

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

December 14, 2017

*Sharon Hill Court Reporting
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BEFORE THE ARKANSAS DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION

December 14, 2017
10:00 A.M.

A P P E A R A N C E S

BOARD OF EDUCATION:

Mr. Johnny Key	Commissioner/Non-Voting
Dr. Jay Barth	Chairman
Mr. Joe Black	Vice Chairman
Ms. Diane Zook	Board Member
Mr. R. Brett Williamson	Board Member
Ms. Ouida Newton	Board Member
Dr. Fitzgerald Hill	Board Member
Ms. Courtney Cochran	Teacher of the Year/ Non-Voting Member

VIA TELEPHONE:

Ms. Susan Chambers	Board Member
Ms. Charisse Dean	Board Member

ADE LEGAL COUNSEL:

Ms. Lori Freno	ADE General Counsel
Ms. Courtney Salas-Ford	ADE Deputy General Counsel
Ms. Jennifer Davis	ADE Staff Attorney

ALSO PRESENT:

Ms. Kelicia Hollis	ADE Administrative Analyst
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LOCATION:

Arkansas Department of Environmental Quality
- Auditorium
5301 Northshore Dr.
North Little Rock, AR 72118

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A-2: LICENSURE WAIVER REQUEST - PHYLLIS BROOKS

PLSB EXHIBIT ONE (1)
PLSB File Documents

EDUCATOR'S EXHIBIT ONE (1)
Educator's File Documents

A-3: LICENSURE REVOCATION - JAMES PAUL DILL

PLSB EXHIBIT ONE (1)
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A-6: OPEN-ENROLLMENT CHARTER WAIVER REQUESTS

EXHIBIT ONE (1)
Report of Districts with Waivers

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P R O C E E D I N G S

CHAIRMAN BARTH: Now we move into the action agenda and the first item has been pulled; that case has been pulled, so we will not consider it today.

A-2: CONSIDERATION OF WAIVER REQUEST FOR TEACHING LICENSE -
PHYLLIS BROOKS

CHAIRMAN BARTH: We do have a -- the second case is a Consideration of Waiver Request from Ms. Brooks. And I'll turn it over to Ms. Taylor to walk us through our action.

MS. TAYLOR: Good morning, Members. Daryl A. Taylor, attorney for Professional Licensure Standards Board. The purpose of this hearing is that we're here because Phyllis Brooks, an educator, was notified of intent to deny licensure based on a background check result.

At this point witnesses should be sworn.

(COURT REPORTER'S NOTE: Chairman Barth indicates that Ms. Taylor needs to speak closer into the microphone.)

MS. TAYLOR: A little closer?

CHAIRMAN BARTH: Yeah.

MS. TAYLOR: At this point I think we can swear the witnesses.

CHAIRMAN BARTH: All right. And so for

1 witnesses who are not attorneys if you would please
2 stand; so anyone who is planning on testifying, if
3 you'll raise your right hand and say -- do you swear
4 or affirm that the testimony you're about to give
5 shall be the truth, the whole truth and nothing but
6 the truth?

7 (ALL WITNESSES ANSWERED AFFIRMATIVELY)

8 CHAIRMAN BARTH: Thank you very much.

9 And if you'll walk us through our procedures?

10 MS. TAYLOR: Under the rules governing
11 background checks, the Educator and ADE each have
12 five minutes for an opening statement. Board members
13 may ask questions at any time. Each party will be
14 given 20 minutes to present their cases, beginning
15 with the representative of the Department of
16 Education. The chairperson of the State Board may
17 only for good cause shown, and upon the request of
18 either party, allow either party additional time to
19 present their cases. Each party will have five
20 minutes to make a closing statement.

21 And to that end I will proceed with the opening
22 with permission of the Chairperson.

23 CHAIRMAN BARTH: All right. Please proceed.
24 You have five minutes.

25 MS. TAYLOR: Phyllis D. Brooks is a licensed

1 educator. She holds a standard teaching license
2 which expires December 31, 2018. And if you -- you
3 should have a packet of evidence before you, and I
4 will pause to insure that everyone has that.

5 CHAIRMAN BARTH: Does everyone have access to
6 that?

7 Okay. Great.

8 MS. TAYLOR: So a copy of the license is found
9 at ADE Exhibit Number Five (5). We're here because
10 Arkansas law provides that the State Board of
11 Education shall not renew an existing license of any
12 person with a true report in the Child Maltreatment
13 Central Registry.

14 The Department of Education was notified of Ms.
15 Brooks' true finding and in turn notified her of the
16 disqualification. On October 5, 2017, Ms. Brooks,
17 through her attorney, Attorney Greg Alagood,
18 requested a hearing. That request is evidenced at
19 ADE Exhibit Number Three (3).

20 In the course of the presentation of the case I
21 will discuss the documents in front of you in further
22 detail; however, that does conclude my opening. And
23 with that I yield the floor to Attorney Alagood.

24 CHAIRMAN BARTH: All right. Great. Thank you.
25 Mr. Alagood.

1 MR. ALAGOOD: Dr. Barth, Members of the Board,
2 Mr. Key, let me assure you that I have absolutely no
3 intention of reviewing with you 105 pages of the
4 document.

5 (COURT REPORTER'S NOTE: Mr. Alagood moves away
6 from the podium to pass out Educator's Exhibit One
7 (1).

8 CHAIRMAN BARTH: Mr. Alagood, can you hold onto
9 your comments until you get back to the microphone?

10 MR. ALAGOOD: I will.

11 CHAIRMAN BARTH: Thank you, sir.

12 (WHEREUPON, Educator's Exhibit One (1) was
13 marked for identification and entered into evidence.)

14 CHAIRMAN BARTH: All right. So, Mr. Alagood,
15 we'll now start the clock on your opening for five
16 minutes.

17 MR. ALAGOOD: As I was saying, I have absolutely
18 no intention of laboriously reviewing with you 105
19 pages of documents. I just want to show you the
20 efforts to which Ms. Brooks is going in order to get
21 this matter resolved. This isn't the first time that
22 I've had to come before you with a situation where a
23 teacher has been licensed for over 20 years and just
24 now the Department of Human Services is advising us
25 that her name was placed on the Child Maltreatment

1 Registry back in 1993. I had an identical situation
2 with you, in fact, about 10 months ago.

3 This is Ms. Brooks. I'd like for -- this is
4 Phyllis Brooks, right here. I'm going to basically
5 present our case but she's available here should you
6 have any questions. I'm going to walk you through
7 our attempts to get this resolved and our ongoing
8 attempts to get this resolved with DHS and discuss
9 some of the factors under 6-17-410 that you -- the
10 legislature indicated you should take into
11 consideration in whether or not you ought to grant
12 this request for a waiver. Thank you.

13 CHAIRMAN BARTH: Thank you, sir.

14 Ms. Taylor.

15 MS. TAYLOR: I will tell you --

16 CHAIRMAN BARTH: You now have 20 minutes.

17 MS. TAYLOR: I'm sorry?

18 CHAIRMAN BARTH: You now have 20 minutes.

19 MS. TAYLOR: Thank you, sir. The facts here are
20 very straightforward, so my presentation will be
21 brief.

22 I'll direct you first to ADE Exhibit Number One
23 (1); there you'll see a notice of a true finding.
24 That document did come from the Department of Human
25 Services, specifically the Division that addresses

1 child maltreatment and central registry. It lists
2 the individual here, Phyllis Janice, which -- Phyllis
3 Jennings, which is the name that Ms. Brooks also
4 used. And so this here is the underlying basis for
5 the action.

6 Are there any questions?

7 Continuing on, I will direct your attention to
8 ADE Exhibit Number Six (6) and that is the statutory
9 authority for the action. It specifically provides
10 that an individual with a true report on the registry
11 shall not essentially hold a license, cannot be
12 initially issued, and cannot be renewed.

13 Directing your attention to ADE Exhibit Number
14 Two (2), this is the notice that the Educator
15 received as it relates to the disqualifying offense
16 -- or the disqualifier; it was not an offense -- and
17 that is the basis for this action.

18 And that concludes my presentation, if there are
19 no further questions.

20 CHAIRMAN BARTH: So is this the -- has Ms.
21 Brooks' license been renewed since this true finding?

22 MS. TAYLOR: It has. Well, I will tell you we
23 were notified -- the letter notified us on September
24 7, 2017. So it has not been renewed since that time.

25 CHAIRMAN BARTH: Okay.

1 MS. TAYLOR: Now the offense did occur in 1993;
2 however, we were notified in 2017.

3 CHAIRMAN BARTH: Thank you.

4 MS. TAYLOR: That's all I have.

5 CHAIRMAN BARTH: Mr. Alagood, you now have 20
6 minutes.

7 MR. ALAGOOD: Thank you, Dr. Barth. I'm not
8 going to take 20 minutes.

9 So in 1993 Phyllis Brooks was a 24-year old
10 young lady living in Jonesboro, and she was actually
11 employed by the Department of Human Services; she was
12 a homemaker, an in-home aid. And she was working
13 with a family that had been placed under a protective
14 services order and her job was to primarily provide
15 care for a youngster who was about one-year old.
16 Okay? And so Phyllis was taking that youngster to
17 get a haircut and she dropped by her place of
18 employment, the local DHS office, to pick up a check
19 to pay for the haircut; she ran inside and she left
20 the child in her child-seat in the car, unattended,
21 for a brief period of time. She should not have done
22 that. The check hadn't been signed yet; she had to
23 find somebody to sign it. Somebody noticed that she
24 had left that child in the car and so they said, "Oh,
25 my goodness," you know, "that's untenable; we need to

1 investigate that." They did. DHS suspended her
2 without pay for two weeks but kept her in its employ;
3 she continued to work for the Department of Human
4 Services for about two more years. The only thing
5 they didn't do was tell her, "Oh, by the way, we're
6 going to put your name in the child maltreatment
7 registry on account of this finding of maltreatment."

8 So in the mid-90s Phyllis got her teaching
9 license, and obviously it didn't come to anybody's
10 attention at that point in time that she'd been
11 placed on the maltreatment registry. She worked for
12 -- from 1998 to 2000 at the Lee County School
13 District; she worked from 2000 to 2017 at the Forrest
14 City School District. This year she became employed
15 by the Pulaski County School District so that she
16 could be here in central Arkansas, closer to some
17 doctors who provide care for her chronically ill
18 daughter. However, right now she's unemployed
19 because once it came to the attention of the
20 Department of Education that her name is on the
21 maltreatment registry she's not eligible to be
22 teaching at the moment, unless and until you grant
23 her a waiver.

24 Now this is not the first case where
25 inexplicably some teacher has been initially

1 licensed, they've had their license renewed any
2 number of times, and then, lo' and behold, we find
3 out "oh, my goodness, back in 1993 your name was
4 placed on the Child Maltreatment Registry." I don't
5 know if any of y'all have ever had an opportunity to
6 read the definitions of maltreatment, but it
7 basically -- it's about 12 pages long. It includes
8 abuse or neglect; it ranges from anything from
9 inadequate supervision -- and that is leaving a child
10 in a situation, even if it's momentary, where
11 potentially the, you know, child's safety could be in
12 jeopardy -- to unmentionable acts of abuse. Okay?

13 I'm not trying to condone what Phyllis did lo'
14 these 24 years ago; I'm telling you that if you were
15 to read the definition of maltreatment that this is
16 one of the most innocuous levels of maltreatment that
17 there is. As a matter of fact, under the Department
18 of Human Services' own regulations there are certain
19 types of maltreatment by which your name is supposed
20 to automatically be removed from the maltreatment
21 registry after one year, and that includes this.
22 There are other levels of maltreatment where you have
23 to apply to have your name removed from the
24 maltreatment registry. And then there are other
25 levels of abuse under which your name can never be

1 removed from the maltreatment registry.

2 So once it came to our attention that we'd been
3 on the registry since 1993 we did three things: we
4 asked this board to grant her a waiver from what
5 would otherwise be a disqualifying offense for her
6 continuing to hold her teaching license; we submitted
7 an application to the DHS Name Removal Committee,
8 which meets once a month and considers whether or not
9 somebody's name ought to be taken off the registry;
10 and we also appealed to the Department of Human
11 Services Office of Appeals and Hearings this true
12 finding on the basis that "I was never informed of it
13 in any event."

14 So, you know, page 1 is the notification in
15 September that lo' and behold she's on the
16 maltreatment registry. On page 2 you'll see my
17 letter to the Department requesting that they give us
18 the opportunity to appear and ask for a waiver in
19 connection to this. And then on pages 54 and 56 you
20 will see a considerable -- well, actually beginning
21 on page 9 you will see the volume of information that
22 we had presented to the DHS Name Removal Committee
23 where Ms. Brooks furnished a narrative explanation of
24 the event, furnished character references. And they
25 got back with us and said, "Well, you haven't

1 furnished us with the necessary information of
2 rehabilitation. What sort of counseling have you
3 undergone to make sure something like this will never
4 happen again?" To which my initial response was,
5 "With all due respect, how do you get counseling for
6 something that you didn't know you had done?" She
7 said, "Well, you know, in cases of teachers we would
8 accept proof of the professional development that
9 she's undertaken, any number of -- any amount of
10 which is likely to include issues relating to DHS."
11 So we furnished them with all of the proof of
12 Phyllis' professional development training for any
13 number of years, and we were really hopeful that the
14 Name Removal Committee would just go ahead and
15 resolve this issue and obviate the necessity of
16 appearing before you today. If you'll look on page
17 54 -- I apologize for the rather illegible nature of
18 that, but what it says is, at the bottom, "We're
19 denying this because Phyllis Jennings Brooks' removal
20 packet indicates that she did not receive notice of
21 the 1993 maltreatment finding until September 16,
22 2017. Given that, Phyllis Jennings should request
23 relief from the Office of Appeals and Hearings." You
24 know, unlike the well-oiled machine I consider this
25 State Board to be I think of DHS as a lumbering

1 behemoth of state government; they do what they want
2 to, how they want to, when they want to. I was
3 flabbergasted when they wrote, you know, "Oh, no, you
4 don't need to be coming to us; you need to be going
5 to the Office of" -- well, I'm simultaneously going
6 to the Office of Appeals and Hearings. You can see
7 in there where I requested a hearing; it's scheduled
8 for January 2nd.

9 I've had numerous cases like this before and if
10 this board were to grant a waiver I would be willing
11 to bet a substantial wager that DHS will take the
12 position that they will not defend this true finding
13 after all. In other words, they'll say, "We're not
14 going to make you go forward with having an appeal
15 hearing over this finding that happened in 1993;
16 we're going to submit what we call a Do Not Defend,"
17 which means that the Administrative Law Judge will
18 then simply enter an order that says that her name is
19 not to appear in the maltreatment registry in
20 connection with this incident. I can't guarantee you
21 that that's what DHS will do; I'm just telling you
22 that I've had them do that in numerous situations of
23 similar circumstances.

24 I would be remiss if I didn't briefly point out
25 to you the factors that the legislature has indicated

1 that you should take into consideration when
2 considering this request:
3 - the age at which the incident occurred -- she was
4 24 years old in 1993;
5 - the circumstances surrounding the incident -- I've
6 explained that to you. If you're not satisfied with
7 my explanation, I've furnished you with a complete
8 copy of the DHS investigative file;
9 - the length of time since the incident -- she's a
10 career teacher of 20-plus years at this point. And
11 subsequent work history, I told you about that;
12 - character references -- we've furnished some that
13 are included in the materials that I had provided to
14 the Name Removal Committee;
15 - and then the single biggest issue that you need to
16 take into consideration as to whether or not you're
17 going to grant a waiver is any evidence demonstrating
18 that this applicant would pose a threat to the health
19 or safety of school children or school personnel.
20 She's been teaching for 20-plus years. I
21 respectfully submit to you that this nice young lady
22 poses absolutely no threat to the health or safety of
23 school children or school personnel.

24 If you would be so kind as to vote to grant her
25 a waiver of this disqualifying offense she can resume

1 employment, which would be a welcome Christmas
2 present for her. You know, she's unemployed as we
3 present ourselves to you today due to the fact that
4 this popped up.

5 I would be happy to entertain questions. Ms.
6 Brooks is here, if you have any questions for her.

7 CHAIRMAN BARTH: Are there questions?

8 And so, Ms. Taylor, we do Q-and-A during this
9 section before y'all's closing arguments; correct?

10 MS. TAYLOR: Yes.

11 CHAIRMAN BARTH: Okay. Thank you.

12 I'll just start over here. Ms. Newton, any
13 questions -- or Ms. Cochran. Ms. Cochran, anything?

14 MS. COCHRAN: No.

15 CHAIRMAN BARTH: Ms. Newton?

16 MS. NEWTON: Yes. Have there been any other
17 offenses at all since that time?

18 MR. ALAGOOD: I'm sorry?

19 MS. NEWTON: Any other incidents --

20 CHAIRMAN BARTH: Please speak into your
21 microphone. I'm sorry.

22 MS. NEWTON: I'm not used to these yet. Sorry.
23 Any other incidents since that time at all?

24 MR. ALAGOOD: No, ma'am.

25 MS. NEWTON: Thank you.

1 DR. HILL: That was my question.

2 MR. BLACK: No.

3 CHAIRMAN BARTH: Ms. Zook?

4 MS. ZOOK: I have a couple of questions for Ms.
5 Brooks.

6 CHAIRMAN BARTH: Okay.

7 MR. ALAGOOD: Step up here, Phyllis.

8 MS. ZOOK: Did I understand your attorney to say
9 you have children?

10 MS. BROOKS: Yes, ma'am.

11 MS. ZOOK: And has DHS ever requested that you
12 always have to have someone besides you with the
13 child when you're with the child?

14 MS. BROOKS: No, ma'am.

15 MS. ZOOK: Okay. So DHS has put you on the true
16 finding for neglect but has never enforced it by
17 saying you can't be alone with your own child, which
18 is typical of DHS if they think that the maltreatment
19 rises to the level of concern. So you can be alone
20 with your child at any time, in the car, in the
21 house, anywhere you want to?

22 MS. BROOKS: My children, they're adults; now
23 they're adults.

24 MS. ZOOK: Thank you.

25 MS. BROOKS: Uh-huh.

1 CHAIRMAN BARTH: Any additional questions?

2 Okay. So now closing argument from Ms. Taylor.

3 MS. TAYLOR: Prior to closing I would request
4 the opportunity to provide some level of rebuttal to
5 an issue that was addressed, specifically how an
6 educator can continue to renew a license when there
7 is a name on the registry -- if I may do so?

8 CHAIRMAN BARTH: Please.

9 MS. TAYLOR: And for that I will call Ms. Cheryl
10 Reinhart to explain that process.

11 MS. REINHART: Thank you. Cheryl Reinhart,
12 Department of Education. And I'm not an attorney on
13 behalf of the party, so if you want to swear me in
14 you can --

15 CHAIRMAN BARTH: Sure.

16 MS. REINHART: -- since I'm testifying.

17 CHAIRMAN BARTH: So if you would raise your
18 right hand? Do you swear or affirm that the
19 testimony you're about to give shall be the truth,
20 the whole truth and nothing but the truth?

21 MS. REINHART: Yes.

22 CHAIRMAN BARTH: Thank you.

23 MS. REINHART: The way that that can happen is,
24 first of all, the child maltreatment background check
25 was not required until about 2009; so her license

1 would've renewed before then. And at that time when
2 it was first introduced as a background check it was
3 only for those who were renewing their license for
4 the first time; so she would've been long past that,
5 so she still wouldn't have been required to have that
6 check. And then when she renewed -- now we renew
7 licenses every five years, and so at her renewal in
8 2013 is when that changed. So this is her first
9 opportunity to renew her license and be required to
10 have that child maltreatment background check. So
11 that's why we haven't received it before now and had
12 renewed her license.

13 CHAIRMAN BARTH: Okay. Any questions for Ms.
14 Reinhart?

15 Mr. Alagood, do you have any response to that?

16 MS. REINHART: Just informational.

17 CHAIRMAN BARTH: Okay.

18 MR. ALAGOOD: No. Thank you.

19 CHAIRMAN BARTH: Thank you.

20 All right. So now we get into closing
21 arguments, and, Ms. Taylor, five minutes.

22 MS. TAYLOR: In closing, we do acknowledge the
23 age of the incident, 1993. We also acknowledge the
24 evidence of rehabilitation or efforts at
25 rehabilitation. We applaud that she has been

1 consistently employed as a teacher and also the
2 efforts specifically on the attorney's part to
3 address this matter. For that reason our
4 recommendation is that we're not opposed to a waiver
5 with a condition that the license be on probation
6 until the name is cleared, because the fact remains
7 despite all of the efforts there is still a name that
8 is on the registry.

9 That is all I have, if there are no questions.

10 CHAIRMAN BARTH: Okay. Can I ask a quick
11 question?

12 MS. TAYLOR: Yes, sir.

13 CHAIRMAN BARTH: So it sounds like January, the
14 plan is to go to their -- to DHS in January. Could
15 this board delay its decision in this matter until
16 after that point or does it have to make a decision
17 today? Just trying to lay out all of our options.

18 MS. TAYLOR: I think that would be at the
19 Board's discretion.

20 CHAIRMAN BARTH: Okay. I just didn't know if we
21 were up against any clocks at all. Okay.

22 MS. NEWTON: Well, the teacher is unemployed,
23 you know.

24 CHAIRMAN BARTH: Oh, yeah, I know. I totally
25 get it. I was just trying to get our lay of the land

1 here.

2 Mr. Alagood.

3 MR. ALAGOOD: I appreciate Ms. Taylor's
4 acknowledgment of the factors for the Board to take
5 into consideration here. I take strong exception to
6 her suggestion that there needs to be a condition
7 placed on the waiver, and that is that she be on
8 probation for any period of time.

9 About three years ago, you may recall, Dr.
10 Barth, you were on the Board and Sam Ledbetter was
11 the chairperson, and I was before the Board with a
12 young man who had been a teacher and a bus driver in
13 England who had left a child on a bus. Okay? Now he
14 got caught; he had taken a plea deal, without benefit
15 of counsel, where he pled guilty to negligent
16 endangerment with the agreement it was going to be
17 expunged, not knowing that there is a law that says
18 that if you plead guilty or no contest, even if it's
19 subsequently expunged, to a criminal offense the
20 elements of which are the same as the alleged
21 maltreatment, then your name is never going to be
22 taken off of the Child Maltreatment Registry. And so
23 that's why we had to come to you, asking that you
24 give him a waiver. You did; you placed no conditions
25 on that.

1 I was in front of you last February with
2 somebody, who will not be named, and it was an
3 identical situation where his name had been on the
4 registry since 1993, only in that case the allegation
5 was one of abuse, not neglect. You granted him a
6 waiver with no condition. Now I will tell you that
7 you asked -- I specifically remember, Ms. Zook, you
8 asked if we were pursuing that with DHS; I told you
9 yes, we had a hearing scheduled in March. And DHS
10 took the position that "we're not going to defend
11 that true finding." We didn't have to have that
12 hearing; his name is not on the maltreatment
13 registry.

14 I can't guarantee to you that I'm going to
15 prevail on January 2nd. If I do not, then we will be
16 in a position of having to wait a year then to go
17 back to that Name Removal Committee and ask them
18 "please take her name off the registry."

19 I respectfully submit to you that you ought not
20 place any kind of strings being attached to the
21 waiver for Ms. Brooks. I promise you I'm going to do
22 everything in my power to get her name removed from
23 the registry. But your concern is do you think that
24 she's a threat to students or staff -- and if not,
25 then she's entitled to a waiver. Thank you.

1 CHAIRMAN BARTH: All right. Thank you.

2 Does the Board understand your options? Any
3 discussion? Any motion?

4 MS. ZOOK: I move that we grant a waiver to this
5 teacher, without exception.

6 DR. HILL: I second.

7 CHAIRMAN BARTH: Okay. So a motion by Ms. Zook,
8 second by Dr. Hill.

9 Any further conversation?

10 All those in favor say "aye."

11 (UNANIMOUS CHORUS OF AYES)

12 CHAIRMAN BARTH: Opposed?

13 All right. Congratulations.

14 MR. ALAGOOD: Thank you.

15 And if anybody doesn't want to keep that packet
16 I will be happy to take it back and make sure that it
17 gets shredded and recycled. Thank you.

18 CHAIRMAN BARTH: We're going to take about a
19 two-minute break just for a little transfer here.

20 So we'll just come back at 11:15. Why don't we
21 just go ahead and take a break until 11:15.

22 (BREAK: 11:11 - 11:20 A.M.)

23 CHAIRMAN BARTH: So I'll call us back to order.

24 I think we have -- we think we have our technical
25 difficulties a bit better.

1 A-3: CONSIDERATION OF REVOCATION OF TEACHING LICENSE - JAMES
2 PAUL DILL

3 CHAIRMAN BARTH: We have a second waiver request
4 and -- no, this is a Consideration of Revocation of
5 Teaching License for James Paul Dill.

6 MS. TAYLOR: If I may proceed, sir?

7 CHAIRMAN BARTH: You may proceed.

8 MS. TAYLOR: Once again Daryl Taylor, attorney
9 for PLSB. Here for your consideration is the
10 revocation of the teaching license of James Paul
11 Dill. Mr. Dill did not request a hearing, so I will
12 briefly go through the evidence that was provided to
13 assist you in making a decision. So once again I
14 want to insure everyone has it before them?

15 CHAIRMAN BARTH: Yes.

16 MS. TAYLOR: So Mr. Dill holds a standard
17 teaching license that is set to expire December 31,
18 2017. You'll see that license there for you at ADE
19 Exhibit Number Six (6). Despite the fact that he has
20 a license, Arkansas law provides that the State Board
21 of Education shall revoke the license of any person
22 who has pled guilty to or been found guilty of one of
23 the enumerated offenses in Arkansas Code 6-17-410, 6-
24 17-411. Attempted Computer Child Pornography is
25 addressed in subsections 26 and 27, and you can take

1 a look at those subsections at ADE Exhibit Number
2 Seven (7).

3 So Mr. Dill was charged initially with Computer
4 Child Pornography, which is a Class B felony, in
5 violation of Arkansas Code 5-27-603. And evidence of
6 the charging decision is found at ADE Exhibit Number
7 Two (2).

8 Are there any questions about the criminal
9 information?

10 CHAIRMAN BARTH: Any questions?

11 All right.

12 MS. TAYLOR: Ultimately he pled guilty to the
13 offense of Attempted Computer Child Pornography,
14 which is also in violation of Arkansas Code 5-27-603.
15 A plea statement that reflects that entry is provided
16 for you at ADE Exhibit Number Three (3).

17 So I'll just briefly go through this, if
18 everyone has it before them.

19 You'll see the individual's name is James Paul
20 Dill. Down at the bottom section it indicates that
21 he agrees to plead guilty to Attempted Child
22 Pornography, which is a Class C felony. However, it
23 is in violation of Arkansas Code 5-27-603, which is
24 the articulated statute and the statute that applies
25 to revocation.

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Are there any questions there?

Mr. Dill was notified of the disqualification in the document that is dated September 11, 2017; that is provided for you at ADE Exhibit Number One (1).

And if you take a look at ADE Exhibit Number Four (4) that is a copy of a voluntary surrender document that we at times give individuals in this case or this type of case the opportunity to sign. However, if you'll see at ADE Exhibit Number Five (5) he did decline to sign that document; however, he did not request a hearing.

For that reason, the evidence that has been provided the Department of Education recommends that the license be revoked.

CHAIRMAN BARTH: And Mr. Dill is not here, or no one else on his behalf?

MS. TAYLOR: No, sir. And I had no indication that he would be here when I spoke with him about it.

CHAIRMAN BARTH: Okay. All right. Everybody clear?

All right. Dr. Hill, do you have a question?

DR. HILL: No. No, I don't have a question.

CHAIRMAN BARTH: Okay. Do you have a motion?

DR. HILL: I move that we revoke the license as recommended by the Department.

1 CHAIRMAN BARTH: Great.

2 MR. WILLIAMSON: Second.

3 CHAIRMAN BARTH: All right. Motion by Dr. Hill,
4 second by Mr. Williamson.

5 All those in favor say "aye."

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIRMAN BARTH: Opposed, same sign.

8 All right. And thank you, Ms. Taylor, for your
9 good work today.

10 MS. ZOOK: I'd like to compliment Ms. Taylor
11 because she always has things very well organized and
12 makes reference to them, so it helps us not only to
13 read what she's saying but to listen to what she
14 presents. So thank you for that, Ms. Taylor.

15 MS. TAYLOR: Thank you.

16 CHAIRMAN BARTH: Ms. Taylor, do you need any of
17 this back?

18 MS. TAYLOR: I can retrieve it, if you'd like.

19 CHAIRMAN BARTH: Okay.

20 CHAIRMAN BARTH: All right. And Ms. Chambers
21 has joined us. Susan, are you there?

22 (MOMENT OF SILENCE)

23 CHAIRMAN BARTH: She may be on the --

24 And we also think Ms. Dean is going to be
25 joining us as well.

1 Are either of y'all there? Please do --

2 MS. DEAN: Yes, it's difficult to hear.

3 CHAIRMAN BARTH: Okay.

4 MS. DEAN: I'm having a hard time.

5 CHAIRMAN BARTH: Okay. And please let us know
6 if you want to speak up on any item and we'll get you
7 on. And I'll just invite everybody to please speak
8 up as much as you can so that folks on the phone can
9 hear us.

10 I don't think Ms. Chambers is on yet, but Ms.
11 Dean is. And so hopefully --

12 (UNINTELLIGIBLE COMMENT FROM SPEAKERPHONE)

13 CHAIRMAN BARTH: Is that Ms. Chambers?

14 MS. HOLLIS: Ms. Chambers, can you hear us?

15 MS. CHAMBERS: Can you hear me now?

16 MS. HOLLIS: Yes.

17 CHAIRMAN BARTH: Yeah. Great. Okay.

18 MS. CHAMBERS: I am here, Dr. Barth.

19 CHAIRMAN BARTH: All right. Great. And please
20 speak up if you want to be heard on an item. And we
21 appreciate both of y'all going ahead and
22 participating today.

23 MS. CHAMBERS: Dr. Barth, can you hear me?

24 CHAIRMAN BARTH: Yes, we can hear you. Can you
25 hear me?

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(BRIEF MOMENT OF SILENCE)

CHAIRMAN BARTH: Not very well.

MS. CHAMBERS: Dr. Barth, can you hear me now?

CHAIRMAN BARTH: I can. We can hear you.

Ms. Hollis, will you tell her that we can hear her?

All right. All right.

COMMISSIONER KEY: So, Dr. Barth, I'm going to make a note that -- so the record reflects that they began participation with Item Number A-4.

CHAIRMAN BARTH: All right. Perfect.

Okay. So, Ms. Boyd, we are actually going to go back to Consent Item 18 and -- because you have some answers.

(OFF THE RECORD FOR CONSENT ITEM)

(BACK ON THE RECORD)

A-4(a): CONSIDERATION OF THE CHARTER AUTHORIZING PANEL DECISION ON THE OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL: ARKANSAS CONNECTIONS ACADEMY FINANCIAL REVIEW

CHAIRMAN BARTH: We are now back on the agenda for decisions by the Charter Authorizing Panel and the first up is the decision on Arkansas Connections Academy, their financial review. And we have I believe Darla Gardner, the superintendent, on the line.

1 Ms. Gardner, are you there?

2 SUPT. GARDNER: Yes, I am.

3 CHAIRMAN BARTH: Great. Okay. So I'll turn it
4 over to Ms. Boyd for her presentation.

5 MS. BOYD: Thank you, Dr. Barth.

6 On November 15th the Panel voted unanimously to
7 take no action on Arkansas Connections Academy's
8 charter after conducting a financial review. The
9 Panel did request an updated status from ADE staff to
10 be presented at the Panel's February meeting. No
11 request for the State Board to review the decision
12 made by the Panel was submitted; however, you may
13 exercise your right to conduct a review should you so
14 choose.

15 So today your decision is to review or not
16 review the decision that was made by the Panel.

17 CHAIRMAN BARTH: Okay. So no action by the
18 Charter Authorizing Panel; the question is whether we
19 wish to review that. Are there any --

20 MS. ZOOK: I move not to review.

21 MR. WILLIAMSON: Second.

22 CHAIRMAN BARTH: Okay. Motion by Ms. Zook not
23 to review, second by Mr. Williamson.

24 Any additional conversation?

25 Then all those in favor say "aye."

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(UNANIMOUS CHORUS OF AYES)

CHAIRMAN BARTH: Opposed, same sign?

And so, Ms. Boyd, we will hear -- after the February meeting we will get another --

MS. BOYD: That's correct. So ADE staff will put a report on the Charter Authorizing Panel's agenda in February, and then it will be placed on your Consent Agenda in March.

CHAIRMAN BARTH: Okay. Great. And obviously we can pull it off if there are additional questions at that point.

All right. Thank you, Ms. Gardner, for joining us and good luck with your continued improvement.

A-5: REQUESTED REPORTING FROM HAAS HALL ACADEMY

CHAIRMAN BARTH: Okay. We are now to a report from Haas Hall Academy.

MS. BOYD: Thank you, Dr. Barth. This is a report that you all requested from Haas Hall Academy when they were approved for an expansion to add some additional campuses. To present their report to you from Haas Hall, Heather Holaway is here.

CHAIRMAN BARTH: All right. We're glad to have you here. You can come on up, and please state your name for the record.

Oh, is there somebody on the phone from Haas

1 Hall?

2 MS. HOLAWAY: No. It's just me.

3 CHAIRMAN BARTH: All right.

4 MS. HOLAWAY: Heather Holaway.

5 CHAIRMAN BARTH: Great. Good to see you again.

6 MS. HOLAWAY: Good to see you too. Thank you,
7 guys, for having us today.

8 So I'd like to go over the report that's been
9 submitted. Do you guys have a copy of that?

10 CHAIRMAN BARTH: We do.

11 MS. HOLAWAY: Can we potentially get that on the
12 screen, maybe? If not, that's okay.

13 CHAIRMAN BARTH: Yeah, we're working on it.

14 MS. HOLAWAY: Thank you. I'm Heather Holaway;
15 I'm from Haas Hall Academy, and I presented this
16 report to you guys last year. It was brought upon --

17 (COURT REPORTER'S NOTE: Ms. Holaway stepped
18 away from the mic to speak briefly with Ms. Boyd.)

19 CHAIRMAN BARTH: So for board members, this is
20 in your -- in pdf form. I think the problem is it's
21 not in PowerPoint for easy display.

22 So should we -- do you think it's going to be
23 possible to get this up or should we -- because --

24 Okay. All right.

25 MS. HOLAWAY: Just some background on the

1 report, it's something that was brought up as a
2 question when we decided that we wanted to open a
3 Springdale campus. We went ahead and responded to
4 the questions -- we went ahead and responded to the
5 questions that sprung from that approval process. As
6 you guys may know -- I hope that you do -- we now
7 have four campuses and they are going really well.
8 This is our first year with four campuses. We have
9 expanded so much within this year, and we've been
10 really excited about the process, but it's actually
11 been a wonderful outcome. We've really enjoy being
12 in Springdale and in Rogers. And while our process
13 of expansion has been a long one, we've really
14 enjoyed being able to get to know those communities a
15 little bit better. They are two communities that
16 right now are the fastest growing communities in our
17 area. Fayetteville and Bentonville are phenomenal
18 and we've been there for now two years -- three
19 years. But Springdale and Rogers are just so fast-
20 booming and we're seeing such population growth, not
21 only in the downtown districts where our campuses are
22 but throughout those communities. They're the most
23 diverse areas of our community. Throughout northwest
24 Arkansas, Springdale and Rogers have historically
25 been that, but are definitely continuing to grow in

1 their diversity, not just within socioeconomic and
2 racial and ethnic backgrounds but just with the type
3 of people who are coming into the area, especially
4 when you consider Tyson and Wal-Mart and all of the
5 corporations that we have in the area. We really
6 have a diverse community of people from all over the
7 U.S. and really internationally that are coming in
8 and spending their time in those communities. So
9 it's really neat to kind of see that scholar
10 population grow.

11 The report that I provided to you guys, if
12 you'll look through it, it's very similar to last
13 year's report. The thing that we went ahead and
14 focused on this year is remaining committed to
15 attracting a diverse and excellent scholar body. As
16 you guys understand, we are a college prep campus and
17 so all of our scholars are there because they want to
18 go to college; they are there with that purpose. And
19 we've really seen a lot of growth within the
20 students, not only our Fayetteville and Bentonville
21 campuses that were already established but with the
22 kids coming into those new campuses who have come
23 from other area schools; and they're coming in with
24 that intention of being there for the purpose of
25 graduating and going to a good college, and it's neat

1 to see the ability within those kids. It really --
2 it speaks to the kind of education throughout our
3 area, that all of the schools in our area are
4 providing.

5 When we presented this report last year we were
6 actively recruiting applicants. We were not -- we
7 were in the middle of our lottery cycle. We opened
8 the two new campuses, and our scholar total across
9 all of those right now is about 975 total. Within
10 that we went ahead and admitted everyone to
11 Springdale and Rogers within that lottery cycle, so
12 there was no lottery that was held; it was just
13 everyone who applied was able to get in. That was a
14 neat process; that was a different process than in
15 years past. Communicating that has been something
16 that we've been able to do on a number of levels.
17 We've done a lot of marketing, not only to get kids
18 interested in the school and to recruit them but also
19 to communicate that they were accepted, to walk them
20 through the process of actually enrolling, and then
21 to get them there into the schools.

22 I'm not going to go page-per-page through the
23 report, but I will tell you one of the biggest things
24 that we identified early on was that transportation
25 is key, especially if you consider -- and if you guys

1 will look at this map -- and sorry you guys don't
2 have this but --

3 CHAIRMAN BARTH: Yes, we have it.

4 MS. HOLAWAY: You guys have it. This map right
5 here shows that all of our scholars from our campuses
6 really are spread out. We have such a wide array of
7 scholars and they're coming from all sorts of areas.
8 We identified that we needed to be able to provide
9 transportation for those and so we now have -- Ozark
10 Regional Transit is our regional transportation
11 system, our bus system. We're busing kids to all of
12 our campuses. We have a shuttle bus that goes to all
13 of our campuses, as well. And then we also have a
14 very active carpool forum, which is something that we
15 kind of didn't know if it would work, but we threw it
16 out there and saw the parents were interested and
17 it's worked beautifully. We have kids that will --
18 older upperclassmen that will drive kids to school in
19 the morning or will have, you know, parents that
20 rideshare, and that's been a really great way. We
21 have -- so far at this point with all of those
22 scholars we've not had one situation where we could
23 not find a transportation solution for a scholar to
24 be able to get to Haas Hall, to whichever campus that
25 they were admitted to. And that's something that we

1 really committed ourselves to strongly because we
2 don't ever want that to be something that prevents a
3 kid from being able to come to our school.

4 The same with language barriers -- that's one of
5 those things that when we first started on this last
6 year we recognized that the Marshallese population in
7 Springdale was so big, but there's really no readily
8 available tools to translate into Marshallese as far
9 as like language plug-ins for our website and all of
10 that. So we started hiring transport -- or, excuse
11 me -- translators for the Marshallese community, but
12 we also started developing tools to start working
13 with that on our email campaigns, on our direct mail,
14 on our newspaper advertisements, on our website. So
15 now we've got an option to communicate with that
16 community directly and we also have one liaison that
17 works with us pretty frequently; he'll come to our
18 campuses and do tours, he'll do parent questions, and
19 that's something that's really valuable to me because
20 I've never thought of the kind of questions that they
21 ask, and it was really neat to kind of see what they
22 wanted to know from us. It's been a really neat
23 process.

24 On the demographics, you can see that we are
25 really close within the demographics of our region.

1 This is -- to be honest, I went and pulled the data,
2 it's the same census data; so I just grabbed that
3 same demographics from our region from our last
4 year's report, so -- but this is our Haas Hall
5 demographics from this year at all four campuses.

6 Our recruiting practice is something that I'm
7 really proud of. That's something that kind of -- we
8 had to take a hard look at what we were doing that
9 really worked well and then we had to customize it
10 according to language, according to accessibility.
11 We found that some users really do better with
12 Facebook ads than they do newspaper ads; we found
13 that some people really like direct mail. And so
14 being able to get that response from what was working
15 the best has been really, really enlightening. I
16 really enjoy the -- our ability to reach out to the
17 community one-on-one though, and that's been
18 something that we instituted -- I want to say it was
19 right before we did this report last year, we started
20 doing community outreach efforts, going to those
21 communities. We'd have parents and scholars, we'd
22 have faculty, and we'd even have just ambassadors,
23 kind of almost brand ambassadors, who would go out --
24 they'd go to community organizations, to church
25 events, to housing, anything that we could to reach

1 the public where they were instead of expecting them
2 to come to us. We did really targeted one-on-one,
3 going to every single neighborhood in Springdale,
4 every single neighborhood in Rogers -- and I know
5 that's probably actually an exaggeration; it's not,
6 everyone -- but going to such a wide array of
7 neighborhoods in those areas that we don't know who
8 those people are, we don't know who lives there; we
9 don't know what they're interested in or if they have
10 kids who are interested in college. But being able
11 to go and provide multilingual paper advertisements
12 that are showing up either in their mailbox or in
13 their community message boards or in their laundry-
14 mats or in the grocery stores, just anywhere we could
15 get it in front of the people where they're actually
16 spending their time so we could start getting that
17 interest there, it was really important. And it has
18 actually worked really, really well this year.

19 When it comes to achievement gap, I know that's
20 kind of a big buzzword right now and that's what I've
21 kind of focused on this year is trying to figure out
22 where do we have an achievement gap anywhere in our
23 campuses, and we just don't. We have 100 percent of
24 our kids that graduate that get accepted to college.
25 But I think that's also because they're really

1 focused on it when they get there and they really are
2 driven and they really do have that drive reinforced
3 by their peers the whole time. It doesn't matter
4 where they come from; it doesn't matter how they
5 start; it doesn't matter how much work it takes them
6 to get to that point. We're doing it and we're
7 making sure that they get there and we're really
8 proud of them for getting there.

9 As far as scholar support goes, that's something
10 that I'm not super-familiar with but I'm really
11 excited about. My daughter actually this year was
12 diagnosed with dyslexia, and we had not realized it
13 to this point. And being able to see the process of
14 the intervention that they've done with her, the
15 amount of linguistics training that she's gotten, and
16 also just the results -- she went from being a really
17 solid C student to now she's all As and Bs in AP
18 classes. It's just -- it's outstanding. And I've
19 been really amazed at the kind of effort and work and
20 time that these teachers put in. She spends an extra
21 hour a day on campus, which kind of stinks for her,
22 especially her junior year. But it's really nice for
23 her too because she's able to get that extra time,
24 she's able to go to tutoring, she's able to go to her
25 linguistics classes and get that amount of extra work

1 that it's going to take for her to get to college and
2 be successful too.

3 Another thing that I'm really excited about --
4 and I have to brag on Dr. Schoppmeyer. When we gave
5 this report last year we were really starting to form
6 relationships with other educators in our area. We
7 have really done less work than I expected to on
8 that. It's really just been a very organic process
9 of getting to know the other educators in our area
10 and finding our strengths and finding the things that
11 we all have in common. One of the things that we
12 started focusing on is the Northwest Arkansas School
13 Choice Festival, and that's actually become my
14 project; very much of my time is spent working on
15 that. But what we've done is reached out to all of
16 the schools in our area, public, independent, home-
17 school groups, even tutoring places, and places
18 throughout the state such as like Subiaco and other,
19 you know, educational opportunities, and we've
20 invited them all to come and spend a day with us in
21 Springdale. We do free ice-skating, free swimming,
22 entertainment, food, all sorts of stuff so that the
23 kids are really interested in the event. But the
24 parents get to wander around and visit with these
25 educators. And what we found last year during the

1 festival was that this is exciting for everyone,
2 because we were all on that same page. And where we
3 see so much division in education, there was a whole
4 lot of partnership that just happened just for the
5 fact that we're all there, we're all staying there
6 together, we're all there for the same goal. And
7 last year we were sponsored by the National School
8 Choice Week Foundation. This year we're actually
9 featured as their spotlight event for Arkansas, and
10 we're expecting about 2,000 people this year for our
11 event. I'm really excited about it.

12 I've also been really inspired -- again to brag
13 on Dr. Schoppmeyer -- at how much work he's put into
14 developing relationships with the other
15 superintendents in the area, from, you know, monthly
16 like lunch, breakfast meetings with Dr. Wendt at
17 Fayetteville, to reaching out to other school
18 districts to say, "Hey, what can we do for you guys
19 to get you guys college ready? What can we offer for
20 your students? Because we'd love to be able to offer
21 what we do best for you guys so that you don't have
22 to spend your resources focusing on it." It's been
23 neat for me to see that, because I don't feel like
24 we've done that well in Northwest Arkansas, to be
25 honest with you guys; I don't feel that we've done

1 that well in education to this point. And for all of
2 these educators to say, "You know what, it's fine,
3 there's no ego here, we're going to put that aside
4 and we're going to work together." Because all of us
5 having the same goal has been really neat and we
6 really are seeing that happen in northwest Arkansas
7 right now. It's really exciting. It's one of the
8 things that like every time I start thinking about it
9 I get a little -- sorry.

10 I intend to really continue these efforts, but I
11 also appreciate that you guys asked us to do this
12 report because it really shined a spotlight on what
13 we were doing well and what we weren't so that we
14 could actually start doing this better. We intend to
15 continue doing that. We intend to continue working
16 to recruit the best students for what they want to
17 do. We want them to come to our school if they want
18 to be there. We want to make it a possibility if
19 they want to graduate from Haas Hall, if they want to
20 go to college. We need them to have that
21 opportunity. I feel like it's really important for
22 all of us to work together on that, and I really feel
23 like we've done a good job; so I'm patting myself on
24 the back just a little bit. But I really do feel
25 strongly about this report and all of the results

1 from it have been great.

2 CHAIRMAN BARTH: Great.

3 MS. HOLAWAY: Thank you guys for letting me
4 present it again.

5 CHAIRMAN BARTH: Yeah. Thank you very much.

6 MS. HOLAWAY: Uh-huh.

7 CHAIRMAN BARTH: And I want to say in particular
8 I think the School Choice Festival, you know, is a
9 great idea.

10 MS. HOLAWAY: Thanks.

11 CHAIRMAN BARTH: I think it does, you know,
12 present a potential model for other places in the
13 state where there are a great variety of school
14 options. I think it certainly exemplifies the
15 regional approach that is the hallmark of northwest
16 Arkansas. So I really do --

17 MS. HOLAWAY: Thank you.

18 CHAIRMAN BARTH: -- praise that.

19 MS. HOLAWAY: Thank you so much.

20 CHAIRMAN BARTH: A couple of questions on -- you
21 obviously provided the demographic information, the
22 race/ethnicity information, and obviously there are
23 some places where y'all are doing -- have made great
24 strides.

25 MS. HOLAWAY: Thank you.

1 CHAIRMAN BARTH: There are some other places
2 where challenges remain.

3 MS. HOLAWAY: Yes.

4 CHAIRMAN BARTH: One question: I know y'all
5 historically have had challenges with free-and-
6 reduced-lunch student population. Do you have an
7 update on that?

8 MS. HOLAWAY: Sorry, I didn't even touch on
9 that. That's -- so this year has been our first year
10 that we've had a cafeteria program at our campuses.

11 CHAIRMAN BARTH: Well, that was my other
12 question --

13 MS. HOLAWAY: Yeah.

14 CHAIRMAN BARTH: -- was about what y'all have
15 done in terms of providing food?

16 MS. HOLAWAY: It's been really neat. I'll be
17 honest, I was a little scared when we started it; I
18 was really nervous about it. It's such a big project
19 to take on and the people that they hired to do this
20 project are so focused on quality, on using local
21 products, on doing all of these things. I was
22 nervous that it was going to be so pricey that it
23 wasn't something that could be sustainable. It has
24 not only been sustainable, it has actually provided
25 an opportunity for us to start helping our families

1 who are food insecure. We have identified a way to
2 start packaging some of those and making those
3 available to families who are in need.

4 Free-and-reduced-lunch, our numbers are a little
5 skewed because, of course, at Fayetteville and at
6 Bentonville we have historically done catered lunches
7 and the kids buy lunches. Springdale now has a
8 cafeteria and Rogers does as well. And we do have --
9 I can't -- I'm sorry, I don't know the numbers on
10 exactly how many we have on free-and-reduced-lunch,
11 but we do have kids on free-and-reduced-lunch at
12 those campuses. I think we're seeing a change
13 though, and I think that Rogers was the big catalyst
14 for that because once we introduced that cafeteria
15 program we started seeing Bentonville modeling the
16 way that they were doing their lunches after that.
17 So now they've gone to a catered lunch program that's
18 different than they've ever done in years past. And
19 I think the plan for the future -- and that's
20 something that we've talked about quite often, but
21 logistically we're still trying to figure out how to
22 make it work. We'd really like for all of those
23 campuses to be supplied by those cafeterias that we
24 have on-site, either at Rogers or at Springdale. But
25 it's kind of a change in culture. I know my kids

1 have been going to this school since -- it's been
2 awhile, seven years now. I pack lunch every day and
3 I've always done it because I don't want to spend
4 money on lunch. And I think it's a cultural change
5 for us parents who are already established at the
6 Fayetteville and Bentonville campuses to start doing
7 something different. I think that we will see that
8 change, and I think we have really at Bentonville,
9 especially since they've gone to a more structured
10 program. You know, they have a lunch menu that is
11 not -- you know, you're not ordering out from
12 restaurants; you're getting it catered in from a
13 company and they're getting a plate of nice, hot
14 lunch every day. And I think that we've seen a
15 little bit of a change there, but it's going to take
16 some time I think for those two campuses to catch up
17 to where Rogers and Springdale are. I feel really
18 inspired by the way that Springdale and Rogers have
19 approached it. They've done a really good job of
20 recognizing, maybe if they're not on free-and-
21 reduced-lunch, who are the kids that aren't eating,
22 who are the kids that are skipping lunch, or that are
23 eating chips and drinking sodas and not doing -- you
24 know, not doing what they could be doing for
25 themselves, and reaching out to those kids in ways

1 that provides them with a healthy lunch instead.

2 CHAIRMAN BARTH: You know, and so you don't have
3 the data on --

4 MS. HOLAWAY: I don't. I can get it; I'm happy
5 to. I just don't have it on me. I'm sorry.

6 CHAIRMAN BARTH: And, you know, and I do think
7 it -- you know, the challenges that y'all have found,
8 I mean obviously, you know, schools around the state,
9 both charters and traditional public schools that do
10 have students with free-and-reduced-lunch -- I mean
11 it really is often, you know, the only assured meal
12 that those students get.

13 MS. HOLAWAY: Yeah.

14 CHAIRMAN BARTH: And it is a crucial, important
15 service that public schools provide those children to
16 help them be healthy learners.

17 MS. HOLAWAY: Yeah.

18 CHAIRMAN BARTH: And so, you know, I'm glad that
19 y'all have started it. But I do think that for Haas
20 Hall to really become truly reflective of the region,
21 not just in terms of race and ethnicity but in terms
22 of poverty levels as well, then I think there does
23 need to be some change in attitude around how
24 services like that are provided.

25 MS. HOLAWAY: Yeah.

1 CHAIRMAN BARTH: And I think it's been a
2 frustration --

3 MS. HOLAWAY: I agree completely.

4 CHAIRMAN BARTH: -- for certain members of this
5 board --

6 MS. HOLAWAY: Yeah.

7 CHAIRMAN BARTH: -- since the initiation of Haas
8 Hall. Despite its tremendous gifts as an institution
9 it does have these ongoing challenges.

10 MS. HOLAWAY: I completely agree. And I really
11 do believe that especially after seeing the success
12 of Rogers and Springdale we are committed to making
13 that something that is an enormous focus at all of
14 our campuses. Again, it's sort of logistically --
15 we've just got to -- we've got to figure out how to
16 do that. Opening two campuses in one year, and then
17 instituting new programs, all of them, has been a
18 little difficult, but it is in the works right now,
19 especially Bentonville. And Bentonville kind of just
20 took charge; they had some scholars and some parents
21 that took charge of saying, "This is what the kids
22 want; we're going to go find the best prices; we're
23 going to get this done." Springdale has just been
24 wonderful with the Jones Center providing it. But I
25 really think that in the future that is going to be a

1 big focus. I would say within the next year you're
2 going to see a lot of change within all of our
3 campuses there.

4 CHAIRMAN BARTH: Okay. Ms. Cochran, anything?

5 MS. COCHRAN: Yes. I just first would like to
6 say that Haas Hall obviously is a really shining
7 example of the power of high expectations --

8 MS. HOLAWAY: Thank you.

9 MS. COCHRAN: -- for your kids. And I think
10 that the more diverse the student population becomes
11 the more of an example it will be for the state, you
12 know, when we invest in kids; when we believe in them
13 and make them believe in themselves they really can
14 go further and do more.

15 MS. HOLAWAY: Thank you so much.

16 MS. COCHRAN: I would also -- I have a
17 demographics question about English Language
18 Learners. Do you have a percentage --

19 MS. HOLAWAY: Right now, we don't; we don't have
20 any that are coming in and needing support services
21 there. We do have families -- we do have parents
22 that we're having to communicate with in other
23 languages and that's something that in the past --
24 historically we've really done just case-by-case
25 basis. This year has been one that we've had to not

1 only do kind of a case-by-case basis on how we
2 communicate but work really hard on seeing what's
3 working. One of the things that I specifically do is
4 I monitor what's actually being read by our parents.
5 And so when I have a parent who I'm communicating
6 with in Spanish I want to see that they're not only
7 opening what I'm sending them as an email or I'm
8 getting the response from the handout; I want to see
9 that I'm getting something back from them -- and if
10 I'm not, I need to figure out a better way to do it.
11 We've done a really good job with that at Springdale.
12 In Rogers we have less students there with families
13 that speak other languages. But it is something
14 that's been a focus and that will continue to be a
15 focus in the future. When we do get kids -- because
16 it's not an if, it's a when -- when we do get kids
17 that need those support services we already have the
18 support services in place, the plan for contracting
19 people to be able to make that happen. We just -- we
20 don't have them this year, and I think that's a slow
21 thing; I think that we're going to see more of that.
22 As we do more recruiting in these areas we're really
23 going to see more of those kids being interested in
24 this. One of the things that was told to me by our
25 Marshallese representative was "it's a slow process

1 within their culture; they don't have any kids that
2 currently go to Haas Hall. But," he said, "you get
3 one kid that's going to go to Haas Hall, you're going
4 to have ten that are interested; then the next year
5 you're going to have two kids that go. And it's
6 going to be a slow process, but once you start
7 getting into that culture and that community then
8 that word-of-mouth really builds." And that's
9 something that we've worked really hard on. That's
10 the only area that I can't measure. I don't know how
11 to measure how word-of-mouth is working, except when
12 they start showing up and we get to, you know, show
13 them around the campus and answer questions and all
14 that. So, we are working towards that.

15 MS. COCHRAN: One more question. Do you have
16 any data on college retention rates, especially for
17 your minority students?

18 MS. HOLAWAY: You know, I don't -- and I'm
19 interested in that as well and that's something that
20 I would like to have. I can't say I have any of
21 that, but I'm interested also. I would like to know
22 that as well.

23 MS. COCHRAN: Thank you.

24 CHAIRMAN BARTH: Ms. Newton?

25 MS. NEWTON: No questions.

1 CHAIRMAN BARTH: Dr. Hill?

2 DR. HILL: Yeah. On your recruiting practices
3 -- and I had mentioned this, I think, last year when
4 we were talking about the report -- I love the
5 approach of your outreach to your student population.
6 But what I wanted to ask: can you kind of explain
7 what the demographics of diversity looks like in your
8 leadership team as far as outreach for diversity?
9 Because identifiable role models are incredibly
10 important for people to be -- to see what they can
11 be.

12 MS. HOLAWAY: Yeah.

13 DR. HILL: And even though you're reaching out
14 to that population -- you say one student will come
15 --

16 MS. HOLAWAY: Yeah.

17 DR. HILL: -- if others -- if one teacher is
18 like that --

19 MS. HOLAWAY: Yeah, you're right.

20 DR. HILL: -- others will also follow.

21 MS. HOLAWAY: You're so right.

22 DR. HILL: So I think that's important, not just
23 for the student population --

24 MS. HOLAWAY: Yeah.

25 DR. HILL: -- but for the leadership team to

1 reflect what you hope that your student population
2 looks like.

3 MS. HOLAWAY: Yeah.

4 DR. HILL: And so that's something that's very,
5 very important to me, and I've expressed that and
6 want to see a strategic alignment as we continue to
7 move forward that that is in place as part of your
8 growth plan.

9 MS. HOLAWAY: Thank you. And I appreciate that
10 very much. As far as faculty goes, we did really try
11 to focus on bringing in people who are not only
12 qualified to do the job but were also community
13 leaders and who were connected in their communities.
14 It was one of those things that while our hiring
15 practices have really always been the same, our
16 teachers really kind of look differently this year,
17 going, okay, what's reflective of these campuses that
18 these teachers are going to be in, because they need
19 to be able to relate with those students one-on-one.

20 What we did find is that when it comes to
21 outreach we haven't had a whole lot of luck in
22 getting parent volunteers and getting brand
23 ambassadors, as I mentioned before. But our scholars
24 have been so interested in going out in the community
25 and reaching out to their people, their friends, the

1 people that they associate with on a day-to-day
2 basis, and helping spread the word. Our director of
3 development, Stacy Keenan, actually identified a
4 group of scholars within all of our campuses -- it's
5 a very diverse population -- that are Scholar
6 Advancement Ambassadors. And basically their job is
7 to not only work within the campus to kind of
8 cheerlead what we do every day, but to go out to
9 community events, to go out to do volunteer work, to
10 kind of bring into the community what we're doing
11 there at the school. And that has seemed to be very
12 effective. One of the events that we've attended
13 this year, the Hispanic Heritage Festival, we had two
14 scholars from Bentonville who came as translators;
15 they said they would be happy to translate. And it
16 was so neat to see them connect throughout the day
17 with all of these people that they knew. And by the
18 end of that day they were really thrilled that they
19 felt like they'd really done a good job of showing
20 their friends what their school was actually like,
21 because their friends kind of thought they went to
22 this nerd school; they didn't know anything about it.
23 So it was neat to be able to see that with the
24 students.

25 I do think that's something that we need to

1 focus on in the future with our leadership team, and
2 I do think that's something that we could definitely
3 focus on as we hire more people throughout the next
4 year.

5 DR. HILL: Well, I guess I'm -- I think all
6 that's great, but I'm specifically interested in
7 specific goals that you measure, because anything
8 that can be measured can be improved, and not just
9 what we hope to do. Because the evaluation process
10 -- you evaluate it by your actions, not by your
11 intentions; and so I think it's very important that
12 we have goals. And diversity is hard. I lived in
13 northwest Arkansas, you know, so I understand that.
14 So it's going to take some specific commitment and
15 going to be a lot of hard work; it's not going to be
16 easy, you know. But that's important, just as the
17 free lunch program, just as all of that's part of
18 diversity --

19 MS. HOLAWAY: Right.

20 DR. HILL: -- in pulling up a holistic approach
21 for education. And so I think those specific goals
22 that you have and your game-plan to move the ball
23 down the field, to make first-downs in order to meet
24 those goals and objectives are important and not just
25 say "we hope to get that done."

1 MS. HOLAWAY: Yeah.

2 DR. HILL: So those are specific things that I'm
3 looking for as a board member to say, "Hey, this is
4 what's out there." Now it may not happen, I
5 understand that. Okay. But what were you doing to
6 achieve --

7 MS. HOLAWAY: Right.

8 DR. HILL: -- you know, those landmarks in order
9 to make the progress to say, "We're trying?"
10 Because, you know, at some point you have to say --
11 you have to have that, because we can't be here in
12 2019 and say, "Well, this is what we tried; it was
13 very tough." That's not the answer, you know.

14 Okay. Thank you.

15 MS. HOLAWAY: Thank you.

16 CHAIRMAN BARTH: I want to see if anybody on the
17 phone has any questions or comments before I move on.
18 Just please speak up if you do.

19 (BRIEF MOMENT OF SILENCE)

20 CHAIRMAN BARTH: Mr. Williamson?

21 MR. WILLIAMSON: No, sir.

22 CHAIRMAN BARTH: Okay. All right.

23 (UNINTELLIGIBLE COMMENTS ON SPEAKERPHONE)

24 CHAIRMAN BARTH: Great. Okay. Ms. Zook.

25 MS. ZOOK: Yes. I commend what you're doing and

1 --

2 MS. HOLAWAY: Thank you.

3 MS. ZOOK: -- the collaboration that you're
4 making an effort to do.

5 MS. HOLAWAY: Thanks.

6 MS. ZOOK: And I would also include -- I know
7 your leader is on the -- or at least he was on the
8 City Council --

9 MS. HOLAWAY: He was.

10 MS. ZOOK: -- in Fayetteville.

11 MS. HOLAWAY: Yeah, he was.

12 MS. ZOOK: And so I think there's an opportunity
13 if you will get with your Chamber leaders, your
14 business community, because even though your goal for
15 these students is college first, before career, there
16 is often an opportunity for them to do work --
17 because we know college is expensive --

18 MS. HOLAWAY: Uh-huh.

19 MS. ZOOK: -- and finding out from your
20 customers who they are wanting to hire, what skills
21 --

22 MS. HOLAWAY: Yeah.

23 MS. ZOOK: -- they're needing. And so, if they
24 could just have those people come in every quarter or
25 whatever, or whoever is available -- or at least make

1 them feel welcome.

2 MS. HOLAWAY: That's excellent.

3 MS. ZOOK: I know the Chamber leaders in those
4 four communities and I can't imagine any of them
5 saying no.

6 MS. HOLAWAY: No, definitely not. We actually
7 have experienced the Fayetteville Chamber coming in
8 to do that. We do that every December.

9 MS. ZOOK: Mr. Clark. Right.

10 MS. HOLAWAY: They come in and do a big thing at
11 the campus and our scholars get to interact with
12 them, but they also get to go through and sit in the
13 classrooms and see how all that works. And then we
14 also have a team leadership experience to where those
15 students who are really interested in that process
16 then get to go and attend Chamber meetings, attend
17 the various other visits that they make to other
18 businesses in the area, which is a really neat
19 program. I think it's selective; I think that they
20 have to apply for it, write an essay and all that.
21 But I'm hoping that we can start doing something like
22 that in Springdale, Rogers and Bentonville. I don't
23 know if they have that created just yet --

24 MS. ZOOK: I don't think they have it yet.

25 MS. HOLAWAY: -- but it would be wonderful.

1 MS. ZOOK: My two grandsons went through the one
2 in Fayetteville.

3 MS. HOLAWAY: Yeah, it's great.

4 MS. ZOOK: So it was a great opportunity for
5 them to get to meet students that maybe they knew in
6 elementary that are now at Haas Hall --

7 MS. HOLAWAY: Yeah.

8 MS. ZOOK: -- and learn to work together because
9 hopefully they'll all stay in that area. But thank
10 you --

11 MS. HOLAWAY: Yes.

12 MS. ZOOK: -- for the report. It was very
13 helpful.

14 MS. HOLAWAY: Thank you so much.

15 CHAIRMAN BARTH: Great.

16 So, Ms. Boyd, the Department wishes to accept
17 the report; correct?

18 MS. BOYD: (Nodding head up and down.)

19 CHAIRMAN BARTH: Okay. So I'll entertain a
20 motion.

21 MS. NEWTON: I move to accept the report.

22 CHAIRMAN BARTH: Ms. Newton --

23 DR. HILL: Second.

24 CHAIRMAN BARTH: Motion by Ms. Newton, second by
25 Dr. Hill.

1 All those in favor say "aye."

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIRMAN BARTH: Opposed, same sign.

4 All right. I heard some ayes on the phone.

5 So, Ms. Boyd, what is our -- where are we with
6 Haas Hall in reporting moving forward?

7 MS. BOYD: Unless you require an additional
8 report of them then that's the only -- this is the
9 last thing that you have requested of them.

10 CHAIRMAN BARTH: Okay. And when is Haas Hall --
11 I guess they have no -- they have a very long
12 charter.

13 MS. BOYD: Uh-huh.

14 CHAIRMAN BARTH: So they would not plan to come
15 before the Charter Authorizing Panel for a good
16 period of time, unless they ask for any additional
17 changes; correct?

18 MS. BOYD: That is correct.

19 CHAIRMAN BARTH: Okay. So I'll leave it to the
20 Board in terms of what your request is for additional
21 ongoing information from Haas Hall, especially
22 related to attempts at ongoing diversification.

23 DR. HILL: I would like to request a monitoring
24 report on the diversity demographics of the
25 leadership team in correlation to the goals that they

1 have for the student body population.

2 CHAIRMAN BARTH: Okay. And so your preference
3 is annual?

4 DR. HILL: Yeah, this time next year; yes,
5 annual.

6 CHAIRMAN BARTH: Okay.

7 DR. HILL: This time next year.

8 CHAIRMAN BARTH: And are you -- do you want it
9 in the form of a written report or would you want a
10 report along the lines of what we had today?

11 DR. HILL: I'm open. What works best for --

12 MS. BOYD: Yeah. I think ideally we could
13 continue with the type of reporting we have, with
14 just the focus on your request.

15 CHAIRMAN BARTH: Okay. Ms. Newton?

16 MS. NEWTON: Could we also add the focus on the
17 poverty, free-and-reduced lunch, that sort of thing,
18 since they're -- you're going to try to make some
19 efforts in that maybe?

20 CHAIRMAN BARTH: Yeah. I would also like more
21 special ed. data and more English Language Learner
22 data. I think we know that diversity in and of
23 itself is -- but it's all-encompassing and I felt
24 like this report was short in terms of some of those
25 other aspects. So that would be the request.

1 Do we need a motion on that, Ms. Boyd?

2 MS. BOYD: Yes, please.

3 CHAIRMAN BARTH: Okay. So I have a motion for a
4 report, an annual report again next year from Haas
5 Hall hitting not only the efforts, but also the
6 outcomes of diversification efforts. Is that a
7 motion from Dr. Hill?

8 DR. HILL: Yes.

9 CHAIRMAN BARTH: All right. Is there a second?

10 MS. NEWTON: Second.

11 CHAIRMAN BARTH: Okay. All those in favor say
12 "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign?

15 All right. We will see you in a year. All
16 right. Good luck.

17 A-6: DISTRICT REQUEST FOR WAIVERS GRANTED TO OPEN-ENROLLMENT
18 CHARTERS: ARCH FORD, ARKANSAS RIVER, CROWLEY'S RIDGE, DAWSON,
19 DeQUEEN-MENA, GREAT RIVERS, NORTH CENTRAL ARKANSAS, NORTHEAST
20 ARKANSAS, NORTHWEST ARKANSAS, OZARKS UNLIMITED RESOURCE, SOUTH
21 CENTRAL, SOUTHEAST ARKANSAS, SOUTHWEST ARKANSAS, WILBUR D.
22 MILLS EDUCATION SERVICE COOPERATIVES, and JACKSONVILLE NORTH
23 PULASKI AND NORTH LITTLE ROCK SCHOOL DISTRICTS

24 CHAIRMAN BARTH: All right. So we have one
25 more item before lunch, and I think this room will

1 get a lot emptier once we deal with this item.

2 MR. WILLIAMSON: As well as the parking lot.

3 CHAIRMAN BARTH: Yes. Yes. And so I'm going to
4 turn it over to Ms. Boyd. This is an Act 1240 waiver
5 request from a variety of co-ops, and this is
6 somewhat complicated.

7 MS. BOYD: Thank you, Dr. Barth. As you stated,
8 there are a number of districts requesting the same
9 waiver, Act 1240 waiver. So because it is
10 complicated, I would like for Jennifer Davis to come
11 and talk to you about some suggestions for how we
12 should proceed.

13 While she's doing that, I'm going to pass out an
14 updated document to you about the types of documents
15 that I have on file from each district. I would like
16 to emphasize that the only required document that I
17 have to have is the first column that you'll see on
18 this page.

19 CHAIRMAN BARTH: Great. Thank you.

20 (WHEREUPON, A6 Exhibit One (1) was marked for
21 identification and entered into evidence.)

22 CHAIRMAN BARTH: Ms. Davis.

23 MS. DAVIS: Hi, good afternoon. Jennifer Davis,
24 Staff Attorney for the Department. Because there is
25 a number of districts that are involved here I don't

1 think that in the essence of, you know, time -- both
2 their time, your time -- that it's necessary to hear
3 them all individually, you know, I think because all
4 of them are requesting this one specific waiver for
5 the same reason and I think a lot of their
6 applications are very similar, even amongst co-ops.
7 But you could agree amongst yourselves to hear it as
8 one and even vote on it as one, if you feel inclined.
9 If you feel a reason to pull it out, you can. But I
10 would suggest it would be best served to be heard as
11 one and voted as one.

12 MS. ZOOK: I have a question before we start.
13 Have we checked to be sure -- because 1240 waivers
14 are dependent upon being linked to having a student
15 in a charter school, and when a whole co-op comes --
16 those in southeast Arkansas realize this because they
17 came in on behalf of like 14 and the 15th couldn't
18 come in. So have we checked to be sure all of these
19 districts have students, or at least one student, in
20 a charter school?

21 MS. BOYD: I can assure you that has been done,
22 Ms. Zook.

23 MS. ZOOK: Thanks. And the answer was?

24 MS. BOYD: All the districts that are here
25 before you today do have students attending open-

1 enrollment charter schools.

2 MS. ZOOK: Thank you.

3 MS. BOYD: Yes, ma'am.

4 MS. DAVIS: And I just would along those lines
5 -- the waiver is not granted to the co-op; the waiver
6 is granted to the district. So it would be each of
7 those districts that are included; it's just the co-
8 op presenting for the same, for efficiency.

9 CHAIRMAN BARTH: So how many total districts do
10 we have before us today, besides "a lot?"

11 MS. BOYD: Yeah. I would say at least 270. I
12 can give you a count.

13 CHAIRMAN BARTH: That's fine.

14 MS. BOYD: Okay. Sorry. About 200.

15 CHAIRMAN BARTH: About 200. Okay.

16 MS. BOYD: Yeah.

17 CHAIRMAN BARTH: Ms. Newton.

18 MS. NEWTON: I just have a quick question. Do
19 we know how many districts in the state don't have a
20 student in a charter, and because they don't have one
21 student are not eligible for this waiver?

22 MS. BOYD: Yes, ma'am. There are about 10
23 districts in the state that are ineligible to get a
24 waiver through the Act 1240 process because they do
25 not have a student attending an open-enrollment

1 charter school.

2 MS. NEWTON: So every district in the state,
3 charter or public, have this except for 10?

4 MS. BOYD: At this time, that is correct.

5 MS. NEWTON: I think there's --

6 CHAIRMAN BARTH: I'm sorry; did you want to
7 finish your comment, Ms. Newton?

8 MS. NEWTON: You can read my face though.

9 CHAIRMAN BARTH: Yeah.

10 COMMISSIONER KEY: Okay. So we recognize and
11 have been notified those who would not be eligible.
12 And I asked Legal to research that, and Ms. Davis has
13 a good answer, but what we do there is dependent on
14 what happens with your decision on these waivers.
15 But there is an option that we have determined is
16 available for those districts. And there are also
17 some charter schools out there -- I think maybe three
18 or four charter schools -- that don't have this
19 particular waiver from the school calendar. But we
20 have a provision that we believe will take care of
21 them so we don't have a handful of folks out there on
22 their own.

23 MS. BOYD: I'm sorry; there are 191 districts in
24 the documentation that you have today. Sorry about
25 that; I was off by about a hundred.

1 COMMISSIONER KEY: And if it's okay for Ms.
2 Davis to go ahead and report, so it's on the record,
3 where in the statute we are making our determination
4 on what to do with those others that are kind of
5 outside looking in right now.

6 MS. DAVIS: So what we have advised is under 6-
7 10-106(a)(2) the law does allow the Department to
8 grant a waiver of the beginning school or end date if
9 there exists a material and substantial reason for
10 them to begin on an earlier or later date due to very
11 exceptional or an emergency circumstances -- and
12 there are some emergency circumstances listed.
13 Clearly, this is not considered an emergency
14 circumstance, but it would be considered a very
15 exceptional circumstance under a material and
16 substantial reason, which would be that it's, you
17 know, only 10 districts -- a very, very small handful
18 of the districts in the state -- that are surrounded
19 by other districts, the complications for families,
20 if you have kids in different districts, you know,
21 football is scheduled, even things like that. And so
22 we had advised a few of those districts that had
23 asked about this that they ask, depending upon your
24 vote today; when pretty much every school district in
25 the state except for them have it that at that point

1 there is a potential for a material circumstance to
2 exist with that.

3 COMMISSIONER KEY: And just as a follow-up that
4 would not require any action on your part, by the
5 Board. Under the statute, that's something the
6 Department Commissioner can approve under that
7 separate section of the statute.

8 CHAIRMAN BARTH: Okay. So procedurally we're --
9 what's our -- what are our steps?

10 MS. DAVIS: Okay. So, the procedures that you
11 -- you don't have any official ones but what you have
12 adopted by practice are that all persons, with the
13 exception of the attorneys, do need to be sworn in.
14 The applicants have 20 minutes to present their
15 request to you, followed by 20 minutes collectively
16 for any opposition that there may be, followed by an
17 additional 5 minutes by the applicant to make any
18 last responses. You can ask any questions of the
19 applicant or the Department and you can either vote
20 today or take the matter under advisement, but you do
21 have to vote or make a decision within 90 days of
22 receiving the petition.

23 So I don't know if the co-op directors and the
24 two districts independently, if they want to share
25 the 20 minutes, if they have elected somebody to

1 speak on behalf of all of them. But I would suggest
2 that it would be easiest to hear them all at once and
3 vote on them at once.

4 CHAIRMAN BARTH: And -- Ms. Boyd.

5 MS. BOYD: So the co-ops have elected the chair
6 of the co-op and co-op directors to present this
7 waiver request.

8 CHAIRMAN BARTH: Okay. So that would be the
9 only person who needs to be sworn; correct?

10 MS. BOYD: Yes, unless you plan to ask all of
11 them questions.

12 CHAIRMAN BARTH: Okay. I think we'll swear
13 anyone individually --

14 MS. BOYD: Right.

15 CHAIRMAN BARTH: -- if there's a need later on.

16 MS. BOYD: There are two other -- Ms. Davis just
17 informed me there are two other people that should be
18 sworn in, representatives from North Little Rock and
19 representatives from Jacksonville North Pulaski,
20 because they are not in a co-op; and so their request
21 is in addition to the co-op request.

22 CHAIRMAN BARTH: Perfect. Great.

23 So those three individuals, if they are all
24 three -- I see -- so we have North Little Rock,
25 Jacksonville North Pulaski, and then the co-op

1 association. If y'all would raise your right hand?
2 Do you swear or affirm that the testimony you're
3 about to give shall be the truth, the whole truth,
4 and nothing but the truth?

5 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

6 CHAIRMAN BARTH: All right. And if you'll first
7 state your name for the record.

8 DR. CUDNEY: Yes, I'm Charles Cudney; I am the
9 director of the Northwest Education Service
10 Cooperative, as well as has already been mentioned
11 I'm the chair of the co-op directors group. And I
12 appreciate your patience; as you can tell, I have a
13 failing voice today and I appreciate you being
14 willing to listen to this presentation. And thank
15 you very much for allowing us to present this as a
16 group.

17 We have, as been mentioned, 14 co-ops here
18 representing large numbers of school districts who
19 are interested in an Act 1240 waiver in order to
20 start school next August, as early as possibly the
21 13th, which is very similar to the date that it was
22 started this year; and in addition to that, have that
23 waiver serve for five years so that that calendar
24 adjustment can be made in the future.

25 I'm not going to go into tremendous detail

1 because that was covered by Mr. Hester, who is the
2 director of the Guy Fenter Co-op, last month, and he
3 did a very good job of going over all the different
4 reasons why schools are interested in an Act 1240
5 waiver. I would, however, like to talk a little bit
6 about Act 1240 and how this request is indeed in line
7 with the purpose and intention of Act 1240. As we
8 all know, it's been very important to this board to
9 give local flexibility to school districts. And from
10 my observation, that has paid off dividends in
11 innovation and improvement in education in our state.
12 This waiver is no different.

13 You might think intentionally -- you know,
14 initially this is just about starting school early.
15 I don't consider it just about starting school early.
16 It's about the creation of an academic calendar,
17 which is a bigger thing. As a 29-year
18 superintendent, we consider the academic calendar as
19 an instrument to drive instruction. So this year, as
20 a case in point, if a school district chose to start
21 August 13th, that's five days earlier. As a school
22 administrator I see that as five days that we can
23 have more engaged instruction before assessment; I
24 see that as five days we can provide additional
25 professional development and teacher training; I see

1 that as five days where we can engage parents in the
2 school and parent-teacher conferences. And important
3 in this process as well is providing flexibility --
4 as is your philosophy, is providing local school
5 districts, teachers and parents the flexibility to
6 make these decisions at the local level; and by doing
7 that they can consider local community needs in
8 creating a calendar. There are a lot of traditions
9 in a community, days that are taken to celebrate the
10 community. Those additional days allow the option to
11 have control, while at the same time you retain the
12 authority to judge if those decisions were effective.
13 Your current plan, the new ESSA consolidated plan
14 that has been approved by you and sent to the U.S.
15 Department of Education, identifies that creating
16 Arkansas as the leader in student-focused education
17 will be our priority. An underpinning of that is
18 creating flexibility for local educators and
19 communities and teachers to make decisions to help be
20 successful, while at the same time you as a state
21 board and the Department will remain -- retain the
22 responsibility under the new ESSA School Index to
23 determine if we need that -- and if not, the
24 Department will provide additional support and help
25 so that those things can be achieved.

1 So, in essence, what we're here today to ask --
2 or ask is: if we're going to ask all schools to meet
3 the same standard, then all schools should have the
4 same flexibility to meet those same standards. Right
5 now that's not the same across the board. But if you
6 approve this waiver then all of the applying school
7 districts will have the same flexibility to create an
8 academic calendar to help provide the best
9 educational opportunities they can for children.

10 I will look forward to any questions.

11 CHAIRMAN BARTH: All right. Thank you, sir.

12 Ms. Boyd.

13 MS. BOYD: I'd just like to let you know that
14 Dr. Shumate from North Little Rock and Dr. Duffie
15 from Jacksonville North Pulaski have elected to let
16 Dr. Cudney represent them as well.

17 CHAIRMAN BARTH: You read my mind. That was my
18 next question.

19 All right. Other questions?

20 Ms. Zook, we'll start with you.

21 MS. ZOOK: Yes. I noticed that, at least when
22 this report was printed, there are some districts who
23 have not, at least at that point, gotten
24 documentation of board support. So if I am the one
25 who moves, I would say pending board support for all

1 of the districts. As we know, the more our board is
2 involved the more they do. And I know the
3 superintendents don't want to act without their
4 board, and it probably was just a timing thing. So
5 that's the way it's been in the past. But I would
6 like to see that. Particularly in Wilbur Mills there
7 are several in that co-op that had not; the others
8 was just one or two here and there. But if you could
9 speak to that -- or is that not a question?

10 DR. CUDNEY: Yeah, I was --

11 MS. BOYD: Dr. Barth, I'm sorry; if we could
12 pause just for a second and see if there's anyone in
13 opposition. I just want to check.

14 CHAIRMAN BARTH: Okay. Great.

15 MS. BOYD: I don't think anybody signed up, but
16 we would want to check before we go farther.

17 CHAIRMAN BARTH: Is there any opposition?

18 (BRIEF MOMENT OF SILENCE)

19 CHAIRMAN BARTH: There was nobody signed up.
20 All right.

21 MS. BOYD: There was no sign-up sheet.

22 CHAIRMAN BARTH: Okay. Then --

23 DR. CUDNEY: Yes, Ms. Zook. I think it has been
24 a timing issue and certainly the boards of education
25 would have to approve the calendar prior to that

1 calendar being implemented. So I don't think there
2 would be any case in which the board would not have
3 to make a decision or a resolution or action in order
4 to approve the start-date for next year.

5 CHAIRMAN BARTH: And just for clarification, the
6 granting of the waiver does not require the use of
7 the waiver; correct?

8 MS. BOYD: Now you're reading my mind. I was
9 going to say just that. If you do approve the waiver
10 and the school board decides not to do that and not
11 to approve the calendar as such, then that's
12 perfectly fine as well.

13 CHAIRMAN BARTH: All right.

14 MS. ZOOK: Then I move that we --

15 CHAIRMAN BARTH: Let me see if anyone else has
16 any questions before we move there.

17 (BRIEF MOMENT OF SILENCE)

18 CHAIRMAN BARTH: All right. Anyone on the phone
19 have any questions or comments?

20 (BRIEF MOMENT OF SILENCE)

21 CHAIRMAN BARTH: Okay. Ms. Zook, feel free.

22 MS. ZOOK: Then I move that we grant the waivers
23 to the districts who have applied for the coming
24 school year -- for the next five school years. Is
25 that correct?

1 MS. BOYD: Yes.

2 MS. ZOOK: All right. For five school years.

3 MR. WILLIAMSON: Second.

4 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
5 second by Mr. Williamson.

6 I'll just say I remain queasy about the waiver,
7 doing things in this way. I just don't think it's
8 the best way to do public policy. I think it does
9 intrude into separation of powers, and the
10 legislature has spoken. I know the legislature gave
11 this board a lot of waiver authority in this regard,
12 but I do think that as a state it's best if the
13 processes that are put in place work themselves out
14 in a traditional way. So obviously I don't have a
15 vote and y'all are going to support it -- and I don't
16 even know that I would vote against it, but I do just
17 have tremendous wariness about how we're doing public
18 policy. And I thought the parent that wrote us that
19 said that she had already made her plans for summer
20 vacation based on the law, I thought that was
21 credible; that's why we do laws in a way that it
22 gives people fair notice of exactly what the policies
23 of the state are going to be for a period of time.
24 So I do have some real concern about this in general,
25 but I think y'all have heard me grouch about this for

1 two years now.

2 MS. ZOOK: Yeah. And also I know Ms. Davis was
3 in touch with that parent and the parent was not
4 aware of all the things that might come into play.
5 And I guess my pushback a little bit is because 1240
6 waiver opportunities were passed by the legislature,
7 so I think we're not jumping in front of the
8 legislature or the Governor.

9 CHAIRMAN BARTH: No, no, and I was not saying
10 that at all. But I do think that, you know, there
11 are times the legislature has thoughtfully considered
12 something, whether I like it or not. There are a lot
13 of things the legislature does that I don't like, but
14 when they've done it in that way I think that it
15 should be given a lot of respect.

16 DR. HILL: I'm sorry, and I would just like to
17 bring up -- I think the flexibility goes back to the
18 institution and that they would allow that specific
19 one family or two families came up and had made their
20 plans that the leadership of the school would
21 understand that and be flexible with that family and
22 then let you know the next year that this is what
23 will be taking place because this happened for the
24 best interest of everybody. But we will work with
25 this one family as we move forward. So I think that

1 flexibility falls on the shoulders of the leadership
2 of that specific institution.

3 CHAIRMAN BARTH: All right. We have a motion
4 and a second.

5 All those in favor, including those on the
6 phone, say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Any opposed?

9 All right. Congratulations to everyone and
10 thank y'all for being here. And you can come back
11 any time; we would love to see you.

12 MS. ZOOK: I think before they leave I would
13 like to say this: the superintendent is such a key
14 role in our state. You have to work with your board
15 and your community and then you get in between the
16 legislature and the State Board in that way. So I
17 just want you to know that I for one, having been a
18 teacher and an administrator, certainly appreciate
19 you and those of you who work in the co-ops for all
20 the hard work that you do every day.

21 CHAIRMAN BARTH: Ms. Boyd.

22 MS. BOYD: Dr. Barth, I know you guys are ready
23 for lunch; if I could just take one point of
24 privilege, I would just like to thank my team for all
25 of their hard work in getting this done. This was a

1 tremendous undertaking to get it done within the due
2 dates and the time period, and I just really
3 appreciate everything that they've done to support
4 the Charter Office in this process. So, thank you.

5 CHAIRMAN BARTH: Great. Thank you for saying
6 that.

7 All right. We will pick up right after lunch
8 with Item 7 from the morning. And let's return at
9 1:10. 1:10, is that enough? All right, 1:10.

10 (LUNCH BREAK: 12:35 - 1:15 P.M.)

11 A-7: EMBEDDED COURSE APPROVAL: FORT SMITH PUBLIC SCHOOL
12 DISTRICT

13 CHAIRMAN BARTH: All right. I want to call us
14 back to order. We still have Ms. Dean and Ms.
15 Chambers on the phone. We have one item left from
16 this morning. This is an Embedded Course Approval.
17 I'll turn it over to Ms. Smith and Mr. Coy -- or Mr.
18 Coy.

19 MR. COY: Good afternoon, Dr. Barth,
20 Commissioner Key, and Members of the Board. Before
21 we again, as we've done in the past, if you remember
22 Act 421 of 2013 allows schools to submit a course
23 approval to embed the content from two different
24 areas into a single course. I apologize a little
25 bit; I did not -- I usually send you an attachment.

1 With this one there was no attachment this year, this
2 time, because it was just a single course. And also
3 a little confusion around this: there was legislation
4 previously that allowed the ROTC course to count as
5 PE or health. However, Fort Smith didn't want that
6 to be a single unit of credit; they wanted to embed
7 the physical education course into the ROTC course,
8 teach both sets of standards in their entirety, and
9 receive one-and-a-half units for the students instead
10 of just a single unit as was allowed under the
11 previous rule, which was actually I think way before
12 my time, when they eliminated health and PE and ROTC.

13 So we're asking today for approval on behalf of
14 the Fort Smith School District to embed the physical
15 education standards into the ROTC class and earn one-
16 and-a-half credits -- one credit of career focus and
17 a half-unit of physical education -- as is required
18 for graduation.

19 CHAIRMAN BARTH: Are there any questions about
20 this?

21 Okay. All right. I'll entertain a motion to
22 approve this embedded course.

23 MR. BLACK: I move that we approve these
24 embedded courses.

25 CHAIRMAN BARTH: Thanks. Motion by Mr. Black,

1 second by --

2 MR. WILLIAMSON: Second.

3 CHAIRMAN BARTH: -- Mr. Williamson.

4 All those in favor say "aye."

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIRMAN BARTH: Opposed, same sign.

7 All right. Great. Thank you.

8 B-1: CONSIDERATION OF ARKANSAS BETTER CHANCE ONE-TIME COST OF
9 LIVING INCREASE

10 CHAIRMAN BARTH: Okay. We now move to our
11 afternoon action agenda, but I think Ms. McKinney --
12 okay, we're waiting on Ms. McKinney. All right. So
13 whenever Ms. McKinney -- okay, thanks. Great.

14 Hi, Ms. McKinney. How are you?

15 MS. MCKINNEY: I'm doing well. Thank you.

16 CHAIRMAN BARTH: Great. You are up.

17 MS. MCKINNEY: Okay.

18 CHAIRMAN BARTH: So the first item for Ms.
19 McKinney is Consideration of Arkansas Better Chance
20 One-Time Cost of Living Increase.

21 MS. MCKINNEY: This is 1.5 million that was
22 earmarked I guess over a year ago -- or about a year
23 ago for COLA and this is the second part of that
24 biennium funding and so they released it. And so
25 this -- what I have presented before you is the one-

1 time COLA, and what it ends up being is about \$63.05
2 per child. And we treated all the ABC programs the
3 same, regardless of whether or not they were center-
4 based or home visiting.

5 CHAIRMAN BARTH: All right. Any questions?

6 Ms. Zook.

7 MS. ZOOK: I guess I wonder for those pre-Ks
8 that are being run by the school districts and the
9 funding is different, so it is allowable for a school
10 district to do a COLA, or Cost of Living raise, for
11 their pre-K teacher even if the board does not --
12 because --

13 MS. McKINNEY: (Nodding head up and down)

14 MS. ZOOK: And how does it work with an elected
15 school board in a local district when there's pre-K
16 that's not really run by the local -- is that right?

17 MS. McKINNEY: (Nodding head up and down)

18 MS. ZOOK: Okay. So it's -- all right. Okay.
19 Thanks.

20 MS. McKINNEY: I will make a stab at it. Even
21 though it's -- you know, it falls under the Cost of
22 Living increase it can be used to assist with the
23 program and providing materials, supplies and things
24 of that nature. And we ran into this the last time
25 we had the one-time funding for COLA because, as you

1 already know and have already indicated, there are
2 districts who state -- whose local board is not going
3 to approve a Cost of Living increase for some of
4 their employees if they can't do it for all their
5 employees. So therefore this can be used to enhance
6 the ABC services in their classrooms.

7 MS. ZOOK: So the local board does govern the
8 pre-K if it's connected to a school district?

9 MS. MCKINNEY: Yes, ma'am, they do.

10 MS. ZOOK: Okay. Thank you.

11 CHAIRMAN BARTH: And, Ms. McKinney, COLAs are
12 equal across the state, no matter local cost of
13 living; correct?

14 MS. MCKINNEY: That's correct.

15 CHAIRMAN BARTH: Okay. Commissioner?

16 COMMISSIONER KEY: Ms. McKinney, it's framed as
17 a one-time cost of living but these funds were in
18 RSA. So I mean it's part of that three million
19 dollars increase that Governor put into the line
20 item. So, it should go into the base?

21 MS. MCKINNEY: That was not my --

22 COMMISSIONER KEY: Or was that a different --

23 MS. MCKINNEY: -- understanding.

24 MS. ZOOK: No.

25 MS. MCKINNEY: But we can maybe get

1 clarification on that. But what -- I think the re --
2 I think the information we had received, I understood
3 it as being only one-time funding.

4 MS. ZOOK: It was my understanding that the
5 three million was to study and to inform what it
6 takes to make a quality pre-K, not on the COLA. But
7 now I could be mistaken.

8 COMMISSIONER KEY: Okay. We just -- we'll --

9 MS. ZOOK: Maybe Sarah knows.

10 COMMISSIONER KEY: We'll get Greg to follow-up.

11 MS. McKINNEY: I apologize for the confusion.

12 COMMISSIONER KEY: That's okay. No, no, it's
13 not -- it's -- we just --

14 MS. McKINNEY: This relates back to when --

15 COMMISSIONER KEY: This may be a different pot
16 of money.

17 MS. McKINNEY: Yes.

18 COMMISSIONER KEY: Okay. All right. That
19 helps. Thank you.

20 MS. McKINNEY: It's my understanding because of
21 the revenue shortfall that we've had that that three
22 million has not been released or has not been
23 allocated or provided to the Department at this
24 point. But I may be wrong on that also.

25 MS. ZOOK: It may have been a B or C.

1 CHAIRMAN BARTH: Okay. All right. Everybody
2 clear on this one?

3 Okay. This is a one-time COLA.

4 I would entertain a motion to approve this
5 expenditure -- this allocation of funds.

6 MR. BLACK: I move we approve this allocation of
7 funds.

8 CHAIRMAN BARTH: All right. Motion by Mr.
9 Black.

10 MS. NEWTON: Second.

11 CHAIRMAN BARTH: Second by Ms. Newton.

12 All those in favor say "aye."

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIRMAN BARTH: Opposed, same sign.

15 Okay. All right.

16 B-2: CONSIDERATION OF ARKANSAS BETTER CHANCE 2017-2018

17 REALLOCATION GRANT AWARD

18 CHAIRMAN BARTH: Next up, Ms. McKinney, this is
19 the 2017-2018 Reallocation Grant Award for ABC.

20 MS. MCKINNEY: Yes. Thank you. Programs in the
21 ABC network has -- for whatever reason has
22 relinquished slots. What we have tried to do is
23 reallocate those slots back out. And we've had both
24 a reduction in the numbers -- or a relinquishing of
25 some numbers from the Dollarway School District, as

1 well as Augusta. And so the next program in line to
2 receive funding is Melbourne School District. So I
3 am requesting for an increase for Melbourne to have
4 up to 20 children, for \$97,200 added to their current
5 grant allotment.

6 CHAIRMAN BARTH: It's not \$9,000? So is that --
7 or is it ninety --

8 MS. McKINNEY: Yes. Yes, my apologies.

9 CHAIRMAN BARTH: Yeah, \$9,720.

10 MS. McKINNEY: I'm sure they'd like the \$97,000.

11 CHAIRMAN BARTH: Per month, yeah. Yeah. So I
12 have a question on the Dollarway -- obviously, a
13 district in -- that was historically in academic
14 distress, in state takeover. Was that a school-based
15 -- were those school-based slots?

16 MS. McKINNEY: Those were school-based slots.
17 There were a couple of issues that have been shared
18 with us by the superintendent there. One, they have
19 assessed all their buildings and some of the
20 buildings, rather than putting an investment in
21 updating or refurbishing them they've had to
22 consolidate them together. And so they really had
23 more kindergarten children than expected and so
24 therefore, the preschool classrooms are the ones that
25 sometimes disappear.

1 CHAIRMAN BARTH: That's obviously troubling,
2 especially in a district like that. And so, but it's
3 not a lack of interest; it is purely about physical
4 plans, it sounds like.

5 MS. MCKINNEY: That's my understanding.

6 CHAIRMAN BARTH: Commissioner.

7 COMMISSIONER KEY: Just to add to that, because
8 it -- while this decision was also being made the
9 local -- well, there are a number of seats that are
10 Head Start seats that have moved from outside the
11 buildings of the district and now are leasing space
12 in district property. So while they're not ABC
13 slots, there are a considerable number of Head Start
14 slots in the -- serving the district, serving there
15 at the -- on the school property.

16 MS. ZOOK: The three-year olds.

17 COMMISSIONER KEY: So I'm not sure of the age,
18 if they were Head Start threes and fours, but I think
19 there's a mix. I know Dr. Hernandez has been in
20 close contact with Ms. Warren about that and may be
21 able to fill in some of the gaps.

22 MS. MCKINNEY: They also struggled with being
23 able to fulfill their enrollment last year. And I
24 don't know if it's because of the difficulty of
25 transportation or available proximity of the parents

1 to the schools or what. But there were some
2 difficulties in them fulfilling their allotted or
3 funded slots.

4 DR. HERNANDEZ: Mike Hernandez, State
5 Superintendent, Office of Coordinated Support and
6 Service. There has been -- as you can probably tell,
7 there's been lots of seats that have gone out of
8 Jefferson County. I've been visiting with the Watson
9 Chapel, the Pine Bluff and the Dollarway
10 superintendents about that. I know in Dollarway's
11 specific case there were -- a lot of the seats there
12 were unutilized; so when the kindergarten classes
13 were bigger the Head Start was kind of fulfilling
14 those seats by coming back onto campus. But one of
15 their major issues in all three cases relate to
16 transportation. The county has a lot of HIPPY slots
17 and so, you know, we're having conversations in
18 Jefferson County about how can we increase the amount
19 of capacity there with seats. We've been talking to
20 Ms. Williams over at DHS some to get some of that
21 data. But have a larger discussion about how they
22 can partner together, much like possibly in the
23 fashion that Garland County did, to have a structured
24 pre-K where we share -- where they share buildings
25 and try to have an answer to the question about

1 transportation. That one is kind of a tricky one.
2 There are waivers that are available to allow younger
3 kids to transport, but that comes with its own set;
4 so getting all those parties onboard to support that
5 effort -- I know they've also formulated a group
6 called Go Forward Pine Bluff for Education Excellence
7 Council and that's one of their agenda items, is to
8 look at pre-K and kind of push the conversations
9 forward and making it a community decision and
10 project, as opposed to, you know, separate entities
11 trying to work and solve their own issue.

12 CHAIRMAN BARTH: Okay. Ms. Zook.

13 MS. ZOOK: So if a district runs the pre-K the
14 children can't ride the district's buses?

15 MS. MCKINNEY: There, you know, we really have
16 to look at the safety and what age child we're
17 talking about and the size of the student and whether
18 or not they're -- I mean I realize that there are
19 some districts who transport children, but some
20 districts make the choice not to, partially because
21 of the liability risk, the caretaking of the
22 transport from bus stop to the school district. I
23 mean its numerous issues that have to be explored in
24 communities; it's up to the individual community to
25 decide that information. But they also have to

1 adhere to the safety standards of the Department of
2 Human Services because of trans -- because of the age
3 of the child, as well as, I'm sure, the Department of
4 Education.

5 COMMISSIONER KEY: Well, Ms. Zook, I think ABC
6 programs have to abide by the minimum standards for
7 childcare centers and part of that -- on
8 transportation I think it's six years or 60 pounds
9 have to be -- anything below that, any child below
10 that has to be in a car seat or in a booster seat.
11 Well, but kindergarten kids aren't in pre-K, so they
12 don't have the minimum standards for child care
13 centers; they move to a different standard for school
14 buses. So it's because of that requirement that
15 limits some of the transportation options that
16 districts can afford. It's hard to do a booster seat
17 on a bus; if they're transporting in 15-passenger
18 vans or something like that then it's a lot easier,
19 but not very many districts have that option.

20 MS. ZOOK: No, but I think --

21 MS. MCKINNEY: And there are harnesses that are
22 available --

23 MS. ZOOK: Right.

24 MS. MCKINNEY: -- but it is a cost factor to
25 outfit a bus for that purpose.

1 MS. ZOOK: Right. But I think it is important,
2 even though pre-K is under DHS -- and I know there's
3 a push by many legislators on the pre-K end that we
4 as a state board of K-12 education understand each of
5 these little hurdles that the districts have to deal
6 with in order to provide the service that many people
7 think is important for a four-year old. So that --
8 I'm not challenging the answer, but I do -- it is
9 helpful to me to know the answer.

10 CHAIRMAN BARTH: Ms. Newton.

11 MS. NEWTON: I just had a quick question on --
12 you said that Melbourne was the next one in line. Do
13 you have multiple districts in line?

14 MS. MCKINNEY: During the renewal grant
15 application we requested them to identify if they had
16 a need, a waitlist, data to support the emphasis on
17 free-and-reduced-lunch, or that they had tremendous
18 requests. And in the case -- so if you will recall
19 back to when I presented before -- and I'm sorry I
20 did not bring the comprehensive list, but as programs
21 have relinquished their numbers we have presented
22 back to you to add numbers to like the OUR Co-op to
23 help with the Green Forest area. So we've been going
24 down the list trying to -- if they're in good-
25 standing, they have shown full enrollment from one

1 year to the next, and they have met all the necessary
2 requirements of ABC, child care licensing, then
3 that's sort of the order that we come to. Melbourne
4 had presented to us that although we only give them
5 funding for 20 slots currently that they were on
6 their own working to serve -- they're serving about
7 30 infants and toddlers, and then they're also
8 serving a total of 62 preschool children of which
9 they're not receiving funding but for 20. And they
10 do have children who are part of that 62 that would
11 qualify for ABC under the criteria.

12 MS. NEWTON: Do you know about how many in the
13 state as far as slots we have the funds to fill --
14 how many slots we would need to meet the need?

15 MS. McKINNEY: I do not.

16 MS. NEWTON: Okay.

17 MS. McKINNEY: I would not want to make a guess
18 without coming back to you with that information.
19 And I'll be more than happy to provide that
20 information to Commissioner Key so that he can share
21 that with you.

22 MS. NEWTON: Do you know if we have a real-time
23 demand for more slots or is it --

24 MS. McKINNEY: It's cumulative. We have a
25 demand for slots, but then we also have a demand for

1 the increase in the cost per child because that
2 forty-eight-sixty per child is for the entire year
3 it's not a lot of money. So it's really cumulative.
4 So it's not only a need for an increase in cost, but
5 there's also a need for also accommodating the number
6 of children that could benefit from the program.

7 MS. NEWTON: Thank you.

8 CHAIRMAN BARTH: Any other questions?

9 MS. ZOOK: No. One superintendent in my area
10 has pre-K and three-year olds and two-year olds. And
11 his experience has said that it's costly beyond the
12 forty-eight-sixty for the first two years, but once
13 you got the program started and you have the rooms
14 furnished and you have a lot of the materials
15 purchased that it more or less supports itself from
16 that point forward. So, you know, that was another
17 piece of information that was helpful for me to know
18 from someone who had actually been there and done
19 that.

20 CHAIRMAN BARTH: A suggestion might be that
21 there might be some value in --

22 MS. ZOOK: If they could figure out the first
23 three years.

24 CHAIRMAN BARTH: -- additional funding for --

25 MS. ZOOK: Yeah.

1 CHAIRMAN BARTH: -- the first --

2 MS. ZOOK: Yeah. Or even if the school district
3 could, if they value it.

4 CHAIRMAN BARTH: Right.

5 MS. ZOOK: I don't know if it's appropriate or
6 not, but -- because that's -- Melbourne is in my
7 district and I'm from Melbourne. But if it's not
8 inappropriate as far as the other board members are
9 concerned, I move that we approve these 20 slots for
10 the Melbourne School District.

11 CHAIRMAN BARTH: Okay. Is there a second?

12 MR. WILLIAMSON: Second.

13 CHAIRMAN BARTH: All right. Motion by Ms. Zook,
14 second by Mr. Williamson.

15 All those in favor say "aye."

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIRMAN BARTH: Opposed, same sign.

18 All right. Happy Holidays, Ms. McKinney.

19 MS. MCKINNEY: Happy Holidays to you.

20 CHAIRMAN BARTH: Good to see you. Great.

21 MS. MCKINNEY: Thank you very much.

22 B-3: APPROVAL OF STANDARDS: PERSONAL FINANCE

23 CHAIRMAN BARTH: Okay. Back to Ms. Smith and
24 Mr. Coy to talk about some new standards for personal
25 finance.

1 MS. SMITH: All right. Good afternoon. Stacy
2 Smith. We submitted to you personal finance
3 standards that were to fulfill the requirements set
4 forth in Act 480. This was a collaborative process
5 between our friends at Arkansas Career Education and
6 the Arkansas Department of Ed. In fact, we've got a
7 little fan section back here in the back corner here
8 of Arkansas Career Ed. and some of our math
9 specialists and associated specialists who actually
10 worked on putting these standards together with
11 teachers throughout the state. So we're submitting
12 to you today for approval the personal finance
13 standards.

14 CHAIRMAN BARTH: Any comments or questions?

15 Ms. Newton.

16 MS. NEWTON: Just a couple of questions. First
17 of all, are you intending this as a standalone course
18 or are you embedding it? How are you intending this
19 to be for the high schools?

20 MS. SMITH: Okay. So districts will have a
21 variety of ways to implement this within their
22 districts. Our plan is to release a Commissioner's
23 Memo tomorrow that actually outlines five different
24 courses that these standards have been embedded into.
25 That includes the financial literacy course that's

1 currently an Arkansas Career Education course; it
2 includes the economics course that a lot of districts
3 are -- their students are required to have for
4 graduation; we have a quantitative literacy math
5 course -- that's a fourth math course that they've
6 also been embedded in; we have some other options as
7 far as some of our AP courses that also -- that these
8 standards have met the requirements with as well.
9 Districts can also submit to have their own embedded
10 course in which they take these personal finance
11 standards and embed them into.

12 MS. NEWTON: And --

13 MS. SMITH: But -- go ahead.

14 MS. NEWTON: -- standalone courses --

15 MS. SMITH: Absolutely. Uh-huh. The financial
16 literacy course that comes out of Arkansas Career Ed.
17 that is a half-credit course aligns with these
18 standards, and that would be the standalone course
19 for half a credit.

20 MS. NEWTON: I just want to compliment your
21 team. I would've loved to have taught this at some
22 time or another, because these are excellent and I
23 think it's going to be great for our students in the
24 state. So thank you for doing this.

25 MS. SMITH: You're welcome. And I'll tell you,

1 we have not heard -- it's going to be a challenge for
2 schools to figure out, okay, where do we place this
3 for our students who are graduating in 2021. But
4 I've not heard a single person say "our students
5 don't need personal finance."

6 MR. WILLIAMSON: It impacts everybody, like it
7 or not.

8 MS. NEWTON: Yeah. Great job.

9 MS. SMITH: Thank you.

10 CHAIRMAN BARTH: Great.

11 MS. ZOOK: I had some business people and
12 parents and then, of course, responding to the
13 student voice that we had heard, and they all loved
14 these. But I did have one suggestion, and the ones
15 who worked on that team may want to do that.
16 Apparently the Federal Reserve, of all people, have
17 several courses not only in personal finance but
18 other things and have some standards there; so seeing
19 how we're doing compared to them -- or we might could
20 share with them what we've done. But I'm like you; I
21 haven't heard anybody say that this is a waste of
22 time.

23 MS. SMITH: And the team, who again is that
24 group back there, who worked with teachers, they have
25 pulled together resources from various sites, like

1 the Federal Reserve, and those are going onto the
2 website page that will be launched tomorrow on the
3 curriculum instruction page.

4 MS. ZOOK: Great.

5 CHAIRMAN BARTH: All right. I'll entertain a
6 motion to approve.

7 MS. NEWTON: I move to approve.

8 MR. BLACK: Second.

9 CHAIRMAN BARTH: All right. Motion by Ms.
10 Newton, second by Mr. Black.

11 All those in favor say "aye."

12 (UNANIMOUS CHORUS OF AYES)

13 CHAIRMAN BARTH: Opposed, same sign.

14 All right. Thank y'all for your hard work. We
15 appreciate it.

16 B-4: CONSIDERATION FOR PUBLIC COMMENT: PROPOSED RULES
17 GOVERNING HOME SCHOOLS

18 CHAIRMAN BARTH: Next up, we are to public
19 comment for a couple of rules. And the first one --
20 first set are the home school revisions.

21 MS. SALAS-FORD: Good afternoon. Courtney
22 Salas-Ford for the Department. For your
23 consideration we have proposed amendments to the
24 rules governing home schools. These amendments were
25 required by four acts passed during this legislative

1 session, and I'm available for any questions that you
2 might have.

3 CHAIRMAN BARTH: The request from the Department
4 is to release these for public comment. And, of
5 course, if they are released entertain -- they always
6 entertain comments from us as part of the public
7 comment period.

8 MS. NEWTON: I hate to keep asking, but I have a
9 question on just clarity for my part, just to make
10 sure I understood.

11 CHAIRMAN BARTH: Sure.

12 MS. NEWTON: On 8.04, everything that follows
13 after 8.04 in the point 1 -- point 1 and all the way
14 into point 3, those things that follow would have to
15 be -- the mutual agreement would have to happen
16 first, right, if I read that right?

17 MS. SALAS-FORD: Correct. Yes.

18 MS. NEWTON: Okay. All right.

19 CHAIRMAN BARTH: Can you -- I got lost for a
20 second. So 8 -- could you just repeat that?

21 MS. NEWTON: Okay. Under 8.04 it says that a
22 home school student can participate in
23 interscholastic activities if there's a mutual
24 agreement between the resident and nonresident.
25 Then it lists some other things that can happen

1 underneath it, but the mutual agreement has to happen
2 first. And so if there's not a mutual agreement then
3 the other things can't happen?

4 MS. SALAS-FORD: Right. Point 1 and point 2
5 verify, you know, different timing for -- depending
6 on the grade of the student and the type of activity.
7 But, yes, mutual agreement is required for each of
8 those.

9 MS. NEWTON: Okay.

10 CHAIRMAN BARTH: Any other questions or
11 comments?

12 All right. I would entertain a motion for
13 release for public comment.

14 MS. NEWTON: I move to release for public
15 comment.

16 MR. WILLIAMSON: Second.

17 CHAIRMAN BARTH: All right. Motion by Ms.
18 Newton, second by Mr. Williamson.

19 All those in favor say "aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIRMAN BARTH: Opposed, same sign.

22 Okay.

23 B-5: CONSIDERATION FOR PUBLIC COMMENT RELEASE: PROPOSED RULES
24 GOVERNING ELIGIBILITY AND FINANCIAL INCENTIVES FOR NATIONAL
25 BOARD PROFESSIONAL TEACHING STANDARDS CANDIDACY AND

1 CERTIFICATION

2 CHAIRMAN BARTH: And then our -- is Ms. Reinhart
3 -- oh, Ms. Freno is going to handle it. This is a
4 release for public comment on National Board
5 Professional Teaching Standards.

6 MS. FRENO: Yes, Dr. Barth. As you said, this
7 is a second set of rules we're asking the Board to
8 release for public comment, the rules governing the
9 eligibility of financial incentives for National
10 Board Professional Teaching Standards Candidacy and
11 Certification. If anyone has any questions, we do
12 have staff here from Licensure who can answer those
13 for you.

14 CHAIRMAN BARTH: Okay. Ms. Zook.

15 MS. ZOOK: Yes. I'm a data person, not a
16 narrative person. Do we have any quantifiable
17 evidence that a board certified teacher who teaches
18 kindergarten through 4th grade, that their students
19 are achieving at a higher level on the ACT Aspire and
20 the Iowa test and the test for the little ones than
21 students in the classes of those who aren't National
22 Board certified?

23 MS. FRENO: I do not know that, Ms. Zook. But I
24 can see out of the back of eye Dr. Owoh is on his way
25 up.

1 MS. ZOOK: And I guess to springboard off that,
2 not only in K4 but then do the students who are in
3 the classes that are tested on the ACT, do we have
4 any quantifiable evidence that those students score
5 higher than those who are not in the classes of a
6 National Board certified teacher?

7 DR. OWOH: Yes, ma'am. Good afternoon. Jeremy
8 Owoh, Department of Education. As my staff stated,
9 we do not have Arkansas data but we do have national
10 data that has contained those results on how a
11 National Board certified teacher impacts the
12 classroom and the instruction. And so we can --
13 would you -- we can provide that information.

14 MS. ZOOK: Well, I think if we're going to
15 continue to reward these teachers, you know, year
16 after year with the taxpayer money that we need to be
17 sure that there is reason to do that, because we're
18 getting better results from those students.

19 DR. OWOH: Yes, ma'am. Duly noted.

20 CHAIRMAN BARTH: Who were the stakeholders on
21 this, involved in the development of these rules?

22 DR. OWOH: Well, we did have an advisor group.
23 I'm going to ask Mr. -- Mrs. Culpepper to come. But
24 we had an advisor group made up of educators,
25 National Board certified teachers, to provide input

1 on the rules, so --

2 CHAIRMAN BARTH: Thank you.

3 MS. CULPEPPER: Barbara Culpepper; I work with
4 the National Board program at the Department. And we
5 had an advisory committee that came that did consist
6 of Dr. Clara Carroll from Higher Ed., who works on
7 the national level with National Board, and then
8 National Board certified teachers who consisted of
9 principals, teachers and other administrators who had
10 moved into different positions.

11 MS. ZOOK: Thank you.

12 CHAIRMAN BARTH: Ms. Newton.

13 MS. NEWTON: I just wanted to applaud the
14 efforts of trying to get high quality teachers into
15 those areas that we need the most; you know, to
16 reward those teachers for going into areas that may
17 not always be the easiest places to teach. You know,
18 and I think this is a step in the right direction. I
19 know we can probably do more. But just to get those
20 teachers in high poverty schools, high poverty
21 districts and reward them for staying there I hope --
22 hopefully we'll see some good data and good results
23 from those efforts.

24 CHAIRMAN BARTH: Great. Any additional
25 questions?

1 Okay. Then I would entertain a motion to
2 release for public comment these rules.

3 MR. WILLIAMSON: I move to release the rules for
4 public comment.

5 CHAIRMAN BARTH: All right.

6 MR. BLACK: I second that.

7 CHAIRMAN BARTH: Motion by Mr. Williamson,
8 second by Mr. Black.

9 All those in favor say "aye."

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIRMAN BARTH: Opposed, same --

12 Okay. Opposed, same sign.

13 All right. Thank y'all and I would encourage,
14 of course, comments from board members.

15 B-6: CONSIDERATION OF TRANSITIONAL SUPPORT PLANS

16 CHAIRMAN BARTH: All right. Last up is
17 Consideration of Transitional Support Plans, and I
18 will turn it over to Ms. Frazier and Dr. Hernandez.

19 MS. FRAZIER: Good afternoon.

20 CHAIRMAN BARTH: Good afternoon, and thank you.

21 MS. FRAZIER: I'm Tiah Frazier with the
22 Department of Education; I'm the Public School
23 Program Coordinator.

24 DR. HERNANDEZ: Mike Hernandez, Office of
25 Coordinated Support and Service.

1 MS. FRAZIER: You have before you consideration
2 of 28 district transitional plans of support. And we
3 want to give you a little bit of background
4 information on what Act 930, or the Arkansas
5 Educational Support and Accountability Act, says are
6 requirements for those transitional plans of support.

7 So the original intent of these is to describe
8 the relationship between the ESEA and the LEA during
9 the transition period. So it's a way for us to
10 determine how we will continue to support LEA's prior
11 to implementation of an approved federal
12 accountability plan, because there was going to be a
13 period of time where we had an ESEA waiver expire and
14 prior to implementation of our ESSA plan.

15 So I'll just talk through this, even though it's
16 kind of not moving on the screen -- but that's okay;
17 I think she's trying.

18 So we're required to develop these transition
19 plans in collaboration with public school districts
20 so that we can develop a support plan for public
21 school districts that have been identified previously
22 as academic distress and districts receiving
23 intensive support, priority, or focus status. So any
24 district that was previously identified for focus,
25 priority, or academic distress, which are now Level 5

1 intensive support, must have a transitional plan of
2 support. And there are only two things that needed
3 to be included in those plans, according to Act 930,
4 and that is the support that the public school
5 district will provide to the public schools and the
6 support that the Department will provide to the
7 district. But we included additional items --

8 Thank you. There it goes. Thanks.

9 We did include some additional items in those
10 plans. And so what we did is we included the school
11 level goals that were -- those goals were created
12 using data from prior state and federal reports, as
13 well as previous school improvement plans, interim
14 and summative student assessment results, and any
15 other local data that they deemed necessary at the
16 school level. Those school level goal-setting
17 processes were not necessarily directed by the School
18 Improvement Unit; those were directed by the district
19 liaisons and district leaders and should've been
20 approved by district leaders prior to the district
21 creating the district plan of support. And we showed
22 you an example of that last month where North Little
23 Rock had gone through their goal-setting process and
24 then created their district plan of support in
25 accordance with their 10.03 application. Every

1 district has gone through that same process if they
2 are applying for 10.03 funds. So even those that
3 have not applied for 10.03 funding they just didn't
4 do the funding component; they did all of the other
5 parts in order to arrive at this transitional support
6 plan.

7 So the other thing that we listed in there is
8 that we thought it would be important for us to find
9 out what requests districts might have of the
10 Department in this process, because we sometimes
11 think that we know what those gaps are. But we
12 thought we're already there and in those
13 conversations it would be a great way to ask "what
14 are you having difficulty in," maybe "what is your --
15 what do you not see available at your local co-op,"
16 or "what are possible needs that are in the field
17 that we are not addressing."

18 And so this is that continuous cycle of inquiry
19 or continuous improvement cycle that has been a
20 school improvement process for a long time. And
21 we've shared with you multiple times since August
22 that that's -- this has been part of this mind-shift
23 that we've been dealing with in school improvement,
24 because for a long time we've taught this process to
25 school level teams. There's great turnover in many

1 of the schools that we serve and many of the leaders
2 that are in charge of those teams. And so now we're
3 looking at it from a different approach, because
4 we're kind of looking at it from a systems approach
5 where we've been used to dealing with instructional
6 coaches at the building level and now we're looking
7 at coaching district leaders. District leaders
8 oftentimes are looking at that as a systems approach,
9 so we're trying to see how systems overlap and get
10 that information all the way down to the building
11 level and back up to open up that line of
12 communication.

13 This has been a difficult process, and we know
14 that, and we appreciate everyone being really patient
15 with us during this time. And part of that is that
16 because we didn't identify -- under ESSA we didn't
17 have an approved plan and we didn't identify under
18 ESSA -- we ended up having a lot more time on these
19 transition plans than we originally thought when we
20 wrote the Arkansas Educational Support and
21 Accountability Act back last winter.

22 So just -- we just wanted you guys to know what
23 we're going to do from here and how we're going to
24 continue to move forward.

25 So we have already started categorizing the

1 supports that are being requested by the LEA and
2 we're identifying some gaps in our supports. And so
3 one of our next steps is that we're going to be
4 coordinating our site visits, especially when it
5 involves multiple units throughout the agency. We
6 will be communicating requests across the agency and
7 then things that maybe we don't have in place we'll
8 be communicating with cooperatives and ERZs across
9 the state as they write their plans for next year.
10 So the Division of Public School Accountability will
11 need to partner very closely with the Division of
12 Learning Services as we move forward into the next
13 year; this also helps us to create our workflow and
14 build district capacity.

15 And so some of our next steps are: we need to
16 finalize the second group of transitional support
17 plans. Today, you have 28; we have about 29 more
18 district plans that will come to you in January, and
19 then that should cover all of the ones that were
20 required to have a transitional support plan. And
21 then we will be communicating with other units, as
22 well as those cooperatives, in order to determine
23 those supports that are available out there or
24 possibly create supports that need to be happening
25 throughout the state. And then we'll need to create

1 an ADE plan to move forward.

2 So when you look at those district plans of
3 support there are two -- or those transitional plans
4 of support there are two that are different, and
5 that's Little Rock and Dollarway. And so I'm going
6 to let Dr. Hernandez pop up here and tell you a
7 little bit about why those two look different.

8 DR. HERNANDEZ: So in Dollarway and Little
9 Rock's transitional plans, the beginning of those
10 components also includes some of the other systems.
11 When we did the systems analysis and looked at things
12 like facilities, finance, human capital management,
13 and some of those, you know, we outlined to the
14 districts "here are some of our recommendations,
15 let's work together to prioritize some of the areas;
16 and then within those areas tell us where you feel
17 like as a district you're not able to move the needle
18 on some of those things and what supports you would
19 like from us." We've seen a different array for the
20 most part. You know, in Dollarway's case our focus
21 is obviously -- because they're also in fiscal
22 distress we want to continue providing support in the
23 financial areas, but also we're getting ready to
24 submit a master facilities plan. So we're working
25 with them to kind of develop a process where they can

1 bring in multiple stakeholders in their district,
2 look at their facilities, make long-term plans for
3 making sure they're upgrading all of their HVAC
4 systems, have roof systems ready to be replaced at
5 certain times, and any other new structures that they
6 might build in the future -- and at the same time,
7 tying back to the funding, do they have money or are
8 they saving money in the long-term to do that. And a
9 couple -- in both cases, both Little Rock and
10 Dollarway, we're really looking at the human capital
11 management piece. Part of it is, you know, looking
12 at their staffing allocations, do they have the right
13 amount of staffing allocations for the number of
14 students. Both school districts are seeing a drop in
15 enrollment and so we want to start planning for next
16 year on how we're going to address that and make sure
17 we don't run into funding issues. The other major
18 part is the recruitment, the retention -- the
19 recruitment, the development of the teachers while
20 they're there, and the retention. We're talking
21 through a lot of those things, about how specifically
22 we provide those supports. And we're also looking at
23 other outside vendors, whether they be cooperatives,
24 whether they be ERZs, or even third-party vendors,
25 that may specialize in looking at the human capital

1 management process. And so we're having some of
2 those conversations now to figure out exactly -- Tiah
3 referenced the gaps in support. That may be one of
4 those areas where we're going to need some help,
5 especially with a big district like Little Rock,
6 looking at all of their HR processes and how -- if
7 you took the education part out of it, how can we
8 streamline a lot of their HR processes; and then,
9 aside from that, all of the different academic
10 supports that they've looked at.

11 And I just want to comment a little bit on
12 something Ms. Frazier said, is that this has been a
13 process. You know, what you've seen -- or what we've
14 seen a lot in these school plans and the 45-day
15 progress reports -- and some of this has been kind of
16 falling back to the old way -- we know that they're
17 really just trying to get their 10.03 funds. And so
18 they focus their goals on trying to get that small
19 amount of funding but not thinking larger term, like,
20 "hey, we should be doing this with all of our
21 schools; we should be looking at all of our funding
22 strands and setting goals and doing resource
23 allocation based on that." We had a good meeting
24 with one of our districts yesterday where we had
25 those conversations and said, "Guys, it's your

1 responsibility as district leaders to be looking at
2 these plans, making adjustments, and then telling us
3 where you need those supports. And if you need help
4 to coach those schools on how to do it, we'll do
5 those things." But that's how we're going to move
6 towards this idea of continuous support, regardless
7 of which school; otherwise, we're just going to
8 continue to churn the bottom instead of trying to
9 move everybody out. So we're excited about that
10 work.

11 MS. FRAZIER: And then the only additional piece
12 that we wanted to add is just that we -- during this
13 transition time, you know, right now we're working
14 without rules for the Arkansas Educational Support
15 and Accountability Act and we don't have feedback yet
16 on our ESSA plans. So this really is just about
17 insuring that we're continuing to support these
18 schools. We haven't had any of them reach out and
19 say, "We don't need you here" or "we don't want you
20 here." As a matter of fact, there have been a few
21 districts that have asked for very specific supports
22 as far as what they need from ADE. And like Dr.
23 Hernandez mentioned, we think some of them probably
24 thought of it in the narrow way. And once we move
25 towards our ESSA implementation there will be some

1 teeth, for lack of better words, for us to say "we're
2 talking about coordinating all of your state and
3 federal categorical funding, as well as the
4 supplemental funding for 10.03 and how you're
5 supporting the entire district within these plans."
6 We just -- we don't have those rules at this time in
7 order to say that that's what must go on here.

8 CHAIRMAN BARTH: Okay. Any questions or
9 comments? Ms. Cochran, anything?

10 MS. COCHRAN: No.

11 CHAIRMAN BARTH: Ms. Newton?

12 MS. NEWTON: No.

13 CHAIRMAN BARTH: Okay. I'll just note, you
14 know, in going -- in looking through these just the
15 variance of -- there are some of these transitional
16 plans that have great specificity and you really do
17 get a sense of a game plan. Others of them are
18 pretty vague and pretty -- there's not much
19 specificity. And is that right to kind of -- am I
20 reading that correctly, that there is variance in
21 that regard? And I guess -- in terms of the request
22 that is being made to us today I guess I feel some
23 apprehension approving plans that don't seem to have
24 that kind of clarity.

25 MS. FRAZIER: Yes. So I will address the first

1 concern first. Some of those districts are districts
2 that have only previously identified focus schools,
3 and the way that they receive this information was in
4 a one- to two-hour training at a cooperative in a
5 group with possibly three to four other districts in
6 the room with them. It is highly likely that the
7 district did not send the correct personnel to that
8 meeting, so that meeting maybe only had one locally
9 hired school improvement specialist that doesn't
10 actually have any authority over the building
11 principal; that person does not evaluate anyone
12 inside that building. So they were supposed to go
13 back and train and talk to district leaders and
14 liaisons, as well as the federal program coordinator,
15 in order to determine how to coordinate funding and
16 set goals that were purposeful. So it's highly
17 likely that the right people were not at the table.
18 And it was not until we really started looking at
19 what was coming to us and evaluating those timelines
20 to see when we needed to get information to the State
21 Board, as we promised, that we realized that there
22 were definite gaps in the district's capacity to
23 support what we were asking them to do.

24 So we understand your apprehension and we will
25 move forward however the Board determines we need to.

1 CHAIRMAN BARTH: Yeah. It does give me some --
2 it gives me some worry in terms of the amount of
3 power that's being transitioned back to the
4 districts, local districts, to take the lead on this,
5 if that kind of human capacity is not present in a
6 lot of those districts; is that the students who
7 happen to live in those districts who -- especially
8 in many of these cases are from vulnerable
9 populations. You know, under the ESSA -- the plan of
10 action under ESSA we're obviously giving a lot of
11 decision-making authority back to local districts to
12 take care of providing the support to those local
13 schools. And it's just worrisome in terms of whether
14 they're going to be able to get it right and whether
15 we as a state are going to be able to, you know,
16 really, truly track whether they are making the
17 progress we need.

18 MS. FRAZIER: Yes, sir. And there's one other
19 -- I was just going to say there's one other section
20 when you think about Act 930 and the way this is
21 written. So the way these transitional plans of
22 support -- this is in the part of the law that will
23 not be codified, so there will not be rules that go
24 with this section regarding transitional support
25 plans. And these transitional support plans are in

1 order to help us determine the level of support that
2 a district will be receiving, and that timeline
3 inside the current law says that we have until July
4 1, 2019 to finalize.

5 DR. HERNANDEZ: Dr. Barth, I completely agree
6 with what you said about having the apprehension
7 about so much control going back to the districts. I
8 know that's something that we struggle with in trying
9 to -- you know, how are we going to monitor these
10 things better than what we have before when we said
11 "you have to do it, you have to do it this way." I
12 think that where that got us is a lot of compliance;
13 it was not looking at it as good planning. So the
14 good news is that I feel like we are moving in the
15 right direction in some of the things we're doing.
16 We kind of touched on it a little bit when we started
17 down the road of developing the systems analysis
18 tool. I told you we're going to go back and revise
19 some of that. And so some of the activities that are
20 getting ready to happen towards the end of next week,
21 we've engaged a national group called the State
22 Support Network. We've also identified a framework
23 that we want to work through in kind of developing
24 these expectations about what a school district
25 should be doing, what a school should be doing. And

1 that way, once we have that framework then that's
2 what we'll kind of put out, not just to our lower
3 performing schools but also to our higher performing
4 schools. A lot of other states have started going
5 this direction and -- but we want to take something
6 and make it Arkansas' own and say, "Okay, when we
7 look at all these systems what are these
8 expectations? What's kind of the low level, what's
9 kind of the middle that we'll accept, and then what
10 are the high levels, what do they look like?" And so
11 in the future when you guys are faced with deciding
12 on a Level 5 district, whether to classify them or
13 not, we'll be doing these kinds of activities where
14 you'll be able to clearly see here are all the
15 shortfalls, where these districts are. And until
16 they get up to a middle level that's acceptable
17 that's when -- when those checkmarks are made, they
18 started improving in all these different areas --
19 then that'll make it a lot easier for us to be
20 monitoring against those things. You know, we'll
21 still have -- and I think a lot of it is going to
22 come with training.

23 Some other good things that have kind of
24 happened is that, you know, we have had some
25 districts that have reached out to say, "Hey, you

1 know, we're really doing well academically, but we
2 want to be better." And so they're starting to take
3 some of these ideas of continuous improvement and
4 think about how they can implement it. Because, you
5 know, not all school districts -- even some of the
6 highest performing school districts, they don't have
7 leadership teams; you know, they're not doing
8 analysis; they're not setting goals; they're not
9 thinking about how they're spending their money for
10 equity and all these things. And so I think the more
11 of those conversations that we have that's going to
12 kind of spread throughout the state and get to where
13 -- you know, we're talking about moving to lead the
14 nation; well, we only lead it if we're all going up,
15 and so I think that's stuff that's coming. But we've
16 got to start with this backbone to say, you know --
17 because even if we tell a school, "Hey, improve,"
18 well, improve to what? You know, what are the
19 standards? We have standards of accreditation, but
20 that's the minimum. And so we've got to start
21 setting things out there that say "here's the high
22 level expectations that we have, and then here's the
23 supports when you fall short. You don't have to use
24 these; you can create on your own, but here's some of
25 the things that are fallbacks that -- you know,

1 here's a curriculum you can use; here's this you can
2 use; here's that you can use," to try to help our
3 people grow from there. So I think that's where
4 we're going. But I do -- when we get there we'll
5 have a lot better monitoring capabilities to make
6 sure that we're giving everything back to the
7 district. But we also want to train them and show
8 them what the right things are to do so they do make
9 good decisions.

10 CHAIRMAN BARTH: Yeah. I mean I totally
11 understand we are in a transition phase here and I
12 totally get that. But I think we just have to keep
13 our -- you know, keep our eye on -- make sure that we
14 are truly promoting equity. And especially I think
15 I'm more worried about -- in some ways about some of
16 these districts that formerly got attention because
17 of the achievement gaps, right; otherwise are
18 achieving districts, but -- or achieving schools.
19 But it's in those districts that some subgroups of
20 kids really can get left behind. I think that's
21 where we really need to be sure that we're stepping
22 in and doing our part.

23 Ms. Zook, anything?

24 MS. ZOOK: Well, I'll have to compliment Ms.
25 Coffman because she talked me down off the ledge

1 after I read these. Quite frankly, I was very
2 disappointed. I expected the districts to do a
3 complete task analysis, not "the kids are making Ds
4 and Fs and we want them to make Bs and Cs, and send
5 us some subs, and we'll do a little PD;" you know,
6 maybe they're not reading. I expected like maybe the
7 four districts in Pulaski County saying, "If you will
8 train in the science of reading, some administrators
9 from all four of those districts, then we will train
10 all of the other districts and teachers in those
11 districts; that you would task analyze; that maybe if
12 -- whether the elementary school was in a focus or
13 previous Needs Improvement or priority or lowest 10%
14 or whatever the old terms were that they would say
15 like, "We are getting students who are that far
16 behind in our middle school; what can we do at the
17 elementary level? Let's look at all the first grade
18 teachers, the second grade teachers, the third grade
19 teachers. Let's find out how the kids are coming out
20 of those rooms and either specific PD that teacher or
21 replace that teacher;" or look at the principals that
22 have real dynamic observation, leadership, mentoring
23 skills and then put those principals in the buildings
24 where you have the most teachers who need that kind
25 of leadership.

1 There are three, I think -- maybe four -- of
2 these districts, and I think all three of them were
3 those who had academic distress, so they were used to
4 coming before our committee. They were used to the
5 kind of questions we had, and get it, so they were
6 writing their reports in very measurable terms. We
7 used to say, "It should be written with such clarity
8 and such ability to measure that you could take some
9 guy off the street and bring him in and he could do
10 that plan." But with these, with teaching degrees
11 and administrative degrees and experience, you know,
12 I'm going, "So the central office is going to provide
13 a sub. Oh, well, great." You know, that's not
14 support; you know, that's helping finance.

15 But I'm not fussing at you all because I know
16 you're right there with them, you are patient with
17 them, and realize, gosh, we've got a lot of work to
18 do to get this to where we need it to be. But, you
19 know, I hate it that these are on the action agenda
20 because, quite frankly, I don't feel comfortable
21 voting to accept the majority of these the way
22 they're written at this point. If -- you know, I
23 don't know what more needs to be done. I don't know.
24 I know you can't make people, you know, do it a way.
25 But I think in those districts that are under state

1 intervention, Dollarway and Little Rock, we probably
2 have a little bit more umph to what we're expecting
3 and wanting than we do in those that have their own
4 local school boards. But I even think if we as board
5 members or ADE or whatever went out and talked to
6 those local boards, invite the community and
7 everything, and say, you know, "Here's the kind of
8 thing that we want you to do, here's the -- you know,
9 let's task analyze this. Why are the kids at given
10 high school, why is the gap there between the special
11 ed. and the over-achievers -- or the low
12 socioeconomic and over-achievers? What is causing
13 the gap? You know, is it something beyond our
14 control?" Like, you know, I met a little girl the
15 other day who's 16, who has a toddler who's two and a
16 baby who's five months old. And her district works
17 with her to get them to a toddler and pre-K program
18 and then get her on and excuse her for being late to
19 high school and all that. But -- and another thing,
20 there was nothing about summer school in here; so
21 tutoring after school is almost blaming the gap on
22 the child. I for one believe that the gap is from
23 the teacher and principal and central office staff.
24 Summer school could take care of the amount of time
25 the kids regress. And I know I'm preaching to the

1 choir, but nonetheless I'm preaching and trying to
2 help you all understand what it will take for me as
3 an individual board member to say, "Wow, yes, I want
4 to make the motion and vote for this because that's
5 right where we need it to be." But I'm sure y'all
6 are frustrated and you're very patient sitting there
7 listening to me express my frustration. But I just
8 want the taxpayers and the general public and the
9 patrons to know that some of these reports are just
10 not what it's going to take to get their school,
11 their child -- you know, mom and dad only care about
12 their one or two or three kids -- what it's going to
13 take for us to say, "We take it very seriously that
14 your -- that only 37% of the kids in this state are
15 reading on level." You know, even if we could get
16 them up to fifth and sixth grade level, because most
17 books for enjoyment and a lot of jobs can function on
18 that level. But right now we're not even there.

19 So I don't know what the action of the board
20 will be but I probably today will abstain because I
21 just can't in good conscience okay this, even though
22 I know y'all have done everything you can. And I do
23 appreciate Ms. Coffman for -- you know, you should've
24 heard what I was thinking before she talked to me.
25 But I just -- you know, to realize the amount and

1 level of work that is needed in these districts to
2 get to where we need to be when you don't even have
3 central office staff or principals who seem to get it
4 -- or maybe this first round they thought, "Well,
5 we'll just write something down and it'll go on
6 through." I don't know what their thinking was. But
7 I do know there's a lot of -- if this is the best
8 that they have to offer, there's a whole lot of work
9 that's got to be done. Sorry, Mr. Chairman.

10 CHAIRMAN BARTH: No, feel free.

11 Okay. Ms. Cochran?

12 MS. COCHRAN: No.

13 CHAIRMAN BARTH: Okay. Ms. Newton.

14 MS. NEWTON: I guess my question will be what
15 are our options besides saying okay? Do we have any
16 other options? Can we send them back? I mean what
17 can we do?

18 CHAIRMAN BARTH: Well, that was actually my
19 related -- what is our time sensitivity on moving
20 forward on these?

21 MS. FRAZIER: So our next step is to start
22 working on a more streamlined process. Like Dr.
23 Hernandez says, we are going to partner with the
24 State Support Network. The State Support Network
25 will be directly helping us to build out a needs

1 assessment process that is tied to our ESSA plan and
2 looking at the four domains of turnaround. And we
3 want to look at it a little bit broader than the four
4 domains of turnaround because we really fear that the
5 term "turnaround" will turn folks off. We don't want
6 that to happen. We actually want whatever we create
7 to become a general support throughout the agency so
8 that any district and school that chooses to use our
9 process to determine needs at the local level can use
10 it and that it isn't just about turnaround. There
11 are about seven units that are partnering on this
12 work and that will lead us through the fall. That
13 will be the tool that starts us in our implementation
14 of our ESSA plan next fall. We would like to pilot
15 it this summer.

16 Like I said, the section of the Arkansas
17 Educational Support and Accountability Act that has
18 the timeline regarding transitional support plans
19 says that we actually have until July 1st of 2019.

20 DR. HERNANDEZ: I think --

21 MS. ZOOK: I think the problem I have here is --

22 DR. HERNANDEZ: I think --

23 MS. ZOOK: -- if my child is in first grade and
24 we have until 2019 that means he could get to fourth
25 grade without knowing how to read.

1 COMMISSIONER KEY: Okay. So if it's okay --

2 CHAIRMAN BARTH: Sure.

3 COMMISSIONER KEY: -- to come back to me now?

4 So what you're describing is what we had under
5 No Child Left Behind, School Improvement Year 8,
6 School Improvement Year 9 -- I mean, those are the
7 things -- and then it didn't get much better in
8 flexibility. Why? Because the districts were out of
9 the loop; districts were just absolved of any
10 responsibility a great deal unless it was academic
11 distress -- and we know, you know, the story behind
12 that. But so maybe I didn't do a good enough job of
13 explaining what these transitional support plans over
14 the last several months were supposed to be. They
15 weren't supposed to be the end-all be-all, this is
16 what -- you know, we identified this, this is what's
17 going to move the needle; it's moving from that old
18 accountability system to the new accountability
19 system. That's what we're doing here. And they are
20 not -- you know, I'll come back to the question you
21 asked, Ms. Newton, about, you know, what can we do.
22 But it wasn't intended that this is the end of what
23 you will see with these. This is to get us something
24 documented so that that transition can begin and the
25 conversation can start to be different in these

1 districts where we're moving -- putting the district
2 level back into their role of true responsibility.
3 This isn't advocating anything from the Department;
4 it's putting them back where they have to be able to
5 make the decisions on how to spend their NSL dollars,
6 how to spend their Title 1 dollars, how to spend
7 their Title 2 dollars. And right now the system is,
8 for lack of a better word, in my opinion it's broken
9 because really in a lot of cases decisions are we'll
10 just do the same thing year after year. And so the
11 things that you're talking about, nothing you said
12 was wrong; everything you said was right. I think we
13 have a disconnect on timing of when we should expect
14 that. Because we're trying to coach districts that
15 have not had these conversations at all, so they
16 don't know what to identify yet in the list of
17 things, whether it's RISE training, whether it's, you
18 know, boosting PD options for their teachers or
19 principals. So what the timeline really does is this
20 gets us into that transition mode where our teams are
21 having different conversations with their teams, and
22 that's been difficult. I mean Tiah is right, that
23 has been hard. But the other thing is in timing some
24 of those more detailed things will come out after the
25 needs assessments when we restructure the planning so

1 that, you know, budgeting is done -- or planning is
2 done in May and budgeting can be done then for the
3 next school year, not submitting plans in October for
4 the school year they're in. So there are a lot of
5 those things that you will see that will change, that
6 I think are more in line with what you described.
7 But that's not these plans. I mean, as I said, you
8 know, we probably could've been clearer in that what
9 you would expect to see when these plans -- because,
10 you know, I had the same conversations. The first
11 time I saw one I said, "What is this? I mean this
12 isn't what" -- and then we had to have a conversation
13 that, well, we're moving folks to a place where
14 they've never been before. So it is hard. And, you
15 know, if you see one that's just egregious and you
16 say, "I can't support that one," that's okay. You
17 know, we're not going to be upset. Our team is not
18 going to be upset that if you say, "Look, I" -- maybe
19 you say "I can't approve any of them;" that's okay
20 too. We'll take that feedback to those district
21 teams and we'll say, "Look, we have to do better."
22 But I think there are some that are good. I mean
23 there are some that are better than others. There
24 probably aren't any that need to be -- that are as
25 good as they need to be, but there are certainly some

1 that are better than others. I think Tiah mentioned
2 the timeline being, you know, statutory, what it is.
3 But approving these today does not mean that you'll
4 never see them again.

5 So what are your options? I mean I think there
6 are your options: you could selectively approve the
7 ones that you feel like are adequate at this point,
8 reject ones you don't; or if you say, "Hey, y'all go
9 back and try again," we'll go back and try again.
10 But just know that it's a constant -- I mean when we
11 talk about continuous improvement that means this
12 process too. And so we're trying to model what that
13 looks like for districts because it is such a shift
14 in mindset of where we have been as an agency and
15 where we need districts to be as LEAs.

16 CHAIRMAN BARTH: I think one question I have is,
17 you know, based on what we're seeing here it's pretty
18 clear that at certain districts there's simply not
19 the mindset in the folks who are now responsible for
20 doing this work at this stage. And so my question
21 is: how are we going to get them to the point where
22 they really are able to take on this responsibility
23 at the district level that they've not historically
24 had? And what's our plan of action for being sure
25 that folks really -- do really transform themselves

1 so that they can transform their districts?

2 COMMISSIONER KEY: I think -- and that's a good
3 question. And so part of that are the tools that
4 we're going to be issuing with respect to our ESSA
5 implementation. You know, our videos that explain
6 different components, how ESSA is different, how
7 things need to be reviewed and discussed differently,
8 what does it mean to have a meaningful stakeholder
9 engagement, what does it mean to think differently
10 about Title 2 funds, whether it's class size
11 reduction or leadership development. I mean those
12 are the things, the conversations that we'll be
13 having with not just the folks on the list and the 29
14 or 28 we're bringing back, but all districts.
15 Because, Dr. Barth, you said something earlier that
16 you're concerned that, you know, some of the what we
17 would've called the TAGG groups before or the
18 subgroups that they may get lost. I think when we
19 start looking at our ESSA School Index I think you're
20 going to see even more emphasis on those areas. I
21 mean it's going to be clearer where those groups of
22 students are having their needs met and where they
23 aren't. And, you know, so I think the ESSA School
24 Index is going to give us a better tool -- and y'all
25 haven't seen that yet. I mean we -- y'all have seen

1 the concept but you haven't seen the numbers. But
2 when you start seeing that and seeing how that
3 compares across the state I think it's going to give
4 us a better tool to focus on those groups of students
5 that maybe aren't getting served to the best of the
6 district's ability.

7 So, you know, that -- those are conversations we
8 have to have. We're going to get our partners --
9 we'll be pulling them in over the next few months --
10 AAEEA, the teachers groups, School Boards folks, the
11 other support groups that are out there. Those are
12 conversations -- I know Ms. Coffman is going to be
13 leading groups and as we're putting that information
14 out there, that's all going to seep into the work
15 that they're doing -- and not just the school
16 improvement team, because it's going to be across the
17 agency. You know, school improvement is not the task
18 of this group; it is the task of all of our units and
19 where do they fit in. And I think we'll have a --
20 the other thing that we have to do a good job of that
21 we're making plans is what's expected at the federal
22 level. Now as far as implementing research-based
23 interventions and how those dollars are being used
24 are going to require more thoughtful -- a more
25 thoughtful approach.

1 So hopefully that answers that. It's just not
2 something that can be -- right now can't be put in
3 that -- in this transitional plan because of what
4 you've identified as gaps in thinking. This helps us
5 identify where those gaps are and who maybe we need
6 to concentrate on.

7 MS. ZOOK: Do you all think that based on the
8 reports in front of you that you can ascertain which
9 districts need to just go back and say, "Here's how
10 you do a Needs Assessment, here" -- you know -- to
11 find out what -- where your gaps are. Or maybe they
12 know how to do that but then the next group says,
13 well, they've pretty well established their need but
14 they haven't done a very good task analysis of what
15 it takes to get where they want to. Do you all
16 believe that the reports that you have in front of
17 you and the feedback that you're getting from your
18 people in the field, that you can take these and
19 zero-in on -- and then if you have like seven who
20 need to know how to do a Needs Assessment, you know,
21 pull them in; and then six more need to know how to
22 do a task analysis, then others just need to know how
23 to write a goal in measurable terms. And I mean do
24 you all believe that you can look at these and
25 determine what those individuals need from you all to

1 do what it is that's next in line to what they --
2 because if -- you know, you can only do what's next
3 in line to what you already know how to do. So if
4 you're expecting them to do this and they only know
5 how to do this, they're going to have to rely on you
6 all to do that. I don't know if you have the staff,
7 don't know if you have the -- you know, what all. I
8 know you have the wherewithal and I know you have the
9 intellect and I know you have the training and the
10 experience. But is this something that you can take
11 these reports and then say these three districts need
12 us to key in here and these four districts need us to
13 key in here? Is that the approach you're going to
14 take about getting to where you want them to be, even
15 if it's just by the time we get the next report?

16 DR. HERNANDEZ: So when I think of, you know,
17 you guys asking what are the options about it I think
18 the way I interpret you guys approving these is
19 you're approving them for use. And what I mean by
20 that is we're getting ready to -- you know, obviously
21 we know these aren't the best work, and so a lot of
22 that stems from a couple of things: one, this is the
23 first time a district has really taken on this
24 diagnostic analysis in setting goals. It may have
25 been part of -- our issue is that we've only

1 communicated some of this stuff in terms of goal-
2 setting; in the district's mind it was goals that
3 they needed to access 10.03 funds for school
4 improvement. And so now that we've started to
5 broaden that conversation, yeah, they are spending
6 money on afterschool and some of the -- and summer
7 school and all these things; but because they're not
8 doing that particularly with 10.03 funds a lot of
9 those other initiatives that they're doing probably
10 didn't make it into this type of thing. And so when
11 they get ready to set new goals in May we're going to
12 take what they have in their support plan, they're
13 going to set new goals and basically revise each step
14 to make it more comprehensive, and we're going to
15 keep moving down that road. I think, you know, when
16 -- the reports that you used to get that were very
17 well-done, that was because of people like Tiah and
18 Dr. Wilde because that interaction used to be our
19 school improvement person with their school
20 improvement person, and sometimes not even the whole
21 building. They made a nice plan but we all know what
22 effect did that have. And so what we're seeing --
23 even though these look bad, they look more -- they're
24 valuable to us in a sense is because now we really
25 know where the deficits are. And so who we really --

1 and that started yesterday; you know, we sat down
2 with a district leadership team and we went through a
3 lot of things and talked through a lot of things.
4 And, you know, Tiah can tell you I was blunt with
5 them. So this is the way it's going to be and we
6 want to plug in and start to be more directive now
7 that we know what we're dealing with. And so I think
8 that part of it is -- these are always going to be
9 changing.

10 Now as far as, you know, the timeline on
11 approving them or adopting them, my understanding is
12 the reason why we have to have that is, one, because
13 it's in law, and there's really not any -- because
14 we're kind of in this transition there's not really a
15 contract between us and the school as far as how
16 we're working together. So in the past, when they
17 were priority or focus, we did this, this and this,
18 very prescriptive. And so now that we're -- we don't
19 have that, without a transitional support plan we're
20 kind of in limbo of how we're engaging with the
21 district, you know, because we're moving away from
22 that one-size-fit-all. We told them what their
23 indicators were; we told them what they should be
24 doing. But every school district is different; they
25 all have a different set of needs. And so as we

1 start to filter through that, you know, it's going to
2 feel weird and uncomfortable until we get to the
3 point where, what Commissioner Key said, it's
4 evidence-based practices. A lot of people don't even
5 know what that means; they don't even know where to
6 go find them. And so, you know, we're communicating
7 those resources and starting to do more coaching and
8 training and those kind of things. I think it's
9 going to get better, but I think that's why we're
10 seeing -- this is obviously why you're seeing things
11 like that is it validates that, you know, when we
12 were trying to do school improvement before at the
13 school level it didn't work, and that's why we're
14 moving it to this level because it can potentially be
15 more sustainable.

16 MS. ZOOK: I don't guess I knew that when I was
17 looking at 930 and ESSA that it was going to be tied
18 to 10.03. Because it seems to me like that the old
19 learning is getting in the way of the new practice.
20 So --

21 DR. HERNANDEZ: When ESSA is fully adopted and
22 implemented that's when we start going to
23 comprehensive schools and some of those that -- those
24 labels go away and we start going to the new process
25 when the ESSA School Index comes out and all that.

1 So that's why right now it's really tied to 10.03,
2 because we don't really have any other means of
3 telling them -- that's the only teeth, I guess, that
4 we -- the term that's used -- that we've got right
5 now; otherwise -- because they're really not --

6 MS. ZOOK: Other than they --

7 DR. HERNANDEZ: -- priority; they're really not
8 focus.

9 MS. ZOOK: -- desire to have their kids learn, I
10 mean which could be an incentive for some people.

11 DR. HERNANDEZ: I agree.

12 COMMISSIONER KEY: Yeah. Just to follow-up in
13 how this -- an example of how this systems approach
14 is going to be so different and I think helpful in
15 the long-run is if you look at the Little Rock
16 transitional plan of support. In our conversations
17 with them, asking them what do you need, you know,
18 they didn't identify anything in the fiscal area;
19 they said that, you know, they feel like they're fine
20 -- and in many respects, they are. And then we
21 started thinking about in terms of -- you know, they
22 just moved to APSCN, eSchool, eFinance. That's a
23 huge undertaking. And with knowing that there are
24 tools in that system that help, you know, board
25 reports, things like that so that budgets are

1 reported and are transparent to board members and the
2 public -- you know, what we observed is in that
3 transition there are some things that coming from
4 their old system to them a new system they are going
5 to need help. And so, you know, although they didn't
6 identify it, we identified it. And for the purposes
7 of making sure that when that district is returned to
8 a local board that they are able to run those
9 reports, understand what those reports are saying,
10 and be able to communicate that to board members.
11 That's very important. But before, when we were only
12 looking at academics, we probably never would've even
13 thought about that. But because we're looking at it
14 in a systems perspective it's different. That's not
15 identified in this report because it was posted
16 before we had those conversations. Now that we know
17 that, you know, we're going to go back and amend
18 that. So that's just an example of how this is going
19 to be an ongoing iterative process of reviewing,
20 constantly improving, and having those conversations
21 at the district level so that there's better
22 understanding as we move to this new system.

23 CHAIRMAN BARTH: I think one thing I'm grappling
24 with -- I see Ms. Newton -- is I understand that this
25 is an iterative process; it's going to keep moving.

1 But I also -- part of me is saying we should send a
2 very strong signal early on about high expectations.
3 And so that's where I'm kind of -- you know, what I'm
4 divided by is do we get things moving or do we at
5 least early on say, "We do really have some
6 expectations that you guys who now have new
7 responsibilities are -- have, you know,
8 thoughtfulness and capacity to take it on."

9 So, Ms. Newton.

10 MS. ZOOK: Were you all planning on --

11 CHAIRMAN BARTH: Miss --

12 MS. ZOOK: Okay.

13 CHAIRMAN BARTH: Ms. Newton is trying to get in.

14 MS. ZOOK: All right. Sorry.

15 CHAIRMAN BARTH: Yeah.

16 MS. NEWTON: That's okay. The way I look at it,
17 even though some of these are really bad they still
18 give us some information. Because I think of it like
19 this: when I used to give pre-tests to --

20 Did I not have it on? I'm sorry.

21 Okay. Even though some of these were really
22 bad, they still give us some information. I look at
23 it like I used to give a pre-test to my kids:
24 sometimes I would get kids that knew a lot and I knew
25 I didn't have to do very much work. And then I'd get

1 that one child that all they did was put their name
2 on the paper -- you know, and that's what we've got.
3 We've got some that just put their name on their
4 paper. We didn't -- they don't know a lot. But what
5 that told me is that child needed a lot of support
6 through the process. And we have some school
7 districts that are going to need a lot of support
8 through this process. And you could pick out which
9 ones they are from this transition. And this is a
10 starting point. Some of them are starting farther
11 along the line than others are; some of them are way
12 back here, but we've got to catch them up. And, you
13 know, if you know that from the start, then you've
14 got something to work with. But this is our starting
15 place and we've got work to do in some districts, and
16 some districts we don't have as much, but it gives us
17 an idea of where to begin.

18 MS. ZOOK: But --

19 CHAIRMAN BARTH: Ms. Coffman, and then Ms. Zook.

20 MS. COFFMAN: Deborah Coffman, Assistant
21 Commissioner of Public School Accountability. Tiah
22 said something that I want you to come back and pay
23 real close attention to, is we are moving from a one-
24 size-fits-all at the school level, you-don't-have-to-
25 think-I'm-going-to-tell-you-what-you-have-to-do, to a

1 district data-driven approach for long-term
2 achievement. We're looking for long-term
3 achievement, long-term improvement. And the way to
4 do that -- you can either give them one-size-fits-
5 all, which we're not fond of and hasn't worked well
6 for us, or do what we've written into our plan which
7 is to begin to support these districts exactly where
8 they are toward where we want them to be; and part of
9 good coaching tells you to get the person you're
10 coaching or the team you're coaching to articulate
11 what it is they want to work on. And that's what I
12 think they have done in these plans -- not perfect,
13 but it's the same -- Ms. Zook, you'll appreciate that
14 in raising children -- many of you have raised
15 children; you know what it's like. A child says, "I
16 don't feel good today, I don't want to go to school."
17 So you can leave that at face value and miss a day of
18 school, or you can unpack that through some really
19 good questioning techniques to find out do they
20 really not feel well or are they avoiding some
21 situation at school that they don't want to be
22 involved in; maybe someone is not treating them well,
23 they're not prepared for the test, whatever those
24 situations may be. But it's only through that
25 questioning and that relationship can you unpack what

1 people really need. And that's what -- we have
2 training already set up so that our staff is more
3 prepared for that. But that's a part of the work
4 that we have to do with these districts now is take
5 the document that you have in front of you as our
6 initial report, give us the okay to move forward and
7 start unpacking those things. Just yesterday in the
8 questioning alone with that one district we're
9 already unpacking; we already need to add things onto
10 that document. So there are future steps, many
11 future steps, but that's how you have to go about
12 doing that. The exciting thing about that is the
13 example that Dr. Hernandez gave. Because we're doing
14 it this way other districts that normally would not
15 be included or would certainly not be contacting our
16 office for assistance is saying, "Hey, we want to
17 learn how to do that better." Because how do you
18 move good schools to great? That's exactly how you
19 do it.

20 So I hope that kind of puts it into perspective
21 of this is a start, this is getting that first
22 initial piece on paper, and then we can coach and
23 question and work through and unpack and build the
24 expertise. If they all came back this first round
25 perfect, we wouldn't need any school improvement;

1 they'd all be fabulous.

2 CHAIRMAN BARTH: Ms. Zook.

3 MS. ZOOK: So since these reports were given for
4 transition and connected to 10.03 funds, are these
5 districts -- are we saying your report is good enough
6 to qualify you for whatever it is we're applying for?
7 I don't know. I don't fully understand 10.03 funds.
8 I can say all the words, but I certainly couldn't
9 teach the class.

10 MS. FRAZIER: I don't -- I can speak in general
11 terms because I do not work in Federal Programs. I
12 know just enough about it to possibly get me in
13 trouble. 10.03 funds are directly tied to innovative
14 and improvement funds that are outside of Title 1
15 funding, but they still go by Title 1 funding rules.
16 The difference is they must be evidence-based
17 practices. So the School Improvement Unit was
18 responsible for checking the interventions,
19 initiatives and strategies with inside of these
20 transitional support plans to see if they were
21 evidence-based practices. And if there was for some
22 reason that we could not find those interventions,
23 initiatives or strategies on an evidence-based
24 practices website, like What Works clearinghouse or
25 Evidence for ESSA, then the districts that we were

1 working with had to work with their school buildings
2 in order to create a logic model. So there is more
3 sophisticated thinking there than what you guys
4 actually have in front of you for some of these
5 districts, because many of them have created logic
6 models, so they've actually collected what would be
7 their inputs, outputs and expected outcomes and how
8 they'll measure the progress of that over time.

9 MS. ZOOK: Thank you.

10 MS. FRAZIER: Yes, ma'am.

11 CHAIRMAN BARTH: All right. So the decision
12 before us I guess are -- is to delay, to be more
13 careful in looking one-by-one through these, or to
14 accept them as a bulk package.

15 MS. ZOOK: Okay. I'm a big believer in when
16 people work together that if there is trust then you
17 can go out on that trust, even though you can't
18 clearly see what they see. And because I trust the
19 ADE and Ms. Coffman and her group and Dr. Hernandez
20 and Tiah I will move that we accept these initial
21 reports as presented.

22 MR. BLACK: I second that.

23 CHAIRMAN BARTH: Okay. Motion by Ms. Zook,
24 second by Mr. Black.

25 Will the -- Dr. Hernandez, or either of y'all,

1 will we be getting the other 29 in January? Is that
2 the plan?

3 MS. FRAZIER: Yes.

4 CHAIRMAN BARTH: Okay. All right.

5 Okay. Are y'all ready to vote?

6 Okay. All those in favor say "aye."

7 (UNANIMOUS CHORUS OF AYES)

8 CHAIRMAN BARTH: Opposed?

9 Okay. So good conversation and thanks for
10 educating us, but hopefully you heard -- I think -- I
11 hope everyone heard how seriously we're taking this
12 business of districts really getting a new stake in
13 this game.

14 MS. ZOOK: And I would encourage you, if you
15 have superintendents or boards who are being
16 reluctant to listen, then you encourage them to
17 attend our meeting so they can understand it's not
18 just you, it's us pushing you.

19 MS. FRAZIER: Thank you.

20 CHAIRMAN BARTH: All right. Thank y'all.

21 We have no more action for today, so I would
22 entertain a motion to adjourn our business portion.

23 DR. HILL: So moved.

24 MR. BLACK: Second.

25 CHAIRMAN BARTH: Motion by Dr. Hill, second by

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Mr. Black.

All those in favor say "aye."

(UNANIMOUS CHORUS OF AYES)

CHAIRMAN BARTH: Opposed, same sign.

We will be back here tomorrow at 9 a.m. for our report session. Thank y'all for a good day.

(The meeting was adjourned at 2:42 p.m.)

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A-2

PLSB EXHIBIT ONE (1)

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EDUCATOR'S EXHIBIT ONE (1)

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EXHIBIT ONE (1)

C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.
 COUNTY OF SALINE)

I, SHARON K. HILL, CCR, a Certified Stenomask Reporter before whom the foregoing testimony was taken, do hereby certify that the same is a true and correct transcription of proceedings before the Arkansas State Board of Education, in Little Rock, Arkansas, on December 14, 2017, that the said testimony was reduced to typewritten form by me or under my direction and supervision; and that the foregoing pages constitute a true and correct transcription of all evidence heard and proceedings had in said matter.

I FURTHER CERTIFY that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken.

I FURTHER CERTIFY that I have no contract with any parties within this action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original transcript or copies of the transcript before it is certified and delivered to the custodial agency, or that requires me to provide any service not made available to all parties to the action.

WITNESS, MY HAND AND SEAL, THIS DATE: December 31, 2017.

SHARON K. HILL, CCR
 Certified Court Reporter
 Certificate No. 670

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