting post-lottery applications.

Ms. Barnett said, moving forward, that they will continue to reach out and engage with prospective scholars and their families by advertising online, attending local festivals and events, and hang flyers. They will promote their schools and explain the lottery process by sending mailers twice a year that targets minority populations, providing information in real estate welcome packages, and organizing opportunities for their current scholars to volunteer with groups that serve diverse populations.

Haas Hall Academy Superintendent Dr. Mark Schoppmeyer read the diverse faculty staff recruitment strategies from the packet provided by Mr. Henry to the Board members.

Dr. Barth noted that the document about why scholars left is more focused on where scholars went and it does not cover the reasons why students chose to leave. He said that he wondered if there were exit interviews to truly capture why students left the schools. He said that he appreciates the data that was given; however, he thinks that the data needs to go down to a deeper level than what is shown in the packet to truly understand the specific reasons students left. Dr. Schoppmeyer said, in regard to exit interviews, that when a student wants to leave Haas Hall Academy would like to know why are making that decision. He said that some leave for social reasons and some never came to the campus in the first place. Dr. Schoppmeyer also said that none of the students have ever reported leaving because of the academic program quality, rather the smaller size of the program.

Dr. Barth said that he had questions about Table 5 on the addendum regarding special education. He asked what could be done to make Haas Hall a more welcoming environment for the 10-12 percent of the population who has special needs. Mr. Henry said that there are two parts to Dr. Barth's question. The first part is about the child-find obligation and the second part is the recruitment obligation. Regarding recruitment, he finds that the 5,000 mailers will play a key part in this and that a larger dedicated plan to target those families would translate into more applications. Mr. Henry noted that in their application they do not ask for race, special education, etc. because they want as random of a number draw as possible. Haas Hall Academy Dyslexia Coordinator Ms. Francine Fisher spoke to the child-find portion of the question. She said that they conduct reading assessment for all incoming 7-8 graders, the results from which they use to help potentially identify those students who may require additional assistance. She said that any parent, student, or teacher may request additional testing and screening if there is a concern. If a student with a reading disorder has siblings who are also enrolled at Haas Hall then the administration will keep an eye on the siblings to see if they require additional assistance as well. Dr. Barth asked what else they do, in addition to the child-find obligations to ensure parents that their special need students will have their needs attended to should they choose to enroll at Haas Hall. Ms. Fisher said that she visits with a lot of parents during conferences and open houses to discuss the offered supports.

Ms. Newton asked what they are doing differently than in years past regarding outreach. Dr. Schoppmeyer said that they have attended more events. He also said that they are going to implement a mailing strategy this summer and he said that they also advertise heavily in the paper and on social media.

Dr. Hill said that a lot of the strategies listed regarding recruitment of a diverse faculty/staff start with the word, "continue." He said that he is looking for a precise timeline of when these objectives will be accomplished. He also said he wanted to know who is helping to create the strategic diversity plan and what their qualifications are. Dr. Hill also noted that he asked for Haas Hall's current faculty/staff numbers and not the projections. He said that he is not impressed by mailers, but by going out into the community to build relationship. Dr. Schoppmeyer responded that they created their plan by looking into the best practices from the different schools around the nation and he used those strategies which appeared the most successful. Dr. Hill said that most likely at those other schools there is probably a diversity officer in place, which is the type of person that Haas Hall would be benefited by having that role on their team or at least a diversity consultant. Dr. Hill noted that best practices at other schools may not adequately fit the culture of Haas Hall Academy and its community. Mr. Henry said that part of their strategy is to receive diversity training and certification form a national organization and Dr. Schoppmeyer is scheduled to get that certification. Dr. Schoppmeyer said that certification would happen on November 17. Dr. Hill noted that was an improvement; however, he would suggest that there would be more benefit to be had from having someone come to Haas Hall, evaluate the campus and community and help them build trust within the community. He said that he has been asking Haas Hall for a detailed plan for two years and he has not seen that plan yet.

Ms. Chambers echoed the need for a detailed plan and strongly suggested using exit interviews to help guide their planning processes. Dr. Schoppmeyer agreed to start a plan to hold a reasonable amount of exit interviews with students and collect data from that information as to why students are leaving.

Ms. Dean also echoed the need for a detailed diversity plan and shared Dr. Hill's concerns.

Ms. Zook suggested that they consider coming up with a top-notch dyslexia intervention program for secondary students. She also suggested creating a chart that showed a comparison the different races represented on the staff of the other charter schools and traditional schools and Haas Hall.

Ms. House also agreed with Dr. Hill and said that their current plan reads as though the school and the community are separate from each other. She suggested that the plan shows the community and school as a same, for example, instead of saying "the churches," say "our churches."

Dr. Hill asked if it would be possible to send someone from the Department to Haas Hall to assist them in the creation of a diversity plan. Mr. Key said that recently the Department's Equity office has moved under Legal and they are working to become more proactive. That office is currently helping the Little Rock School district with their magnet policy and the Department could certainly offer the same support to Haas Hall. Mr. Key said that the Haas hall is doing very well academically, the Board is just wanting them to show that they can have the same results with all students. Dr. Schoppmeyer said that Haas Hall is open to the Department coming in to provide assistance.

Dr. Moore also noted that the school should also consider their transportation options to make the school more accessible to other students.

Ms. Zook moved, seconded by Mr. Williamson, to accept the report. The motion passed unanimously.

Dr. Barth said that the next question was when Haas Hall needs to return with another report on the same issue. There was some discussion of possible timeframes.

Ms. Chambers moved, seconded by Dr. Hill, to have an October interim report from the Department and then a June 2020 report with data from Haas Hall. The motion passed unanimously.

### **B-5 Consideration for Fiscal Distress Classification -- Marvell-Elaine School District**

General Counsel Ms. Lori Freno said on January 29, 2019, the ADE notified the Marvell-Elaine School District that the Department had identified the District as being in fiscal distress, and that the Department would recommend that the State Board classify the District as being in fiscal distress. The District has not appealed the identification. If the State Board classifies the District as being in fiscal distress, the State Board or Commissioner of Education may take one or more of the actions set forth in the Arkansas Fiscal Assessment and Accountability Program, Ark. Code Ann. § 6-20-1901 et seq.

Assistant Commissioner Mr. Greg Rogers said the two reasons that they are looking at fiscal distress is a declining fund balance jeopardizing the fiscal integrity of the District, and any other fiscal conditions deemed to have a negative impact on the continuation of education services. He said that since 2016, their declining fund balance has gone down 1.6 million dollars. The district also has several salaries miscoded into NSLA, and federal funds that are going to have to go into that balance has already been deficit spending, as well as \$30,000 for an intercom system that has to be replaced.

He said that under the audit that the business manager was removed, because since 2014-2018 it was found that she had given herself 90 unauthorized checks totaling over \$470,000. Also, the District was found to have failed to make timely tax deposits, which assessed a penalty on that. There were overstated cash and understated accounts receivable, overstated tax receivables, and misclassification of federal expenditures over \$25,000.

Mr. Rogers said the current superintendent's contract has not been renewed. A determination still must be made to either renew or hire a new superintendent. Also, the district is currently relying on outside consulting services to do payroll and debt requests in lieu of a business manager.

Ms. Newton asked why it took so long to catch the business manager when there is a yearly audit. Mr. Rogers said that the business manager was writing checks to utilities or someone else and then going into eFinance and showing the check as an error. She was then able to fraud the bank statements to make it appear as through there wasn't anything there.

Ms. Newton asked if it there were any fail-safes that could be put in place to prevent this from happening again. Coordinator of Fiscal Distress Ms. Cynthia Smith said that in the districts that they monitor now, the districts are required to provide a bank statement to the Department for review. The checks that are clearing are compared to those in the check registers. This information must be provided from something that that is directly online.

Ms. Newton asked if the district would still have been in danger of fiscal distress without this issue. Ms. Smith said that it would have been close.

Mr. Key said that the district in this case reached out to the Department to request Level 4 support because of a number of issues. The Department plans to work with the district on a fiscal distress plan, in addition to providing the requested level support. He said that he trusts that this will be a good relationship and that the Department will be able to help move the district forward in a positive way.

Assistant Commissioner Ms. Deborah Coffman said that her team did an extensive monitoring of the district and have put together a Level 4 support plan for the district.

Ms. Chambers asked if there would be a chance of recovering the funds. Marvell-Elaine School District Superintendent Ms. Joyce Collins said that there is a possibility of recovery. They have filed for insurance and once there is a conviction, those processes will be put in place to have some of the money returned. She said the prosecuting attorney says that he is seeking restitution.

Ms. Chambers moved, seconded by Ms. Dean, identify the Marvell-Elaine School District as being in fiscal distress.

#### **B- 6 Consideration of Adoption of Health and Physical Education Standards**

Assistant Commissioner Ms. Stacy Smith said when charged with the task of revising the previous Health and Physical Education standards, groups of qualified individuals from across the State came together to craft standards that were specific for the schools and students of Arkansas. The result of this work is the Arkansas Health and Physical Education Standards. Reflecting what Arkansas educators know to be best for students, these standards have developed a new structure from the previous standards and work together to ensure that students are college and career ready and on track for success. The Arkansas Health and Physical Education Standards are respectfully submitted to the State Board of Education for adoption. Ms. Smith passed out and reviewed the standards in the revised format.

Ms. Smith said there was a change on page 45 which she was going to let Ms. Dean address. Ms. Dean said that Bill 1621 was passed and it has specific language discussing Primary Prevention and Risk Avoidance. She said in the standard it's on page 17, Level F. There is a minor language, to go from "demonstrating behaviors that reduce risk factors associated with communicable disease," to "identify strategies to avoid risk associated with communicable disease."

Ms. Dean moved, seconded by Mr. Williamson, to adopt the revised health and physical education standards. The motion passed unanimously.

#### **Public Comment**

Public comment was heard.

#### **Adjournment**

Ms. Dean moved, seconded by Ms. Chambers, to adjourn. The motion passed unanimously. The meeting adjourned at 5:28 p.m.

*Minutes recorded by Tiffany Donovan*

  
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**Johnny Key, Commissioner**

  
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**Dr. Jay Barth, SBE Chair**