

In The Matter Of:
*BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION*

September 10, 2015

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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
#4 Capitol Mall
Little Rock, AR

September 10, 2015
10:00 A.M.

APPEARANCES:

Mr. Johnny Key	Commissioner
Ms. Toyce Newton	Chairperson
Ms. Mireya Reith	Vice Chairman
Ms. Vicki Saviers	Board Member
Mr. Joseph Black	Board Member
Dr. Jay Barth	Board Member
Ms. Diane Zook	Board Member
Ms. Susan Chambers	Board Member
Ms. Charisse Dean	Board Member
Mr. R. Brett Williamson	Board Member
Ms. Ouida Newton	Teacher of the Year/ Non-Voting Member

LEGAL COUNSEL FOR THE BOARD:

MS. LORI FRENO, ADE Deputy General Counsel
MS. JENNIFER DAVIS, ADE Attorney Specialist
MR. CORY BIGGS, ADE Attorney Specialist

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P R O C E E D I N G S

CHAIRPERSON NEWTON: We'll move now to the Action Agenda. And we want to pull action item five (5) from the agenda. And we have a request by Cory Biggs to add an action item; that would be action item nine (9), Consideration for Approval of Emergency Rules: Proposed Arkansas Department of Education Rules Governing the Distribution of Student Special Needs Funding and the Determination of Allowable Expenditures of Those Funds.

In order to do that, to add that action -- add that item to the Action Agenda, we need a motion and a vote by the Board. So, is there a motion?

MS. ZOOK: Madam Chairman, before I make that motion, all I would ask is that we not take this up until after lunch, because I would like an opportunity to read and look at it before so I'll have an informed decision.

CHAIRPERSON NEWTON: Duly noted. We'll do that after lunch then to give you an opportunity. So that's a motion by Ms. Zook. Is there a second?

DR. BARTH: Second.

CHAIRPERSON NEWTON: Second by Dr. Barth. All in favor?

(UNANIMOUS CHORUS OF AYES)

1 CHAIRPERSON NEWTON: Any opposed?

2 A-1: CONSIDERATION OF THE FORWARD VISION AND RECOMMENDATIONS

3 CHAIRPERSON NEWTON: We'll move now to A-1,
4 which is the Consideration of the ForwARd Vision and
5 Recommendations. And we're asking the presenters,
6 Kathy Smith, Sherece West-Scantlebury, and Jared
7 Henderson to come forward. Thank you.

8 MR. HENDERSON: Thank you, Ms. Newton. Thank
9 you to all the members of the Board for hosting us
10 yet again. I think at this point I've lost count of
11 how many times I've had the privilege to engage this
12 group. But I will say today is probably the most
13 excited I've been to step up here because we're going
14 to have a chance now to, you know, walk you-all
15 through the journey that started a little bit more
16 than a year ago to build a roadmap and a coalition
17 that will help this state build one of the finest
18 education systems in the United States over the next
19 generation. And so what I'd, you know, love to do in
20 a few minutes today, before asking you all to endorse
21 our work, is just to reground us in what has led us
22 to this point. Because I think although we're very
23 excited about the product and the recommendations
24 that have been made by the Governor this week, the
25 process that we've undertaken to get to that and the

1 next steps that follow are every bit as important to
2 making sure that that leads to impact. And so we're
3 going to revisit that a little bit and talk about
4 next steps. And then, of course, we'll have plenty
5 of time for you-all to ask any questions that you
6 have.

7 You know, I mentioned this started almost a year
8 ago, I think, when the Rockefeller Foundation and the
9 Walton Family Foundation engaged this group and won
10 support to build a shared vision and roadmap for
11 educational excellence in Arkansas. As you see on
12 the second page of the document you have in front of
13 you, that's what we've achieved. I think there are
14 two broad things that this first year has produced.
15 You know, the first really is a shared vision and a
16 set of recommendations that we believe, if we're able
17 to execute on as a state in the coming years, will
18 lead to excellence and opportunity in 21st century
19 preparedness for every child in the state, regardless
20 of where they're born and what school district
21 they're currently in today.

22 The second thing that has come from this process
23 that is equally valuable and necessary -- and I think
24 distinctive when compared to efforts in many other
25 states, and perhaps even efforts in the past -- is

1 that this has all been developed by a diverse
2 coalition of Arkansans; diverse in terms of where
3 they hail from in the state, what their professional
4 background is, what their expertise is. We brought
5 together a group of folks in our steering committee
6 that have helped, developed and are committed to
7 endorsing this plan and helping be champions for it
8 in various capacities in the years to come.

9 On the next slide, we recognize every one that
10 has served on the steering committee. I'd love --
11 there's actually a bunch of them here today and I'd
12 love for them to stand and just be recognized and
13 show support. If you all would stand if you're on
14 the committee and are here?

15 (SEVERAL PEOPLE IN THE AUDIENCE STAND TO BE
16 RECOGNIZED.)

17 MR. HENDERSON: Thanks. I will say it's been a
18 real pleasure to work with the folks that are here
19 and the folks that are on this sheet. I think we've
20 all learned a lot from each other. We've also just
21 been inspired by the commitment that people have had
22 and the passion that people have shown for the
23 overall goal and for the recommendations that we've
24 set forth to work to achieve.

25 While we're excited about the committee and it

1 is -- you know -- to have a committee to continue to
2 champion is work. Restating what we mentioned
3 before, we've engaged, you know, almost 9,000
4 Arkansans very directly in this process. We had over
5 8,000 people around the state fill out a very long,
6 involved survey, which fed directly into our work and
7 the development of the recommendations that were
8 released earlier this week. We had several dozen
9 focus groups in every corner of the state and engaged
10 more than 550 Arkansans directly. We had more than
11 100 hours of expert interviews, people in the state
12 doing great things, people with local expertise and
13 experience. We also had a number of volunteers to
14 help us facilitate this and throughout that process
15 contributed their thoughts and also became more
16 invested in the growth. Now during that process, you
17 know, along the way, in January, as you all know, we
18 released a follow-up report that was intended to
19 establish a baseline of facts about where we are as a
20 state in terms of our current performance and what
21 has led us there and what we have to build on. And I
22 won't go into great detail about what you all have
23 already heard me talk about, but what we did find
24 that's worth reiterating is that there are real
25 reasons to know and have confidence that when

1 Arkansas gets focused behind a cause or strategy we
2 can deliver on it. We've driven up a strong high
3 school graduation rate; we have made remarkable
4 progress with both the percentage of our students
5 that are taking AP exams and their performance --
6 we've dramatically increased access and performance
7 -- we've dramatically increased access on the ACT and
8 we have one of the higher college-going rates in the
9 United States. At the same time, we know that
10 there's a ton of work left to do. While we're
11 getting our students to college, we're still one of
12 the lower performing states in terms of the
13 percentage that make it through. So we know that we
14 have a very urgent and very critical, and now more
15 specific, charge on which we want to go and deliver.

16 This has all been the backdrop to the vision
17 that we discussed with you before. In the report
18 that we released earlier this week, the
19 recommendations that our committee has made, we broke
20 it into seven areas so that we could better get our
21 minds around exactly what we felt would drive the
22 greatest difference. And those focus areas here are
23 one of the organizing principles of the
24 recommendations that we've delivered in the report
25 that we provided. They're listed here. Of course,

1 it's -- and it spans the student experience in many
2 ways. It starts with pre-K, goes to support outside
3 the classroom, things like healthy nutrition; it
4 covers high quality classroom support, everything in
5 the four walls of a classroom to help a teacher and
6 students be successful. We have recommendations on
7 effective leadership at the principal level, at the
8 district level, and above. We have thoughts about
9 our teacher pipeline, how we recruit and prepare
10 teachers before their first day at school. And then,
11 per your request, we've also developed a set of
12 recommendations that are specific to our schools in
13 academic distress or nearing academic distress. And
14 then, last but not least, we've developed specific
15 recommendations around assistance and policies that
16 we think will enable many of these other
17 recommendations.

18 As I mentioned earlier, this vision for Arkansas
19 education now is publicly available, and has been for
20 several days, and it can be found at
21 ForwARdArkansas.org. We know all of you already have
22 a copy and have read it but, you know, I encourage
23 anyone that's listening to open this up, to take a
24 good read through to start conversations with people
25 that, you know, care about this, both on the whole

1 and on specific recommendations, because this is
2 where the real work begins.

3 I will say, you know, in the spirit of time, you
4 all can ask questions certainly about any
5 recommendations, so I'm not going to hash them all
6 out here. But it is worth noting, you know, for each
7 of you and for anyone listening, again, we did --
8 beyond the seven working areas, what we did provide
9 in the report, in addition to recommendations, were a
10 set of aspirational statements around each of the
11 seven priority areas. And these were provided so
12 that any Arkansan that picks this up, whether they
13 have a deep background in education, whether they're
14 coming from the private sector, whether they're
15 coming from government, they can see in one or two
16 sentences what the recommendations in a given area
17 were meant to achieve. And these aspirational
18 statements I have here in front of you, so I won't
19 read them all to you, but they're very important.
20 They're a foundational element of how we've organized
21 this report and how we expect the work to proceed.

22 I will say, you know, we've already -- you know
23 -- the public conversation has already begun, as
24 early as yesterday and the day before, and we're very
25 excited about that. This is -- you know -- there's a

1 lot of work in here that we expect will -- many, many
2 people will have a lot of, you know, immediate
3 excitement about. There's others that are naturally
4 going to ask some great questions about how do we do
5 this; what does this look like in practice. And
6 we're excited that that discussion is now really
7 beginning in earnest and we're looking forward to it
8 continuing.

9 The next big phase of this work, as you see on
10 page 12, we've created the vision; we've developed
11 the recommendations. Now the work begins to really
12 help catalyze and nurture a statewide movement to
13 figure out what the plans to deliver these
14 recommendations actually look like, and what they
15 look like in different contexts and in different
16 communities. This is the next phase of the work.
17 This is why I like to think of the publishing of this
18 report is really the end of the beginning. We've got
19 a number of years ahead of us to figure out exactly
20 the best way to implement these recommendations in
21 partnership with different communities, schools and
22 districts around the state.

23 And to that end, we do have a few next steps on
24 page 14 that I want to speak about and then I'll let
25 you all ask questions on anything that you have, of

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course.

It is important to know -- and this is available publicly on the website, as well as now. We do have an implementation working group. There's about, I believe, 25 people currently on this committee. These are similar to the steering committee. This is a diverse group of leaders that have committed to sign on for the next phase of implementation, to guide us in both detailed and high-level ways about how we engage communities, how we start to think about prioritizing and implementing the recommendations. These folks have also agreed to continue to be champions in very direct ways, in addition to the responsibilities that they all already have to their full-time jobs and their families. Those folks are not in this report. I can tell you Dr. David Rainey has agreed to chair this group and we're really proud to have his leadership at the helm. But the names of all these folks are available on the website. These folks have agreed to serve the rest of the calendar year to get us started, but we've asked all of them to make that initial commitment, with the strong possibility of staying on at least the next couple of years to help us gain some strong momentum. This group -- I was

1 talking to someone about this the other day; this
2 group, I fully expect that if this effort is
3 successful, will absolutely exist in five years, in
4 ten years, in fifteen years. Some of the people may
5 need to step back and let others take their place,
6 which is fair enough. But, again, one of the most
7 important things and one of the most crucial things
8 to build a movement like this is some dedicated,
9 clear and consistent leadership that gives these
10 recommendations credibility and, frankly, some -- you
11 know -- some momentum over time so that we maintain a
12 healthy sense of urgency to figure out, in
13 partnership with communities, the best way to
14 implement it.

15 Speaking of that, our next big step is the
16 design of our ForwARd communities. We're still at
17 the early phases of this and so there's not a lot of
18 detail to share yet. But I will say, you know, we
19 see the next steps being extremely collaborative.
20 This is not a top-down plan; it is not even a plan.
21 It is a vision, a set of aspirations, and a set of
22 recommendations that we believe will help make a
23 difference. The plans must be developed in
24 collaboration with the communities that are going to
25 be living them out, at the classroom level,

1 principal's office level, the district level, et
2 cetera. And ForwARd communities will be designed to
3 leverage the strengths, the assets, the support for
4 the broader stakeholders of Arkansans, alongside the
5 leaders that we already have in our classrooms, in
6 our districts, and in our broader communities today.

7 Our foundations have also committed to helping
8 develop some additional full-time staff support for
9 this, so we have the implementation working group.
10 There will be a full-time executive director that
11 doesn't have another job, and eventually some other
12 staff potentially as well as we better assess the
13 needs of what would make the greatest difference.
14 But the commitment that the foundations have
15 certainly doesn't end with the publishing of this
16 report. I think it's fair to say it's just beginning
17 with the publishing of this report. And so we look
18 forward to, and I look forward to, this staff and
19 support as well.

20 And, finally, you know, we want to stay deeply
21 engaged with you all, and I'll say more about that in
22 a second. But at a minimum we want to continue to
23 come before you all at least quarterly to give you
24 all reports, not just on process but also outcomes as
25 we start seeing quick wins implemented and bearing

1 fruit.

2 So with that, I appreciate you all letting me
3 have a bit of a monologue. I'm going to make one
4 request and then, obviously, we'll take any questions
5 you all have. But the request is simply, you know,
6 on behalf of our committee and the foundations. You
7 know, we respectfully request that the Board approve
8 a motion to endorse this vision and these aspirations
9 and the process that created it. And also our
10 continued work alongside Arkansans and our partner
11 communities across the state to actually build out
12 the implementation plans to pursue these
13 recommendations, starting immediately but spanning,
14 you know, the coming years. So with that, thank you.

15 CHAIRPERSON NEWTON: Thank you for your report.
16 Before we go into what your request has been, are
17 there any questions from the Board?

18 MS. ZOOK: I have several. I know after Kim
19 Davis left the Board you all did not replace a person
20 on the State Board as a liaison. And as a result, we
21 are not getting regular updates from a committee
22 person point-of-view, like "this is what we talked
23 about, this is what the reasoning was, this is why we
24 came up with this idea." So, Madam Chair --

25 CHAIRPERSON NEWTON: That may be my fault

1 because we had discussed that, the Commissioner and I
2 had discussed that and I made a recommendation, and
3 that may have just not gotten to the ForwARd group.

4 MS. ZOOK: Okay.

5 CHAIRPERSON NEWTON: So we can talk about that.

6 MS. ZOOK: But if we have someone --

7 CHAIRPERSON NEWTON: I've asked someone to serve
8 --

9 MS. ZOOK: Okay.

10 CHAIRPERSON NEWTON: -- and they've agreed; we
11 just haven't connected.

12 MS. ZOOK: Anyway, I preface it by saying that.
13 That's why, you know, I have a lot of questions this
14 morning that are sort of in the weeds, but it will be
15 helpful to me. I noticed some of the things that you
16 -- that the group has recommended or seen as a vision
17 involved some reorganization and some staff
18 reassignments or different assignments or additional
19 staff at ADE. Now it was my understanding when we
20 went into this process that any funding needs would
21 come from the foundations with whom we are
22 partnering. Are you now saying that you're going to
23 want something done at ADE and the state level that
24 will require taxpayer funds as opposed to foundation
25 funds?

1 MS. SMITH: I would say that -- and we talked
2 about this, you know, from the beginning, that we
3 want to work with the Department --

4 CHAIRPERSON NEWTON: I'm sorry; would you state
5 your name?

6 MS. SMITH: Oh, I'm sorry. I'm Kathy Smith with
7 the Walton Family Foundation. We want to work with
8 the Department to see how that works best. Because
9 sometimes it might be that there are people that are
10 reallocated, you know, based on what they're doing,
11 if this vision is something that fits into what they
12 would have to do. But also certainly -- so we want
13 to encourage that for sustainability sake, but also
14 want to be open to whatever the Department might need
15 in terms of making a transition and making the best
16 resources available for the Department to address
17 these things. We know it's a priority with the
18 Department, and so the first question would be are
19 there ways that under the current budget and under
20 the current -- and maybe a slightly different
21 structure or the current structure is this possible
22 first.

23 MS. ZOOK: That's sort of what I've been
24 preaching, which is we want an organization that
25 reflects 21st century and we want to use the same

1 money smarter before we go or think about additional
2 money.

3 MS. SMITH: Absolutely.

4 MS. ZOOK: Okay. Another question: Dr. Barth
5 and I have both asked that there would be some sense
6 of civic, as well as college and career, be woven
7 into this in some way. So I just don't want us to
8 forget that, you know, we would like that there.

9 Hold on just a minute; let me read my notes.

10 On the moving of the school board elections, I
11 know that there are groups, education groups who have
12 worked for this and there are education groups who
13 have worked against this. So do you have a
14 suggestion in your vision or your plan for how you
15 can get those groups to work together so that more
16 people who see one day as opposed to another as the
17 day I go vote, or the week or two weeks, so that if
18 we adopt this and see that it in fact is a way to be
19 helpful that we can get those groups? Because you
20 get legislators and they have educators they respect
21 here and they have educators they respect there, and,
22 you know, depending on how many superintendents you
23 have within your election zone. So I think those
24 groups sort of maybe need to come together and see
25 what the pitfalls are or the advantages or

1 disadvantages and have all the educating advocacy
2 groups, the educating representative groups and
3 everybody working in the same direction, as opposed
4 to working against each other on something like this
5 and might keep the other things from being
6 accomplished.

7 MR. HENDERSON: This is honestly a great
8 question and it's something that we've been engaging
9 with folks that have read this early on about. I
10 will say, so there is -- as with many of these
11 things, there's not a step-by-step plan in place yet
12 for students. But what we did by putting this in
13 here was insure that we're committing ourselves to
14 helping create a process so that the organization
15 you're speaking about and the debate that needs to
16 actually happen, you know, does happen. You know,
17 and as with many, you know, recommendations in here,
18 we had a lot of rich discussion in our own working
19 group about this and the process of that discussion
20 itself was very valuable, even when it didn't
21 necessarily convince everyone of, you know, what we
22 have, whether it's on this or anything else. And so
23 what we've done here is put ourselves on the hook for
24 making sure the plan is built-out to make sure that
25 this debate does happen and it happens in a rigorous

1 way that allows Arkansans, you know, through their
2 legislators or, you know, any other body, to make the
3 right -- what they believe is the right choice. And,
4 you know, the balance of the committee though does
5 think this is the right thing to do.

6 MS. ZOOK: And another thing that's in here that
7 I see -- or, first of all, do y'all know about the
8 ERZ's? Did you work with them? Is there anybody in
9 any of those groups on the committee or is this
10 something that maybe we can find helpful to work with
11 your group? Because it seems like much of the P-20
12 is overlapping in some ways.

13 MR. HENDERSON: Yeah. I think that definitely
14 needs to be wrapped into the implementation.

15 MS. ZOOK: Okay.

16 MR. HENDERSON: Absolutely.

17 MS. ZOOK: All right. And this question, I
18 don't know who can answer it. But is there any -- I
19 know teachers need to work together. I know in rural
20 districts, like Ms. Newton is from, you know,
21 sometimes you are the math department. And so -- but
22 when you're in a district and you're not the math
23 department, and you need to work together, is there
24 anything that says that a teacher's day has to be
25 like six-and-a-half hours? And I realize they work

1 at night, because I in fact was a teacher and I did
2 in fact work nights and weekends. But my question is
3 this: so if they're all on campus at the same time,
4 perhaps when there are no students, can you do --
5 could we do a 4:30 -- I mean, a 7:30 to 4:30 day or
6 an 8:00 to 5:00? Is there -- is that -- is there
7 legislation that says that teachers come like 30 or
8 45 minutes early and leave 30 minutes late, as
9 opposed to having a block of time if the kids are
10 there, seven-and-a-half hours where the teachers are
11 there without student responsibility, so they will
12 have that collaboration time, which we all know is
13 valuable?

14 COMMISSIONER KEY: We don't -- in the statute,
15 it's not predetermined, except for the class time;
16 the learning time, you know, that's predetermined.
17 And then there's some time there requiring planning
18 time for educators. But as far as the details of how
19 that's worked out, that's left to the local decision-
20 making through their administrators and school
21 boards. But there are statutory provisions for the
22 high-level of the timing that's involved with that.

23 MS. ZOOK: So it's possible to work that in when
24 there weren't students, if the superintendent and the
25 local board chose to do that?

1 COMMISSIONER KEY: And I think the PP, the
2 personnel policy committees and other groups that
3 represent teachers are fully involved in that at the
4 district level too.

5 MR. HENDERSON: If I could add, this is a
6 perfect item to kind of -- to represent how we see
7 this playing out and how the process has worked so
8 far. So, you know, when we looked at our
9 recommendations around creating more effective
10 professional development and collaboration time, you
11 know, in our working group -- and even I believe this
12 might've been one of these that came up in the full
13 committee; how you go about that was actually
14 something that we talked about quite a bit. And I
15 think someone even brought up the exact idea that
16 you're thinking about here, because it's obvious how
17 that can create more time. The reason that we didn't
18 lean that far forward and be that prescriptive with
19 this is because, you know, we felt like there were
20 several different ways to achieve that objective and
21 we couldn't confidently say that one approach was
22 definitely better in all communities. And so as we
23 work forward into implementation and actually work
24 with communities to build out plans, we can see
25 things that potentially could, you know, involve the

1 local school board vote that mandated, for instance
2 -- or it could be as simple as a decision by a
3 principal in building out the schedule in another
4 community. And so I think what we've done here is
5 we've met ourselves saying "if you're going to adopt
6 ForwARd, if you're going to be a ForwARd community,
7 you've got to figure this out; we're going to work
8 with you to figure it out." But it could look quite
9 a bit different in different communities.

10 MS. ZOOK: And I know at the secondary level
11 sometimes it's not as much of an issue because they
12 have so many periods a day they teach and then they
13 have their prep period and they possibly could agree
14 to, you know, one of those prep periods per week get
15 together and collaborate and be teacher leaders. I
16 spent a lot of my time in elementary and elementary
17 special education and, you know, we had bus duty and
18 then the kids were there. And then we had bus duty
19 and we -- so our days were long but there was never a
20 time -- and trust me, as a first- and second-year
21 teacher I could've greatly benefitted from time to
22 talk with another teacher in the building about how
23 to introduce a reading lesson or a lot of different
24 things like that. So some of the things that work
25 out well at secondary don't work out so well at

1 elementary because of that very thing.

2 CHAIRPERSON NEWTON: Okay. If I might add, Ms.
3 Zook, I think probably -- you know -- I don't say
4 we're getting too far into the details at this point,
5 because I think it's very critical. But I would --
6 my admonishment -- I think that the community
7 involved and that level of involvement that you spoke
8 of in terms of the next steps will be critical to
9 having this not be problematic. It certainly can't
10 be by design to say step one, two, three or four,
11 because four might come before one, and so-forth.
12 But I think it's going to depend on the uniqueness of
13 the communities and schools and their assets and
14 their strengths to be able to work through these
15 things as relates to faculty and as it relates to
16 administration, as it relates to even student and
17 parent groups driving changes that would ultimately
18 impact. So I want to make sure we got around to
19 other questions also.

20 Back to your first question about the person
21 representing the Board, I know that Mr. Ledbetter had
22 appointed Kim Davis. And unless there's been a
23 change of heart, I'd asked Dr. Barth to be that
24 person to be on -- to represent the Board of Ed. I
25 think he will, based on what -- anyone would be --

1 you know -- there are a plethora of skills here on
2 this board, skill sets on the Board that would add to
3 that. But I made that decision and asked Dr. Barth;
4 so unless he has changed his mind --

5 DR. BARTH: (Shaking head from side to side.)

6 CHAIRPERSON NEWTON: Okay. So he's the guy.
7 Okay. So other questions by any other board members?

8 COMMISSIONER KEY: Madam Chair, if I may address
9 Ms. Zook's second question --

10 CHAIRPERSON NEWTON: Okay.

11 COMMISSIONER KEY: I think it was her second
12 question, on the recommendations dealing with the
13 Department and staffing. We have certainly been, as
14 Ms. Coffman has been working with the ForwARd group,
15 in bringing back some of the discussion points, we
16 have been looking at the various units in the agency
17 and their roles and how that would fit. And, you
18 know, recognizing that we need to look to see are we
19 doing things the same way we were doing them 10 years
20 ago, and does that still work, and is that going to
21 work five years and ten years from now. So we're
22 including that in our strategic thinking process.
23 And before we got too far out -- and we didn't want
24 to get too far out in front of you all as the Board
25 before this was adopted. So if the discussion here

1 today is positive and favorable, then that's
2 certainly going to be more in our minds and in our
3 process of looking at what does the Department look
4 like specifically with regards to academic distress
5 and turnaround of our schools that need help.

6 MS. ZOOK: I think probably what prompted my
7 question is because this has always been on the
8 Reports Agenda. So before I voted one way or the
9 other on something on the Action Agenda, I just
10 needed that clarification and I found that all
11 parties involved are always very receptive to
12 questions and answers.

13 CHAIRPERSON NEWTON: Okay. And -- okay. Go
14 ahead.

15 MS. REITH: No, I did have one question,
16 although it's directed, if that's all right, to the
17 Commissioner, just because I have read in the press
18 release and information that you all have sent out
19 over the last week, some questions in regards
20 specifically to the pre-academic distress. And I was
21 just wanting to know what exactly is our flexibility,
22 because I know academic distress is relegated to us
23 on the State Board. Would something like this -- it
24 feels like it's a great place in law, but I know that
25 there's folks on this board and yourself that know

1 more than myself, and just some clarity about that
2 recommendation.

3 COMMISSIONER KEY: I think we would need to see
4 where in our statutes there are parallels between the
5 conditions that constitute pre-academic distress in
6 this vision compared to where we are now and where --
7 you know -- we know that we had a federal status of
8 Needs Improvement -- Focus, Needs Improvement,
9 Priority; how does that relate to this vision, how
10 does it relate to the requirements we already have
11 now in rules and regs that are based on statute. So
12 there are a lot of policy review items that -- if you
13 all adopt this, then the next step for us will be
14 alignment. And as the implementation team begins and
15 continues their work, then we will work closely with
16 them to make sure that we are in alignment. And
17 where there is not alignment, identify it it
18 statutory, is it rules and regs, is it practice, and
19 then bring those back to you for direction and
20 approval, should that need to come.

21 MS. REITH: Thank you, Commissioner. And I just
22 have one follow-up comment. Obviously, I've said
23 over the last several months, and years now, I guess,
24 how supportive I am of this process. But I would be
25 remiss as a community organizer to not say I still

1 feel a lot of the leadership in conversation is very
2 centralized around the state level and these
3 conversations I think, even our own role, is in that
4 -- is reflected in that, as well. So is there -- are
5 there opportunities, or in the planning, to devolve
6 ownership of this process -- right? -- through the
7 implementation working group; maybe it's setting up
8 regional groups or things like this. I wouldn't even
9 pretend to, you know, suggest or even start leaning
10 toward what those specific tactics would be. But I
11 just -- I think for all the reasons that everyone has
12 already mentioned -- right? -- what's going to make
13 this successful to the extent to which local
14 communities -- right? -- take ownership of this. And
15 I bring that up because I feel it's not just the
16 education stakeholders; but when we look at the Delta
17 -- right? -- south Arkansas, our rural communities,
18 the extent to which their local Chamber of
19 Commerce's, their businesses, the whole communities
20 are going to come in and take ownership. And so
21 people in general are going to get more involved if
22 they feel they have a seat at the table. So just
23 offer that advice and recommendation. I'm very
24 excited. Thank you.

25 CHAIRPERSON NEWTON: Thank you. Dr. Barth. I'm

1 sorry. Yeah, Dr. Barth. Okay.

2 DR. BARTH: Just a quick comment. And, first
3 off, I think we have made -- the progress we've made
4 in the state because we -- on education, because we
5 have treated it in a nonpartisan manner. And I just
6 -- I think we should all celebrate this process as
7 our best hope for continuing that momentum moving
8 forward. And I really just want to celebrate the
9 compromise that we've seen at the heart and soul of
10 this, and I also want to celebrate the fact I think
11 the process has gotten it generally right in terms of
12 the specificity, not being too specific, but also
13 giving some clarity about direction. So I think it's
14 been quite good. I do -- I really hope that we, as
15 it's determined, you know, which of these things
16 really are in the purview of this board in the area
17 of rules and regs, that we can really kind of develop
18 -- once the implementation group kind of identifies,
19 you know, the order that needs to take place, that we
20 really begin that process in a really thoughtful,
21 ongoing manner and so that we can kind of keep the
22 momentum alive from this end. I know there are some
23 things we're not going to be able to do because of
24 statute, but the things that we have some power on I
25 hope we're all dedicated, if we do endorse this, to

1 kind of -- to say, "This is going to be part of our
2 strategic plan as a body moving forward." And so I
3 think it's going to be a lot of work and a lot of
4 rule-making processes. It's always time-consuming,
5 but I think we can make a lot of progress.

6 I do have one question. My only -- I love
7 ninety-eight-and-a-half percent of this. My one
8 question is on the school board issue. And the
9 school board in the recommendations is in the
10 leadership category, and I think that's right --
11 that's where a lot of those elections are relevant.
12 But there is also that funding piece. And my only
13 worry is the fact that, you know, that local
14 districts do, when they go out and raise a millage,
15 that's when it happens. And the challenges that may
16 result from a general election time millage vote and
17 how that could create some challenges for districts
18 in terms of the funding piece. That's the one part
19 of that that, as sensible as that proposal is, or one
20 like it, for -- on the leadership side -- that is,
21 getting more voters involved in that process -- I do
22 worry a little bit about millage votes which are
23 crucially important and in many cases getting lost in
24 a long ballot. And so that's my one -- that's a long
25 ways off, and that's a statutory thing, but I think

1 we need to think carefully about how we do that so we
2 don't make mistakes. And I think there are 50 other
3 states that do these things differently and we can
4 use that social science data to make the right call
5 in that area.

6 CHAIRPERSON NEWTON: Okay. Any other questions?
7 Ms. Saviers.

8 MS. SAVIERS: I really agree with everything
9 that Mireya said, and Jay, as well, regarding the
10 process. This has been my dream. I never expected
11 to see it in my lifetime. I know the hard work is
12 beginning now, but the leadership that you all have
13 shown I have no doubt that we will sustain the
14 momentum. And along with the leadership that we're
15 seeing from Mr. Key and understanding the changes
16 that need to happen at the Department of Education,
17 particularly that applies to turnaround of schools
18 and districts in academic distress, this is a huge
19 moment in time for the state of Arkansas. And I too
20 would love to celebrate the progress that you've
21 made, the progress that I'm expecting you'll make.
22 And I think it's critical -- and I'm so thrilled to
23 see the ForwARd communities because, exactly as
24 Mireya says, we just can't do things to people;
25 everybody has to be involved. And using a little bit

1 of my bully pulpit here, I hope that communities
2 across the state will take up the banner and
3 understand that this does nothing but improve lives
4 for all the people in your communities. And I am
5 saying today that 20 years from now we will look back
6 on this moment and look at this plan and say, "We did
7 it. We're capable of creating a vision for education
8 and we're capable of implementing that vision." So
9 good work. So appreciative, so thankful for all of
10 you.

11 CHAIRPERSON NEWTON: If there are no other
12 questions, what's the pleasure of the Board on action
13 item A-1?

14 MS. ZOOK: I move that we accept the FORWARD's
15 recommendations and the appointment of Dr. Barth as
16 the liaison on the Board.

17 CHAIRPERSON NEWTON: Is there a second?

18 MS. CHAMBERS: Second.

19 MS. SAVIERS: Second.

20 CHAIRPERSON NEWTON: Ms. Chambers seconded. She
21 mouthed it.

22 MS. CHAMBERS: I did.

23 CHAIRPERSON NEWTON: She actually did. All in
24 favor?

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRPERSON NEWTON: Any opposed? Okay.

2 MR. WILLIAMSON: Can I say just one thing after
3 -- since it's been approved already?

4 CHAIRPERSON NEWTON: That's fine. All right.

5 MR. WILLIAMSON: This is completely in support
6 for it. But however we as citizens of Arkansas
7 define "moving Arkansas forward," I look at it from
8 an economic development standpoint. And there are
9 four key categories, in my opinion, that promote
10 economic development in Arkansas: you have great
11 infrastructure, relative tax rates, which we still
12 need to work on some, education, and quality of life.
13 And I want to really congratulate everybody -- Jerry,
14 your group, as well -- for all the work they've put
15 in, because I really think this is one of the more
16 under-utilized economic development tools that we
17 have in Arkansas. So I'm excited about this.

18 CHAIRPERSON NEWTON: That's good. I was going
19 to add, but didn't want to say it before the vote,
20 but Ms. Saviers and I have lamented over our term on
21 the Board to try to determine what our defining
22 moment would be in terms of our contribution to the
23 Board. And, certainly, there have been some high
24 points, but I think I agree with you in saying that
25 if I'm around in 20 years, or even in 10, and could

1 look back on this, I think it's certainly not without
2 its challenges and certainly not without the need to
3 pull together, shoulder-to-shoulder, and work
4 together. But it does stand, I think, to be one of
5 the defining moments for the state of Arkansas and
6 the children and families. So, thank you for your
7 desire to want to make this happen for all of us.

8 COMMISSIONER KEY: Madam Chair, if I may, while
9 they are still there, because this reflects a
10 conversation that we had yesterday. I want everyone
11 that's -- because this is being live-streamed, I know
12 a lot of people, a lot of school folks and people
13 around the state are listening and watching. Ms.
14 Saviers, you talked about 20 years from now; well,
15 that's what we're talking about. This is a vision
16 that is a 20 -- this is a generational shift for
17 Arkansas. And we talk about generational shifts and
18 we want to see it done by a year from now. Okay? So
19 this department and this board and the communities
20 need to understand that this is a long-haul. We
21 didn't get here in a short period of time to where we
22 are as a state, and we're not going to get to where
23 we want to be in a short period of time. I
24 appreciate the long-term vision that this group --
25 acknowledging Mr. McDonald and the work in leading

1 and chairing this group, and all the business
2 community, education leaders, all the folks who were
3 brought into this. They all adopted that this is
4 going to affect what happens after some of us are no
5 longer active and engaged, but the momentum we start
6 here today is really what's going to drive this
7 forward. And I'm excited about the Department's role
8 in working, in partnering with these communities and
9 what we're going to see and what we're going to
10 accomplish. So I want to thank the Board for the
11 partnership that they've created initially, back in
12 July 2014, and allowing us as a department to be a
13 part of this process.

14 CHAIRPERSON NEWTON: And thank you again.

15 MS. SMITH: Thank you.

16 A-2: CONSIDERATION OF THE LITTLE ROCK SCHOOL DISTRICT REPORT
17 OF PROGRESS

18 CHAIRPERSON NEWTON: The next item on the Action
19 Agenda is Consideration of the Little Rock School
20 District Report of Progress. Mr. Baker Kurrus.

21 SUPT. KURRUS: I'm here; I'm just -- we were --
22 pardon me; I was outside the door. Good morning.

23 CHAIRPERSON NEWTON: Good morning.

24 SUPT. KURRUS: The Civic Advisory Committee co-
25 chairs are here as well and I think they'd like to

1 have a moment with you, if that would be acceptable.
2 I'll let them start.

3 CHAIRPERSON NEWTON: Okay. Do you want to
4 identify them? We all think we know you, but --

5 SUPT. KURRUS: Oh, I'm sorry. I'm Baker Kurrus;
6 I'm the Superintendent of Schools, on my -- what is
7 it -- my 126th day.

8 MS. ZOOK: He's counting.

9 SUPT. KURRUS: And Dr. Dionne Jackson and Mr.
10 Greg Adams are here as well and they're going to give
11 you a short update on the Civic Advisory Committee.
12 Then, I'd like to give you a brief update and answer
13 questions.

14 CHAIRPERSON NEWTON: Okay. Thank you.

15 DR. JACKSON: Good morning.

16 CHAIRPERSON NEWTON: Good morning. Please state
17 your name for the record.

18 DR. JACKSON: Yes, ma'am. I'm Dr. Dionne
19 Jackson and I get to be one of the co-chairs of the
20 Little Rock School District Civic Advisory Committee.
21 I'm here with Mr. Greg Adams. We're delighted to be
22 here with you this morning. We just wanted to
23 provide a brief update on our work today. I want to
24 begin by mentioning information about our August 27th
25 meeting. One of the things that we've decided to do

1 as a committee is to hear from each of our distress
2 schools at our monthly meetings. At that meeting we
3 had an opportunity to hear from J.A. Fair High
4 School. Ms. Biggs came by to give us an update on
5 their progress and thinking about what's happening at
6 J.A. Fair. And then also Mr. Dennis Glasgow stopped
7 by our meeting to talk about changes and thinking
8 about the program that they're using to deal with
9 school improvement reporting. So he talked about
10 Genistar, answered questions about Genistar from our
11 committee members but then also community members.
12 Ms. Biggs talked some about their focus being on
13 data-driven instruction and how they're working in
14 J.A. Fair to create a climate and a culture that's
15 really focused on achievement in their school. The
16 other thing that she noted was that the seven-period
17 day at their school is actually working well for
18 them, and two of the teacher representatives from
19 J.A. Fair also agreed that the seven-period day is
20 working well for them at J.A. Fair.

21 From there, we always have a Little Rock School
22 District update from Dr. Kurrus. During that meeting
23 he talked about the administration focusing on
24 student learning and providing resources for it. He
25 also mentioned the union contract issues that have

1 been in the media recently. And from there, he
2 talked about working on a consistent facilities plan
3 for the Little Rock School District. We also had
4 during that meeting an update from Dr. Whitfield. We
5 have a retreat planning committee -- and I'll talk
6 some more about our retreat -- and she gave us an
7 update about our retreat plans. And we also had a
8 brief mention of the fact that we are seeking adult
9 representation from the Latino community and would
10 actually like to have someone appointed to our
11 committee as an adult. That was something that was
12 brought to our attention as co-chairs, and something
13 both Greg and I agreed would be important for our
14 committee to have Latino adult representation. Just
15 last night I forwarded names that were nominees that
16 came from our committee on to Commissioner Key and
17 Mr. Kurrus, and we just asked them to consider those
18 names from our committee and to possibly appoint one
19 of those people to our committee. And I know that
20 Dr. Barth probably thinks that's interesting because
21 the last time we were here we talked about the size
22 of our committee being 33 people, so wanting to add
23 one other might be surprising. But we think that it
24 would be worthwhile to add that representative.

25 From there, other than dealing with and working

1 with our meetings, we have been planning a retreat.
2 One of the things that has been a consistent
3 consensus among our committee members is the fact
4 that we do not have enough time to spend together to
5 get to know each other, to build bonds with each
6 other, to build the level of trust that we need to
7 represent the Little Rock School District as a
8 committee. We meet once a month for two hours and
9 typically we're hearing information about the
10 district progress during that time. But we don't
11 know each other and it's difficult when you have 33
12 people to have that time. And so we decided probably
13 this summer sometime that it was important for us to
14 have a retreat. We have a retreat scheduled on next
15 Saturday, September 19th; it will be from 9:00 to
16 4:00. The biggest issue surrounding that retreat is
17 that we've asked for our retreat to be a closed
18 retreat and that's an issue that we've dealt with.
19 Our facilitator, who we've hired from Nevada,
20 actually requested that our retreat be a closed
21 retreat. She requested that because it was
22 important, she thought, for what she's experienced
23 and from the community feedback that she's received
24 that we needed to build trust with each other and to
25 bond with each other and think about our work

1 together, without having other people there to
2 provide insight. The other thing that -- and as a
3 retreat planning committee, there are five members,
4 and we are ex-officio members, so that makes seven.
5 We agreed with that recommendation. We sought the
6 counsel of our legal counsel to the Little Rock
7 School District; he said because we are not a
8 governing body that legally we do not have to have an
9 open retreat. And so that's the biggest issue that
10 we've dealt with, but we believe that it will be best
11 for us. Teachers have mentioned to us that sometimes
12 it's difficult to be open and honest about how they
13 feel and about what they're experiencing in their
14 school setting, and even for the students at times,
15 with the media present and others present. And so
16 we're hoping to build enough trust during this day-
17 long retreat that we can really be honest about the
18 things that we're seeing, both positive and negative,
19 within our district and to move forward with an
20 action plan for thinking about how we're going to
21 engage our community, which is our charge -- thinking
22 about engaging our community and thinking about
23 communicating information out to the community. When
24 we think about our retreat planning committee, I'll
25 just let you know that they are running the show.

1 Greg and I are just there to nod and kind of say,
2 "Okay, if that's the direction you want to go." We
3 have two teachers on that committee; we have one zone
4 rep on that committee; one student rep; and one
5 philanthropic rep. So it's a good representation.
6 Our 33-member committee decided that that's the
7 representation we wanted for that retreat planning
8 committee. There are three main objectives that
9 we're kind of thinking about when moving forward.
10 Ms. Henderson wants us to kind of think about our
11 work that we're currently doing; think about the
12 charge that's put before us; think about the concerns
13 that Mr. Kurrus has asked us to consider and to have
14 conversations about that and think about what action
15 plans we might take in our community to get feedback
16 about that; and just basically to bond with each
17 other. That's what we hope to do.

18 And so I think in a nutshell that's where we are
19 with our work, just continuing our monthly meetings
20 and then looking forward to our time together as a
21 committee on next Saturday.

22 Would you all like to take -- for us to take
23 questions now?

24 CHAIRPERSON NEWTON: Are there any questions?

25 MS. ZOOK: Yes. You mentioned that a group was

1 -- first of all, thank you for serving and we
2 appreciate that. But you have hired a group; who's
3 paying for that?

4 DR. JACKSON: Oh, thank you for mentioning that.
5 I think when we came in August we mentioned, yes,
6 that we -- that the Arkansas Public Policy Panel and
7 the Winthrop Rockefeller Foundation had recommended
8 to us. They came to our, I think, July meeting and
9 presented a proposal and a consultant, Ms. Jennifer
10 Henderson. She's done work with several people even
11 within the Arkansas community, although she's from
12 Nevada. So she came highly recommended. And then as
13 a committee we looked at the proposal; we thought
14 about what was presented to us. And of all the
15 things that were presented to us, we really thought
16 that we wanted to do a retreat but we wanted an
17 outside facilitator and we did not want to use
18 district funds to do that; we wanted someone that was
19 not connected to the district. And so that's how we
20 ended up accepting that offer of Ms. Jennifer
21 Henderson as our retreat facilitator. And I will say
22 that she flew in about a week ago and met with our
23 retreat planning committee, and several of the
24 teachers had not met with her yet. But when we left
25 they said, "She's the right person for this." So

1 we're excited about her facilitating our time
2 together next Saturday.

3 MS. ZOOK: I still have a little concern because
4 when I voted for -- to establish the committee it was
5 my understanding that I was voting to -- for a group
6 of people to be like a booster club, a PR group; they
7 go in, they find out what's good that's going on in
8 the schools, they get that information out, but not a
9 committee that the administration has to report to,
10 not one that's sort of an oversight committee at all.
11 And I realize, because I'm often misquoted in the
12 paper, that what happens is something happened but
13 we're never sure what. But when I read your reports
14 in the paper it doesn't sound like that that's what's
15 going on. It doesn't sound like that they're coming
16 back saying, "Well, I have an academic distress
17 school over here and they're really wanting to get
18 more kids that want to be in band that are in band,"
19 and, "Can we get some people involved and buy some
20 instruments?" And, you know, that's just a small
21 example. But I'm not getting the impression that
22 this is a PR booster; I get the impression that the
23 perception of the majority of the committee is that
24 they are a -- like a quasi mini advisory school
25 board, but not a public relations "here's what's

1 going on that's great." Because I know Mr. Kurrus is
2 always reminding us there's a lot of good things
3 going on in those schools, lots of going things, lots
4 of great kids, lots of great kids who are not
5 performing well, lots of parents who are needing, you
6 know, input. So I do have a great deal of concern
7 that the complexion of the committee, as reported in
8 the paper -- I haven't -- I came to one of your
9 meetings but y'all had changed the date, so I wasn't
10 there. But if the paper's accounting on those
11 meetings is accurate then I wish that one thing that
12 you all would work with in the retreat is a better
13 understanding of what it is exactly you all are
14 supposed to be doing, not the direction that -- and I
15 realize that the committee was set up at a very tense
16 time; I do appreciate that. I think that people are
17 more relaxed for a variety of reasons now and more
18 receptive to it's not going to be my way or the
19 highway, but everybody working together for the kids.
20 But if I'm wrong, I'm sorry for the little speech.
21 If I am right, then I want you to know that at least
22 from my point of view I am here to encourage you to
23 get the committee to look more in-depth to find out
24 what's going on that's right in the district rather
25 than expecting reports and second-guessing from the

1 administration.

2 DR. JACKSON: And may I say that you are right.
3 And so when we are thinking about -- you talked about
4 the perceptions that you're receiving from the media.
5 Those are not perceptions; you are correct. I think
6 what's been difficult for us as a committee is that
7 when we came into place in April there was change in
8 administration. When we started in May, there was
9 more change in administration. And now, as we've met
10 through the summer and as we've started a new school
11 year -- that's one of the reasons why we're doing a
12 retreat is because we have to focus our attention on
13 our charge. And with 33 members, not everyone wants
14 to focus on what we've been asked to do. But the
15 point of the retreat is to say, "This is what we've
16 been asked to do; how are we going to do it
17 effectively, and how can we spend the time necessary
18 to do that effectively." Our committee members have
19 expressed the same concern that you've expressed. We
20 keep hearing about things and keep getting reports,
21 but how are we pushing information out that's
22 positive about what we're doing in the district. And
23 so one of the things that Ms. Henderson, one of her
24 aims for our time together in our retreat, as was
25 mentioned by one of our committee members, is the

1 fact that we have to think about what is our
2 communication plan. Because that's the charge that
3 you all have given us. How do we begin to
4 effectively communicate out what's going on and what
5 outlets are best for us to communicate that
6 information out, and when? And so that's one of the
7 aspects we'll begin to look at. But I do have to say
8 that our second charge is, other than the
9 communication piece, is about the advisory position.
10 We don't govern. But being there so when Mr. Kurrus
11 is considering something big, such as facilities, to
12 be able to provide advice in a way that's effective
13 and that's well thought-out. And so some of that
14 requires us to listen -- well, we've been doing a lot
15 of listening. And so, like you, we're ready to move
16 forward and think about some of the PR.

17 MS. ZOOK: Thank you.

18 DR. JACKSON: Thank you for that comment.

19 CHAIRPERSON NEWTON: Any other questions? Ms.
20 Reith.

21 MS. REITH: Actually, to piggyback on Ms. Zook's
22 comment, just to say I guess I don't fully share that
23 concern. But, again, as a community organizer --
24 right? -- maybe I wouldn't. And I do think here that
25 there is an opportunity. What I am encouraged to see

1 is to see the two-way communication. I'm a firm
2 believer that communication isn't one-way and it
3 shouldn't be just being a voice -- right? -- for what
4 the administration is saying, but that you're also
5 then, what you're hearing from the community,
6 acknowledging that members of the community may say
7 things to y'all that they wouldn't say to Mr. Kurrus
8 or to others, to be able to lift that up. Right?
9 Because I think that a huge part of overcoming --
10 right? -- some of these trust issues -- and while I
11 agree it's not as tense as it was before, my
12 colleagues may or may not be aware next week there's
13 going to be an acknowledgment of the death of the
14 school board -- right? -- and the vote that we took.
15 That's going to be happening publicly here in Little
16 Rock with some of the community organizations. So
17 there's folks that still feel this and they're trying
18 -- everyone is trying to put their energy in a
19 positive way, and that's why I'm very excited about
20 what I'm seeing here. And I'm definitely not one at
21 all that is a proponent that this is sort of a quasi
22 school board but -- you know -- or acknowledging we
23 don't have governance. But I do feel strongly about
24 two-way communication and I'm grateful of the time
25 that you-all have given to lift up and be a voice to

1 Mr. Kurrus and to the administration in this process.

2 CHAIRPERSON NEWTON: Okay.

3 MR. ADAMS: Just to add on to that, I'd like to
4 confirm that I didn't --

5 CHAIRPERSON NEWTON: And your name again,
6 please?

7 MR. ADAMS: I'm sorry, Ma'am. Greg Adams; I'm
8 the co-chair of the Civic Advisory Committee. I
9 think the idea of the two-way communication is truly
10 important, and part of the reason why it's been a
11 struggle for the parties to come to a consensus of
12 what it looks like. Because I think part of our job
13 is that community engagement piece: how do we help
14 the district engage more the stakeholders and the
15 community. And that was my understanding when the
16 decision was made to set up this committee was we
17 didn't want to lose the voice of the community;
18 because we were losing the voice of the elected
19 school board, but we didn't want to lose the voice of
20 the community in other ways. And so this was to help
21 fulfill some of that, the other part of coming back
22 to the district and being able to help the district
23 hear better and understand better what's happening in
24 the community. But we -- for the not lack of effort,
25 but I think it's been a floundering kind of a time,

1 frankly, in the summer because we have so many people
2 and because we haven't had a chance to have a chance
3 to sit down and come up with a really consensus plan
4 for how we're going to handle those two different
5 pieces, by giving advice to the district and also
6 helping the community understand what's happening
7 with the district. And our hopes really are that
8 this experience we're going to have in about seven
9 days -- about nine days is going to help us to do
10 that, to really focus in, get some very practical and
11 achievable tasks and go forward with that. I don't
12 think -- because there's frustration in our group
13 that if we don't do that, then we don't feel like
14 we're really able to live up to either aim, giving
15 advice to the district or representing the district
16 well in the community.

17 CHAIRPERSON NEWTON: Okay. Thank you.

18 DR. JACKSON: Thank you.

19 CHAIRPERSON NEWTON: Mr. Kurrus.

20 SUPT. KURRUS: Again, I'm Baker Kurrus; I am
21 Superintendent of Schools. I'm going to abbreviate
22 my report a little bit. I know y'all have got a busy
23 agenda, so I'm going to go very quickly in a couple
24 of different areas. I want to give you a micro look
25 and then I'm going to step back a little bit and give

1 you the big picture. I'm proud to report that the
2 micro look is boring, in one sense. I wanted Mr.
3 Marvin Burton to be here to give you a look at high
4 schools, but instead of being with us he's with high
5 school principals today doing exactly what he needs
6 to be doing. I wanted Sadie Mitchell to be here to
7 give you a report; I think we've got great people.
8 She's with elementary school principals. Likewise,
9 Dan Whitehorn, who's the associate for middle
10 schools, is in a training session with some of his
11 people on what we're calling disciplinary literacy,
12 which is -- it's not a program, but it's going to be
13 part of who we are, where we teach our teachers how
14 to assist children who don't read well after they get
15 into middle and high school. We have a huge problem
16 with that. And I don't want to over-emphasize this,
17 but in the sense that it's boring it means that
18 people have their heads down, they're working hard,
19 they're cooperating, collaborating. I can give you
20 numerous examples. I'm looking at the academic
21 distress ADE evaluation team recommendations, and
22 we're doing just what they suggested we needed to do.
23 We've set goals and measures for student achievement;
24 we're supporting teachers' consistent implementation
25 of high-yield key interventions. I won't read it

1 all. We're identifying and implementing classroom
2 level measures to provide timely data for tracking
3 student progress and differentiated instruction.
4 We're doing all of that. I beat some of those
5 contracts down too; we saved a little money there,
6 I'm happy to say, on some of these interim
7 assessments. We're looking at performance data.
8 We're doing it the old-fashion way and it may not be
9 a big headline, and it's certainly not a program;
10 it's just a new way of doing business where we focus
11 on what's important in the classroom consistently; we
12 collaborate, we cooperate, and we respect one
13 another, and we expect the students to collaborate
14 with us. That's what we're doing.

15 I want to give you one brief example. In three
16 of our high schools now we teach five out of seven
17 periods. Teachers have a collaborative period and a
18 planning period. In one of our schools where math is
19 a big issue, a number of those teachers are giving up
20 their collaborative period, after they finish what
21 they needed to do there, and running -- running
22 literally -- to algebra classes and helping teachers
23 teach kids that are behind in algebra. I'm going to
24 go out and shake all their hands today that are doing
25 that. I just think that's exactly what we want to

1 see is people pulling together as a team and working
2 together, giving more than they have to to make sure
3 the job gets done.

4 That's the micro. Okay?

5 We've got campus leadership teams and all that
6 stuff working together. I'm just tickled to death at
7 how well it's going. But let me digress just a
8 little bit and tell you that's not just in the
9 distress schools. Everybody asks me about the
10 distress schools. Well, the plain fact of the matter
11 is something I understand -- I know you do as well --
12 if you focus only on those schools, you're making a
13 huge mistake. To focus on those schools is simply --
14 would be the same as focusing on a college or
15 university that has to remediate a number of students
16 who enter as freshmen. The problem is not math in a
17 distressed school necessarily; it's what happens
18 before the kids get there. So one of the biggest
19 things we can never let happen again is a crop of
20 sixth graders show up at middle school who can't
21 read. We can talk all we want to about a distressed
22 middle school. We have two of them, as you well
23 know. But until we solve the problem of not putting
24 more kids into that school who aren't at grade level,
25 we're never going to get over the hump if it's all

1 about remediation. The same is true in distressed
2 high schools. So when I talk to you about what we're
3 doing in those six schools, which is why we're here,
4 I don't want to de-emphasize the fact that that's
5 going on district-wide. And it has to, very
6 intensely, which is the way to resolve our problems.
7 And I hope everybody else understands that.

8 Let me get to something else, a little bit on
9 the macro. Okay?

10 I am working well with that Civic Advisory
11 Committee. They're doing well. They're struggling a
12 little bit to get organized, I think that's fair to
13 say, and there are some negative comments and some
14 folks that may not understand their roles precisely.
15 But I stood back; I let them define their roles; I'm
16 here to cooperate; I'm a resource. I won't be at the
17 meeting. I don't think they invited me, but I'd
18 prefer not to go anyway. I want them to find their
19 own way. I mean, I would've been happy to go; I
20 don't mean it that way. But I want them to find
21 their own way. And I think the question the
22 community of Little Rock has to ask is one that my
23 wife showed me in EDtalks the other night from a
24 principal in Philadelphia. You can look back --
25 people can criticize you or me, all that sort of

1 thing, but at some point we have to ask ourselves,
2 "Now, what?" "Okay. Now, what?" You know, do we
3 want to keep fighting and suing each other? We know
4 how that works. People have to remember that we've
5 been doing that a while. So at some point we have to
6 go beyond the past and look to the future and
7 cooperate. That doesn't mean we always agree; it
8 doesn't mean we don't sue each other, if that's what
9 we have to do. But in the meantime, we can't let a
10 single day go by where we don't focus intensely on
11 the learning that occurs in the classroom. So that's
12 what we're doing. We're leaving the rest to you
13 guys.

14 But let me move to the macro. I've asked the
15 Civic Advisory Committee to guide me on the big
16 picture with respect to facilities. Little Rock is
17 hopelessly -- not hopelessly, but we've certainly
18 gone as far as we can go without a better plan. We
19 have the capacity for over 32,000 students in our
20 school district. We have about 25,500 enrolled. We
21 have portable buildings all over the place, but
22 they're not like fine wine; they don't get better
23 with age. I mean, these things have to either be
24 replaced or removed and we have to plan to educate
25 kids in better structures than that. That's not what

1 these kids deserve. We send our kids cross-country
2 now on school buses and when people roll in to play
3 football against us, they're in motor coaches with
4 their band gear, and 18-wheelers with their name on
5 the side of the 18-wheeler. That's not acceptable to
6 me. That should not be acceptable to you or anybody
7 who lives in Little Rock. Why do our kids settle for
8 less? Because we fight with one another about silly
9 things that don't make any difference. That's the
10 problem. That's the "now, what; now, what." We want
11 our kids to have everything they have, whether it's
12 across the river or in northwest Arkansas, and that's
13 what I'm asking the Civic Advisory for help on;
14 "Tell me, are you willing to have new schools in
15 central city if it means getting rid of some of these
16 old buildings that we spend so much money on?" If
17 they tell me no, then I can probably figure out a way
18 to run these schools, but they won't be what we're
19 looking for. They won't be new modern buildings,
20 just like the ones that we have in a couple of
21 locations, and they're not all out west. I've been
22 in all our school buildings, except one, so far.

23 Let me jump again to a bigger micro issue --
24 macro issue; I'm sorry. You have some big decisions
25 to make on your plate; you do. You'll have

1 applications to expand charters; you'll have
2 applications to approve partnerships. I think that
3 should cause you to do some thinking; cause you to
4 seek some data; make you think "what's my role as a
5 state board when I'm facilitating the operation of a
6 large urban district like Little Rock? How do I fit
7 in with these other schools who likewise want to do
8 the same thing, form school districts within our
9 boundary?" Because that's really what's going on.
10 These are not charter schools; these are school
11 districts. Now they're big, they're powerful, they
12 have a lot of students, and they want to grow. I'll
13 give you one brief example. I was at Terry
14 Elementary this morning early with kids and
15 principals. It's an "A" school; it has a poverty
16 index, free and reduced lunch of 80%. It's an "A"
17 school. You gave it an "A." About 80% of their kids
18 are proficient and advanced. You have to decide that
19 you want a charter school right down the street.
20 It's 45 seconds if you drive to where the charter
21 school location will be. Okay? Forty-five seconds
22 away. You're going to make that decision. I'm not
23 going to whine about it; we're going to compete and
24 compete hard. But the lay of the land makes a big
25 difference when you're competing. You know, what

1 happens at the front-end makes a big difference; what
2 are the rules going to be; are they going to be the
3 same for everybody. I'll give you a little more data
4 just for interest -- for purposes of this. We had 21
5 kids last year who went to Lisa or Quest; 21 kids
6 went to Lisa -- they left our 5th grade and went to
7 the 6th grade at Lisa or Quest. Okay? So 21 of
8 them; they at least have a score in math and
9 literacy. That's 42 scores. How many of those 42
10 scores do you think were basic? None. How about
11 below basic? None. How about proficient? Good
12 score, not bad to be proficient. Five. Thirty-seven
13 of those 42 scores were advanced. So we have a
14 problem out west. We've got Roberts Elementary that
15 lost 21 kids into charter schools; none of them were
16 basic or below basic. We have Terry Elementary
17 that's an "A" school with over 80% of its kids
18 proficient and advanced. And you want to put a
19 school within 45 seconds of our school, while you're
20 asking me to run to make them better, to make them
21 stronger. Think about this. Think about this. What
22 if we take the best students from southwest Little
23 Rock and we put them in a high school on a university
24 setting; what is that going to do to the charge that
25 you gave me, which is to get those schools out of

1 academic distress? Think about it. I'm not going to
2 whine about it; you're going to get a hundred-percent
3 from me no matter what, and our team is ready to
4 compete. But I think the rules have to be considered
5 and they have to be considered very carefully,
6 because it's a policy. That's where we are; it's a
7 policy matter. I'm very excited about what we're
8 doing and we're making progress. It's going to be
9 hard to relate to that because -- and I'm counting on
10 the ADE every day to figure out what's the benchmark,
11 what's the PARCC, and then what happens when we take
12 the ACT. But I'll tell you this, we're getting the
13 maximum effort out of very good people and I'm very
14 excited to be working with you moving forward. So
15 thank you for that opportunity. I'd love to answer
16 any questions you might have.

17 CHAIRPERSON NEWTON: Ms. Zook.

18 MS. ZOOK: Yes. Are you -- and this may be
19 something -- 'cause I know you're trying to be sure
20 that the people who are in charge of something are
21 doing it and not -- you're making no decisions.

22 SUPT. KURRUS: Right.

23 MS. ZOOK: Are you aware, are they working to
24 get the curriculum and the standards aligned?

25 SUPT. KURRUS: Yes, ma'am. What -- you know --

1 I was at the -- over -- I guess it was North Little
2 Rock; I've been to several conferences where we talk
3 about standards and we talk about -- or we talked
4 about ACT. And we were told that if we taught to
5 Common Core that would be the smartest thing we could
6 do to get ready for ACT. Ms. Hogue said that; I
7 don't know if she's here or not. And so that's what
8 we're doing. And we got our Chief Academic Officer
9 -- I ask her every time I see her, "Is our curriculum
10 aligned to the standard?" And then we have
11 curriculum meetings -- again, I ask the people that
12 are tasked to do that, "Are we aligned?" And they
13 say that we are. And then, "Are we teaching that
14 curriculum rigorously?" I'm told that we are. I'm
15 in schools every day. I've been in one today; I'll
16 be in -- I'll be heading to one as soon as I can from
17 here. We're working hard and we are -- I am told
18 that we're doing those things and I'm relying on good
19 people to help me.

20 MS. ZOOK: And do you know whether or not your
21 teachers that had not been trained in RTI are in fact
22 taking advantage of that training, because --

23 SUPT. KURRUS: I don't know. But I'll get that
24 answer.

25 MS. ZOOK: Particularly, at your elementary

1 level, that's going to make a huge difference with
2 your kids going on into the middle school, so we
3 catch them sooner, maybe some summer type programs
4 for our third and fourth and fifth grade kids who
5 aren't on level.

6 SUPT. KURRUS: Right.

7 MS. ZOOK: Because I agree with you, when I
8 first came on the Board and I was looking at these
9 schools, the first thing I did is look at the feeder
10 elementaries. Because if they're coming to these
11 middle schools and they are already behind, and then
12 the scores and the numbers show up, it's -- I'm not
13 real big on "deserve" and "fair;" they're not words
14 that I enjoy. But I do think that if the population
15 you are getting is not where they need to be when
16 they get to you, then it winds up reflecting on you,
17 not the sender. So I appreciate the fact that you
18 are looking at the big picture, not just the micro.
19 Because it's like you say, there's lots of good
20 things and lots of really decent, great kids and
21 parents in those other schools.

22 SUPT. KURRUS: There really are. And they're
23 doing well and working hard. I'm just -- I'm really
24 excited about our focus right now, and I'm really
25 excited that we've almost got every kid assessed

1 who's not already assessed; we know where they are.
2 That's the first question I ask a principal when I'm
3 in a school. We know where they are and we know what
4 they need; we're trying to get them everything they
5 need with the interventionists that we've got. We're
6 really striking right to the heart of our problem and
7 we're not ignoring it in the upper grades either.
8 We're really intentional with training our people on
9 disciplinary literacy. That's going on today. We're
10 not pulling them out of the classroom. We lost 6,000
11 instructional days last year for professional
12 development. I love professional development, but
13 can we afford to pull teachers out of classrooms
14 6,000 instructional days, 36,000 instructional hours?
15 The answer to that is no, in my opinion.

16 Anything else y'all have for me?

17 CHAIRPERSON NEWTON: Any other questions. Ms.
18 Reith.

19 MS. REITH: Actually, not a question, but more
20 of a comment. And then for my colleagues who I know
21 -- some know, some may not know, but I do have the
22 privilege in my day job to get to spend quite a bit
23 of time in southwest Little Rock. And really this
24 year feeling that sort of sentiment of competition
25 over our students, between the public schools and the

1 charter schools -- everybody wants them. And I just
2 have to say how exciting I personally think that is,
3 that everybody wants to have the student, they want
4 to have the chance to give them the best education
5 possible, and then to really feel that atmosphere of
6 "I want to prove that I'm the best one to offer the
7 best education possible to all of our students." I
8 just think that's very exciting, so I want to
9 congratulate you and your team on that.

10 SUPT. KURRUS: Well, it is exciting and I love
11 to compete and -- I really do. But I do think
12 there's a couple of things you have to never forget
13 and always ask: how many kids in your building are in
14 a wheelchair. Simple question. It's not anything
15 that you can fudge or -- I mean, it's not a judgment
16 call. How many kids at a charter school have a
17 wheelchair? How many of them are on a feeding tube?
18 How many have a trach? How many of them have special
19 ed.? How many have behavioral or psychological
20 issues? We contend with that every single day. And
21 I don't want to be the wet blanket. We embrace that
22 charge. Okay? That's where we do our highest and
23 best work, and we don't run from it. But you've got
24 to ask yourself every time somebody wants who they
25 want, who do they want? There are six things in the

1 charter school law and they're all joined by a-n-d at
2 the end, "and." So when you look at charters, I
3 would suggest -- again, it's presumptuous on my part,
4 but I can tell you that those six things are
5 important, every single one of them. They talk about
6 reaching kids that aren't getting it the regular way,
7 they talk about doing things differently; they don't
8 talk about building alternative school districts in
9 one single community.

10 Thank you very much, and excuse my
11 pontification, if you will.

12 CHAIRPERSON NEWTON: You're excused. Okay.
13 Thank you for your report, Mr. Kurrus, and your
14 energy. Do we need a break? Ten minutes. Oh, I'm
15 sorry; I'm sorry. We need a motion relative to Mr.
16 Kurrus's report.

17 DR. BARTH: Move to accept the report.

18 MS. REITH: Second.

19 CHAIRPERSON NEWTON: Moved by Dr. Barth and
20 seconded by Ms. Reith to accept the report. All in
21 favor?

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRPERSON NEWTON: Any opposed? It's
24 approved.

25 We'll return at 11:35.

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(BREAK: 11:26-11:36)

CHAIRPERSON NEWTON: Okay. We're going to reconvene. And I'm going to stop at this point; Ms. Friedman has some videos that she wants to show us.
(WHEREUPON, A VIDEO RE: ARKANSAS STANDARDS WAS SHOWN)

COMMISSIONER KEY: Madam Chair, I asked Kim to pause for a moment right there. That is a video that we did internally in the Department, working with CJRW through a grant from the Winthrop Rockefeller Foundation. And just to point out that we felt like this was a good opportunity, that as we are discussing the changes in the standards for ELA, for math, and changes in the assessments, the changes -- or the new things we have coming with computer science, computer coding, it was a good way to help us as we look to improve our communication out into the communities, not just to educators, but it's something that we thought would appeal beyond educators, to parents and community members.

And I want to thank our team, Ms. Friedman and her crew for the work they did, and Dr. Jones, she was integral in this process as well. So I want just to express my appreciation for them.

This next one you're going to see is from the Governor's office and focuses primarily on the

1 computer coding initiative. And we think this one is
2 really good too, and we're sharing that around the
3 best we can. On this one we just finished, you all
4 have a copy of it; you have a DVD at your place that
5 you feel free to take that out and share it as you
6 see fit with others in your communities. So, Kim --

7 CHAIRPERSON NEWTON: Before we go on --

8 COMMISSIONER KEY: Sure.

9 CHAIRPERSON NEWTON: -- Mr. Commissioner, I
10 think this may be the Chairman's privilege for
11 (inaudible) way to -- I mean, at your chagrin for me
12 to have the opportunity to have the mike all the
13 time. But, you know, I reflected upon my position as
14 chair of this board and where I started, in southeast
15 Arkansas, and the opportunity I had to avail myself
16 of an education. Of course, there were certainly
17 many barriers that would have -- that could have
18 resulted in my not being at this place and this space
19 and this time. And I remember a caring group of
20 teachers that were there to encourage me. I remember
21 even, Ms. Newton, you know, the cafeteria ladies
22 seeing, you know, that spark or that something, and,
23 you know, and people in the community. And I think
24 it goes back -- it doesn't say that ForwARd is the
25 initiative to save Arkansas or that Mr. Kurrus is the

1 individual that can save Arkansas. But you've got to
2 -- we've got to realize that there are girls like me
3 and boys like other boys, and -- you know -- there's
4 not as many boys as girls, because you know we're
5 smarter. But it just -- it is what it is. But, you
6 know, and I was at the mercy of some -- of just
7 having a community of people that cared. And I think
8 we can all talk about what's wrong with parenting and
9 the communities. But if there are still some folks
10 and still some kids that are looking to be saved from
11 a system of education that we have an opportunity to
12 influence and that's -- you know -- but there are
13 some future chairman's of the board and business
14 folks and citizens that want to contribute. And I
15 hope we don't lose sight of that in all the minutia
16 that we have to wade through. So it's a journey.
17 But, certainly, if we stay the course and if we are
18 serious -- and I think we are and I hope we are -- I
19 know that we are -- but I want to impart that to
20 communities so that they know that they have the
21 support of the State Department of Education. I know
22 the Governor has given his support. We're all here
23 for the same point. But anybody left behind is one
24 person too many.

25 Kim, we're ready.

1 (WHEREUPON, A VIDEO RE: COMPUTER CODING WAS SHOWN.)

2 CHAIRPERSON NEWTON: I think that this also
3 gives an opportunity for us -- for us as a rural
4 state to be able to eliminate barriers that keep us
5 from being a part of whatever is going on
6 internationally or nationally. And certainly young
7 people in this skill put us in a position to be able
8 to compete globally with ideas and innovations that
9 can start like in our schools and our communities.

10 So I thank Ms. Friedman and her leadership in
11 the development of the videos and thanks to all the
12 folks that helped her in that effort.

13 A-3: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
14 CHARTER: BATESVILLE SCHOOL DISTRICT

15 CHAIRPERSON NEWTON: We're now down to action item A-
16 4, Consideration -- no, I'm sorry; no, we're not.
17 We're at A-3, District Request for Waivers Granted to
18 Open-Enrollment Charter: Batesville School District.

19 Ms. Perry.

20 MS. PERRY: Good morning. I'm Mary Perry,
21 Coordinator with the Division of Learning Services.
22 We have two action items today with districts
23 requesting waivers. One was pulled from the agenda.
24 Before I introduce the first item, if it's all right
25 with the Chair that I turn it over to Attorney Cory

1 Biggs to go through the process that we'll go through
2 this morning. Does that meet with your approval,
3 Madam Chair?

4 CHAIRPERSON NEWTON: That's fine. Thank you.

5 MR. BIGGS: Thank you. Good morning. Cory
6 Biggs, Staff Attorney here at ADE. Just to review
7 the State Board hearing procedures related to
8 district waivers, first, all persons with the
9 exception of the attorneys representing the parties
10 who plan to provide testimony during the hearing must
11 be sworn by the Chairperson. Second, a district
12 shall have 20 minutes to present its case to the
13 State Board for approval of the proposed waivers.
14 The Chair of the State Board may grant additional
15 time, if necessary. Third, parties opposed to the
16 proposed waivers, if any, shall have 20 minutes to
17 present their case to the State Board for disapproval
18 of the proposed waivers. The Chair of the State
19 Board can grant additional time, if necessary.
20 Fourth, the district shall have five minutes to
21 respond to any arguments in opposition to the
22 proposed waivers. The Chair of the State Board may
23 grant additional time, if necessary. Fifth, the
24 State Board will follow the presentation with
25 discussion of proposed waivers and questions to any

1 of the parties. The State Board may also ask
2 questions at any time during the presentation by the
3 district or the opposing parties. Sixth, the State
4 Board shall grant in whole or in part or deny in
5 whole or in part the proposed waivers and issue a
6 final decision at the hearing or take the matter
7 under advisement until a future scheduled board
8 meeting. The State Board must make a decision within
9 90 days of receiving a petition, and for the record
10 these are included in the supporting materials for
11 each school district. The Batesville School District
12 submitted their petition on August 20th, so the Board
13 has until November 18th to make a decision one way or
14 the other on that petition. And the Gentry School
15 District submitted theirs a little bit earlier, on
16 August 12th, so we have until November 10th to make a
17 decision on the Gentry School District waivers.

18 MS. PERRY: Action item A-3, as you've already
19 said, is the Batesville School District. Act 1240 of
20 2015 allows a school district to petition the State
21 Board of Education for all or some of the waivers
22 granted to an open-enrollment public charter school
23 that draws students from the school district.

24 Representatives of the Batesville School District are
25 appearing before the Board with a petition for

1 waivers. They have requested that one of the waivers
2 requested that was in the packet, a waiver of 15.02
3 of the Standards for Accreditation, has been
4 withdrawn. They're not making that request. It's
5 the only one in the packet that they have withdrawn.
6 And Mr. Harvey Howard, Deputy Superintendent with
7 Batesville, is here to begin the presentation.

8 CHAIRPERSON NEWTON: First, we'll ask all those
9 that plan to speak in favor or in opposition, with
10 the exception of attorneys, please stand to be sworn.
11 Would you raise your right hands? Do you solemnly
12 swear or affirm that the testimony you're about to
13 give is the truth, the whole truth and nothing but
14 the truth?

15 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

16 CHAIRPERSON NEWTON: Mr. Howard -- Dr. Howard.

17 MR. HOWARD: It's Harvey. Not Doctor; just
18 Harvey Howard.

19 CHAIRPERSON NEWTON: Harvey. All right.

20 MR. HOWARD: Thank you. I've been looking
21 forward to this discussion we're going to have today.
22 I believe that after hearing the superintendent from
23 the Little Rock School District -- is this on, can
24 you hear me? -- and ForwARd, you're going to see and
25 hear some pretty exciting stuff that's happening in

1 Batesville that we're proposing and have started
2 doing already with your gracious granting of the
3 waiver we have on time, the last time we met. So I
4 want to thank you for this opportunity. But I also
5 want to introduce some people that are with me today.
6 Mr. Gary Anderson is our superintendent; he will not
7 be up here, but our superintendent is here. Ms. Lisa
8 Huff will be presenting. Jennifer Douglas, our
9 curriculum director, will be presenting. And also
10 want our very special guest, the Chancellor of UACCB,
11 Ms. Debbie Frazier, is here to support us. And Dr.
12 Brian Shonk, who's the Vice Chancellor, is also here
13 to support us. And they're very strong supporters of
14 ours in our movement to have more concurrent credits
15 and provide opportunities for our kids in the areas
16 that we want to go to with technical education.

17 You will hear the term Gateway as the name of a
18 movement of innovation during this presentation. The
19 name symbolizes that we intend -- our intent is for
20 these innovations to become the gateway for all of
21 our students to become successful in their chosen
22 path.

23 Now, our first presenter will be Mrs. Huff. I
24 think we have a slide presentation.

25 CHAIRPERSON NEWTON: Ms. Huff, will you give

1 your name and position for the record, please?

2 MS. HUFF: Yes. I'm Lisa Huff. I'm the
3 Secondary Curriculum Coordinator.

4 So just to get started with the big picture, we
5 have two waivers that we're requesting today. And
6 the big idea is these waivers will allow us to
7 provide our students with time and support so that
8 all of our students can learn at high levels, and it
9 will also allow us to expand our career and technical
10 opportunities. In all of our -- what we're going to
11 present today is predicated on our belief that all of
12 our students can learn at high levels if there's
13 given time and support. Because we know all kids can
14 learn but they don't learn at the same rate. Some of
15 them don't get it the first time and they need
16 additional time, and that's a lot of what we're going
17 to talk about today.

18 So the first waiver I'll talk about and then,
19 later, Ms. Douglas will talk about our second waiver.
20 So in our first waiver request it focuses on teachers
21 at the 7-12 level being allowed to teach no more than
22 165 students. We took your recommendations that the
23 Board gave us last month and we have narrowed our
24 scope and vision and made some adjustments in our
25 request. Originally, we had asked for 180; we've

1 narrowed this to 165, which will allow us to do what
2 I'm about to outline to you. This, of course, would
3 mean that no class size would exceed 30 students.
4 And we've included the waiver to be reviewed in five
5 years, so the waiver is not indefinite. And, of
6 course, we are assuring, as I'm about to explain,
7 that teachers will be receiving the required amount
8 of prep time daily.

9 So if I can talk just a little bit about the
10 intent of our waivers -- before I walk into this, I
11 want to just sort of explain the life of a teacher at
12 the secondary level so you can understand what we're
13 intending to do. We teach on a modified block,
14 meaning that -- let's say on Monday a teacher will
15 teach three 80-minute class periods, have an 80-
16 minute prep period, and this year we've been able to
17 add a 40-minute intervention and enrichment period.
18 So that means every day a teacher teaches three
19 classes, has an 80-minute prep period, and then this
20 40-minute intervention period is what I want to talk
21 about today; it's what we need the waiver to be able
22 to do.

23 So I just want to clarify that the intent of
24 this waiver request is not to maximize the teacher
25 load of students within the normal course load of

1 classes taught. That was Monday. On Tuesday, a
2 teacher would teach three different classes, have
3 another 90-minute -- or 80-minute prep period, and
4 then have that 40-minute intervention period. So
5 that means in total our teachers teach six classes,
6 have an 80-minute prep period every day, and they
7 have this 40-minute intervention period. So our
8 intent is not to load up teachers with 165 students
9 in those six classes they teach. That's not the
10 intent of this waiver. The intent is to add time,
11 which is the barrier that's preventing us from being
12 able to provide the time and support we need to help
13 all kids succeed. So during that 40-minute
14 intervention period it allows us to give students --
15 or give our teachers some students to give them the
16 extra attention they need. And so let me go further
17 into that to see if I can explain -- to answer
18 questions you may have.

19 So as I said, we're calling this second block;
20 it's new to our bell schedule. We've carved out the
21 40-minute chunk of time, a block of time, and it's
22 solely intended to be used to provide the time and
23 support our kids need to learn at high levels. And I
24 want to outline the four things that our second block
25 is focused on, is providing students time for

1 interventions, time for enrichments, time for mentors
2 who advise every student, and time for reading.
3 Those are really the four principles that we build
4 our vision around.

5 In that 40-minute block, each teacher would be
6 assigned 14 to 16 students that they would become a
7 mentor for those 14 to 16 students. And I would add
8 that in our numbers, as we look at how this would be
9 implemented, there are actually very few of our
10 teachers that would even reach the 165 limit. Most
11 of our teachers still are at 150 or below, with a
12 handful of teachers going over the 150 minimum
13 because of those additional 14 or 16 students during
14 that 40-minute intervention and enrichment block.

15 So we had talked briefly about each of these.
16 We'll start with time for interventions. We heard a
17 little bit this morning about RTI and we know
18 specifically that RTI at the secondary level is a
19 difficult beast. Many people have been trying it for
20 years and there are few success stories. And I just
21 want to tell you the story of how we've arrived to
22 this moment so you can understand how we got here and
23 what we're trying to accomplish. We recognize in the
24 Batesville School District at the 7-12 level that
25 we've done a fairly good job for about 80% of our

1 students. Our test scores show that. But for the
2 remaining 20% we realize we're not reaching them and
3 we know that we have to do something different if
4 we're ever going to reach that 20%. We can't keep
5 doing the same thing we've done. So to carve out
6 this block of time is going to allow us to do
7 something different to reach that 20% that we
8 recognize we've not been able to impact but we know
9 we need to, going forward. In that 40 minutes it
10 will give us time for teachers to meet in PLC's so
11 that they can focus on identifying common learning
12 targets. Teachers that teach the same courses -- for
13 example, we have two chemistry teachers -- those two
14 chemistry teachers never have common prep periods, so
15 they never get time in the school day to sit down and
16 have the conversation they need to have to say,
17 "Okay, what is it our kids need to learn," to
18 formulate common formative and summative assessments,
19 and to sit down and analyze that student data
20 together to see which kids got it, which kids didn't,
21 to reflect on how would you teach that, which
22 teaching practices work best. That PLC process
23 grounded in student data is what we want to make
24 happen. For the past three years, the district has
25 been training a cadre of teachers in the student

1 data-centered PLC process. And so we now have a
2 cadre of teachers in our -- and administrators in our
3 7-12 campuses, but time has been the barrier that's
4 prevented us from being able to do the PLC process
5 because teachers are teaching classes all day and
6 they don't have common preps. So there's not time to
7 sit down and have these conversations. So this 40-
8 minute period will allow us to have those PLC
9 processes that will identify students that need
10 specific targeted interventions. Without that 40
11 minutes I fear that we'll never be able to move
12 forward in doing true meaningful RTI for students.

13 We also -- that's not the only kind of
14 interventions we hope to do but, of course, we know
15 we'll have our common formative assessments from our
16 ACT Aspire. We want to be able to use that data to
17 drive instruction going forward and see which kids
18 need help in what specific skills and design
19 interventions to help those kids. We also, for our
20 juniors and seniors, want to be able to give them ACT
21 test prep, again, using pre-test data to identify
22 what specific areas in that test that they need help
23 with and then get them into small groups where they
24 can get targeted instruction to help them improve
25 their ACT test scores.

1 The other part that we want to focus on is
2 allowing time for enrichments because we know that
3 there's so much more that our kids need that go
4 beyond what's in our traditional -- you talked about
5 this morning a lot in the ForwARd presentation; we
6 heard him talk a lot about the same ideas that we're
7 thinking about, that we know we need to -- our kids
8 need to hear about careers; we need to have guest
9 speakers come in and talk to them about what kind of
10 jobs they can have, what kind of education that
11 requires, what they can hope to earn. That's a part
12 of those enrichments where we want to have sessions
13 that kids can sign up for and choose the things
14 they're interested in, if they're not assigned to an
15 intervention. And hear guest speakers from our
16 community, workers in our community. And also
17 provide partners at UACCB that they can come in and
18 share concurrent credit offerings and technical
19 offerings that we're partnering with them to educate
20 our students about what they can do. And even simple
21 enrichments that teachers would love to be able to do
22 but never have time to do in the classroom. For
23 example, those two chemistry teachers I talked about,
24 they have -- part of the sessions they want to be
25 able to do is take teachers [sic] just down the bank

1 from where our school is located, to the White River,
2 collect water samples and use those problems to
3 analyze it and ask questions like what's in our water
4 at White River; construct that into charts and data
5 and analyze it; things that sometimes in the normal
6 course of the day they're never able to get to. So
7 we want to be able to provide those kinds of
8 enrichments as well.

9 And then we know that at the secondary level we
10 tend to not do as good of a job as the elementary
11 level does at connecting with families and parents.
12 That's one of the things that we are strategically
13 trying to improve. So in that 40-minute period, if
14 we can give each teacher 14 to 16 kids, that teacher
15 will become the mentor for those 14 to 16 kids, and
16 they'll build relationships with those students and
17 those families so that we can improve our
18 communication; we can track those students and have
19 conversations with every kid at our secondary
20 building that need to be happening, where an adult is
21 asking them, "Do you have your homework done? Why
22 were you missing two days of school last week? I
23 notice you didn't do so well on that math test;
24 what's going on there? Do we need to get you some
25 help in that?" And oftentimes, we recognize that at

1 the secondary level, especially that 20%, sometimes
2 slips through the cracks and they don't get that
3 mentoring that they need. So that's a key component
4 of this program. And we also want to add CAP career
5 planning and change the way we register our students,
6 starting early, in our 7th and 8th grade levels, so
7 that we can again communicate with families and
8 students the opportunities they have and steer them
9 in college and career pathways and all of the
10 opportunities they have available to them. Without a
11 mentor or someone to connect with those 14 to 16
12 kids, oftentimes that level of advisement doesn't
13 happen.

14 And, finally, the last component is reading. We
15 know that there is a mound of research that says if a
16 kid can't read at high levels they won't be
17 successful in college and the workplace. And we
18 recognize that that's a weakness in our district.
19 And as we heard from Little Rock district earlier, we
20 too have made strides over the past two years to try
21 to incorporate disciplinary literacy across our
22 content areas. But we recognize it's still not
23 enough, especially for the 20%, and especially for
24 our reluctant readers who aren't reading. So part of
25 the components of that mentor is (a) we want to give

1 time for kids to read in the school day, (b) we want
2 them to see adults as lifelong readers so that they
3 can model for students reading, they can talk to them
4 about their reading, they can recommend books, which
5 is often the reason reluctant readers never pick up a
6 book, just because they can't find one they like.
7 And we recognize that is -- that seems such a simple
8 thing, but establishing a culture of literacy at the
9 secondary level is key, and having that 40-minute
10 chunk of time in our day will help us to do that.

11 So, wrapping up, waiving the number of students
12 assigned to 7-12 teachers to 165 will allow us to
13 create the time and support to make every student --
14 or to insure that every student learns at high levels
15 by giving them time for interventions, time for
16 enrichments, time for mentoring, and time for
17 reading.

18 Now I'm going to let Ms. Douglas speak to you
19 about our second waiver request.

20 CHAIRPERSON NEWTON: You have roughly four-and-
21 a-half minutes.

22 MS. DOUGLAS: Okay. I'll talk fast. I'm
23 Jennifer Douglas, the Director of Curriculum and
24 Instruction. And our second waiver that we're
25 requesting is a waiver for non-core classes that

1 would reside within our Gateway program, and we are
2 asking that the waiver be reviewed in five years, and
3 we want to offer the following assurances: that all
4 other highly qualified requirements would be met and
5 that the individuals, if any, hired through this
6 would also complete -- successfully complete the
7 Child Maltreatment Registry check and a criminal
8 background check.

9 The reason we have chosen to implement the
10 Gateway program is recently we completed a survey
11 with all of our 10 through 12 high school students,
12 approximately 627 of our high school students, and we
13 started by just asking them one simple question,
14 "Would you be interested in a pathway that would lead
15 to a career or technical certificate?" And of our
16 627 students who surveyed, 193 of those students said
17 yes. So, around 31% of our students are interested
18 in being able to acquire a technical or career
19 certificate upon graduation. We went on to ask those
20 students, "Which of these areas would you be most
21 interested in," and we just chose four that we'd been
22 talking about at the building and district level. So
23 we asked them about electrician, plumber, welder, and
24 the HVAC profession. And you can see we have large
25 amounts of students showing interest in these four

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areas.

So what we would like to do with our Gateway program, if granted this waiver, is to expand partnerships with two entities. We talked earlier, we have the University of Arkansas Community College of Batesville here with us. We have an excellent partnership with them. And we would like to expand that to possibly include some practice with electrical, HVAC or some welding classes. We've also explored the option of adding classes for Certified Nursing Assistant or Emergency Medical Technician or possibly even cosmetology into this Gateway program, just to offer all kinds of options so that as we work to meet our mission of saying we want every student career and college ready at Batesville High School that the students have that opportunity that upon graduation they can enter the workforce with some skills and are ready to do that. The other partnership that would be a part of the Gateway program would be the National Apprenticeship Training Foundation. And through this partnership students at the junior level would be enrolled in a pre-apprenticeship training program and throughout the course of their junior year they would receive CPR certification, they would receive their OSHA

1 certification, and then their junior year would
2 culminate with a mock interview. And for some of
3 those students it would be a real interview where
4 they would be entering an apprenticeship program
5 their senior year and actually delve into the
6 workforce and into businesses and have the
7 opportunity to work with the business of their
8 choice. And so we really feel like with the survey
9 -- it was just a simple survey, but it let us know
10 that we really have some needs out there beyond
11 college ready. We have some needs of students that
12 we want to be able to meet them to make them career
13 ready and give them the skills and the tools so that
14 they're ready to enter the workforce and be well
15 prepared and feel good about that upon graduation.

16 So I don't know how much time we have left. I'm
17 going to turn it back over to Mr. Howard.

18 CHAIRPERSON NEWTON: Actually, it's less than a
19 minute, so -- but we won't -- Mr. Howard, come and
20 give us a summary.

21 MR. HOWARD: Really -- I never know how to work
22 this. There it is. Just to let you know that we're
23 not physically [sic] distressed; we're not in
24 distress in any way, as far as the State Department
25 is concerned, financially or physically. We really

1 have a great district. So we will meet all the
2 standards of accreditation. Actually, I was talking
3 to Mr. Harvey a while ago and we're excited about the
4 way the standards are moving and the way we can start
5 looking at it in a different way. This is a way that
6 we're going to monitor the effectiveness through
7 assessments, RTI, selection of course data, and ACT
8 Aspire. And, of course, we've had tons of
9 communication. We have the support of our board,
10 support of our community, excitement in our
11 community. Matter of fact, tonight IMPACT
12 Independence County is meeting; over 1,000 people
13 completed the survey and are interested in what they
14 can do to improve what's happening in Batesville with
15 education. So it's really an exciting time in
16 education; it's an exciting time in Independence
17 County. And I share your excitement, as a senior
18 educator, about what kind of -- what message can we
19 leave the people that are following us and what
20 opportunities can we give to them. So thank you for
21 letting us be here today. And we will entertain -- I
22 say "we" will entertain any questions that you have.

23 CHAIRPERSON NEWTON: Well, if there's anyone
24 here that wants to speak in opposition, we can give
25 them that opportunity before going to questions.

1 MS. PERRY: We don't have anybody.

2 CHAIRPERSON NEWTON: There's no one here. Okay.
3 Does the Board have any questions? We'll start on
4 this side. Ms. Chambers?

5 MS. CHAMBERS: No.

6 CHAIRPERSON NEWTON: Mr. Black?

7 MR. BLACK: No.

8 CHAIRPERSON NEWTON: Ms. Reith?

9 MS. REITH: Just one question. Well, first and
10 foremost, thank you so much for your commitment to
11 your students and coming back again. It's been great
12 to hear so much from the Batesville School District.
13 I feel like in all my years up here on the Board we
14 definitely had a privilege to get to know better
15 about what you're doing and feel your passion and
16 your commitment for the students. So that must be
17 applauded first and foremost.

18 But last time you were here I posed a question,
19 and I still -- I guess I'm not entirely certain. I'd
20 like for you to lay out a little bit more clearly for
21 me why you need a waiver for the teachers in non-core
22 areas, when I know districts are getting non-core
23 teachers -- right? -- without getting a blanket
24 waiver. I guess I just need -- that's what I need to
25 get a better comfort level on. And I know we talked

1 about other alternatives beyond these blanket
2 waivers, in terms of how other districts have been
3 able to engage students and grow their technical
4 programs in a way. So this is in no way in
5 opposition to the growth or desire of that program.
6 But, obviously, always being cognizant that our rules
7 are there for a reason -- right? -- and blanket
8 waivers continue to make me somewhat nervous. So if
9 you could just give me your thinking since the last
10 time we saw y'all why you haven't considered other
11 alternatives.

12 MR. HOWARD: Well, we have considered other
13 alternatives. We have -- the coursework that we want
14 to offer to our kids is not easy to come by. We
15 offer it to our schools, through our schools. The
16 people that offer the coursework at our community
17 colleges -- and if I'm speaking out of turn, y'all
18 tell me -- those folks aren't licensed as an
19 educator; they're master plumbers, master
20 electricians. We're not asking for waivers from core
21 subjects, and I'm sorry we didn't make that plain;
22 we're not asking for waivers from any core subject
23 area at all. And these waivers are just to help us
24 provide opportunities for our kids that even our
25 community colleges have to depend on, business people

1 and people in our area and NATF to provide people
2 that have the skills to present that information to
3 them. You know, you have to be qualified to teach
4 people the OSHA exam; you have -- maybe some of our
5 Workforce Ed. people are qualified to do that; I
6 don't know. But that would cause us to revamp our
7 entire Workforce Ed. program in Batesville; how are
8 we going to do that. And the \$40,000 we get from our
9 grant -- I can't remember the name of the grant, but
10 it's a Workforce Ed. grant -- doesn't go very far.
11 So you can't even pay the teacher's salary out of
12 that money. So what you have to do is figure
13 different alternatives, a lot like ForwARd was
14 talking about today, what can we do different to make
15 things -- give opportunities to our kids. And nobody
16 wants to put a non-highly qualified person in any
17 position. As I read state law, I understand "highly
18 qualified" doesn't have to mean they're licensed; it
19 means that they're highly qualified to teach that
20 subject area. And that's what -- we're not going to
21 violate that at all; we don't want to. We don't want
22 to go down that road. So does that answer your
23 question?

24 MS. REITH: Not fully, but it does allow me to
25 reflect on your language here, and you are specific

1 that it is in our Gateway program, so --

2 CHAIRPERSON NEWTON: Ms. Zook.

3 MS. ZOOK: Yes. I want to commend you for
4 instead of going away and being sad and looking and
5 blaming and pointing fingers that you revamped, came
6 back with the kinds of information that we needed and
7 asked for; you gave a very thorough explanation. The
8 visuals were very helpful. You spoke to us in lay
9 terms, and I do commend you for coming back with a
10 terrific attitude. And obviously you're looking out
11 for kids and I commend you for that.

12 CHAIRPERSON NEWTON: Dr. Barth.

13 DR. BARTH: So I want to go back to Ms. Reith's
14 question. So I am comfortable if it was only the
15 Gateway program; totally comfortable with that. And
16 it is reflected in the explanation but it is not
17 reflected in the waiver request. I just want to be
18 -- I want to be clear we're all on the -- I'm going
19 to go on this, if it really is only about the
20 Gateway. But I want to be clear that I would like
21 y'all to ask specifically only for those educators --
22 prospective educators who would be tied to that
23 program, if you're comfortable doing so.

24 MR. HOWARD: I'm perfectly comfortable to do so,
25 because that's the intent. So we do ask for that in

1 these waivers for non-Arkansas licensed teachers,
2 although they be highly-qualified, be a part of the
3 Gateway program only.

4 DR. BARTH: Okay. Well, that's helpful to me on
5 that one. I've got maybe a little bit more concern
6 on the other piece, on the 165. And I think you, as
7 Ms. Zook said, I mean, it was an excellent
8 presentation and I think it's a really well thought-
9 out plan of action. And I guess I'm curious because
10 I think -- I sense a lot of enthusiasm about and a
11 lot of thought given to it. Is it simply a budgetary
12 issue that the additional faculty could not be hired
13 to make that program work?

14 MS. HUFF: Well, it would definitely be a budget
15 issue. But for 600 students at the 10-12 campus,
16 roughly, and another 600-plus students at the 7-9
17 campus, we're talking about trying to address the
18 needs of every single one of those students. So we
19 know if we want to do RTI and do it right the primary
20 barrier that has prevented us, in all honesty, from
21 being able to do that is time. So time carved out,
22 this chunk of time -- because if we were to do
23 interventions, you know, when will we do those if we
24 don't have a set-aside chunk of time in the school
25 day. Do we pull them out of English, out of

1 chemistry, out of band? You have to pull them from
2 somewhere in order to give these targeted
3 interventions. So this 40-minute block of time
4 allows us to give these interventions and enrichments
5 without hiring any more staff. So we still have them
6 teaching not more than 150, just like they always
7 have, in the course of what we've always done. But
8 by adding this block of time, and you give each
9 teacher 14 to 16 students, that means we really can
10 meet the needs of every single student with a
11 flexible schedule of intervention and enrichment
12 sessions offered during this 40-minute period every
13 day.

14 DR. BARTH: And I get that and I buy it. I
15 guess my -- and I know y'all buy it. And I guess my
16 -- but could you do it with keeping the 150 cap to be
17 respectful to all teachers in terms of their demands?
18 Could you do it if you did have extra staff?

19 MS. HUFF: It would take a lot of extra staff to
20 service 600 kids in timely targeted interventions for
21 every course they take. At least this year we're
22 focusing on -- we'd like to focus on the four core
23 areas for our specific interventions, in math,
24 English, science and history. So if teams work in
25 PLC teams -- for example, let's take two US History

1 teachers and they sit down together and say, "Okay,
2 over the next three weeks let's look at our standards
3 and say what are our agreed-on learning targets?
4 What is it we want kids to know and be able to do
5 when we finish this chunk of instruction?" And then,
6 "What assessment will we give to know that they
7 learned it?" And then come back together and look at
8 that student assessment together and say, "Okay,
9 which kids got it and which kids didn't? Let's take
10 this group of kids over here and re-teach this
11 concept," or, "Let's take this kid because they don't
12 know how to read the chart. Let's do an intervention
13 on that." So it's not a matter of adding additional
14 personnel; it's changing the way we teach. That's
15 what we really want to do.

16 DR. BARTH: And so it's really that joint
17 planning time where the extra staff -- I mean, where
18 you would have -- create real challenges in terms of
19 getting sufficient staff?

20 MS. HUFF: Yes.

21 DR. BARTH: Okay.

22 MS. HUFF: And just adding some people to offer
23 some interventions is not really going to address the
24 true RTI needs we have.

25 DR. BARTH: Yeah. No, I get it and I'm just

1 trying to -- I mean, these -- you know -- these
2 limits didn't come out of thin air. I mean, there's
3 been a lot of thought given to not placing too much
4 burden on faculty so they can be thoughtful in all of
5 their work. And so I'm just grappling with this. I
6 get it; I get your vision. And, you know, of course,
7 I wish there was a way to do it without us moving
8 away from that 150 cap.

9 CHAIRPERSON NEWTON: Ms. Dean.

10 MR. HOWARD: Could I comment on that?

11 CHAIRPERSON NEWTON: Certainly.

12 MR. HOWARD: Something that hadn't been said, it
13 is a mentoring time. It's not a class where grades
14 are given. It's a session that -- and I'll repeat
15 this from last month, is -- it's just what the
16 district leadership team -- not district, but
17 building leadership team came together who wanted to
18 do it to improve their students. So it's not a true
19 burden as a class on a teacher, although they will be
20 talking to 14 kids. They may or may not have any
21 class; they be helping kids in a classroom. This is
22 a program that has been going on for decades in
23 schools for teachers to pick a student -- and I've
24 done this as an elementary principal -- pick a
25 student in the building you want to mentor; "I want

1 you to mentor two or three kids; keep up with them
2 every day; let somebody know you care about them."
3 That's the big thing: you care that I'm going to be
4 successful. And I understand the number limit thing.
5 If it would help the Board at all, we could say a
6 lower number of years that we look at this. You
7 know, in two years we may come back and say how this
8 has worked, what does the data say in two years. We
9 think three years is better but, I mean, we don't
10 have to; we're not putting anything in concrete on
11 this. We just see the huge value of this and would
12 like to have the opportunity to make it work. And
13 whatever we can work with you all to make this a
14 viable thing that you feel comfortable with we would
15 like to do.

16 DR. BARTH: Well, I mean, that mentoring work is
17 -- as somebody who doesn't -- while it's some of the
18 most enjoyable work, but it is -- it's teaching and
19 it's taking a lot of teaching energy. And so -- and
20 I know we can't amend this, so it's up to y'all in
21 terms of what you feel comfortable bringing to us.

22 MS. HUFF: I would add one more point that might
23 address your question a little more. Just because of
24 time I left this out. But to help you know the story
25 of how we arrived at this point, we started a year

1 ago with our leadership team at the secondary level,
2 which is made up of administrators and teachers
3 primarily, and they began to research to see what
4 about this group of kids that are slipping through
5 the cracks, what can we do to reach them, and what
6 does RTI at the secondary level look like. And part
7 of that work they did over the course of a year was
8 to do a book study -- and I've lost the title of the
9 book. I think It's About Time; it's a book from
10 Solution Tree by Mike Mattos and Austin Buffum. And
11 it's targeted specifically on how to do RTI at the
12 secondary level with those unique challenges. We
13 also did from the same company a video series that
14 steered discussion around actual classroom examples
15 from schools all over the nation. So we considered
16 several -- when I say "we," I'm talking about a team
17 of teachers and administrators. So this plan was
18 formulated and shared with district leadership. And
19 our teachers were actually excited about it. So, you
20 know, I do hear and understand your concern about not
21 wanting to burden our teachers, and I share the same
22 concern. But our teachers are actually excited about
23 this and this is a plan that the teachers formulated
24 through that leadership team process.

25 CHAIRPERSON NEWTON: Thank you. Ms. Newton, do

1 you have a question? Ms. Newton.

2 MS. OUIDA NEWTON: I just have one question. I
3 know the school year has already started. Have you
4 tried or are you trying to start it this year
5 already?

6 MS. HUFF: We have the bell schedule but we are
7 not doing all of the steps until we get the waiver
8 request. So as of right now, we only have the
9 courses -- like a mentoring period that's not a
10 grade. And we're not able to do yet all the things
11 we want to.

12 MS. OUIDA NEWTON: Yeah. How is what you're
13 doing working?

14 MS. HUFF: Our kids are talking about it. I
15 have a son who is a junior, and I will tell you one
16 of the things we've implemented is just reading. We
17 try to kick that off because it's the easiest thing,
18 to try to build a culture of reading. And on a
19 personal note, I'll tell you I have a 16-year old who
20 is a reluctant reader and he's a sharp kid and his
21 mom is a former English teacher. So, you know,
22 that's always been hurtful for me. But he's picked
23 up and reading the first book he's read since
24 elementary school and is excited about it, and
25 actually spent thirty bucks of his own money last

1 week to go buy the Band of Brothers DVD series. So,
2 and he read that book; you know, it's not an easy
3 book. He starts with a big book. And he's just one
4 of many students that are actually reading now,
5 picking up books and reading because it builds in
6 that time and support. So that's only one example.
7 And we know if we continue to take these other
8 elements of interventions, enrichment, reading and
9 mentoring that it really will change the culture of
10 our school and help us reach every student.

11 CHAIRPERSON NEWTON: Thank you. Mr. Biggs, I
12 think at this point we need to ask you how we proceed
13 in addressing these two waivers. Do we do them
14 separately or do we do them --

15 MR. BIGGS: That's at your pleasure, Madam
16 Chair. I know last month you took them up one at a
17 time. If that's what you're most comfortable doing,
18 that's still acceptable. If you want to do them
19 together, I don't think there's anything in the law
20 or in the procedures that we've adopted that would
21 prevent you from doing that either.

22 CHAIRPERSON NEWTON: Okay. Then we'll continue
23 like we've done before. So the first item for
24 consideration for the Board is the first waiver of
25 the Batesville School District, in grades 7 through

1 12, a teacher be assigned no more than 165 students,
2 with a class size not to exceed 30 in order to
3 maximize the personnel and delivery of the planned
4 educational offerings, with the waiver to be reviewed
5 in five years. What is the pleasure of the Board?

6 MS. ZOOK: I move that we accept the waiver.

7 MR. WILLIAMSON: Second.

8 CHAIRPERSON NEWTON: Okay. Any discussion? Any
9 discussion?

10 MS. SAVIERS: I would just say having been a
11 parent in a situation where there -- and it was
12 called an advisory -- and then parenting through a
13 time without it, the value, in high school
14 particularly, and middle school is having the
15 connection, especially in a bigger school. It kind
16 of creates that smaller school experience. It is
17 hugely valuable when it comes to preparing for
18 college recommendations or applications or -- because
19 there's so little access to talk to high school
20 counselors, so little access to high school
21 counselors. So I'm a huge fan and I'll be voting for
22 it.

23 CHAIRPERSON NEWTON: Okay. Any further
24 discussion? If not, all in favor?

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIRPERSON NEWTON: Any opposed? Okay. Motion
2 carries and the waiver is granted.

3 The second waiver is the Batesville School
4 District's request for a waiver for several statutes
5 and rules for teachers in non-core areas in our
6 Gateway program, and the Gateway program to the
7 extent it may be desirable to have highly qualified
8 professionals in the community. Any individuals
9 hired as a result of this waiver will meet all
10 requirements, such as highly qualified status, if
11 applicable, and successful completion of criminal
12 background and maltreatment history checks. This
13 waiver also will be reviewed at five years. If this
14 alters it from what you understand, please let me
15 know. So that is the request for the waiver. What's
16 the pleasure of the Board?

17 MS. DEAN: I move to accept.

18 CHAIRPERSON NEWTON: Ms. Dean moves to accept.

19 MS. ZOOK: Second.

20 CHAIRPERSON NEWTON: Second by Ms. Zook. Any
21 discussion? All in favor?

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIRPERSON NEWTON: Any opposed? Then that
24 waiver is granted also. Congratulations.

25 MR. HOWARD: Thank you very much.

1 CHAIRPERSON NEWTON: We look forward to -- this
2 is the innovation --

3 MR. HOWARD: Thanks.

4 CHAIRPERSON NEWTON: -- that we're looking for.
5 Thank you.

6 We're going to break for lunch, till 1:15.

7 (LUNCH BREAK: 12:36-1:18 p.m.)

8 A-4: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
9 CHARTERS: GENTRY SCHOOL DISTRICT

10 CHAIRPERSON NEWTON: Okay. We are ready to
11 reconvene. And our next action item will be A-4,
12 District Request for Waivers Granted to Open-
13 Enrollment Charters: Gentry School District. Ms.
14 Perry.

15 MS. PERRY: Yes, ma'am. Mary Perry, Coordinator
16 for Division of Learning Services. Act 1240 of 2015
17 allows a school district to petition the State Board
18 of Education for all or some of the waivers granted
19 to an open-enrollment public charter school that
20 draws students from the school district.
21 Representatives of the Gentry School District are
22 appearing before the Board with a petition for
23 waivers. And it is Superintendent Dr. Randy Barrett
24 who is here to present to you this afternoon.

25 CHAIRPERSON NEWTON: Okay. Dr. Barrett, you

1 heard the procedures. You or anyone else -- you
2 speaking in favor, or someone speaking in opposition,
3 has a total of 20 minutes for presentation, and then
4 if in fact someone is here and speaks in opposition
5 you have five minutes for rebuttal. So if you'll
6 start by -- well, is anyone here to also give
7 information about this request? If you would, would
8 you stand and raise your right hand? You're it?
9 Okay. Do you swear or affirm to tell the truth, the
10 whole truth and nothing but the truth?

11 SUPT. BARRETT: So help me God.

12 CHAIRPERSON NEWTON: Thank you. Please identify
13 yourself and your position.

14 SUPT. BARRETT: My name is Randy Barrett and I
15 am Superintendent of Gentry Public Schools. And if
16 you will give me just a second's flexibility before
17 you start the timer, Commissioner --

18 COMMISSIONER KEY: Okay.

19 SUPT. BARRETT: -- I want to tell y'all just
20 very briefly, Madam Chair, about a phone call I
21 received first thing this morning and a picture on
22 the phone. Grasshoppers had covered our fleet of
23 buses out in the parking lot. I'm serious. If
24 you'll stay after the meeting, I'll show you the
25 pictures. And the reason I brought that up is

1 because I'm pretty sure that I didn't come today as a
2 harboring of the plague. But I did take it as a
3 reminder that there is a higher authority that does
4 still interact in human affairs. So thank you for
5 that liberty and I thank you for the pleasure of
6 being able to talk with you today. I'm a very simple
7 person -- and, Ms. Zook, if you like lay terms you'll
8 like me even better, I think.

9 Thank you. I appreciate Dr. Barth giving the
10 ForwARd Arkansas people this morning the
11 acknowledgement that sometimes specificity is a hard
12 thing to hold on to when you are in the beginning of
13 the process. And that's kind of where we are. So I
14 need to tell you, first of all, today that the
15 waivers that we are asking for are merely a companion
16 piece to the conversion charter application which
17 incidentally we filed yesterday. And, you know, that
18 should be a little bit of a puzzlement, but I think I
19 can quickly clear up why we would do both. If
20 granted -- I believe it will be December on your
21 timeline -- if granted the conversion charter, that
22 will be effective next year. If granted the waivers,
23 which are basically the same in both documents, we
24 will be able to do something second semester. And
25 that's what we are all about now in Gentry.

1 You can see where we're located. We are in
2 northwest Arkansas. You can see our neighbors. To
3 give you a little -- just a little background, in
4 case you haven't dropped in on Gentry lately, we are
5 a town of about 3,000. You can see on the welcome
6 sign Home of the Pioneers. We are very much a
7 community; very much of a community, as only
8 sometimes small towns can be a community. Of course,
9 we're large enough to have McDonald's and Sonic, so
10 we are too progressing in the world.

11 I wanted to share with you because one thing
12 that I have observed in watching all these processes,
13 a lot of this really is about trust -- trust between
14 all the stakeholders and players. So I think it's
15 important for the State Board to see what is the
16 belief and the vision of the Gentry school board, and
17 thus in Gentry School District. The only one that I
18 really, I think, want to point out is number two in
19 this. You guys can read, "All stakeholders are in
20 partnership to encourage lifelong learning, to
21 promote success applicable to each student's future."
22 What we have been focusing in on most recently is the
23 concept of each student and you'll understand better
24 as I go on what I mean by that.

25 Here's our vision. The next to the last one,

1 "Learning builds the capacity of students to act on
2 their own to better themselves." It's part of the
3 focus of why we're asking for these waivers. And,
4 finally, the overall mission -- the overall mission
5 of our district -- and you see that we believe that
6 unless we partner with the community we will never
7 accomplish what we could accomplish otherwise.

8 Okay. So I think technically, Madam Chair, we
9 have 12 waivers on our application. But we grouped
10 them really into four categories because they --
11 really the 12 can be divided into these categories,
12 and that's the way I'm presenting them to you this
13 afternoon.

14 The grading scale -- I gave an example in our
15 public meeting last week that if you were trying to
16 measure a student in one of our proposed classes that
17 we'd like to offer in the future, diesel mechanics,
18 how do you give them an A, B, C or D on how well they
19 can check the slack adjusters on an air brake system?
20 If I'm going to be driving that truck, I want it to
21 be a hundred-percent. This has nothing -- the
22 waivers that we're asking -- and you can -- since
23 this is a recorded thing, I'm on record as saying
24 that for all, this is not about regular classrooms.
25 This even isn't about all of our non-core classrooms.

1 These are about classes that we don't even yet offer,
2 that we hope to offer in the future, that may not
3 lend themselves to a traditional A, B, C, D, F
4 grading scale. Some may be more or better suited by
5 rubrics developed by the instructor, and some may be
6 a simple matter of pass/fail. The length of the
7 instructional day -- we are not, in Gentry, trying to
8 make the day shorter and we're really not trying to
9 make it longer either. But what we are trying to do
10 for our students in hopefully the conversion charter
11 that we get in the future, we're trying to give those
12 students some flexibility in when they might be
13 taking their classes. Madam Chair, we're not wanting
14 to reduce graduation requirements, none of that.
15 What we are asking for is some flexibility on when
16 students may be in class. Mr. Black, if I might
17 quote a little piece in I think your biography I read
18 there on the website, I think you said, "Education is
19 not a static product line but instead, has to be
20 upgraded and tweaked from time to time to meet the
21 needs of the marketplace." And we've been busily
22 engaged in our little community in northwest
23 Arkansas, trying to expand our partnerships with
24 business and industry so that we can offer some
25 classes later that perhaps will help meet those

1 needs.

2 Teacher licensure -- and you've heard it
3 explained, I think, on every person that's come
4 that's asked for this. This has to do with us being
5 able to have a highly qualified, but perhaps not
6 licensed, instructor in some of the non-core classes
7 that we would be asking for the future. I gave you,
8 for example, we've started a CNA class this year --
9 and that was a new step for us -- through the
10 Northwest Arkansas Community College through CTE. We
11 didn't get that teacher until the week before school
12 started. We spent all summer gathering supplies and
13 seeing vendors and preparing the classrooms, but some
14 classes in the careers and technical world aren't
15 always available through the Department of Education
16 licensure system. And I understand I'm preaching to
17 the choir here; you know that. Maybe I did bring
18 the plague.

19 Teacher Fair Dismissal Act -- we are not seeking
20 at Gentry to toss the Teacher Fair Dismissal Act out
21 the window. Okay? We are looking for a minor
22 adjustment to the last code in that series of codes
23 that make up that entire act. But you understand
24 that a teacher that is non-probationary, if
25 terminated or non-renewed, has the ability within 75

1 days, Madam Chair, to file suit in court. And a
2 school district Gentry's size, that's going to carry
3 into the next school year. That obligation, that
4 possibility will carry into the next school year.
5 And should that person be successful in court, then
6 they are going to come back and they're going to have
7 the same salary and hopefully their same job. That's
8 a bit of a practical problem if you've already had to
9 hire someone to replace them in the classroom -- and
10 that's what we've had to do. I'm just speaking from
11 real-life experience on that one. I need to make
12 sure that you really do understand this: our waivers
13 really are about our conversion charter initiative
14 and it's also about our due-diligence in managing our
15 finances. Dr. Martin Luther King said, "Faith is
16 taking the first step, even when you don't see the
17 whole stairway." Dr. Barth, that's kind of where we
18 are in the process here. We're not sure exactly how
19 our programs are going to develop; that's what we're
20 trying to do. We're trying to develop some
21 additional programs. And you've seen these numbers
22 in lots of different ways, but I want to share them
23 with you anyway because they're relevant to what
24 we're asking for. Here's the college-going rate.
25 You saw similar numbers in the ForwARd Arkansas

1 presentation this morning. Here's Gentry; 60% of our
2 kids in the last survey, in '13, planned to go to
3 college. Last year, the number was about 40% that
4 actually went. And as you can look at this last
5 slide, for the whole state of Arkansas, in '12, only
6 23% of the people in Arkansas have a bachelor's or
7 higher degree. It doesn't take much of a
8 mathematician -- and that's good because I'm not --
9 but it doesn't take much math to understand that if
10 40% of our kids are going and years later only 20% of
11 them have a degree, they're not all finishing, are
12 they?

13 The fiduciary part -- that is not a graph of a
14 rollercoaster; that is a graph of our October 1
15 enrollments from '04 to this August. The
16 corresponding graph to the right, Commissioner Key,
17 that you would recognize as being the graph of the
18 foundation funding that we've received in that same
19 period of time. That's why for us being able to try
20 to account for every dollar and limiting our risk in
21 the future through that small modification to the
22 Teacher Fair Dismissal Act is very important. I will
23 speak one thing with passion: Gentry Public Schools
24 has been on fiscal distress, and I didn't like it,
25 and no one at my school liked it, or in the

1 community. And I made a vow when we got off we'd
2 never do that again, never push too fast, never do
3 that again. I'm just wanting you to understand why I
4 am touching what some would see as possibly a sacred
5 cow. Our goal or end-goal, we're not asking for
6 waivers today so that we can say we got a waiver from
7 the State Board of Education. Our ultimate goal is
8 to expand learning opportunities for the students
9 that we serve and it's just one of the strategies,
10 one of the tools in our toolbox to help us get to
11 where we're trying to go.

12 You obviously know what this is. You already
13 know without me telling you that when the legislature
14 wrote Act 1240 they did not give the State Board
15 rule-making authority within the act. What that did
16 leave you, of course, on the good size, I think, is a
17 wide discretion on how you hear and handle these
18 requests for waivers. Okay?

19 So here's our charter school application; you
20 see how thick it is. It has some more of that
21 specificity in it, Dr. Barth. I would say to you and
22 I will request certainly that, if granted, if you
23 grant these waivers today, that they would be for a
24 period of no more than five years. I will go a step
25 further and say if our conversion charter application

1 is granted that can be the sunset date for this,
2 three months.

3 Now I didn't come to waste your time. There is,
4 you know, I hope, Madam Chair, some reason behind the
5 madness. We are wanting to try to start a diesel
6 mechanics class second semester. In order to be able
7 to do that we'll have to have some flexibility and
8 some freedom from the regulations, and that's
9 basically what we're doing. And I understand that I
10 did not talk specifics with you. I hope I don't have
11 to come back next month to do so, but I would. But I
12 wanted to spend the 20 minutes that I have with you
13 showing you our hearts and our intents and what it is
14 that we're trying to do and why we're asking for
15 these. And I thank you for your attention and
16 certainly I would try to respond to any questions or
17 concerns that you might have.

18 CHAIRPERSON NEWTON: Okay. So now we'll have
19 questions. There was nobody in opposition; Ms. Perry
20 said there's nobody here to speak in opposition. So
21 we're now open for the Board to ask questions of the
22 Superintendent concerning the waivers that are
23 requested, that he's requesting. Ms. Saviers.

24 MS. SAVIERS: Good afternoon.

25 SUPT. BARRETT: Thank you.

1 MS. SAVIERS: A couple of things. First of all,
2 we've gotten several emails from teachers in the
3 Gentry School District and one of the concerns seems
4 to be that they were unaware -- they were not aware
5 of the full scope of waivers that were being
6 requested. Can you speak to that?

7 SUPT. BARRETT: Yes, ma'am. And I'm going to
8 take a little of the credit, which I guess means
9 taking some of the blame. We came into this idea of
10 asking for waivers really late in August. Okay?
11 And, basically, we knew that what we were asking for
12 we were asking for in our charter application, which
13 had been explained in some great depth. Okay? We
14 had our last public meeting in which these waiver
15 applications was presented and the reason behind it,
16 and I sent a personal letter to our staff and invited
17 them, of course, to come to the meeting. And I
18 invited them if they didn't feel comfortable, you
19 know, asking questions in the meeting to email me
20 with anything they had. And I said, "Y'all come by.
21 Come by my office and sit down and talk to me
22 personally and I'll tell you exactly what we have on
23 our mind." I think -- and I wasn't trying to be
24 flippant earlier, because I'm really not. I think
25 this part about the Teacher Fair Dismissal Act -- I

1 really think sparked among a group of my staff some
2 concerns. Okay? Don't laugh at this; I have one
3 teacher reportedly asked a principal, "So would you
4 hire a barber to teach English?" I wish the person
5 would've asked me because I would've replied, "Well,
6 of course not, and nor would I hire you to cut my
7 hair." We are not trying to replace our teachers.
8 We are not trying -- anyone that's in an existing
9 position, this has nothing to do with them, and I
10 have said that. Sometimes you have to want to
11 believe an answer, and sometimes you want -- you have
12 to want to believe something sometimes with certain
13 people. Okay? And the people that emailed you I bet
14 they -- and I don't know who they are -- I bet
15 they're some of our very best teachers, because I
16 like to think that's all we have at Gentry. Okay? I
17 don't have a problem with that. I appreciate them
18 expressing their concern. The number -- and I don't
19 know if I gave you very many numbers at the beginning
20 -- our enrollment of students is about 1,450. We
21 have about 6,000 registered voters in our district.
22 The information has been out there I think more than
23 a sufficient amount of time, so -- and take this in
24 the spirit that it's given, unless you got like 3,000
25 emails then even half the people wasn't concerned. I

1 would take nothing away from any of those people's
2 right to have an opinion, and I respect it.
3 Sometimes we just -- we have to agree to disagree.
4 Okay?

5 CHAIRPERSON NEWTON: Dr. Barth.

6 DR. BARTH: On a related topic, I think what was
7 troubling about the communications we got was not an
8 agreement to disagree, but really kind of a sense
9 that the folks who were going to be, you know,
10 charged with implementing this really were not kind
11 of brought into the process. And I think that's
12 something that we -- you know -- our concern -- that
13 I'm concerned about. And I think that we've -- in
14 all of the waiver cases that have come before us of
15 this type, that's been a real centerpiece is to what
16 degree have the folks who have a stake in this, are
17 they being included. So I just wanted to clarify
18 it's not -- from my perspective, not just an
19 agreement to disagree, but it really is kind of a
20 more basic kind of communication with the
21 stakeholders.

22 SUPT. BARRETT: Okay. And let me respond to
23 that, if you will. Again, this is our conversion
24 charter application. The same waivers that I'm
25 asking for today, minus the Teacher Fair Dismissal

1 waiver, is in this. Okay? And they have I think one
2 additional which had to do with embedding a course in
3 another course. Okay? The school board meets
4 publicly, as you do. They started this process,
5 which to me is the same process, but it may not have
6 been being called a waiver back in December of 2014.
7 We had seven school board meetings; we had two public
8 meetings. And I'm going to think that the nine
9 people that showed up on a Saturday in the Gentry
10 library that had concerns -- I'm going to suggest
11 that perhaps they did not avail themselves of any of
12 those opportunities to come and be part of the
13 process.

14 DR. BARTH: I mean, I think one thing that's
15 important is Teacher Fair Dismissal cannot be waived
16 under the conversion charter process. It could be --
17 can be waived under this much broader process, and
18 that was really the area of communication that we
19 received about. So I do think that there's a
20 fundamental difference in terms of the breadth of the
21 waiver request here and what's even legally allowed
22 under the conversion charter.

23 SUPT. BARRETT: And please don't ever take
24 anything I say as argumentative, because it's not;
25 I'll just tell you that up-front. But I -- you know

1 -- I looked at all the waivers of the open-enrollment
2 charter schools in northwest Arkansas, and I think
3 most of the ones in the state, and in every one of
4 those the complete waiver or the complete Teacher
5 Fair Dismissal Act has been granted. So I assumed
6 the State Board already had passed that point.

7 DR. BARTH: Well, there's a difference between
8 the conversion charter provisions and the open-
9 enrollment charter provisions. That's the -- and
10 under a conversion charter -- because that is
11 obviously converting a traditional school, you know,
12 that is not allowed legally in that case. It is
13 allowed, of course, with open-enrollment and is often
14 an important part of those proposals. So I think
15 there is a difference here in terms --

16 SUPT. BARRETT: Okay.

17 DR. BARTH: -- of what's being requested in this
18 case.

19 SUPT. BARRETT: Well --

20 CHAIRPERSON NEWTON: Since -- I'm sorry; go
21 ahead. Sorry.

22 SUPT. BARRETT: Thank you, Ma'am. And I don't
23 want to belabor any of this. Let me officially
24 request that that waiver then, if there is a legal
25 question about it -- on behalf of the Gentry school

1 board and the Gentry School District, I withdraw that
2 request today and want to ask you just to consider
3 the others that we are requesting and the reason that
4 we're requesting them, and it won't be an issue to
5 anyone.

6 CHAIRPERSON NEWTON: I have a question for you.
7 I'm trying to think about this old adage of the cart
8 before the horse.

9 SUPT. BARRETT: Yes, ma'am.

10 CHAIRPERSON NEWTON: And I'm wondering if you
11 contemplate whether or not this strengthens or
12 weakens your conversion application. I'm just
13 wondering because you're referring to a document that
14 is yet to be explored. So I'm wondering, you know,
15 that's my concern. I don't know if any of the other
16 board members -- but it seems like it's so
17 conflicting in my mind at this point. You may clear
18 this up before the meeting is over, but it's almost
19 asking us to divide something that we can see versus
20 something that we cannot see and try to determine the
21 impact that one thing is going to have on the other.
22 This is just a general statement. That's my
23 confusion and I'm perplexed by that concept of trying
24 to pull together -- it just seems a little disjointed
25 to have -- you know -- outside of -- you know -- if

1 you said, "We've got this one diesel mechanic; if we
2 don't get him in January, he's gone forever. He's
3 going to leave Gentry and he's going to go to another
4 city." I can't remember -- he'll go to Springdale.
5 But I'm just wondering if this is the approach. And
6 we have to look too, Superintendent, to unintended
7 consequences. And so while, you know, the Teacher
8 Fair Dismissal may be or may not be -- and I don't
9 know, you know, if I'd be comfortable in your
10 position withdrawing that waiver, but it's been
11 sanctioned by your board to say these are the waivers
12 we want. That's certainly your decision. But that's
13 just my confusion and may not be anybody else's.

14 SUPT. BARRETT: Well, Madam Chair, let me try to
15 explain away your confusion because I think I was the
16 one that caused it.

17 CHAIRPERSON NEWTON: I think so.

18 SUPT. BARRETT: Now you didn't have to agree so
19 quickly with me, but it is what it is. All right.
20 We try to -- let me try to do it again. We have been
21 working very hard to develop a conversion charter
22 application and we've been on it a long period of
23 time and we've had a lot of involvement in it. Okay?
24 Somewhere in late summer it dawns on us we know this
25 is great, we believe we can get these things approved

1 by the State Board, but we're going to have to wait
2 till 16-17 to start trying to implement these things.
3 And then we noticed some waivers processed; we see
4 Bentonville, we see Rogers, we see others come.
5 Okay? And we say, you know, "Maybe this is a viable
6 thing here for us. We'll just ask for the same
7 waivers under the Act 1240 waiver process, as we did
8 in our -- again, it's already existing; it's filed
9 with the Department of Education, stamped up there
10 yesterday. Okay. They're not in conflict; they are
11 the same thing. Okay. They're just like two prongs
12 of the same operation. Okay. And --

13 CHAIRPERSON NEWTON: Any follow-up on that?

14 MS. REITH: I do want to follow-up because --
15 just to clarify because I did understand that from
16 your comments earlier. I think what's -- at least
17 where I'm caused confusion and piggy-backing off our
18 Chair's comments, it's just what are the details?
19 What is your conversion charter about? You've made
20 an illusion to the diesel mechanic, so I'm assuming
21 it might be something that's career tech related.
22 But the reality is coming into this conversation we
23 don't know all the contents. And your application,
24 contrary to some of the other ones we've seen,
25 doesn't really detail out, even in your explanations,

1 how this connects to specific programming.

2 SUPT. BARRETT: Right.

3 MS. REITH: And so that's what lends itself to
4 concerns about this feeling that this could be
5 broader and, again, the concerns around broader
6 implications that we expressed the first time around
7 with these forms versus something that might be very
8 specifically tied to a program or an opportunity or
9 things like this. And I realize you all not wanting
10 to basically submit the same application twice.
11 Right? You've gone through all the work of putting
12 your conversion charter and such. But since we
13 haven't had the privilege here of seeing that
14 information, we don't have the entire context of that
15 content except that you've alluded to it now several
16 times. But why and what all it entails -- so I think
17 that's where I'm still not feeling yet -- as of yet,
18 from what you've shared, a level of comfort about how
19 your waivers connect to the specific results. You
20 say that the waivers aren't the end, but we do need
21 to know what the end-result is.

22 SUPT. BARRETT: Sure. I will tell you -- well,
23 simultaneous, not quite -- around the same time, that
24 we have been developing our own individual charter,
25 conversion charter application. We've also been in a

1 series of meetings with the Decatur School District,
2 the Gravette School District, and the Bentonville
3 School District because we are seeking a regional
4 vocational career and technical center. We have RTI
5 in our -- I'm sorry -- NTI, a state vocational school
6 in Springdale. But by the time we load a few kids on
7 the bus to go and come back, it's impossible; it
8 won't work within the day, and it sure won't work
9 within the day within the six hours of seat time
10 during the day rule. Okay? So NTI is serving about
11 600 students. I think northwest Arkansas has about
12 60,000 students, so they're not meeting -- they don't
13 have the capacity to meet everyone's needs. When I
14 had the last public meeting it was for us ground-
15 breaking. I had the superintendents from Decatur and
16 Gravette and Bentonville, Mr. Poore. And not only
17 did I have a chance to explain for our Gentry people
18 what we were trying to do, both gentlemen stood up
19 and explained the bigger picture, because in that
20 area that's the end goal. We just haven't got far
21 enough in the process to be able to identify specific
22 critical timelines and pieces. We're in the ForwARd
23 Arkansas stage. We have a vision of what we want,
24 but we don't have all the components. So in the
25 meantime, while we're trying to let all of that gel,

1 we were trying to get some waivers passed so that our
2 kids possibly might could have a diesel mechanics
3 class second semester. It's just that simple. And I
4 understand, Ms. Reith, what you said, because when
5 you guys take an action obviously it doesn't just
6 affect me; it affects everyone else that comes before
7 you, and I understand about precedence. I do. And I
8 understand your position. I hope you understand
9 mine. All right? And, yes, Madam Chair, I would
10 have the authority to pull that waiver from your
11 consideration today.

12 CHAIRPERSON NEWTON: Ms. Zook.

13 MS. ZOOK: Yes. I think that my first question
14 is either for Mr. Biggs or Ms. Perry. In the process
15 of the presentation there was an agreement on his
16 part to put a time certain on the request, but it
17 wasn't in the original request. Can he do that on
18 the fly?

19 MR. BIGGS: Yes. As long as he is making the
20 request here today and putting it into the record,
21 and then that's what's being voted on by the Board,
22 then he can add any timeframe that he wants to.

23 MS. ZOOK: Okay. Thank you. Also, how many
24 students do you have in Gentry who are in an open-
25 enrollment charter?

1 SUPT. BARRETT: I don't have a number. I know
2 that we qualify through the Virtual Academy.

3 MS. ZOOK: Okay. Because it's my understanding
4 you can request waivers if you have open-enrollment
5 charters that are drawing from your district already.

6 SUPT. BARRETT: Yes, ma'am.

7 MS. ZOOK: So you're assuming or you know that
8 you have students who are in the Virtual Academy or
9 it's just a possibility for them?

10 SUPT. BARRETT: I know, because I asked Ms.
11 Perry and she told me that I did.

12 MS. ZOOK: Okay. Well, she knows --

13 SUPT. BARRETT: She knows.

14 MS. ZOOK: -- and I would rely on her. Okay.
15 And my other questions have to do with the grading
16 and the diploma and all of those things. And when
17 you talk about special education grading, are you
18 talking about grading students who have a
19 handicapping condition or are you talking about a
20 specialized education for your students?

21 SUPT. BARRETT: Here comes some more confusion:
22 both.

23 MS. ZOOK: Okay.

24 SUPT. BARRETT: I'm talking about both. We
25 would not be changing the traditional grading scale

1 for any handicapped special education student without
2 going through the IEP process and having the parent
3 sign on to that. And the only reason that we would
4 want to have a different one in some of those courses
5 -- I hope I was able to explain, maybe poorly -- but
6 there may be classes that just won't lend themselves
7 to A, B, C, D, F.

8 MS. ZOOK: No, I did understand that.

9 SUPT. BARRETT: You got that one. Okay.

10 MS. ZOOK: Yes, I did.

11 SUPT. BARRETT: So a handicapped student could
12 be over in a social studies class and make a B and
13 then you could go to a diesel mechanics class and
14 receive possibly a Pass.

15 MS. ZOOK: Okay.

16 SUPT. BARRETT: Okay. And that's it.

17 MS. ZOOK: So it would be like a Pass/Fail?

18 SUPT. BARRETT: Yes, ma'am.

19 MS. ZOOK: Okay. And it particularly intrigues
20 me on the diesel mechanic part because I happen to
21 have been privy to a conversation where a gentleman
22 was saying in Arkansas alone there are 10,000
23 openings for diesel mechanics. And that is without
24 any taxpayer dollar incentive, like we did at
25 Lockheed; that's without anything else. So I do know

1 in fact first-hand that there is a huge need for
2 these diesel mechanics. And this is not diesel
3 mechanic get-under-the-truck-and-work-on-it; this is
4 on the paneling, this is the computer skills that our
5 Governor is trying to help us get up to, that our
6 reliable staff here has written the frameworks for.
7 So I do know there in fact is. So on the one hand
8 I'm very interested in getting something started
9 quickly, particularly in that area.

10 SUPT. BARRETT: One of the things, when I was
11 extolling the values of living in Gentry, that I did
12 not mention is we are the home of Little Debbie,
13 Little Debbie snack cakes. And I'll bring you a box
14 sometime. The reason I say that is because Little
15 Debbie snack cakes are transported all over the
16 United States on McKee trucks that you see out there
17 on the interstate from time to time. Those people
18 are in a real need -- okay? -- and they're one of our
19 partners. I know y'all don't want me to keep talking
20 about the charter application, but you'll find a
21 letter of support from McKee Foods in that packet.
22 We've been working with them and the problem is we
23 can't logistically get our students to NTI for a
24 diesel mechanics class. NWACC is unable to provide
25 us with a teacher that the CTE program would approve

1 of. But McKee would be willing to send us a real
2 live person from their shop to come over and teach a
3 group of students. That's the licensing portion of
4 the waiver part. Okay? So would we be able to let
5 those kids go home at 2:00 in the afternoon and then
6 come back at 6:00 to take that class? Senator Key,
7 Commissioner Key, could we do that?

8 COMMISSIONER KEY: Ask that again.

9 SUPT. BARRETT: Can we -- could we let a kid go
10 -- I'm sorry -- a student go in the middle of the day
11 and then come back later and finish a class -- finish
12 up that course under existing rules, or do they need
13 to have a six-hour day there, consecutive time?

14 COMMISSIONER KEY: Probably the guy behind you
15 would be better to answer that question. When you
16 get into legal stuff I'm going to punt.

17 MS. ZOOK: That question is so easy the guy in
18 the back can answer it.

19 MR. BIGGS: Maybe. The requested waiver from 6-
20 18-210 that defines planned instructional time is in
21 fact what a lot of the charter schools, including the
22 Virtual Academy, use to adjust the school day. So
23 that would allow what he's seeking the waiver for
24 there. I did want to add just a little bit of
25 context, Ms. Zook, to your questions, which is with

1 regard to 6-15-902, which is the grading scale. I'll
2 start out by saying the title of that section of the
3 code includes special education classes. The text of
4 the statute no longer actually includes any special
5 ed. specific language. That section of the code was
6 amended I think 10 or 12 years ago, and they took out
7 all mention of a separate grading scale for special
8 education classes. The intent was to put everybody
9 on the same playing field and treat everyone equally.
10 I think there were some civil rights laws concerns at
11 that time. It just wasn't taken out of the title,
12 special education classes. So that's something that
13 probably needs to get cleaned up, but I didn't want
14 there to be any confusion there.

15 I did also want to add though for Mr. Barrett's
16 sake that it sounds like what he is actually
17 requesting here today is a waiver from the grading
18 scale specifically for this diesel mechanics class.
19 And as written and requested on paper, it would be
20 broader than that. But if he wants to curtail it
21 just to the diesel mechanics class today, then,
22 again, as long as that's entered into the record and
23 that's what actually would be voted on, then that
24 would be proper.

25 MS. ZOOK: And it could be he's just wanting it

1 for his vocational non-core subjects as opposed to
2 diesel mechanic. And he may discover there's some
3 other technical class that he chooses to offer, if
4 given the waiver.

5 MR. BIGGS: Well, if given the full waiver it
6 could be used more broadly; however, it would also
7 have other side effects. For example, it could take
8 us back to having a separate grading scale for
9 special education classes, which would be something
10 that might conflict with the legislative intent of
11 changes to that section of the code over time.

12 MS. ZOOK: Thank you.

13 CHAIRPERSON NEWTON: Any other questions? Ms.
14 Saviers.

15 MS. SAVIERS: Well, and, Mr. Biggs, this may be
16 for you too. I really promise I'm not trying to
17 confuse the issue but to simplify it. Does he really
18 need all these waivers to do what he says he needs to
19 do? I mean, this just looks like a lot of waivers.

20 MR. BIGGS: So all of them, except for one, are
21 valid waiver requests. The one that's -- and he's
22 pointed this out in his application -- that's not
23 been granted to the Arkansas Virtual Academy is from
24 6-18-211. And Act 1240 is very clear; it says that
25 unless a waiver has been granted specifically to a

1 charter school that it cannot even be requested. So
2 that's technically not for the consideration of the
3 State Board here today. Aside from that, the rest of
4 them are valid requests. And as far as whether
5 they're necessary or not, I think that's what you
6 guys are getting to with your questions. And
7 ultimately that's up to the State Board to approve or
8 deny, in whole or in part, or to take under
9 advisement.

10 MS. SAVIERS: Well, I mean, I think my point is,
11 personally, I'd like to see you have that diesel
12 class. This makes sense to me. But this just looks
13 like wholesale waiver town and it's scary to us to
14 set this precedent. So if we could pare it down to
15 really what you need until you get your conversion
16 charter.

17 SUPT. BARRETT: Okay. And let me tell you how
18 that , Ms. Saviers. I'll peek behind the
19 curtain of our administrative team. We took the
20 waivers that have been granted to the Virtual
21 Academy; we tried to match up what they had been
22 granted with what we're trying to do. As we grouped
23 them all together -- if it's about grades and
24 grading, we tried to cover all of our bases because
25 we didn't want to get a waiver on one simple

1 regulation and then later someone say, "Well, but you
2 couldn't do that because of this, even though you had
3 that." So we put them all together and that's why
4 they were grouped in those four categories. They're
5 not 12 different things; they're four different
6 concepts.

7 CHAIRPERSON NEWTON: Dr. Barth. I'm sorry;
8 Commissioner?

9 COMMISSIONER KEY: No.

10 DR. BARTH: Mr. Biggs, I'm just trying -- I
11 missed that number, the one that's not in Virtual
12 Academy, but that number again is --

13 MR. BIGGS: 6-18-211.

14 DR. BARTH: 211. Okay. Great. Thank you.

15 MR. BIGGS: I think -- if I can clarify my
16 statement in response to Ms. Saviers' question -- and
17 I'm not punting our responsibility from Legal
18 Services off on you guys, but --

19 MS. SAVIERS: That's what it felt like. Just
20 kidding.

21 MR. BIGGS: I'm sorry. We are here to say
22 whether they're valid waiver requests -- and
23 certainly, I think you'll see we've done this where
24 necessary, as you said, to pare it down to avoid
25 conflict with other laws or legislative intent. And,

1 certainly, that's what my comments are here for and
2 I've given those, I think. And I think also where
3 certain waivers, if granted, could allow for other
4 things that might be duplicative in other waivers
5 that's, again, some of the commentary that I
6 provided. I think you've got all of my comments and
7 all the comments from Legal Services thus far, unless
8 you have any other questions that bring up other
9 comments that we may have. So, thank you.

10 COMMISSIONER KEY: Madam Chair, I would just
11 say, as I pointed out to you a moment ago, Ms. Salas-
12 Ford is here. She's our resident legal expert on
13 special ed. issues. So, Ms. Zook, or any -- Ms.
14 Saviers, if you have specific questions on that part
15 of it, she is back there and could probably help you.

16 MS. ZOOK: Yeah, I would like to. Because the
17 way the information was presented to us it included
18 6-15-902(a), which talks about special ed. classes,
19 and then the explanation was talking about the
20 exceptional child and the exceptional circumstances.
21 But what I'm understanding from Mr. Biggs that is no
22 longer a part of the law, so I'm confused. Can you
23 help?

24 MS. SALAS-FORD: Good afternoon.

25 MS. ZOOK: Thank you.

1 MS. SALAS-FORD: Yes. When that statute was
2 originally enacted, I believe back in like 1991,
3 there was a section that specifically said that
4 special education courses could have a different
5 grading scale, that you could make that documentation
6 on their report card, on their transcript, et cetera.
7 Of course, because of section 504 of the
8 Rehabilitation Act that's a discriminatory practice.
9 And so, like Cory said, some 10, 15 years ago that
10 was -- the language was removed from the statute, but
11 the title was not amended. And so the title is very
12 misleading in saying that there are exceptions for
13 special education. But the way that the rest of the
14 law currently reads there is no exception for special
15 education; special education cannot have a different
16 grading scale. And so when Gentry is asking for a
17 waiver from that law, they're simply asking that
18 other courses -- the non-core courses could have a
19 different grading scale. And it would have no direct
20 effect on special education, unless they chose, you
21 know, again, to apply that to a special ed. course,
22 which we feel would be against legislative intent and
23 could possibly be seen as discriminatory. So I
24 believe that's why Cory was saying he may want to
25 pare it down to the specific courses he's wanting to

1 use that exception for.

2 MS. ZOOK: Thank you.

3 SUPT. BARRETT: And she's the expert and I'm
4 not, but I wanted to make it very clear that all the
5 students in that class, whether they be special ed.
6 or not, would have the same grading scale, not just
7 the special education students. Okay? There would
8 be no discrimination there; everyone in the class
9 would have that. I'm certainly on behalf of my
10 district wanting this for the future and for the
11 classes that we are basically trying to start. I
12 would be certainly not just willing, but it seems
13 like it would be very prudent to explain on record
14 that we're only seeking these for those non-core
15 classes. And I think I can go a step further for the
16 record, and for anyone back at home even, to say
17 classes that are not currently being taught in Gentry
18 Public Schools, with the exception of the CNA
19 program, which would fall under that charter umbrella
20 later. Okay? So let me go on record as saying that.
21 And if there was any confusion -- maybe the example
22 about taking the first step where you couldn't see
23 the stairway wasn't good. I might just use that one
24 about taking a flight on the airplane while the
25 airplane is still under construction, because that's

1 kind of where we are. And to some degree that's kind
2 of where the State of Arkansas is with the many
3 different educational providers and systems that are
4 out there. In 20 years from now, hopefully all that
5 will come into some sort of congruence there, but
6 Gentry is not there yet. I can only speak for
7 Gentry. We're not there with a final plan yet, but
8 we're working on it. And part of us working on it is
9 my appearing before you today representing our
10 district, trying to explain the best I can. All the
11 smart people stayed home. I see how Batesville
12 worked that out, so I'll keep that in mind for the
13 future.

14 CHAIRPERSON NEWTON: Any further questions?

15 MS. REITH: Yes. I guess before proceeding, for
16 my self just would need clarification. Do you want
17 us to consider the waivers as they're written here or
18 based on the discussion that you've heard are there
19 any modifications that you would like us to consider?

20 SUPT. BARRETT: Yes. And I'll try to summarize.
21 And if I leave out anything, offer a suggestion, Dr.
22 Barth.

23 DR. BARTH: I don't think you would like my
24 suggestions.

25 SUPT. BARRETT: Well, I don't have the same

1 flexibility that Baker had because I have a school
2 board I have to go home to. Here would be my basic
3 summary, because apparently there was some lack of
4 good communication. At this point we would like to
5 withdraw from our waiver application the waiver that
6 had to do with the Teacher Fair Dismissal Act. The
7 other things that we are asking for: the teacher
8 licensure, the length of the school day -- I went
9 blank -- the rest of them -- that sums it up; those
10 other three groupings of requests and the individual
11 waivers included within those groupings on the
12 application --

13 CHAIRPERSON NEWTON: Mr. Biggs, would we be able
14 to -- we can't put -- I'm sorry.

15 MS. REITH: Yeah, he's still --

16 CHAIRPERSON NEWTON: You're still -- well, I
17 need to ask this question; I'm sorry to interrupt.
18 But would we be able to categorize -- I mean, put
19 them in categories as opposed to one-to-one? Because
20 he's mentioned four general categories, but there are
21 several listed on here. So could we do that in a
22 category or how does that work?

23 MR. BIGGS: Again, you can group them any way
24 you want to, or you can take them one at a time. And
25 if it's easier to alleviate confusion to take them

1 one at a time, then that might be the way you want to
2 go.

3 CHAIRPERSON NEWTON: I apologize; I just needed
4 to get that clarified. That was the clarification I
5 needed to try to sort this out, how we proceed. If I
6 cut you off, please feel free to finish what you were
7 saying.

8 MS. ZOOK: I have a question on the length of
9 the day. I have no problem with you lengthening the
10 day; I have a problem if this allows you to shorten
11 the day.

12 SUPT. BARRETT: It would not. It would not.
13 Now, you know, and that's what was referred to
14 earlier. When you grant these waivers -- and I told
15 you I understood that; you're giving people some
16 broad powers. I'm just trying to explain here in
17 person how it will be used. We don't want to shorten
18 a school day. I'm on record; we do not want to
19 shorten a school day. We want some flexibility in
20 time, and I really believe this will just apply to
21 grades 9 through 12 in the future. We just want some
22 flexibility in how those students earn those six
23 hours. I tried to summarize it in the application,
24 the waiver application. We've got this push -- the
25 Governor's push for more use of technology, for a

1 classroom that can be offered online. There are
2 classes that offer off-campus and at difference
3 places. And we haven't asked to waive any of the
4 requirements of graduation; I think I noted that.
5 We're still wanting these students to take everything
6 the State says you must have to graduate. When they
7 graduate with diploma in hand, we want some of them
8 to also have perhaps some industry certificate in
9 hand. And if they have chosen not to pursue post-
10 secondary education, that they might go out and get a
11 better job because of that piece of paper that says
12 "I've already been trained in diesel mechanics.
13 "McKee, you don't have to start me at zero. I can
14 come in and then you can train me to work on McKee
15 trucks however you want, but I have the general
16 knowledge because I learned that in Gentry High
17 School." That's what that's about.

18 MR. BIGGS: And just to clarify on that one, as
19 I mentioned earlier, those things are the sorts of
20 things that the Virtual Academy does, scheduling when
21 the instruction takes place during the day. And that
22 can be accomplished with the waiver that's being
23 sought for 6-18-210. Even though most of the
24 explanation on your paper that he just gave is
25 contained underneath the request for 6-18-211, those

1 things can be accomplished with a waiver of 6-18-210.
2 And, again, 6-18-211 would be an invalid waiver
3 request today.

4 MS. REITH: Thank you. And I do want to say,
5 you know, being from northwest Arkansas, growing up
6 in Fayetteville, and now coming back into
7 Fayetteville, I love your community of Gentry; it is
8 a wonderful small town. And all the school districts
9 up there in northwest Arkansas, but including yours
10 -- right? I'm a huge fan of what you all do for our
11 children. But I will say I still -- and this is just
12 for my self; this isn't a recommendation, because we
13 can't make recommendations to you. But from what I
14 heard you say, you're willing to withdraw the Teacher
15 Fair Dismissal waiver, but the other ones you would
16 like us to consider as written. And I'll just say
17 that for my self personally that would be too broad.
18 I would need something to the level of specificity
19 that this is just for your diesel mechanics class to
20 be able to get behind this. Because we do -- I would
21 love to see you offer that diesel mechanics class,
22 and I understand being up there in northwest Arkansas
23 right now there is so much wonderful work happening
24 around career education. And I can sympathize living
25 there -- right? -- knowing what Rogers and

1 Bentonville and Fayetteville do, and you want to
2 offer that for your children in Gentry. And I want
3 you to be able to offer that. But as the waivers are
4 right now, this is just my personal statement --
5 right? -- that's too broad. I would need something
6 of a -- a modification from you in this regards to be
7 able to move forward. And please know I very
8 enthusiastically look forward to reading that open-
9 enrollment conversion charter application and
10 considering the whole thing in depth. And I think,
11 as you were saying -- correct, right? -- you are
12 toward the ends of this wonderful and deep process of
13 trying to discern -- right? -- what your CTE
14 coursework and tech coursework is going to look like.
15 And I definitely want to see you succeed in that, and
16 I can appreciate wanting to have a pilot class, like
17 a diesel mechanics class -- right? -- to get your
18 footing there. But these waivers as they're written
19 right now are just so broad and have such broad
20 implications that if it doesn't come with something
21 more specific, an add-on to it, I just know for
22 myself personally it would be very difficult for me,
23 just with the precedent that we've set, or I've even
24 set with my own vote in regards to these previous
25 waivers, it would be hard for me to get behind, so --

1 SUPT. BARRETT: I would certainly -- and I don't
2 want to be a problem child for you, but what if
3 diesel mechanics won't make but maybe HVAC would, air
4 conditioning, heating and air? If I limit it too
5 tight today in this, if the diesel mechanics doesn't
6 work, then, you know, we're done, unless we get our
7 conversion charter application; we're done till next
8 year. That's why I didn't, you know, try to tie it
9 so tight to one class. I think I had said for the
10 record that I am talking about non-core classes that
11 currently are not being taught in Gentry Public
12 Schools, with the exception of the CNA class, in
13 respect to these waivers that I'm asking for. And
14 that is my clarification of the waivers that's been
15 presented to you as written.

16 MS. REITH: And I appreciate that -- right? I
17 mean, we want to set you up for success overall. But
18 what distinguishes your application from the others
19 we've heard is that they already had some sort of
20 plan for their programs, some sort of definition
21 around the tech program that they were doing. And it
22 sounds like that is just very much still in
23 development for you. I can appreciate your
24 difficulty in articulating that, because that's part
25 of what the conversion charter is for and the

1 development process that you're in. But it just does
2 make your application, at least for me -- and I'm not
3 speaking for my other colleagues, but just for my
4 self it does make it stand out from the other ones
5 that we have approved.

6 SUPT. BARRETT: And Gentry is always standing
7 out. I'm not sure if this is the particular way, Mr.
8 Black, I want to stand now, as you understand. But
9 it is our honest -- it is our honest effort to begin
10 the process of making sure that those 70% of students
11 that are graduating from Gentry -- and you saw stats
12 from the back of our application. Our kids coming in
13 the 9th grade, we're averaging about 92% of them
14 graduating. Okay? That's higher than the state
15 average. But of those kids that are graduating only
16 about 40% are going off to a four-year and only about
17 25% to 30% are actually coming out with a degree.
18 We're wanting to start doing something right now --
19 right now -- for those students who aren't going to
20 the U of A or one of the other fine higher education
21 institutes in the state. That was the push to go
22 ahead and do this before waiting, Madam Chair, if you
23 will, for the horse to catch up with the cart. Okay?

24 CHAIRPERSON NEWTON: Okay. Mr. Williamson.

25 MR. WILLIAMSON: What I'm hearing is it's

1 limited to career education. That is what I'm taking
2 away from all that. And if I'm mistaken, please
3 somebody correct me on that.

4 CHAIRPERSON NEWTON: I think that's what you're
5 hearing. I don't know whether the application
6 supports that. And the superintendent now, and five
7 years from now, may have a different persuasion. And
8 I think what we certify today is certified --

9 MR. WILLIAMSON: Right.

10 CHAIRPERSON NEWTON: -- and the intent. And
11 that's what I was talking about the intended
12 consequences. So what we approve as a waiver is a
13 waiver.

14 MR. WILLIAMSON: Right.

15 CHAIRPERSON NEWTON: Now the intent of how it's
16 carried out could vary in the future.

17 MR. WILLIAMSON: But he can alter what he's
18 requesting --

19 CHAIRPERSON NEWTON: Of course.

20 MR. WILLIAMSON: -- if we've done some changes
21 to this request already. And if he was able to
22 articulate and perhaps include the words "career
23 education," that might be of benefit.

24 CHAIRPERSON NEWTON: I'll leave that to the
25 attorneys.

1 MS. REITH: Well, and I will say that we've kind
2 of inquired a few times and what I'm still taking
3 away -- and correct me if I'm wrong, but the only
4 modification that you've clearly made is to withdraw
5 the Teacher Fair Dismissal -- correct? -- from what
6 your application says?

7 SUPT. BARRETT: No, ma'am, I don't think so.

8 MS. REITH: Okay. Then -- yeah.

9 CHAIRPERSON NEWTON: Dr. Barth.

10 DR. BARTH: Well, I think we've -- we have a
11 good process; we have a conversion charter process.
12 This today has shown why that process should be used
13 and why this one is so problematic, except in
14 exceptional circumstances. And in this case, because
15 that process is already underway, to me it just feels
16 like the much tidier way to go is to wait for that
17 process, which is a proven process, to deal with all
18 of these challenges, rather than make this policy on
19 the fly.

20 CHAIRPERSON NEWTON: While that may be true,
21 still, he has the option.

22 DR. BARTH: I know. I'm just -- I'm beginning
23 to --

24 CHAIRPERSON NEWTON: Yeah. I understand.

25 DR. BARTH: I'm beginning to advocate.

1 CHAIRPERSON NEWTON: Let's go back to the
2 attorney, clarifying, please.

3 MR. BIGGS: If I may make a suggestion, Madam
4 Chair, I think perhaps the clearest way to go forward
5 with these requests would be not only to take them
6 one at a time, but to take them one at a time and to
7 ask Mr. Barrett to clearly articulate within specific
8 boundaries exactly what he's requesting for each one
9 just prior to a motion being made and any discussion
10 and the vote on each one.

11 CHAIRPERSON NEWTON: All right.

12 MR. BIGGS: And that will be what is voted on,
13 exactly what comes out of his mouth at that time.

14 CHAIRPERSON NEWTON: Okay. So we are ready to
15 start. We're ready to start. And the first one
16 we're considering is -- no, no -- we're going to move
17 forward because I think we've, you know, clarified
18 the clarity --

19 SUPT. BARRETT: Go ahead.

20 CHAIRPERSON NEWTON: -- with clarity. 6-15-
21 902(a) is Grading Scale-Exemptions-Special Education
22 Classes. What specifically is your request?

23 SUPT. BARRETT: We are requesting that an
24 alternate grading scale be used for non-core classes.

25 CHAIRPERSON NEWTON: So based on that

1 explanation, what is the pleasure of the Board? Do
2 we have a motion?

3 DR. BARTH: I would move to deny the waiver
4 request.

5 MS. REITH: I would second.

6 CHAIRPERSON NEWTON: Motion by Dr. Barth to deny
7 the waiver request, a second by Ms. Reith.
8 Discussion? All in favor?

9 MS. ZOOK: Well --

10 CHAIRPERSON NEWTON: I'm sorry. Do you have a
11 question, Ms. Zook?

12 MS. ZOOK: Well, in the examples given, in the
13 diesel mechanic, I can see why you either get the
14 truck running or you don't. In CNA, I could see that
15 specific grades could apply. And in heating and air
16 -- so I don't think I can support the motion as read
17 because I think it depends on the subject being
18 taught.

19 CHAIRPERSON NEWTON: Very well. All in -- any
20 other questions? All in favor?

21 (A FEW AYES WERE HEARD)

22 CHAIRPERSON NEWTON: Well, okay. Want to do a
23 roll-call? What do you think, Commissioner? You
24 want to do a roll-call?

25 COMMISSIONER KEY: Yes.

1 CHAIRPERSON NEWTON: Okay.

2 MS. CHAMBERS: Could you please say what we're
3 voting on, please?

4 CHAIRPERSON NEWTON: Okay. We're voting on Dr.
5 Barth's motion and Ms. Reith's second to deny the
6 first request for a waiver, which would be Grading
7 Scale-Exemptions-Special Education Classes.

8 MS. ZOOK: Except I think the special ed.
9 classes is no longer in there.

10 CHAIRPERSON NEWTON: That's what --

11 MS. REITH: And he said for non-core classes.

12 CHAIRPERSON NEWTON: Yeah.

13 COMMISSIONER KEY: Okay. We'll vote. Ms.
14 Reith.

15 MS. REITH: Yea to the motion.

16 COMMISSIONER KEY: Dr. Barth.

17 DR. BARTH: Yes.

18 COMMISSIONER KEY: Mr. Black.

19 MR. BLACK: Yes.

20 COMMISSIONER KEY: Ms. Saviers.

21 MS. SAVIERS: Yes.

22 COMMISSIONER KEY: Ms. Zook.

23 MS. ZOOK: No.

24 COMMISSIONER KEY: Ms. Chambers.

25 MS. CHAMBERS: Yes.

1 COMMISSIONER KEY: Ms. Dean.

2 MS. DEAN: Yes.

3 COMMISSIONER KEY: Mr. Williamson.

4 MR. WILLIAMSON: No.

5 COMMISSIONER KEY: Motion passes.

6 CHAIRPERSON NEWTON: Okay. The second waiver
7 request is 6-15-1004, Qualified Teachers in Every
8 Public School Classroom. And your explanation or
9 your justification for that particular waiver?

10 SUPT. BARRETT: We would like to possibly be
11 able to offer a career and vocational diesel
12 mechanics class next semester. And we are requesting
13 a waiver so that we might proceed.

14 CHAIRPERSON NEWTON: Okay. I'm sorry; would you
15 repeat that?

16 SUPT. BARRETT: Yes, ma'am. We are requesting
17 this waiver due to our desire to offer within the
18 career and technical programs a diesel mechanics
19 class next semester. We do not feel like we are able
20 to find a teacher qualified under this code.

21 CHAIRPERSON NEWTON: So you're specifically
22 stating the diesel mechanic? Because initially you
23 said programs but then you said diesel mechanics, so
24 --

25 SUPT. BARRETT: Yes, ma'am. Based on the first

1 vote, I thought I would go ahead and tie that a
2 little tighter. Diesel mechanic.

3 CHAIRPERSON NEWTON: Okay.

4 SUPT. BARRETT: And I did say career and
5 technical, Mr. Williamson.

6 CHAIRPERSON NEWTON: You said career and
7 technical programs and then you said --

8 SUPT. BARRETT: Class. Excuse me. Class.

9 CHAIRPERSON NEWTON: Class for diesel mechanic?

10 SUPT. BARRETT: Yes, ma'am. That's exactly what
11 I said.

12 CHAIRPERSON NEWTON: I don't want to put words
13 in your mouth. Is that it?

14 SUPT. BARRETT: That's it.

15 CHAIRPERSON NEWTON: Okay.

16 MS. ZOOK: Before I make my motion, and
17 overriding all of these, you're saying that the
18 conversion charter acceptance or the five year limit?

19 SUPT. BARRETT: Yes, ma'am. Absolutely.

20 MS. ZOOK: Okay. I want to be sure.

21 SUPT. BARRETT: Absolutely.

22 MS. ZOOK: Okay. I'll move that we pass 6-15-
23 1004.

24 MR. WILLIAMSON: Second.

25 CHAIRPERSON NEWTON: Motion by Ms. Zook, second

1 by Mr. Williamson. Any discussion? All in favor?
2 We'll have again a roll-call vote.

3 COMMISSIONER KEY: The order is changed on this
4 sheet that I'm using now, so just know that if you
5 hear your name in a different order that's because
6 I've switched papers here. Dr. Barth.

7 DR. BARTH: No.

8 COMMISSIONER KEY: Mr. Black.

9 MR. BLACK: Yes.

10 COMMISSIONER KEY: Ms. Chambers.

11 MS. CHAMBERS: Yes.

12 COMMISSIONER KEY: Ms. Dean.

13 MS. DEAN: Yes.

14 COMMISSIONER KEY: Ms. Reith.

15 MS. REITH: Yes.

16 COMMISSIONER KEY: Ms. Saviers.

17 MS. SAVIERS: Yes.

18 COMMISSIONER KEY: Mr. Williamson.

19 MR. WILLIAMSON: Yes.

20 COMMISSIONER KEY: Ms. Zook.

21 MS. ZOOK: Yes.

22 COMMISSIONER KEY: Motion passes, seven.

23 CHAIRPERSON NEWTON: Number three, 6-16-102,
24 School Day.

25 SUPT. BARRETT: Because of the possibility of

1 not being able to secure a teacher during the
2 traditional 8:00 to 4:00 school day, we are asking
3 for this waiver in order that we might possibly
4 within the career and technical class, diesel
5 mechanics class, begin such a class next semester.

6 MS. ZOOK: So moved.

7 CHAIRPERSON NEWTON: Moved by Ms. Zook.

8 MR. WILLIAMSON: Second.

9 CHAIRPERSON NEWTON: Second by Mr. Williamson.

10 Any discussion? Roll-call.

11 COMMISSIONER KEY: Dr. Barth.

12 DR. BARTH: No.

13 COMMISSIONER KEY: Mr. Black.

14 MR. BLACK: Yes.

15 COMMISSIONER KEY: Ms. Chambers.

16 MS. CHAMBERS: Yes.

17 COMMISSIONER KEY: Ms. Dean.

18 MS. DEAN: Yes.

19 COMMISSIONER KEY: Ms. Reith.

20 MS. REITH: Yes.

21 COMMISSIONER KEY: Ms. Saviers.

22 MS. SAVIERS: Yes.

23 COMMISSIONER KEY: Mr. Williamson.

24 MR. WILLIAMSON: Yes.

25 COMMISSIONER KEY: Ms. Zook.

1 MS. ZOOK: Yes.

2 CHAIRPERSON NEWTON: Motion carries.

3 6-17-908, Teachers Salary Fund, Authorized
4 Disbursement.

5 SUPT. BARRETT: Arkansas law prohibits teachers
6 that do not have their license from being paid from
7 the Teacher Salary Fund. We are requesting this
8 waiver so that any teacher hired for that diesel
9 mechanics class might be paid from Fund 1000.

10 MS. ZOOK: Question. On that, since -- right or
11 wrong -- we pay teachers on a scale based on the
12 degree and the years of experience, how do you plan
13 on approaching that with a person who knows how to
14 teach people about diesel mechanics?

15 SUPT. BARRETT: We will try to make it
16 comparable to the process that we use in crediting a
17 teachers' prior experience. If someone has worked 10
18 years as a diesel mechanic, we would try to find a
19 mutually agreeable place to place them on the salary
20 scale.

21 MS. ZOOK: So you'll negotiate with the
22 individual teacher?

23 SUPT. BARRETT: Yes, ma'am. It will be kind of
24 breaking some new ground with that.

25 MS. ZOOK: Okay.

1 SUPT. BARRETT: Hence, the need for the waiver.

2 CHAIRPERSON NEWTON: Do you anticipate exceeding
3 the salary schedule?

4 SUPT. BARRETT: Oh, no, ma'am.

5 MS. ZOOK: He's wanting to stay fiscally
6 responsible, remember?

7 CHAIRPERSON NEWTON: Okay. That's the
8 explanation. Any other questions about that
9 particular one, the waiver for Teacher Salary Fund?
10 Ms. Saviers.

11 MS. SAVIERS: Mr. Key, how do you feel about
12 that?

13 COMMISSIONER KEY: You can't pound a square peg
14 in a round hole, which is what we have when you're
15 trying to get a non-certified person and pay them for
16 the services they're providing teaching these
17 students. So, you know, I can certainly understand.
18 While I'm not advocating, I can understand why the
19 district would need flexibility from the requirements
20 because this will be considered, based on the
21 previous motion, a classroom teacher for the time
22 that they are in -- providing this instruction in
23 this diesel mechanics class.

24 MS. ZOOK: And it appears the other districts
25 hadn't even thought about it because nobody else is

1 wanting to teach these courses.

2 MS. SAVIERS: Well, that's why I even asked,
3 because this is -- it's creating -- we're not
4 creating more problems?

5 COMMISSIONER KEY: Not in my opinion. You know,
6 other -- this isn't a new problem, I mean, because,
7 as we said, charters do this and they set a salary
8 schedule. What this does is just allow him in this
9 very narrow instance to create a salary schedule but
10 be able to pay them from this line item in their
11 budget. Correct me if I'm wrong, Dr. Barrett.

12 SUPT. BARRETT: No, that's exactly --

13 COMMISSIONER KEY: Okay.

14 MS. REITH: And correct me if I'm wrong, but
15 even beyond charter schools of innovation, are they
16 also using this --

17 COMMISSIONER KEY: I don't know.

18 MS. REITH: -- for those that are CT specific?
19 I just feel like maybe the Springdale one, which is
20 CT specific, that they may be doing similar -- I know
21 they have similar circumstances or non --

22 COMMISSIONER KEY: Dr. Jones may -- she's back
23 there. She may be able to answer that question
24 better than I can.

25 DR. JONES: I don't recall any of the schools of

1 innovation having non-certified teachers. Of all the
2 ones I think about I can't think of areas where that
3 has occurred. Now you have to keep in mind, as it
4 goes through this process that contract is still
5 going to have to go through his local school board
6 and so there are other areas of accountability within
7 their own local school district.

8 CHAIRPERSON NEWTON: Any other questions?

9 MR. WILLIAMSON: I'll move to approve the waiver
10 request.

11 CHAIRPERSON NEWTON: Moved by Mr. Williamson.

12 MS. ZOOK: Second.

13 CHAIRPERSON NEWTON: Second by Ms. Zook. Roll-
14 call.

15 COMMISSIONER KEY: Dr. Barth.

16 DR. BARTH: Yes.

17 COMMISSIONER KEY: Mr. Black.

18 MR. BLACK: Yes.

19 COMMISSIONER KEY: Ms. Chambers.

20 MS. CHAMBERS: Yes.

21 COMMISSIONER KEY: Ms. Dean.

22 MS. DEAN: Yes.

23 COMMISSIONER KEY: Ms. Reith.

24 MS. REITH: Yes.

25 COMMISSIONER KEY: Ms. Saviers.

1 MS. SAVIERS: Yes.

2 COMMISSIONER KEY: Mr. Williamson.

3 MR. WILLIAMSON: Yes.

4 COMMISSIONER KEY: Ms. Zook.

5 MS. ZOOK: Yes.

6 CHAIRPERSON NEWTON: Okay. The waiver is
7 approved.

8 The next one is 6-17-309, Licensure-Waiver.

9 SUPT. BARRETT: We are asking for this waiver
10 for the possibility of being able to hire a non-
11 licensed instructor for a future diesel mechanics
12 class being offered in our career and technical
13 program.

14 CHAIRPERSON NEWTON: That was -- are you
15 finished?

16 SUPT. BARRETT: Uh-huh.

17 COMMISSIONER KEY: He's getting better.

18 CHAIRPERSON NEWTON: Yeah, it's getting shorter
19 and it's kind of scary. But anyway, okay. Is there
20 a motion?

21 MS. ZOOK: I have one. Yeah. The CNA's, you
22 mentioned them earlier. Does that not apply to them
23 as well?

24 SUPT. BARRETT: Well, I have not -- it would,
25 but obviously I'm not going to ask for it. Well --

1 MS. ZOOK: Well -- oh, be brave.

2 SUPT. BARRETT: Well, no, that's fine.

3 MS. ZOOK: No. I understand. I understand.

4 SUPT. BARRETT: I'm being realistic to the needs
5 of the Board to maintain some strict control over
6 this process.

7 MS. ZOOK: Sure.

8 SUPT. BARRETT: We currently are getting our
9 teacher from the community college, and we hope to
10 continue that. So let me just -- for your time, let
11 me just stipulate that every one of these that you're
12 going to ask me about are specifically tied to the
13 diesel mechanics class, currently not being taught in
14 Gentry, that we hope to teach next semester. And I
15 can keep them even shorter than that, then,
16 Commissioner.

17 CHAIRPERSON NEWTON: Okay. That's great.
18 That's great. What's the pleasure of the Board
19 concerning the request for this waiver?

20 MR. WILLIAMSON: I move to approve.

21 MS. ZOOK: Second.

22 CHAIRPERSON NEWTON: Mr. Williamson has moved to
23 approve. Ms. Zook is the second. Roll-call.

24 COMMISSIONER KEY: Dr. Barth.

25 DR. BARTH: Yes.

1 COMMISSIONER KEY: Mr. Black.

2 MR. BLACK: Yes.

3 COMMISSIONER KEY: Ms. Chambers.

4 MS. CHAMBERS: Yes.

5 COMMISSIONER KEY: Ms. Dean.

6 MS. DEAN: Yes.

7 COMMISSIONER KEY: Ms. Reith.

8 MS. REITH: Yes.

9 COMMISSIONER KEY: Ms. Saviers.

10 MS. SAVIERS: Yes.

11 COMMISSIONER KEY: Mr. Williamson.

12 MR. WILLIAMSON: Yes.

13 COMMISSIONER KEY: Ms. Zook.

14 MS. ZOOK: Yes.

15 CHAIRPERSON NEWTON: Okay. We're now down --
16 well, the motion and the request for the waiver is
17 granted.

18 6-17-401, Teachers License Requirement.

19 SUPT. BARRETT: We're asking for this because
20 we're uncertain if we can hire a licensed teacher for
21 the aforementioned class.

22 CHAIRPERSON NEWTON: What's the pleasure of the
23 Board?

24 MR. WILLIAMSON: I move to approve the waiver.

25 CHAIRPERSON NEWTON: Mr. Williamson moved to

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approve.

MR. BLACK: Second.

CHAIRPERSON NEWTON: Mr. Black seconded. Roll-call.

COMMISSIONER KEY: Dr. Barth.

DR. BARTH: Yes.

COMMISSIONER KEY: Mr. Black.

MR. BLACK: Yes.

COMMISSIONER KEY: Ms. Chambers.

MS. CHAMBERS: Yes.

COMMISSIONER KEY: Ms. Dean.

MS. DEAN: Yes.

COMMISSIONER KEY: Ms. Reith.

MS. REITH: Yes.

COMMISSIONER KEY: Ms. Saviers.

MS. SAVIERS: Yes.

COMMISSIONER KEY: Mr. Williamson.

MR. WILLIAMSON: Yes.

COMMISSIONER KEY: Ms. Zook.

MS. ZOOK: Yes.

CHAIRPERSON NEWTON: Okay. The waiver is approved.

6-17-902, Definitions-Teacher.

SUPT. BARRETT: Without reading that statute, we're asking for this waiver due to the extreme

1 possibility that we will not be able to hire a
2 licensed teacher for our diesel mechanics class.

3 CHAIRPERSON NEWTON: Okay. What's the pleasure
4 of the Board on 6-17-902?

5 MS. DEAN: Move to approve.

6 CHAIRPERSON NEWTON: Move to approve by Ms.
7 Dean.

8 MS. SAVIERS: Second.

9 MR. WILLIAMSON: Second.

10 CHAIRPERSON NEWTON: Second by Ms. Saviers.
11 Roll-call. Do we need another sheet?

12 COMMISSIONER KEY: No, I'm just -- no, I just
13 had to check something. Okay.

14 MR. BLACK: Let me ask a question.

15 CHAIRPERSON NEWTON: Okay.

16 MR. BLACK: If you can't hire a licensed
17 teacher, who will you hire? I mean, if you can't
18 hire a licensed teacher to teach the course, who will
19 you hire?

20 SUPT. BARRETT: We will hire someone that had
21 the proven, demonstrated skills and ability to teach
22 the skills that would be part of the curriculum of
23 that class; in our case, perhaps an actual diesel
24 mechanic. The person -- and I'm not trying to
25 anticipate, but any person that would be with our

1 students would have to have the same background check
2 and meet all the other requirements. We're not
3 asking to waive of a new employee; we're not asking
4 just to put anyone in a class. And I may not have
5 understood your question, Mr. Black.

6 MR. BLACK: If you hire someone to teach diesel
7 mechanics and they're not licensed to do so or don't
8 have the appropriate authorizing documents, what
9 positions them then to teach a class?

10 SUPT. BARRETT: There are, you know, obviously,
11 industry standards out there for -- like the AMA, the
12 Arkansas Mechanics Association -- don't quote me on
13 that acronym. There are organizations out there that
14 certify mechanics, and we would certainly be seeking
15 a person certified by their respective certifying
16 agency.

17 MR. BLACK: You've got a back-up certification,
18 is what you're saying?

19 SUPT. BARRETT: Yes, sir. Yes. You can't just
20 come in and bring a big ol' socket wrench and say, "I
21 think I can do it."

22 MR. BLACK: All right.

23 CHAIRPERSON NEWTON: Okay. We're ready for
24 roll-call, if there are no other questions.

25 COMMISSIONER KEY: Could you -- did we catch who

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made the motion and second, Debbie?
CHAIRPERSON NEWTON: We did. I said it.
COMMISSIONER KEY: Okay. I just --
CHAIRPERSON NEWTON: I couldn't remember --
COMMISSIONER KEY: Time-lapse.
CHAIRPERSON NEWTON: Okay.
COMMISSIONER KEY: All right. Dr. Barth.
DR. BARTH: Yes.
COMMISSIONER KEY: Mr. Black.
MR. BLACK: Yes.
COMMISSIONER KEY: Ms. Chambers.
MS. CHAMBERS: Yes.
COMMISSIONER KEY: Ms. Dean.
MS. DEAN: Yes.
COMMISSIONER KEY: Ms. Reith.
MS. REITH: Yes.
COMMISSIONER KEY: Ms. Saviers.
MS. SAVIERS: Yes.
COMMISSIONER KEY: Mr. Williamson.
MR. WILLIAMSON: Yes.
COMMISSIONER KEY: Ms. Zook.
MS. ZOOK: Yes.
CHAIRPERSON NEWTON: Okay. The waiver is
approved.
We're now down to 6-17-919, Warrants Void

1 Without Valid License and Contract.

2 SUPT. BARRETT: For the aforementioned reasons,
3 we are seeking this waiver so that we will have the
4 ability to pay our diesel mechanics teacher out of
5 the Teacher Salary Fund.

6 CHAIRPERSON NEWTON: What's the pleasure of the
7 Board?

8 MS. DEAN: Move to approve.

9 MR. WILLIAMSON: Second.

10 CHAIRPERSON NEWTON: Moved by Ms. Dean and
11 second by Mr. Williamson to approve. Any discussion?
12 Roll-call.

13 COMMISSIONER KEY: Dr. Barth.

14 DR. BARTH: Yes.

15 COMMISSIONER KEY: Mr. Black.

16 MR. BLACK: Yes.

17 COMMISSIONER KEY: Ms. Chambers.

18 MS. CHAMBERS: Yes.

19 COMMISSIONER KEY: Ms. Dean.

20 MS. DEAN: Yes.

21 COMMISSIONER KEY: Ms. Reith.

22 MS. REITH: Yes.

23 COMMISSIONER KEY: Ms. Saviers.

24 MS. SAVIERS: Yes.

25 COMMISSIONER KEY: Mr. Williamson.

1 MR. WILLIAMSON: Yes.

2 COMMISSIONER KEY: Ms. Zook.

3 CHAIRPERSON NEWTON: 6-17-1501 has been pulled.
4 6-18-210, Definitions-Planned Instructional Time.

5 SUPT. BARRETT: We are seeking this waiver
6 because our diesel mechanics class may not be offered
7 in the traditional school hours.

8 CHAIRPERSON NEWTON: What's the pleasure of the
9 Board?

10 MS. REITH: Move for approval.

11 CHAIRPERSON NEWTON: Moved by Ms. Reith.

12 MR. BLACK: Second.

13 CHAIRPERSON NEWTON: Seconded by Mr. Black. Any
14 discussion, questions?

15 DR. BARTH: I have a question. This is kind of
16 bothering me a little bit, so -- and I don't know
17 who's the right person to -- so, Commissioner. So
18 let's say a student doesn't have transportation and,
19 you know, they might be denied the opportunity to
20 take a course because of that. And we would not
21 allow that during the traditional school day. That
22 worries me here, that we may be --

23 MS. SAVIERS: Like if you had a job in the
24 evening.

25 DR. BARTH: Yeah. I mean, moving things out --

1 I mean --

2 CHAIRPERSON NEWTON: Or if you lived outside of
3 the area.

4 MS. SAVIERS: Yeah.

5 DR. BARTH: Right. So that's what's bugging me
6 a little bit about this is that we may be, you know,
7 creating inequities in terms of who has access to
8 this. Because, normally, if we have an extended
9 school day everybody knows those are the rules, et
10 cetera. This feels like -- this feels different to
11 me and potentially problematic.

12 COMMISSIONER KEY: Well, Dr. Barth, I think it's
13 probably best to let Dr. Barrett answer that from the
14 standpoint of -- you know, that's not something that
15 -- schools have other activities that are after
16 school. Some districts handle it in different ways
17 so as to not deny the opportunity for those students
18 to participate. This being a class, I would defer to
19 the superintendent on that.

20 SUPT. BARRETT: We obviously are going to
21 continue to offer all the requirements that the
22 Standards for Accreditation require towards
23 graduation during the school day. And we're going to
24 make an effort to help every student that might want
25 to go to this class to get there. I can't -- you

1 know -- I'm not going to make that part of this
2 today, a promise to that, because, as Commissioner
3 Key has pointed out, you know, there are certain
4 things we are required to do; this is a want-to-do.
5 And I hope every child who wants to get in it can and
6 I will personally try to make that work. But I can't
7 guarantee that today, nor would I attempt to. I can
8 tell you that we've taught some afterschool classes
9 and we have extended the teachers' salary
10 compensation to stay late to work. And students that
11 wanted to be there found a way to be there. But it
12 was extras. Again, it was extras, not something that
13 was required.

14 COMMISSIONER KEY: And, Dr. Barth, I would just
15 add to that, that if this was -- if this one class
16 was part of the 38 units and they couldn't get it
17 unless they stayed after school, then I think a
18 district would find themselves questionable -- in
19 question.

20 SUPT. BARRETT: And I agree with that assessment
21 a hundred-percent.

22 COMMISSIONER KEY: Yeah.

23 DR. BARTH: It still feels a little -- I mean,
24 it feels different than a sport, for instance --

25 COMMISSIONER KEY: Yeah.

1 DR. BARTH: -- which is not a credit-bearing
2 experience. It does feel different. I'm not going
3 to obstruct it, but --

4 SUPT. BARRETT: And I want to toss in there, a
5 student at Gentry High School can earn 24 college
6 credits either through credit classes or online
7 classes that's being offered there at our campus.
8 Okay? And putting that in there -- because we are
9 wanting our students to succeed. Okay? If I'm going
10 to stand down here two hours with you to try to get a
11 diesel mechanics class in the career and technical
12 program approved, then I want everyone that wants to
13 go to it, I want them to get in there. Okay? But I
14 can't make any promises, other than to tell you my
15 intent.

16 CHAIRPERSON NEWTON: Okay. Any other questions?
17 If not, I'd ask for a motion.

18 MR. WILLIAMSON: Move to approve the waiver
19 request.

20 CHAIRPERSON NEWTON: Okay. Mr. Williamson --

21 COMMISSIONER KEY: I think we did that.

22 MS. REITH: Yeah.

23 CHAIRPERSON NEWTON: We did that already?

24 COMMISSIONER KEY: Yeah. We have a motion --

25 CHAIRPERSON NEWTON: Okay.

1 COMMISSIONER KEY: -- and a second.

2 CHAIRPERSON NEWTON: Well, we've got a motion
3 and a second already. I apologize.

4 COMMISSIONER KEY: No, that's okay.

5 CHAIRPERSON NEWTON: Okay.

6 COMMISSIONER KEY: We're ready to call the roll,
7 Madam Chair.

8 CHAIRPERSON NEWTON: Oh, okay. Roll-call.

9 COMMISSIONER KEY: Dr. Barth.

10 DR. BARTH: Yes.

11 COMMISSIONER KEY: Ms. Black.

12 MR. BLACK: Yes.

13 COMMISSIONER KEY: I don't think I can capture
14 that. It sounded like --

15 MS. REITH: Do you allow your students to do
16 that?

17 MS. COFFMAN: We can't hear any of the
18 responses.

19 CHAIRPERSON NEWTON: You can't --

20 MS. COFFMAN: Speak into your microphones.

21 CHAIRMAN NEWTON: What happened? Okay.

22 DR. BARTH: Yes.

23 MS. COFFMAN: Thank you.

24 COMMISSIONER KEY: Ms. Chambers.

25 MS. CHAMBERS: Yes.

1 COMMISSIONER KEY: Ms. Dean.

2 MS. DEAN: Yes.

3 COMMISSIONER KEY: Ms. Reith.

4 MS. REITH: Yes.

5 COMMISSIONER KEY: Ms. Saviers.

6 MS. SAVIERS: Yes.

7 COMMISSIONER KEY: Mr. Williamson.

8 MR. WILLIAMSON: Yes.

9 COMMISSIONER KEY: Ms. Zook.

10 CHAIRPERSON NEWTON: Okay. Then the waiver is
11 approved.

12 The final request is 6-18-211, Mandatory
13 Attendance for Students in Grades 9 through --

14 COMMISSIONER KEY: Madam Chair --

15 CHAIRPERSON NEWTON: I'm sorry.

16 MS. REITH: He said that wasn't -- he said it's
17 not appropriate.

18 MR. WILLIAMSON: It was pulled.

19 MR. BIGGS: 6-18-211, it wasn't withdrawn; it's
20 just an invalid waiver request.

21 CHAIRPERSON NEWTON: You mean we're finished?

22 MR. BIGGS: By law the Board can't consider that
23 one. However, here are also rules and regs and
24 Standards of Accreditation which also have to be
25 considered and either approved or denied by the

1 Board. At this point, based on the way the vote has
2 gone on the statutory provisions, you are more than
3 welcome to look at the groupings that are contained
4 in the application. And if you want to take these in
5 little bit bigger chunks than one at a time, you're
6 free to do that. If you want to continue voting on
7 them one at a time, you can do that as well. But the
8 rules and regs and the Standards of Accreditation do
9 match up with the statutory provisions that were
10 requested in those blocks on the application. Oh,
11 that's correct. Yes. Except for 10.02 and 10.02.5,
12 the very first two.

13 DR. BARTH: And they connect to that first
14 motion?

15 MR. BIGGS: Yes, they do.

16 DR. BARTH: Okay.

17 COMMISSIONER KEY: So if it helps, if you look
18 at the bottom of page 1 of what's in the packet, you
19 have the waivers from ADE rules and regs 10.02,
20 10.02.5, 12.02, 15.03. I'm sorry, Mary --

21 CHAIRPERSON NEWTON: We'll do the same --

22 MS. REITH: No.

23 CHAIRPERSON NEWTON: Excuse me.

24 MS. ZOOK: It's 6 and 7.

25 COMMISSIONER KEY: And then on -- yeah, at the

1 top of page 2 you have the waivers of some other
2 rules and regs that would constitute possibly another
3 block of -- for a vote. That's up to y'all.

4 CHAIRPERSON NEWTON: How is it up to us?

5 COMMISSIONER KEY: How you want to -- whether
6 you want to take them one at a time as we had been
7 doing with the statutory provisions --

8 CHAIRPERSON NEWTON: Okay.

9 COMMISSIONER KEY: -- versus the block, as Mr.
10 Biggs has --

11 CHAIRPERSON NEWTON: Is there any objection to
12 taking it as a block? Is that problematic?

13 MR. BIGGS: So long as none of the ones that are
14 tied to the grading scale, which was not approved as
15 a statutory provision, or the ones tied to mandatory
16 attendance for students in grade 9 through 12, which
17 was not considered because it was an invalid request.
18 As long as none of those standards or rules are a
19 part of a motion in the block, then you are free to
20 consider the rest of them. But you obviously can't
21 approve a waiver of the rules and regs for something
22 for which he doesn't have a waiver from the statute
23 for.

24 CHAIRPERSON NEWTON: So we're depending on you
25 to tell us if that is the case in the first block.

1 MR. BIGGS: Happy to do so.

2 CHAIRPERSON NEWTON: Okay. Would those first
3 four, 10.02, 10.02.5, 12.02, and 15.03?

4 MR. BIGGS: Only 15.03.

5 CHAIRPERSON NEWTON: Only 15.03 is excluded?

6 MR. BIGGS: No. Only 15.03 is open for
7 discussion.

8 CHAIRPERSON NEWTON: Okay. Open for a waiver
9 request. Okay. Can you do it with the next block,
10 also, or is that just -- that one should be taken
11 singularly?

12 MR. BIGGS: So the rules governing uniform
13 grading scales obviously cannot be considered because
14 that one was not adopted. The rules governing the
15 mandatory attendance requirements for students in
16 grades 9 through 12 cannot be considered because that
17 was an invalid request. The rules governing educator
18 licensure can be considered.

19 CHAIRPERSON NEWTON: Okay. So at this point
20 we're looking at 15.03-Licensure and Renewal and ADE
21 rules governing educational licensure in terms of
22 looking for a waiver, those two. Are you clear on
23 that, Superintendent?

24 SUPT. BARRETT: Yes, ma'am.

25 CHAIRPERSON NEWTON: Okay. So what is the

1 pleasure of the Board as it relates to those two
2 items? We'll take them together, unless there's a
3 reason to separate them.

4 DR. BARTH: I'll move approval.

5 CHAIRPERSON NEWTON: Dr. Barth moved approval of
6 15.03-Licensure and Renewal and also ADE rules
7 governing educator licensure. Is there a second?

8 MS. SAVIERS: Second.

9 CHAIRPERSON NEWTON: Second by Ms. Saviers. Any
10 discussion? All in favor? Sorry; roll-call.

11 COMMISSIONER KEY: Dr. Barth.

12 DR. BARTH: Aye.

13 COMMISSIONER KEY: Mr. Black.

14 MR. BLACK: Aye.

15 COMMISSIONER KEY: Ms. Chambers.

16 MS. CHAMBERS: Yes.

17 COMMISSIONER KEY: I'm sorry?

18 MS. CHAMBERS: Yes.

19 COMMISSIONER KEY: Okay. Ms. Dean.

20 MS. DEAN: Yes.

21 COMMISSIONER KEY: Ms. Reith.

22 MS. REITH: Yes.

23 COMMISSIONER KEY: Ms. Saviers.

24 MS. SAVIERS: Yes.

25 COMMISSIONER KEY: Mr. Williamson.

1 MR. WILLIAMSON: Yes.

2 COMMISSIONER KEY: Ms. Zook.

3 MS. ZOOK: Yes.

4 COMMISSIONER KEY: Eight votes.

5 CHAIRPERSON NEWTON: Okay. That --

6 COMMISSIONER KEY: Madam Chair --

7 CHAIRPERSON NEWTON: Yes.

8 COMMISSIONER KEY: -- I don't want to belabor
9 this, but --

10 CHAIRPERSON NEWTON: Please don't.

11 COMMISSIONER KEY: -- after you vote -- after
12 the Board's first vote on the grading scale, the
13 parameters changed. And I just want to point out to
14 y'all that with the narrow focus of the rest of these
15 waivers he is now going to have the potential of a
16 diesel mechanics class that is going to be saddled
17 with standard grading scale of 90 to 100 being an A,
18 80 to 89 a B, and so-forth. And I would just offer
19 that, and I know the Board has in its procedures the
20 mechanism for going back and reconsideration of a
21 prior vote. And I think Jennifer or -- Lori is back
22 there; Lori could help do that, if the Board so
23 chose, to take a look at that again so we didn't
24 leave here with an incomplete on our grade.

25 SUPT. BARRETT: Madam Chair, I was actually

1 about to request that.

2 CHAIRPERSON NEWTON: That makes a lot of sense
3 based on what you said you needed and how it works.
4 So that would be just complicating. So that's your
5 request. Is that --

6 DR. BARTH: But only tied to that one course.

7 CHAIRPERSON NEWTON: Only tied to that one
8 course. That's correct. So --

9 MR. BIGGS: So the appropriate motion would be a
10 motion to reconsider; it would require a second. It
11 could be open for debate if there were any and the
12 vote is a majority vote.

13 CHAIRPERSON NEWTON: Okay. A motion to
14 reconsider the grading scale, is that the way it's
15 worded?

16 MR. BIGGS: (Nodding head up and down.)

17 CHAIRPERSON NEWTON: Okay. So we need a motion
18 if you guys are inclined to reconsider the grading
19 scale as it relates to the diesel mechanic course.

20 MS. SAVIERS: So moved.

21 CHAIRPERSON NEWTON: So moved by Ms. Saviers and
22 second by --

23 (COURT REPORTER'S NOTE: Ms. Dean raised her
24 hand.)

25 CHAIRPERSON NEWTON: -- Ms. Dean.

1 MS. DEAN: Second.

2 CHAIRPERSON NEWTON: She did say second. That's
3 right. I saw you raise your hand; that means second.
4 Okay. All in favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON NEWTON: Any opposed? Waiver
7 approved or whatever that was.

8 MS. REITH: Now we need a new waiver.

9 COMMISSIONER KEY: Now we need to vote on the
10 new request. Yes.

11 CHAIRPERSON NEWTON: And I need a break. Okay.
12 So, Mr. Biggs.

13 MR. BIGGS: Now is the motion to reconsider.

14 CHAIRPERSON NEWTON: Right.

15 MR. BIGGS: Yeah. Now there's the motion on --
16 and also there's going to be a motion for the
17 statutory provision and then there will be necessary
18 motions for the rules that were passed over last time
19 that coincide with this statutory provision.

20 CHAIRPERSON NEWTON: Well, each time we get to
21 that point you'll let me know. So, where are we now?

22 MR. BIGGS: You are entertaining a motion on a
23 waiver from 6-15-902(a) of the grading scale and
24 exemptions as it pertains the diesel mechanics class.

25 MS. ZOOK: But excluding special ed. Right?

1 SUPT. BARRETT: But excluding special education
2 classes.

3 COMMISSIONER KEY: Mr. Biggs, could that motion
4 encompass the statutory and the rules provision so
5 they only have to do that one more time?

6 MR. BIGGS: Yes, sir, it could.

7 COMMISSIONER KEY: Okay. Thank you.

8 MR. BIGGS: You could -- they could have a vote
9 on --

10 CHAIRPERSON NEWTON: That's the vote we're now
11 doing. We just need you to tell us what it is.

12 MR. BIGGS: Okay. It will be -- and correct me
13 if I'm wrong, or actually confirm after I'm done, one
14 way or the other.

15 SUPT. BARRETT: Okay.

16 MR. BIGGS: Because I'm not making the motion
17 here, certainly. But it would be a motion for a
18 waiver from 6-15-902(a), from rule 12.02, from the
19 ADE rules governing the uniform grading scales for
20 public secondary schools and for optional use in
21 public elementary schools, grading scale and
22 numerical values, number four, and the rules
23 governing the Arkansas -- no, I'm sorry. I'm sorry.
24 That's it. Okay. So those three.

25 MR. WILLIAMSON: So moved.

1 CHAIRPERSON NEWTON: Moved by Mr. Williamson.
2 Can I get a second?

3 MS. SAVIERS: Second.

4 CHAIRPERSON NEWTON: Ms. Saviers, second. Any
5 discussion? All in favor?

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRPERSON NEWTON: Any opposed? Then that
8 waiver or explanation of waiver in what the
9 applications are is approved.

10 MR. BIGGS: And now to complete the record I
11 would need motions to deny approval from 10.02,
12 10.02.5, and the rules governing mandatory attendance
13 requirements for students in grades 9 through 12.

14 MS. SAVIERS: So moved.

15 CHAIRPERSON NEWTON: Moved by Ms. Saviers.

16 MS. REITH: Second.

17 CHAIRPERSON NEWTON: Second by Ms. Reith. Any
18 discussion? All in favor?

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIRPERSON NEWTON: Any opposed? Are we
21 finished with Dr. Barrett? Congratulations. Thank
22 you.

23 SUPT. BARRETT: Madam Chair --

24 CHAIRPERSON NEWTON: Yes.

25 SUPT. BARRETT: Madam Chair and Board Members --

1 and I do thank you, and I thank you for your
2 patience. I think I've become an old man --

3 CHAIRPERSON NEWTON: In this process.

4 SUPT. BARRETT: -- today. I gotcha. Thank
5 y'all very much.

6 CHAIRPERSON NEWTON: We're going to take a 10-
7 minute break till 3:05.

8 (BREAK: 2:55 - 3:10 P.M.)

9 A-6: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
10 LYNN D. LANG

11 CHAIRPERSON NEWTON: Okay. The next action item
12 is A-6, Consideration of Waiver Request for Teaching
13 License, Lynn D. Lang.

14 MS. LIWO: Jennifer Liwo, PLSB Staff Attorney.
15 Mr. Lang has asked the Board to continue his waiver
16 hearing to next month. He has some additional
17 information he's still trying to gather in support of
18 his waiver request.

19 CHAIRPERSON NEWTON: Do we have to have a motion
20 for that or just grant a continuance?

21 MS. LIWO: You have to make a motion.

22 CHAIRPERSON NEWTON: Okay. Can I get a motion
23 to continue A-6 until next month?

24 MS. SAVIERS: So moved.

25 CHAIRPERSON NEWTON: Second? Moved by Ms.

1 Saviers, second by --

2 DR. BARTH: Second.

3 CHAIRPERSON NEWTON: -- Dr. Barth. All in
4 favor?

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRPERSON NEWTON: Any opposed? Then that has
7 been approved and will be moved to the October
8 meeting.

9 A-7: CONSIDERATION OF REVOCATION OF TEACHING LICENSE - AMANDA
10 LEIGH REILLY

11 CHAIRPERSON NEWTON: The next on A-7,
12 Consideration of Revocation of Teaching License for
13 Amanda Leigh Reilly.

14 MS. REINHART: Cheryl Reinhart, Attorney for the
15 PLSB. Ms. Reilly has pled guilty to two counts of
16 Sexual Assault-Second Degree and is also now a
17 registered sex offender. And the Department
18 recommends revocation of her license. She did not
19 request a waiver hearing.

20 CHAIRPERSON NEWTON: Okay. Can we get a motion
21 on A-7?

22 MR. BLACK: So moved.

23 CHAIRPERSON NEWTON: Mr. Black has moved for
24 revocation of license for Amanda Leigh Reilly. Can I
25 get a second?

1 MS. ZOOK: Second.

2 CHAIRPERSON NEWTON: Second by Ms. Zook. All in
3 favor?

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIRPERSON NEWTON: Any opposed? Motion
6 carries.

7 A-8: CONSIDERATION FOR FINAL APPROVAL - ARKANSAS DEPARTMENT OF
8 EDUCATION RULES GOVERNING EDUCATOR LICENSURE

9 CHAIRPERSON NEWTON: A-8, Consideration for
10 Final Approval - Arkansas Department of Education
11 Rules Governing Educator Licensure.

12 MS. REINHART: Yes. Thank you. These -- I
13 provided you with a mark-up of what was changed from
14 the rule that was proposed to you after public
15 comment was received. And with that, I'm going to
16 turn it over to Ms. Ivy Pfeffer because she has some
17 comments to make.

18 MS. PFEFFER: Good afternoon. Ivy Pfeffer,
19 Assistant Commissioner, Licensure and Educator
20 Effectiveness. These educator licensure rules, we've
21 been here a couple of times before. We are
22 continuously dealing with moving targets, it seems,
23 with our licensure rules. As many of you know, after
24 the 2011 taskforce recommendations were put in place
25 all of the effects of those licensure changes have

1 come into fruition during the 2014-15 school year.
2 We have 462 programs for educator licensure; probably
3 60 to 70 percent of those programs were revised based
4 on changes to licensure rules. We have 21
5 institutions of higher education that offer programs
6 plus nontraditional programs. So all of those
7 together, there have been a lot of changes. So
8 within the rules, there are accommodations above
9 traditional and nontraditional rules. We have had --
10 we had probably close to 100 public comments, which
11 I'm sure most of you have reviewed in detail. I have
12 some representatives from Higher Education here
13 today. We have deans and licensure officers from
14 Arkansas State, Harding University, Henderson State,
15 and, yes, UAM - University of Arkansas at Monticello.
16 So they're here, as well. They've been partners with
17 us through this process, looking at various aspects.
18 Since we proposed -- or since the emergency rules
19 were passed in June, we've had some other issues come
20 to light, particularly with middle level licensure.
21 I think we had about 31% of those who completed a
22 middle level program who were not recommended for
23 licensure because of not passing both parts of their
24 Praxis assessment.

25 So we know that we've got to do two things.

1 Number one, we have to get permit rules in place
2 because we are still operating under emergency rules.
3 So it is very important that these rules go forward
4 and get all the way through the legislative process
5 before the deadline of mid-November. But we also
6 realize that in the meantime and after those are
7 fully in effect we're going to have to come back and
8 continue to look at what's going on with licensure,
9 what are the impacts of all the changes with the
10 special education provisions. We had three --
11 basically, three new options that we had included
12 with these rules. And in working with the special
13 education taskforce, while we still know schools are
14 desperately struggling to find licensed special
15 education teachers, we also realize that we have a
16 taskforce that's trying to do some work. We're going
17 to work with them to gather data so that over the
18 next few months we can look to see whether or not the
19 testing-out provision is something we need to move
20 forward with immediately or if we need to wait. So
21 we are -- we're working closely with several of our
22 stakeholders. So saying all that and trying to put
23 everything in context, we feel like that these rules
24 after review, with modifications that were made based
25 on those, are the best rules going forward. And I'll

1 be happy to answer any questions or if you have
2 questions of others.

3 CHAIRPERSON NEWTON: Ms. Zook.

4 MS. ZOOK: And why is it that we have to get in
5 a hurry?

6 MS. PFEFFER: Well, these are -- right now we're
7 operating under emergency rules. Those emergency
8 rules expire November I believe it's 15th, right
9 around that time. We have to have permanent rules in
10 place because we can't turnaround and implement
11 another set of emergency rules. We would have to
12 wait 30 days. So we need permanent rules in place.
13 After those are in place, we will -- we may have to
14 come back and do some further modifications once we
15 see how our program enrollments are looking in all of
16 our educator preparation programs. But even right
17 now our total number of ALP's so far, we've had about
18 300 and something waivers approved so far and 37% of
19 those are for special ed. already.

20 MS. ZOOK: Okay. And let me speak to the
21 special ed. part. I fully understand the parents'
22 and the students' point of view on that. Often, if
23 you have someone who hasn't had good in-depth special
24 ed. training you get watered down curriculum in a
25 tutoring kind of session. So understanding and

1 knowing a lot more about special ed. other than how
2 to teach something slower or different is an issue.
3 I also appreciate and understand from an
4 administrator's -- former administrator's point of
5 view their concerns. Do we have the option of not
6 changing the licensing but making an emergency where
7 they could get like an emergency certificate if they
8 passed the Praxis for like a year or two? Because in
9 my opinion, as just one person on the Board and a
10 person who's been in special ed. for many years, I
11 think the issue is the requirements in higher ed.,
12 the fact that they are having to get a bachelor's
13 degree and then get a master's in special ed., when
14 in fact that is not necessarily the best approach or
15 the one that would be most helpful in satisfying the
16 needs of the district. So as you go forward looking
17 at the special ed., I wish you would think in terms
18 of getting Higher Ed. to change the requirements for
19 becoming a special education teacher and also
20 thinking in terms of from the district's perspective
21 of maybe an emergency one- or two-year stop-gap until
22 we can get that done.

23 MS. PFEFFER: Well, and I think we may be
24 addressing both of those concerns of yours because
25 starting this fall all special ed. programs are --

1 well, I shouldn't say all -- starting this fall we
2 now have a K-12 special education degree program, so
3 it's a first-time license. You'll get a bachelor's
4 degree and you'll be licensed as a special education
5 teacher. The issue with that though is that you will
6 not need highly qualified teacher requirements
7 because you will not be highly qualified in either
8 the K-6 or a secondary content area. So we are going
9 to have people that are able to come through just a
10 traditional four-year degree who want to teach and
11 want to be special education teachers to be licensed
12 to do so without having to go back and add a degree.
13 But that is just beginning this year. We had a
14 couple of institutions that started their program
15 last year but -- so one of our first steps is to get
16 our true numbers of how many are in those programs
17 where we can project out two years from now how many
18 likely completers will we have. Okay? But the other
19 provisions that we've put in licensure rules, the MAT
20 program will allow the career changers to come to the
21 education field, so we're tracking in a new set of
22 people. They can get licensed with a master's
23 degree, so that will be a new area. And we're adding
24 the endorsement. So we are still adding an
25 endorsement and the endorsement will be to teach in a

1 special education resource setting. So you're taking
2 a content area teacher, who's already highly
3 qualified, and they will be able to go back and add a
4 licensure endorsement. They can do that through the
5 special ed. academy. They can possibly get credit
6 for a previously taken course and then with an
7 additional six hours then they would have what they
8 need. So it's basically reducing the endorsement
9 down to 12 college credit hours in special education.
10 So that will help with those people who are already
11 highly qualified in a content area to get them the
12 special education training and preparation so they
13 could teach in a resource setting. So those things
14 we think will be beneficial. From the Higher Ed.
15 perspective, one of the frustrations they have had
16 has been with a requirement that required those
17 special education programs to adhere to the 21 hours.
18 That's something we are already working on with them
19 and not mandating that it be 21 hours, but that the
20 requirements will have to be met with the CEC
21 standards. But if a university does that in less
22 than 21 hours, if they have a program that they can
23 show meets the standards, then that program would not
24 have to be. So we're trying to do both things, look
25 at the licensure end but also provide the flexibility

1 for Higher Ed. not holding them to a standard that's
2 an arbitrary number that was decided several years
3 ago.

4 MS. ZOOK: Well, in the past CEC primarily
5 looked at those students, and the teachers who were
6 working with them, that had mental handicaps, not so
7 much in the learning disabilities and the dyslexia
8 area -- and that may have been changed. I think the
9 reality is in the rural schools you don't have a
10 pullout or resource program where you have two or
11 three kids who have a learning disability, say
12 auditory processing, and then you have another few --
13 you wind up with eight to fifteen kids in a room and
14 some of them may have very low IQ; others may have
15 just a slight learning disability. So you're asking
16 a teacher that's highly qualified maybe and has
17 tested out but she is not equipped to take care of
18 that, regardless of if they call it a resource room
19 or self-contained. And often you have a self-
20 contained room with kids resourcing in and out. So I
21 just want to be sure that you all have people on-
22 board on the committee that are aware of rural as
23 well as urban districts and the different ways of --
24 you know -- this law was passed in '74, and the fact
25 that we're still trying to figure it out is very

1 frustrating for parents, kids and professionals like
2 I am. Okay. I'll get off your back on that.

3 Okay. Does ASU realize that they have a problem
4 in the middle school Praxis area?

5 MS. PFEFFER: Yes, ma'am, they do. And we are
6 going to be visiting with them later this month. Dr.
7 Gina Hogue, who is the interim dean there, is here
8 today, and I've spoken with her. I've spoken with
9 both she and Dr. Mary Jane Bradley, who is here.
10 They have already taken some steps to be proactive.
11 They had ETS Praxis come in, do a training for them,
12 and will be doing more training for their faculty in
13 using Praxis data. They do not as of right now
14 require their candidates to take the assessment prior
15 to graduation. And what we have found out -- and you
16 have kind of different things that happen -- they had
17 several candidates who graduated and who could still
18 receive a provisional license and have a year to test
19 and complete all their requirements. So once those
20 candidates graduate, the university can't go back and
21 help them, and they realize that. So that was
22 something that Dr. Hogue said from the beginning; she
23 said, you know, they realize that and I think are
24 having discussions about what are those internal
25 policies that they're going to have to do to change

1 things. They also realize too that many times they
2 have -- their faculty who are teaching educator
3 courses may not necessarily be within their education
4 department. So they may be math teachers who not
5 only are teaching math for the educators, but are
6 also teaching math for people who are going into
7 stats and engineering and things like that. So they
8 do realize that. I can't tell you for sure what
9 definite plans are, but I will speak for them; they
10 understand that.

11 MS. ZOOK: Because I know K-12 gets blamed when
12 kids get out of high school and have to be
13 remediated. And I'm equally if not more concerned
14 about kids who get out of college and then they are
15 trying to teach the very kids who then need to be
16 remediated. It becomes sort of a vicious circle.
17 Thank you, Ms. Pfeffer.

18 CHAIRPERSON NEWTON: Dr. Barth.

19 DR. BARTH: Just a quick question. On page 22,
20 23-06-1, and this is the -- and there was a comment
21 on this and I was just curious about it. So it's
22 those individuals with a license in English Language
23 Arts, mathematics or science, but not social science
24 and other things. Could you talk through the
25 justification for leaving out those areas?

1 MS. PFEFFER: Yes. Those are the areas where
2 students are taking assessments and that was, you
3 know, really prior to a change in assessments. Now
4 with the ACT there will be different content
5 assessments. But those were areas where students are
6 taking assessments and having to -- you know -- in
7 many cases they're held to the same standard that a
8 student without disabilities are held in terms of
9 performance and expectations. So, that's why those
10 were the areas included. And, again, this is also in
11 response to the fact that the students who complete
12 the K-12 special education courses starting now won't
13 be highly qualified. So those teachers coming out
14 will not meet that, so they're going to have to go
15 back to school; they're going to have to send people
16 back if they're teaching in a resource room setting;
17 they're going to have to go back and get those
18 teachers highly qualified either through coursework,
19 through Praxis, meeting requirements for the HOUSE
20 matrix. And that's very difficult to do with a first
21 year teacher.

22 MS. ZOOK: Well, for the benefit of those of us
23 who might not know, can you tell exactly what it
24 means to be highly qualified?

25 MS. PFEFFER: Yes, ma'am. "Highly qualified"

1 means you have a four-year degree; you have
2 appropriate licensure certification; and you
3 demonstrate content knowledge through coursework or
4 the passing of an appropriate assessment.

5 MS. ZOOK: So why would a person who majored in
6 special education as an undergraduate not meet those
7 qualifications?

8 MS. PFEFFER: Because special education is not
9 considered a content area in and of itself.

10 DR. BARTH: I guess I --

11 MS. ZOOK: Can we change the definition?

12 MS. PFEFFER: Core content. Core content is
13 what --

14 DR. BARTH: I guess I'm -- and, you know, this
15 is obviously an area that I'm not super adept in.
16 But I guess I'm getting confused -- I guess I'm a
17 little -- I guess I'm a little worried about it being
18 so assessment-driven there, that there are other I
19 think pretty important subjects -- social sciences.
20 So I'm just kind of a little confused about the
21 differentiation there. And I guess what I will say
22 is obviously we'll move this forward today but as
23 this comes back, especially considering the change in
24 our assessment scheme which is beginning to take
25 other subjects into account, I'd put that out there.

1 MS. PFEFFER: If it's okay, I'm going to let our
2 resident expert here speak on that.

3 UNKNOWN SPEAKER: I think one of the reasons
4 that we chose those three content areas is because
5 those are the predominant classes that would be
6 resource classrooms, that resource teachers would
7 have kids in a pullout setting. And we think it's
8 very important that those teachers have deep content
9 knowledge if we're going to push those kids forward.
10 Just because some of our special educators are
11 wonderful at differentiating, providing
12 accommodations and working collaboratively with
13 teachers to get good outcomes for kids -- but
14 sometimes the knowledge of content is not what we'd
15 like it to be and the kids are making the progress
16 that we would like in some cases. And those are the
17 classes that the kids are pulled out for.

18 DR. BARTH: Okay. That makes more sense. Okay.

19 UNKNOWN SPEAKER: And, Diane, the "highly
20 qualified" question -- so highly qualified, they are
21 highly qualified in special education but that means
22 they can only teach in like a self-contained CVI
23 classroom where it's -- you don't have to be highly
24 qualified in a core subject area.

25 MS. ZOOK: It's just that I don't agree with it.

1 UNKNOWN SPEAKER: Right.

2 CHAIRPERSON NEWTON: Are there any other
3 questions? Okay. If not, then can we get a motion
4 to approve or disapprove to move forward with the
5 final approval of Arkansas Department of Education
6 Rules Governing Education Licensure?

7 DR. BARTH: I move final approval.

8 CHAIRPERSON NEWTON: Mr. Barth -- Dr. Barth
9 moved final approval. Is there a second?

10 MS. SAVIERS: Second. And then I have a quick
11 comment --

12 CHAIRPERSON NEWTON: Okay. Second by Ms.
13 Saviers.

14 MS. SAVIERS: -- before we vote. I'm going to
15 vote for this; obviously, I seconded it. But I too
16 was really concerned after reading the comments of
17 the folks from ASU and I hope that will be addressed,
18 that issue will be addressed.

19 MS. PFEFFER: I think our visit is scheduled for
20 September 24th and we're going to be moving forward
21 working with them. Because we all -- I mean, it
22 doesn't serve anyone when we have teachers complete
23 programs and are not licensed. So I think I can
24 speak for them and for the entire Counsel of Deans.
25 We also have a meeting with the whole group on the

1 30th and we're going to look at a comprehensive
2 Praxis report. So we're going to be working
3 together, so --

4 CHAIRPERSON NEWTON: Are we ready for a vote, if
5 there are no other questions or comments? All in
6 favor?

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRPERSON NEWTON: Any opposed? Motion
9 passes.

10 COMMISSIONER KEY: Madam Chair -- Ivy, before
11 you sit down --

12 CHAIRPERSON NEWTON: Ms. Pfeffer.

13 COMMISSIONER KEY: If you don't mind coming
14 back, I think Ms. Pfeffer has some news that I would
15 like for her to announce that was released earlier
16 today, some good news.

17 CHAIRPERSON NEWTON: Oh, we need that.

18 MS. PFEFFER: Yes. Arkansas was one of -- and I
19 believe it's 13 states whose equitable access plans
20 have been approved. We're among the first round of
21 states to receive the approval. We feel good about
22 that. On the call yesterday, one of the things that
23 I mentioned is that this is really authentic work; we
24 have really reshaped everything in my division to
25 insure that we're recruiting people to the

1 profession; that's where we have to start. And what
2 we're doing really compliments and works well with
3 what's going on with the ForwARd Arkansas report. We
4 want to recruit people to the profession, insure that
5 they're prepared, and our ultimate goal is to have
6 them learner-ready day one. And to do that, meaning
7 that they'll be learner-ready for any learner that
8 they encounter -- and there are just so many
9 different needs of students in different schools;
10 that we insure that teachers are supported in their
11 schools, because we know one of the -- our major gaps
12 were with high turnover rates in our high poverty and
13 especially high minority schools and our inexperience
14 in teachers teaching out of field. And it's much
15 higher in high poverty, high minority schools than in
16 others. So things that we can do to support and to
17 extend -- it's not just about retention, it's also
18 extending opportunities for teachers and leaders
19 folded in with all of this; having the leaders there
20 so that they have professional opportunities to grow
21 and develop and ultimately retain our excellent
22 teachers. So we're excited about that and we're
23 moving forward.

24 CHAIRPERSON NEWTON: That's wonderful. Does
25 that come with funding?

1 MS. PFEFFER: No, ma'am. It does not.

2 COMMISSIONER KEY: In the call and in the press
3 release, I want to specifically point out that they
4 highlighted the educator shortage predictor model
5 that we have developed, that Ivy and her team worked
6 so hard on, and other stakeholders. And on the call
7 yesterday, they specifically bragged on Karli
8 Saracini for the work that she did with that group.
9 And although she is now working and doing great
10 things for North Little Rock, Derek has stepped into
11 that role and is doing a fantastic job as he had
12 always done, and we're not missing a beat --

13 CHAIRPERSON NEWTON: Great.

14 COMMISSIONER KEY: -- in that unit.

15 CHAIRPERSON NEWTON: Congratulations.

16 COMMISSIONER KEY: So I'm very proud of that
17 group.

18 CHAIRPERSON NEWTON: Congratulations to you,
19 Commissioner, for your leadership and for the staff's
20 hard work.

21 MS. PFEFFER: Thank you.

22 A-9: CONSIDERATION FOR APPROVAL OF EMERGENCY RULES: PROPOSED
23 ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING THE
24 DISTRIBUTION OF STUDENT SPECIAL NEEDS FUNDING AND THE
25 DETERMINATION OF ALLOWABLE EXPENDITURES OF THOSE FUNDS

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CHAIRPERSON NEWTON: Action item 9 is
Consideration for Approval of Emergency Rules:
Proposed Arkansas Department of Education Rules
Governing the Distribution of Student Special Needs
Funding and the Determination of Allowable
Expenditures of Those Funds. And Mr. Biggs.

MR. BIGGS: I promise this is going to be much
quicker than the last time I was up here.

CHAIRPERSON NEWTON: I'm going to hold you to
it.

MR. BIGGS: These rules are exactly the same
rules that you all approved for -- were approved as
emergency rules last month, with one exception: I
forgot the emergency clause, which is pretty
important. So on the very last and next-to-last page
you will see the emergency clause which cites to the
U.S. code that implemented or incorporated the
community eligibility provision for calculation of
NSLA categorical funds. We had several school
districts, as I'd mentioned last month, who piloted
this program for us here in Arkansas in 2014-15. But
without these rules being adopted in emergency
fashion, we don't have a mechanism for dispersing
their 15-16 funds in a timely manner. So that's why
these rules are up for emergency approval and I'll

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answer any questions that y'all have.

CHAIRPERSON NEWTON: Do we have any -- are there any questions? Okay. Ms. Saviers has a question.

MS. SAVIERS: Move to approve.

CHAIRPERSON NEWTON: We have a motion to approve by Ms. Saviers.

MS. REITH: Second.

CHAIRPERSON NEWTON: Second by Ms. Reith. All in favor?

(UNANIMOUS CHORUS OF AYES)

CHAIRPERSON NEWTON: Any opposed? Okay. That ends -- that's my agenda, ends my agenda. Is that it? Okay.

(The meeting was concluded at 3:35 p.m.)

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A-7:

EXHIBIT ONE (1)

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