

ARKANSAS STATE BOARD OF EDUCATION

JANUARY 11, 2024

9:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

DR. SARAH MOORE, Chairman
MS. KATHY McFETRIDGE-ROLLINS
MR. RANDY HENDERSON
MS. LISA HUNTER
MR. JEFF WOOD
MS. ADRIENNE WOODS
MR. KEN BRAGG
MS. LEIGH S. KEENER

NON-VOTING PARTICIPANTS:

MS. SANDY SMITH, Deputy Secretary of Education
MS. CAPRI SALAAM, Arkansas Teacher of the Year
MS. HOPE WORSHAM, Assistant Commissioner of Public
School Accountability
MS. DORIE SUMMONS, Office of Public Charter Schools
MS. KARLI SARACINI, Assistant Commissioner of Educator
Effectiveness and Licensure

DESE LEGAL COUNSEL:

MR. STEPHEN REYNOLDS, General Counsel
MS. WHITNEY JAMES, General Counsel

LOCATION:

ARKANSAS DIVISION OF ELEMENTARY AND SECONDARY EDUCATION
- Auditorium
#4 Capitol Mall
Little Rock, AR 72201

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P R O C E E D I N G S

1: ONE-YEAR STANDARDS FOR ACCREDITATION WAIVER REQUESTS

CHAIR MOORE: Item one is a standards for accreditation waiver request. We have Ms. Worsham on Zoom to present to us today.

Good morning.

1A: ONE-YEAR STANDARDS FOR ACCREDITATION WAIVER REQUESTS -
DECATUR PUBLIC SCHOOL DISTRICT

MS. WORSHAM: Good morning. Hope Worsham, assistant commissioner of public-school accountability. We do have two schools coming today for considerations of waivers. The first one is the Decatur School District. They are requesting a waiver for 1.A-5, which is class size. They had a student move in that put them at 51 students in second grade. And they have put a paraprofessional in there to help assist with the extra student -- with the -- the overage there and they anticipate that this will not be a problem next year. So they are requesting that waiver. And we do not have any concern -- sorry -- from the Department.

CHAIR MOORE: Okay. Thank you. Is Superintendent Watkins or anyone from the Decatur School District on Zoom today? Okay. Do we -- Board Members, do we have questions -- before we were to

1 take a vote, we could connect with them.

2 Ms. Keener?

3 MS. KEENER: (Shakes head side to side)

4 CHAIR MOORE: Mr. Wood, any questions?

5 MR. WOOD: No.

6 CHAIR MOORE: Ms. Hunter?

7 MS. HUNTER: (Shakes head side to side)

8 CHAIR MOORE: Ms. Rollins?

9 MS. McFETRIDGE-ROLLINS: No.

10 CHAIR MOORE: Mr. Henderson?

11 MR. HENDERSON: No.

12 CHAIR MOORE: Mr. Bragg?

13 MR. BRAGG: No.

14 CHAIR MOORE: Ms. Woods?

15 MS. WOODS: No.

16 DR. MOORE: Ms. Salaam?

17 MS. SALAAM: (Shakes head side to side)

18 CHAIR MOORE: Then -- if there are no questions,
19 then I don't see concerned that they are not here.

20 The floor will be open for a motion.

21 MS. McFETRIDGE-ROLLINS: I'll make a motion that
22 we approve the waiver.

23 CHAIR MOORE: Okay. We have a motion by Miss
24 Rollins; is there a second?

25 MS. HUNTER: I second.

1 CHAIR MOORE: A second by Ms. Hunter. All in
2 favor say aye.

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIR MOORE: Any opposed?

5 Motion passes.

6 **1B: ONE-YEAR STANDARDS FOR ACCREDITATION WAIVER REQUESTS -**
7 **PULASKI COUNTY SCHOOL DISTRICT**

8 MS. WORSHAM: The second waiver request comes
9 from Pulaski County Special School District. They
10 have one student over the class -- in precalculus.
11 They are compensating the teacher for the overage of
12 that particular student at a daily rate of pay. And
13 we do not have any concerns about this particular
14 waiver request. It is for the same standard 1.A-5.

15 CHAIR MOORE: Thank you. And I believe I see
16 Dr. Williams, assistant superintendent of Pulaski
17 County online.

18 Thank you for joining us today. Did you have
19 any comments here?

20 DR. WILLIAMS: No, ma'am. No. None if there
21 isn't a question.

22 CHAIR MOORE: Okay. We'll see if Board
23 Members have questions.

24 Ms. Rollins?

25 MS. McFETRIDGE-ROLLINS: I think my -- I don't

1 know if it's a question. Is this a special education
2 student? Did I read that correctly?

3 DR. WILLIAMS: No, ma'am.

4 MS. McFETRIDGE-ROLLINS: It's not? Okay. Thank
5 you.

6 CHAIR MOORE: Any more questions?

7 Ms. Hunter?

8 MS. HUNTER: No.

9 CHAIR MOORE: Mr. Woods?

10 MR. WOODS: No.

11 CHAIR MOORE: Ms. Keener?

12 MS. KEENER: (Shakes head side to side)

13 CHAIR MOORE: Mr. Henderson?

14 MR. HENDERSON: (Shakes head side to side)

15 CHAIR MOORE: Mr. Bragg?

16 MR. BRAGG: (Shakes head side to side)

17 CHAIR MOORE: Ms. Woods?

18 MS. WOODS: (Shakes head side to side)

19 CHAIR MOORE: Ms. SALAAM?

20 MS. SALAAM: (Shakes head side to side)

21 CHAIR MOORE: Then -- any more comments or
22 questions? Then the floor will be open for a motion.

23 MR. WOOD: I move to approve the waiver request.

24 CHAIR MOORE: A motion to approve by Mr. Wood;
25 is there a second?

1 MS. KEENER: Second.

2 CHAIR MOORE: A second by Ms. Keener. All in
3 favor say aye.

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIR MOORE: Any opposed?

6 Motion passes.

7 Thank you, Dr. Williams, for joining us today.

8 DR. WILLIAMS: Thank you.

9 **2: WARREN SCHOOL DISTRICT**

10 CHAIR MOORE: Next, we're going to look at the.
11 Warren School district.

12 I believe first, we're going to look at the
13 consideration of the Charter Authorizing Panel's
14 decision for Warren Middle School. Are we going to
15 -- okay. Ms. Summons is going to introduce us.
16 Sorry. Sorry. Superintendent Cornish; correct?

17 SUPT. CORNISH: Yes.

18 CHAIR MOORE: Okay. Thank you for coming today.

19 **2A: WARREN SCHOOL DISTRICT - CONSIDERATION OF THE CHARTER**
20 **AUTHORIZING PANEL MEETING DECISION**

21 MS. SUMMONS: Good morning. Dorie Summons,
22 office of public charter schools. The Warren Middle
23 School has rescinded their charter. In 2023, all the
24 waivers that are associated with the charters were
25 surrendered at that time. The Charter Authorizing

1 Panel approved of the recension.

2 CHAIR MOORE: So if I am correct, this will be a
3 vote whether to hear the case of the Charter
4 Authorizing Panel's decision, but we may -- do you
5 all want to provide comments or have questions from
6 Board Members here?

7 SUPT. CORNISH: We can -- we can answer
8 questions and then we'd like, within our
9 presentation, to ask for 1240 waiver. I think we'll
10 answer some of the questions maybe as to why we
11 didn't renew the charter --

12 CHAIR MOORE: Okay.

13 SUPT. CORNISH: -- during that time, maybe. If
14 we can answer -- we will be welcome to answer
15 questions now.

16 CHAIR MOORE: Yeah. Should we go ahead and
17 allow -- I think would make sense to do the
18 presentation.

19 MS. SMITH: Yeah. I think it -- would go ahead
20 and go forward with the 1240 presentation where they
21 have a certain amount of time to present. And then
22 at the end, you guys could then do your motions, one
23 to either accept and then whatever you want to do
24 with the waivers.

25 CHAIR MOORE: Okay. I think that makes sense.

1 MR. REYNOLDS: All right. I'm just going to go
2 over the -- Stephen Reynolds, staff attorney for the
3 Department. I'll just go over the procedures real
4 quick. The district will have up to 20 minutes to
5 present its Act 1240 waiver application. The Chair
6 may extend at their discretion. Any party opposed to
7 the waiver will also have 20 minutes to speak in
8 opposition. To my knowledge, the Department hasn't
9 received any notice of any opposition to the waiver
10 application. Anyone speaking on behalf of the
11 district or speaking in opposition during the hearing
12 must be sworn in by the State Board Chair. Any Board
13 Member may ask any question of any party at any time.
14 The State Board may grant in whole or in part or deny
15 in whole or in part the proposed waiver, or maybe
16 take the matter under advisement until a future
17 scheduled Board meeting. And with that, I'll turn it
18 over to the district for its presentation.

19 DR. MOORE: Thank you.

20 SUPT. CORNISH: Thank you all.

21 DR. MOORE: We -- I believe we do need to swear
22 you in -

23 SUPT. CORNISH: Okay.

24 CHAIR MOORE: -- at this point in time.

25 SUPT. CORNISH: All right.

1 CHAIR MOOER: Anyone who's speaking on behalf of
2 the district that's not an attorney if you would
3 raise your right hand. Do you swear to tell the
4 truth, the whole truth and nothing but the truth?

5 (ALL ANSWER AFFIRMATIVELY)

6 CHAIR MOORE: Thank you. You may proceed.

7 SUPT. CORNISH: On behalf of the Warren School
8 District, I'd like to thank the State Board for the
9 opportunity to come to you and present to you the --
10 hopefully the opportunity to extend our 1240 waiver
11 at Warren Middle School. The Warren Middle School is
12 made up of around -- approximately 350 students and
13 the -- we were -- have recently been a charter school
14 the previous nine years. And we felt like moving
15 forward that that was not in the best interest of our
16 -- maybe of our students in our community. We've got
17 -- we've -- it's constantly been a challenge within
18 our community with certain aspects of the charters,
19 particularly speaking to grading. We were on a 1, 2,
20 3, 4 system and -- and that's constantly -- I don't
21 know if we did a poor job conveying it or if we -- or
22 we just -- they couldn't quite grasp that.

23 So we've had a -- our local board has asked that
24 we not continue with the charter at Warren Middle
25 School. We kind of hung on to Warren Middle School

1 because we were feeding -- we were getting students
2 moving in from the 4th/5th grade to the middle school
3 -- feeding in and then our high school was a charter.
4 So we were having students leave. So we were trying
5 to stay consistent with those students throughout.
6 But now that that's done, we're still -- but what we
7 would still like to consider from the State Board is
8 a 1240 waiver due to our teacher shortage in our
9 area.

10 And today I have with me Ms. Rhonda Williams,
11 who is our curriculum coordinator and school
12 improvement specialist and Ms. Kathy Cornish, who is
13 the Warren Middle School principal. And I'll let her
14 speak on behalf of the need for the Act 1240 waiver
15 and hopefully of the licensure exceptions through
16 this Department of Ed. As we get some of that
17 finalized that -- maybe one day we will not have to
18 come before you and ask for a 1240 waiver. But right
19 now, due to the teacher shortage in our area and the
20 number of teachers that we have that apply that
21 aren't certified, I would certainly appreciate a
22 recommendation to move forward with our 1240 waiver.

23 And I'll let Ms. Kathy present to you the Warren
24 Middle school data and kind of where we're at with
25 the -- with what we have to present for the 1240

1 waiver.

2 CHAIR MOORE: Thank you.

3 If you don't mind introducing yourself in the
4 microphone before you begin. Thank you.

5 MS. CORNISH: Hi, I'm Kathy Cornish, principal
6 at Warren Middle School. And currently -- if you'll
7 go ahead with our slideshow. Our mission at Warren
8 Middle School is still to provide a learning
9 environment that ensures high levels of learning for
10 all of our students. Our current waivers -- let me
11 see if I can get it. Okay. I'm going to come back
12 to that.

13 Our current waivers under the charter for
14 teacher licenses are the following. And so we have
15 used those over the last nine years with our teacher
16 shortage and being able to put teachers in place in
17 the areas that -- for content areas where they needed
18 to teach. Our district is currently under a
19 five-year waiver plan and there's three years left
20 after this year, and we want to be able to unify with
21 the district and continue to hire 1240
22 teachers/retain our current 1240 teachers. Over the
23 course of the -- our charter, we've had 12 of our 29
24 teachers that were hired under 1240 waiver -- are
25 under the teacher licensure waiver and 12 of -- five

1 of those 12 have -- are -- five of them are still
2 currently working on certification, the other ones
3 received certification. So and we want to continue
4 to be able to hire 1240 if the need arises in the
5 future.

6 So over the course -- since 2018, we had 60
7 openings at our school district. We hired 46 1240s
8 and 20 of those teachers retained their full
9 licensure. We currently have 20 teachers in our
10 district that are 1240 out of the 131 teachers. And
11 at middle school -- and now it says 11 from the
12 previous slide because I did have one that went to
13 another school district -- 11 of our 28 teachers were
14 hired under the waiver and six have attained full
15 licensure now. We do have an initiative in our
16 district to grow our own. We do seek to higher
17 graduates in our community that have college degrees
18 and through the 1240 waiver, many of them are alumni
19 from our district.

20 We do have the teacher cadet program and now
21 that is called the pre-educator program at our
22 SEACBEC -- at our local CTE school and we have four
23 students that are currently in that program. Some of
24 them are working through the AmeriCorps program at
25 our elementary school or at our preschool. And those

1 students -- they are given concurrent credit, and
2 they can be hired upon graduation as
3 paraprofessionals or enroll into a college and
4 through the Arkansas Teacher Residency model. We do
5 have some teachers that are going toward the master's
6 teachers' program in order to be part of the Arkansas
7 Residency Model and we have -- some para-pros are in
8 a program to pursue that route also in our school.
9 So -- and six of our 1240 teachers at Warren Middle
10 School are alumnis and residents of Warren.

11 Okay. To support our teachers some of the
12 things that we do, we do have a district mentoring
13 program where we partner them up with a mentor
14 teacher and that -- they're mentored and observed by
15 that teacher throughout the year. Novice teacher
16 training for three years at our local co-op. Our
17 content specialists have come in and given huge
18 support to our teachers. Ms. Rhonda, our school
19 improvement specialist -- when they're hired, she
20 sits down and starts working with them on learning
21 the curriculum, unpacking the standards,
22 understanding what is needed also with the unit
23 planning.

24 We do continuing professional development.
25 They're part of our content teams, our PLC teams. We

1 do -- the district has hired a person that comes in
2 and works with them on passing their Praxis. That
3 seems to be the biggest barrier that we have with our
4 1240 teachers is being able to pass the Praxis exam.
5 So we did contract with a lady that comes in and
6 works with them outside the school time in preparing
7 them for the Praxis.

8 And the -- I was hoping I could pull up that
9 progress monitoring, but we have a five-year step
10 plan for the 1240 teachers that at the beginning of
11 each year, Superintendent Cornish and our Assistant
12 Superintendent Wardlaw and the principals will meet
13 with those teachers to step out exactly what they
14 have to do for the year one to continue to a path of
15 certification. And then we meet with them on a
16 regular basis throughout the year to check their
17 progress. We do the same thing for year two, year
18 three and year four and year five.

19 SUPT. CORNISH: Let me step in for a second.

20 MS. CORNISH: Okay.

21 SUPT. CORNISH: Our district chose to -- we
22 originally started out allowing the 1240 to have
23 three years to -- to complete their program. We
24 decided that maybe -- if we're investing that much
25 time and they're following the procedures and they're

1 meeting -- reaching those milestones every year and
2 we've invested three years, then let's go ahead and
3 give them additional two years to get that far. So
4 far, we've never reached the five year -- well, I
5 think right now we have one that's on five years.
6 The majority of our teachers that stay within our
7 district they're through within three years. We've
8 got a four year and a five year right now.

9 And hopefully -- we may go back to that three-
10 year, but during that progress monitoring that Ms.
11 Kathy's talking about that is -- we meet with them at
12 the beginning of the year; we sign off; they sign off
13 and they know their expectation going through the
14 school year as to what they must complete throughout
15 the year. And then we'll -- we check in regular with
16 them and then we don't offer -- we don't allow -- if
17 one is struggling, we're constantly monitoring those
18 teachers and then we -- if we even hence that they're
19 struggling whatsoever we pull that teacher out and
20 give them a full day or however much time needed to
21 work with Ms. Rhonda one-on-one. She's hands on and
22 she's -- she's the frontline with those 1240s; and
23 she -- when they show up to -- to teach, we normally
24 already have their -- have their unit plans designed
25 for them. They have -- they know what's expected of

1 them and Ms. Rhonda is in their classroom and she's
2 helping them monitor that lesson model, sometimes
3 those lessons with them. So we don't just turn them
4 loose to the wolves and let them go when they show
5 up. So I wish that were -- we don't have that, but
6 that's a five year plan that they have that we all --
7 and it makes us -- it has this consistent and we just
8 hold them accountable to those expectations that
9 they're held to during the -- during the school year.
10 Okay.

11 MS. CORNISH: Okay. And so the impact that it's
12 had on our student achievement learning, we have
13 moved our letter grade from a D to a C school. Our
14 ELA growth, I have a 1240 teacher, last year was
15 their first year in 8th grade ELA and 46 percent of
16 their students were ready or exceeding, which I
17 thought was wonderful, especially in our area.
18 Reading has really been a struggle for us as far as
19 having kids ready or exceeding. We've been able to
20 hire more minority teachers for our diverse
21 population and offer more face-to-face instruction
22 instead of having to offer a virtual option if we did
23 not have a full -- a teacher in the classroom. And
24 we've been able to implement over the last two years
25 of school, a school wide tier support system to help

1 kids that are two or more years behind, and then
2 students that are struggling with classroom
3 standards.

4 SUPT. CORNISH: We are -- we're -- we are highly
5 committed to hiring a certified person first. Only
6 in an emergency situation have we hired 1240s. We're
7 currently into that situation right now at Warren
8 Middle School, there's been a teacher resign. And so
9 we are -- Kathy and I have had conversation about --
10 and maybe she's teaching the class the remainder of
11 the year instead of hiring at 1240. If we can't find
12 a qualified applicant, we're going to -- we're just
13 not going to hire someone to throw in to make it
14 through the year, whenever -- if she's willing to go
15 in or Ms. Rhonda is willing to step in and help out.
16 And that is a -- it's a tested area; it's in
17 literacy. And so we're just not -- we don't want to
18 go out and just hire right now 1240. A lot of times
19 our 1240 hiring comes in within a week of school
20 starting. We'll have a teacher resign or have a
21 teacher, and then we don't -- we're not getting
22 applications. People aren't coming to the community
23 of Warren right now. We don't -- there's not a lot
24 of job opportunities there, especially for college --
25 people that have college degrees. And so I think our

1 grow our own initiative, that helps us out
2 tremendously. And then just having the reputation of
3 our school is what we got to depend on to having --
4 hopefully having qualified applicants apply for our
5 positions. So --

6 MS. CORNISH: All right. From there -- okay.
7 When we talked about the shift -- when we came to get
8 the charter approved, we were on the personalized
9 learning spectrum and in those it was standards
10 driven curriculum with proficiency scales and a 4, 3,
11 1, 2 grading system. It also went through an
12 instructional design component for that, timely
13 assessment system and feedback to our students,
14 learner centered instruction, data-driven for
15 continuous improvement and reporting/recording of
16 course those grades on the 4, 3, 1 standards-based
17 report card and communication with our parents and
18 within our schools. And just to answer -- I'll wait
19 and answer that minute.

20 And now we are more focused on high levels of
21 learning for all which we still have our strength
22 standards-driven curriculum. We still have our
23 district wide instructional model and instructional
24 design system. We still give our timely feedback and
25 assessments. We're still student learning system --

1 learning centered instructions, still data-driven,
2 but moving more toward that traditional grading and
3 reporting. I think that's the main component that's
4 out. And to give that is our parents couldn't wrap
5 their heads around it, they wanted to know, do I give
6 them ice cream, or do I beat them? I don't really
7 know, but they have a 3. I want to know, are they
8 passing? And that was something that our parents
9 never could -- we thought that that would help as it
10 grew up with our students and it didn't. Our parents
11 were just really set in that traditional setting.
12 And then we still have our communications system with
13 our parents and within our school. And mainly there
14 is that grading system with community push back.
15 They just never really could get that component
16 going.

17 And I would say a teacher turnover -- and you're
18 in a standards-based/competency-based system -- as
19 the teacher, you have to really be well versed in
20 knowledge in your content and what standards in the
21 level of DOK within your standards. And when we will
22 have teacher turnover and we would have to hire let's
23 say a 1240 who had never taught before, that was a
24 struggle for those teachers. And so some -- our
25 students were working ahead of our teachers, and

1 because the students knew the system, they had been
2 in it. And so it was a real struggle to keep the
3 momentum going and teacher -- keep our teachers from
4 getting frustrated. And I would say through that we
5 did lose some teachers to a more traditional setting.

6 SUPT. CORNISH: We lost teachers, and we lost
7 students. We had students leaving to go to another
8 school in our area and we lost students to a private
9 school in our area and also, we lost students to
10 local surrounding other public schools when we
11 started implementing this and we wouldn't move away
12 from it. So --

13 MS. CORNISH: And with a pacing issue and
14 mastery of their standards when you have that
15 proficiency skill, sometimes it became a checklist in
16 classrooms and not true student mastery.

17 SUPT. CORNISHI: So --

18 MS. CORNISH: Go ahead.

19 SUPT. CORNISH: Let me rephrase that. We
20 watered it down sometimes just to -- for the teachers
21 that didn't -- were struggling with it. They would
22 have to water the curriculum down just to satisfy the
23 parent or the teacher and we weren't -- that's not
24 acceptable. So we -- that's another reason for the
25 shift.

1 MS. CORNISH: And when we were noticing, we were
2 -- well, we knew we had those struggles, we went to a
3 High Reliability Schools Summit in Austin, Texas, and
4 there we learned the -- looking at the levels of high
5 reliability schools; and we were on level four and
6 five where there was levels one, two and three and we
7 were missing some major components. Whereas -- not
8 so much a safe and orderly school, but we were
9 missing the teaching and learning level two, some
10 components of that, and then we're missing some
11 components of that guaranteed and viable curriculum.
12 Though we were working on it, it wasn't to the level
13 that we went to, so we took a step back at that time
14 and started really focusing on levels one and two and
15 three.

16 We are currently certified HRS school, really a
17 district in levels one and two, and working toward
18 level 3 now. And we just wanted to be a unified
19 feeder school, you know, high school was no longer a
20 charter; we kept our charter to feed into them and
21 with that. With high school nor their grades below
22 us having that charter, we don't feel like we need
23 that anymore. So that was our rationale for the
24 change that we are at rescinding the charter.

25 SUPT. CORNISH: I think we'll be glad to answer

1 any questions at this time.

2 DR. MOORE: Okay. Thank you.

3 We'll start here. Ms. Rollins, questions?

4 MS. McFETRIDGE-ROLLINS: No.

5 CHAIR MOORE: Ms. Hunter?

6 MS. HUNTER: No. Not right now.

7 CHAIR MOORE: Mr. Wood?

8 MR. WOOD: Why -- why the three-year request at
9 this time instead of a year-to-year request?

10 SUPT. CORNISH: We were trying to unify with the
11 with the other -- other campuses back -- I guess, it
12 was two years ago the -- our Southeast Arkansas Co-op
13 came before the Board and asked for a waiver of five
14 years -- a 1240 waiver and all the other campuses on
15 our school -- in our district have a five-year -- was
16 granted a five-year waiver at that time except for
17 Warren Middle School because they were under the
18 charter. So given a three-year waiver at this time
19 that would unify us as a district. We'd all be on --
20 we'd all have three years left for a 1240 waiver.

21 CHAIR MOORE: Ms. Keener, question?

22 MS. KEENER: Yeah. So I want to understand the
23 timeline here. So looking at the -- it looks like
24 the Charter Authorizing Panel, in December, rescinded
25 current waivers; correct? So are -- do you -- are

1 you seeking waivers for this year for current or for
2 --

3 SUPT. CORNISH: For next school year.

4 MS. KEENER: -- next year? So I'm -- you know,
5 I understand certainly the -- the teacher shortage
6 that we're right now in the area and the struggles
7 that are going through, but I'm hesitant to sort of
8 throw in the towel in January. I don't think we're
9 quite at that emergent situation. I want to, you
10 know, I want to wait and hopefully encourage to
11 continue the application process that you guys are
12 going through, to continue seeking those positions
13 and salaries and all the things that we're looking
14 for and give it a little more time. That's sort of
15 where I am. And, you know, as -- try as you might, I
16 have a feeling you'll be back here, but I'm hoping
17 those numbers will be smaller on the way that you're
18 continuing to develop the -- especially those that
19 are already hired. So that's just a thought of mine.
20 I'm trying to think. I think for now that's --
21 that's my first question.

22 CHAIR MOORE: Okay. Thank you.

23 Mr. Henderson?

24 MR. HENDERSON: Thank you for your presentation.
25 It looks like you guys are doing a lot of work. With

1 regards to inclusive practices with the PLC project,
2 you might elaborate a little bit on how you guys'
3 measure that or what do you have in place or what
4 what are you thinking there?

5 SUPT. CORNISH: I will let Ms. Kathy and Ms.
6 Rhonda speak to that. They are gurus as far as
7 they've -- she's been in their building with
8 inclusive practices now for -- working with Solution
9 Tree, I guess for two years?

10 MS. CORNISH: Two years.

11 SUPT. CORNISH: Two years. And we're just now
12 started getting it in our other schools. So I'll let
13 her speak to that if you will and let her -- she can
14 speak definitely to that as far as what we -- where
15 we're with inclusive practices in our POCs.

16 MS. CORNISH: I'm -- I'm sorry. We've -- a few
17 years -- I want to say part of our level four school
18 improvement was that our school go through a PLC
19 Academy. And we did and we fulfilled that, but we
20 still didn't feel like our PLCs were exactly where we
21 needed to be and so -- and then we knew inclusion was
22 coming and we had a lot of those questions for how
23 would that look in our school? How would that look
24 for our students? How would that look for our
25 teachers? And so as our guiding coalition teams

1 start to speak, I said, well, there's this inclusive
2 practices PLC project and they said well, we rather
3 know that we're doing it right and get the support
4 that we need now instead of doing the inclusion in
5 three years and not do it right.

6 And so last year we were -- did our first year
7 of PLC process where a Solutions Tree consultant Matt
8 Treadway came in and he's worked with our guiding
9 coalition on really getting our PLC teams where they
10 needed to be. We also developed a school-wide
11 support system for students, and we started last
12 January to where everybody in the building,
13 regardless if you were the PE coach, if you were the
14 choir teacher, if you were the band teacher,
15 everybody had a group of students that we supported
16 on the essential standards that if given the common
17 formative assessment that tells if the kid need
18 support; then we divided them into groups. Then we
19 did that in our PLC teams.

20 So everybody in our school works toward that.
21 Everbody understands our mission is to move all of
22 our kids in the direction that we need them to. And
23 so that really, I think helped us change our letter
24 grade more because we had more collaborative efforts
25 among our teachers and really looking at our schools

1 as an individual.

2 And then this -- at the end of last year, the
3 SPED department that was working with us also on
4 inclusive practice said hey, we would like to extend
5 that another year for you plus we would like to
6 extend that to your two elementary schools. And so
7 we were like, yes, we would love to. And so we've
8 continued that work and this year we were able to set
9 aside one whole period that we split into two blocks.
10 And if you know much about our school, we still have
11 close to 60 percent of our kids that are not reading
12 on grade level and so you can't just expect the
13 classroom teachers to fill those gaps. And we
14 couldn't do it with just an intervention time. And
15 so we kind of split it up. We have what we call
16 vitamin C, which is more tier one where every student
17 in the building is getting some intensive support on
18 where they're lacking. And then the other part,
19 they're getting support on grade level standards. So
20 I think that's what's helped us in our PLC process
21 and to really hone in more on those individual needs
22 of the kids.

23 SUPT. CORNISH: With the success of middle
24 school, that's trickled down now into our other
25 elementary schools and into our high school as well.

1 They're just at the very beginning stages of the
2 inclusive practice and PLC projects.

3 MR. HENDERSON: Okay. Thank you.

4 MS. WILLIAMS: And as I go into the classrooms
5 and I'm looking at the inclusive practices that are
6 taking place, this is what it looks like now
7 compared. It would be where our resource teacher is
8 in their team teaching with the teacher. And so it's
9 very good to see. And as far as like their units and
10 things, the inclusive practices PD that we've been
11 going through, this helped our teachers learn how to
12 take that standard and break that standard down so
13 that they know where to start. That was one of our
14 things, they just didn't know where to start. And so
15 they have really helped us really bring it all
16 together for all students.

17 MS. CORNISH: And I will say this on our special
18 education teachers, the big thing was, what's my role
19 now? And so now it's kind of -- when I had a teacher
20 that was really, you know, a little bit resistant
21 about it -- she's been a sped teacher for 20 years
22 and after a while she was like, okay, I get it now.
23 And so when she started this year, our SPED teachers
24 are for grade 6,7,8 are all pushed into the general
25 ed classroom, and then they have components where

1 they can get small group support in their classroom
2 if needed. And they were like, I understand now --
3 an eighth-grade standard -- how to help scaffold that
4 with the teachers. So the teachers plan together,
5 they work together, and they give support to those
6 students. So when we're saying all means all, it
7 means all. Like, in our intervention time, a
8 resource teacher may have general ed kids and their
9 -- and the students with IEP's go into the
10 specialist, the teacher that's fully or certified or
11 a specialist in that content area. So it's really
12 kind of shifted how we're approaching, I would say
13 student centered learning in the building.

14 MR. HENDERSON: Thank you.

15 CHAIR MOORE: Questions, Mr. Bragg?

16 MR. BRAGG: No.

17 CHAIR MOORE: Ms. Woods?

18 MS. WOODS: Just a couple. First of all, I
19 commend you for making the change because it's hard
20 when you identify something that's not working. And
21 I know you've put in a lot of work.

22 Can you talk about where your 1240 teachers --
23 which classrooms they're in? I mean, I know it's a
24 lot of them, but just kind of give us a breakdown. I
25 didn't write it down. How many teachers do you have

1 total in the district?

2 SUPT. CORNISH: We have 131 teachers --

3 MS. WOODS: You have 131?

4 SUPT. CORNISH: -- in the district. And we're
5 between -- it's -- I don't have the exact number --
6 15 to 20 1240s in the district.

7 MS. WOODS: Okay.

8 SUPT. CORNISH: We are getting some of those
9 certified that's been certified since the beginning
10 of this year. I think Ms. Kathy will speak to where
11 your 1240 teachers are at Warren Middle School. I
12 will tell you district wide, it's a lower number on
13 the elementary level, at high school, it is a higher
14 number. And I think -- I think middle school would
15 fall in -- she's -- we started the year off with
16 maybe six at Warren Middle School. We just recently
17 -- one just recently passed his test, so he's no
18 longer 1240. So I think we have five now that are
19 1240 teachers and then they're math, literacy -- one
20 of those success stories was a 1240 teacher that's a
21 graduate of Warren and she blew the board -- she did
22 exceptionally well this year -- her students did in
23 -- on the ACT Aspire.

24 Want to speak to exactly what numbers -- where
25 those are?

1 MS. CORNISH: Right now I have -- currently have
2 five. I have one that's in social studies, one
3 that's in science, one in ELA, one in PE and one in
4 art.

5 SUPT. CORNISH: The one in science was hired --
6 we had to hire that teacher in --

7 MS. CORNISH: October.

8 SUPT. CORNISH: -- October. So that was a hire
9 after a teacher resigned.

10 MS. WOODS: So you're putting your certified
11 teachers in math and literacy?

12 SUPT. CORNISH: As much as possible, yes, ma'am.
13 As I said earlier that -- the science teacher that we
14 were talking about, that was an emergency situation
15 to where we had a teacher resign in the middle of the
16 year; and we're trying not to do that with the
17 literacy teacher that's resigned this --

18 MS. WOODS: Right now.

19 SUPT. CORNISH: -- at middle school. She's --
20 we're trying to work around putting a non-certified
21 teacher in that area.

22 MS. WOODS: What about the high school?

23 SUPT. CORNISH: High school that is a
24 smorgasbord there. There -- they are -- there are
25 teachers teaching literacy and math at the high

1 school level, and science that are 1240s.

2 MS. WOODS: Other than just mentorship, are we
3 giving them any other resources? I mean, how are
4 kids' grades doing in their class?

5 SUPT. CORNISH: We're currently -- we constantly
6 monitor those, and the principal does a really good
7 job of staying on top of the teachers, making sure
8 that the grades aren't suffering in those. And for
9 the most part our -- the 1240 teachers at the high
10 school are doing exceptionally well, but it is
11 closely monitored. If we do see a -- if we do see a
12 setback somewhere, as I said earlier, Ms. Rhonda's
13 grabbing them and we're taking them in and -- and
14 we're working them through their issues of --
15 challenges that they may have.

16 MS. WILLIAMS: What we normally do with the 1240
17 if they're hired before the school year, I'll pull
18 them over in the summer with me and we go through our
19 instructional model all the way to unit planning,
20 what your standards are and then I go in and monitor
21 their -- we consider them, like, on a tier three.
22 It's something that we did on the -- in the district.
23 I go in with them once a month and I meet with them
24 also outside of that -- their class time to go over
25 their units ahead of time to make sure that what they

1 are teaching is around -- centered around the
2 standard and at the rigor that it should be. So --
3 and we bring in our co-op specialist. If it's math,
4 if it's science, if it's ELA, we bring in those
5 specialists and they work with them also.

6 MS. WOODS: And I guess my last question, the
7 two teachers that you talked about that were on their
8 fourth and fifth year, what is the communication to
9 them and what happens if they don't complete it?

10 SUPT. CORNISH: The year-five teacher will
11 receive a non-renewal letter at the end of this year
12 out -- of the year. We have went out and -- and got
13 additional support for those two teachers and they've
14 been working with an outside source; they've been
15 working with our co-op specialists; they've been
16 working with Ms. Kathy; they've been working with Ms.
17 Rhonda and they're missing it by -- by a little bit.
18 And they're currently -- they're taking the test
19 pretty much monthly now as much as possible to
20 hopefully pass those tests. They're not bad teachers
21 at all, would love to keep them, but if -- in the
22 event that it doesn't happen, then they will be non-
23 renewed. That's in our school district policy.

24 CHAIR MOORE: Thank you. Yes.

25 MS. SMITH: Good morning. I just want to make a

1 clarification, something you said this at the
2 beginning. So your district as a whole, your other
3 schools, already have the waiver --

4 SUPT. CORNISH: Yes, ma'am.

5 MS. SMITH: -- for teacher licensure?

6 SUPT. CORNISH: Yes, ma'am.

7 MS. SMITH: The reason why the middle school --
8 you didn't seek the waiver for the middle school at
9 the time was because they were charter conversion,
10 and they had the waivers over -- under that?

11 SUPT. CORNISH: Yes.

12 MS. SMITH: Now that you've rescinded the
13 charter, you're asking for a three-year waiver to
14 match the rest of the district and the practices that
15 you have?

16 SUPT. CORNISH: Yes, ma'am.

17 MS. SMITH: Okay. That was something that I had
18 not caught earlier, but when you said that. I just
19 wanted to clarify that.

20 SUPT. CORNISH: That's the purpose of -- that's
21 the purpose of that -- of that.

22 MS. SMITH: So you have it for your high school
23 already, but you don't --

24 SUPT. CORNISH: I'm sorry maybe I didn't make
25 that clear earlier.

1 MS. SMITH: No. You -- when you said it, it
2 just aha for me.

3 SUPT. CORNISH: Okay. I'm sorry. Yes. That's
4 the purpose of us being here today. Hopefully it's
5 not -- I mean, we're -- we -- the teacher shortage
6 and then -- and then getting on -- getting on the
7 same page with the other campuses in our district and
8 would like to keep some of these 1240 teachers that
9 we currently have employed. And if not granted the
10 1240 for three years, then those teachers will be
11 non-renewed at the end of the year because they won't
12 be able to be employed without the 1240s. So --

13 MS. SMITH: Okay. Thank you.

14 SUPT. CORNISH: Yes, ma'am. Thanks.

15 CHAIR MOORE: May I ask, I haven't heard you
16 speak -- there's -- you're seeking a waiver for
17 library media specialists and also for the teacher
18 salary fund. Can you speak to why those waivers are
19 there?

20 SUPT. CORNISH: Tripp, could you speak to that
21 one, please? We were -- I was under the impression
22 that the we did not ask for the library media
23 specialist. Okay. Well, we -- we didn't see a huge
24 need for the library media specialist at the time.
25 And I don't know the attorney that was working with,

1 Mr. Reynolds, I thought we --

2 CHAIR MOORE: Okay. You know what? Now that I
3 -- I think I printed my agenda off a few days ago and
4 I see that the -- it's updated here, and I don't see
5 library media specialist on it. But I do see the
6 teacher salary fund. Why is that waiver there? And
7 what are your salary -- set up this year?

8 SUPT. CORISH: No. That -- I mean, of course
9 the salary is an issue, but, I mean, we with the --
10 we will -- yeah. Would you speak to that? And --
11 please.

12 CHAIR MOORE: Yes. If you would introduce
13 yourself, please.

14 MR. WALTER: Good morning. Dr. Moore, members
15 of the Board, Deputy Commissioner Smith, my name is
16 Tripp Walter. I'm staff attorney with Arkansas
17 Public School Resource Center. That particular
18 waiver request that Dr. Moore is talking about, I
19 want to make sure all that -- all that says is that
20 if you're going to pay a teacher out of district
21 funds, the teacher has to be licensed. It has
22 nothing to do with how much the district's paying,
23 those kind of things, it's just if they don't -- and
24 this is commonly held among charters as well because
25 if you have an unlicensed teacher, this waiver would

1 allow you to pay them from the same funds that you
2 would your licensed teachers. That's all that it
3 does.

4 CHAIR MOORE: Okay. So it's not a waiver from
5 the minimum salary schedule?

6 MR. WALTER: No, ma'am.

7 CHAIR MOORE: Okay.

8 SUPT. CORNISH: Now, I asked him to clarify that
9 because I would botch that trying to explain that;
10 I'll just be honest with you. So --

11 CHAIR MOORE: Okay. And it doesn't prevent you
12 from receiving state funding for the teachers' salary
13 fund; does it?

14 MR. WALTER: No.

15 CHAIR MOORE: Okay. It doesn't -- it does not
16 have anything to do with the -- with the minimum
17 salary schedule.

18 CHAIR MOORE: Okay.

19 MR. WALTER: And that -- that's another separate
20 piece of statute.

21 CHAIR MOORE: Okay. Thank you.

22 Board Members, any additional questions?

23 MS. WOODS: I just want to clarify, so we --
24 is our action No. one, to accept the Charter Panel's
25 --

1 CHAIR MOORE: So yes, so there'll be two
2 actions.

3 MS. WOODS: Okay.

4 CHAIR MOORE: The first one is to accept or --

5 MS. WOODS: Reject the recension?

6 CHAIR MOORE: Actually, I think that at that
7 point in time, it would be whether to have a hearing
8 --

9 MS. WOODS: Oh.

10 CHAIR MOORE: -- to accept or reject. We vote
11 on the Charter Authorizing Panel's decisions to hold
12 a hearing or not. So the first one would be -- have
13 a hearing. If we have the hearing, then I think the
14 waiver requests would also be voted on at a later
15 time, but then if we don't, the second one would be
16 for the waiver request.

17 MS. KEENER: Are we open for discussion?

18 CHAIR MOORE: Questions? Yes.

19 MS. KEENER: You know something -- I'm new to
20 learning about charter schools and things like that,
21 and something that I've heard often kind of in doing
22 my research and digging into this is how common it is
23 for these waivers for charter schools for three
24 years, for five years and while I understand that
25 it's common practice, I just am not in the mindset

1 that it's the best practice. And I'm -- I'm hesitant
2 to match a practice that I disagree with. So in my
3 opinion, moving forward I'd like to change that
4 common practice and perhaps go back to a single year,
5 understanding that as, you know, in the few years
6 that as that -- your new -- your current waiver has
7 expire, that we would follow that same practice going
8 back to just a single year in the hopes that, you
9 know, the teacher shortage, things like that will
10 improve. That we can continue getting the grow your
11 own policy that you guys have been working on -- or
12 practice that you've been working on. Because again,
13 as you mentioned at the very beginning, you
14 understand that the very best way to see the best
15 outcomes is to have the most qualified individual in
16 front of the kids. I appreciated that by the way. I
17 was glad to see that at the beginning. So that's
18 sort of where I stand on this, that, you know, as
19 common as the practice is, I don't believe it's
20 perhaps the best practice and I don't want to --

21 CHAIR MOORE: Questions, additional comments,
22 Board Members?

23 MR. WOOD: I have a question, I guess, maybe for
24 the Department regarding the other schools in the
25 district were granted five-year waiver request. Can

1 someone speak to the wisdom of that? Why -- why was
2 that granted a couple of years ago? I don't
3 necessarily remember it, but I might not have been
4 here then.

5 MS. SMITH: Yeah. So it would -- it would have
6 been -- because they said originally it was a
7 five-year waiver. So that would have been two years
8 ago.

9 MR. WOOD: Yeah.

10 MS. SMITH: And so -- no. I don't remember the
11 hearing on that request and why it was granted at the
12 time. I do know Ms. Saracini has some numbers and --
13 she's pulled on the Warren School District with their
14 1240 and has some comments. So if -- we might want
15 to hear from her because --

16 MR. WOOD: Yeah.

17 MS. SMITH: -- she's the one who kind of follows
18 up on some of those pieces.

19 MR. WOOD: I just -- I find myself conflicted in
20 that I understand the district's concern about
21 alignment of all their schools being on the same
22 plan. I appreciate that, but I also share Ms.
23 Keener's concern about the blanket five year. You
24 know, it just -- it doesn't feel like that's in the
25 best interest of the students.

1 MS. SMITH: No. And that was, you know,
2 previously when Dr. Pfeffer was here, that was
3 something she was really kind of tackling about
4 instead of having blanket waivers to be much more
5 specific in shortage areas.

6 MR. WOOD: Yeah.

7 MS. SMITH: And another area that the Department
8 itself is tackling is right now, Ms. Saracini's group
9 is working on the teacher licensure rules and trying
10 to open that up and create those additional pathways.
11 That was part of one of the executive orders from the
12 governor about trying to streamline our pathways. So
13 we're going to -- we're in the midst of rural changes
14 that's going to -- and I think that Superintendent
15 Cornish actually alluded to that at the beginning --
16 about as we are making changes here at the
17 Department, some of these restrictions that we have
18 that are super tight, they're going to open up a
19 little bit and provide some more flexibilities for
20 districts. Right now, it's pretty tight in terms of
21 what you're licensed in, what you can teach in the
22 classroom.

23 One of the things that we have been concerned
24 about is open waivers and a district not keeping
25 track, and those teachers actually getting certified.

1 And we have seen cases in which we had districts who
2 had blank open waivers and got very, very messy,
3 didn't -- had teachers all over the place. In fact,
4 that's one of our takeover districts where they did
5 not keep up with that progress. And so I was -- when
6 they were talking about keeping up with it and having
7 teachers and -- that was refreshing to me. The data
8 -- Karli could confirm whether or not what they were
9 saying and the data, that it matches up. So I would
10 like to hear -- for Karli to be able to say yes, it
11 matches up on our end, what we're -- they're saying
12 is -- is true or we have some concerns. So I think
13 that would be helpful.

14 MS. SARACINI: Karli Saracini, assistant
15 commissioner of educator effective and licensure.

16 Good morning. Just so to kind of piggyback on
17 what they've already told you about themselves, I
18 have numbers that really show that they're really
19 moving in the right directions. We went back several
20 years so that we could talk about it for you. Back
21 in '21-'22/'22-'23, about 30 percent of their staff
22 was unlicensed. As of this year, it's down to 22
23 percent which is a huge -- that's eight percent.

24 And so when you look at -- they are working with
25 us. All the time they're calling, and our next talk

1 is the apprenticeship because when you talk about a
2 waiver for one year or three years or five years,
3 when you get a person in a program and you can only
4 give them a year-to-year contract -- the old HR in me
5 is coming out just a tad -- it's hard for people to
6 stay and stay vested. And so that's what you also
7 have to look at because I don't know if y'all are
8 aware, but some of our districts are utilizing their
9 Title II funds, which is teacher quality funding, and
10 they're even providing some of that financial support
11 for these people to get on these pathways to get
12 licensed.

13 So it makes it even harder -- it almost becomes
14 that hardship on some of our districts that are
15 trying to be proactive and be positive and try to get
16 all of their teachers certified. So when -- I don't
17 have concerns with Warren because they pick up the
18 phone and they call us all the time; and not just me.
19 Melissa Jacks, if she was in the room, would tell you
20 they're always calling and asking us. The other
21 thing, that's just on the licensed teachers. In
22 2021, they had eleven teachers on additional waivers.
23 Well, you know, I was licensed in one area, but I was
24 teaching out of area. We had 11 back in '21. We
25 have three in '24. So they are really moving in the

1 right direction.

2 If you want exact numbers, in '21, they had 11;
3 in '22, they had five; then this year, they're down
4 to three. So they are getting people licensed.
5 They're looking at the apprenticeship. We're not
6 talking about it today, but hopefully in the future
7 we'll bring that back to you. So I'm not as
8 concerned. The other thing is 74 percent of their
9 staff have more than three years' experience which I
10 think is also headed in the right direction. Only 25
11 -- a little over 25 percent has less than three
12 years. I mean, these are the numbers that I look at
13 because, you know, when it's change over, we know
14 that the more the teachers are there in the school,
15 we know it's better for kids because they're making
16 the biggest impact. This past year, they only had 16
17 new teachers. So they're -- they're starting to
18 retain their teachers. They're getting them
19 licensed, and that's why it's -- to my staff and me
20 that's what we want to see is them moving in the
21 right direction.

22 MR. WOOD: What's the average time frame from
23 day one hiring a 1240 teacher to certification for
24 the ones that have become certified?

25 SUPT. CORNISH: I would -- it can vary from one

1 year to three years what I've seen mostly. Some of
2 them would just -- just really need to pass an exam
3 to be licensed; and that seems to be the biggest
4 challenge right now of a 1240 teacher when we hire
5 them is getting them to be able to pass that Praxis
6 exam. And when we low -- I think there's been an
7 alternative where the cut scores been lowered in some
8 areas. I think that's helped a couple of -- of our
9 teachers to get certified, but --

10 MR. WOOD: How often can they take that?

11 SUPT. CORNISH: Well, I'm not -- I'm not certain
12 on the exact day. I know I've got one right now
13 that's taking it every opportunity that she can, and
14 it seems like it's monthly. I -- do you know the
15 exact day on the --

16 MS. SARACINI: Depending on the exams, 30 to 45
17 days, it locks you out that you can't retake it. But
18 as he was speaking to the Praxis, we have to remember
19 these Act 1240s do not always have an education
20 degree; it's in another field. So they need a little
21 bit more to learn that content because some of those
22 Praxis exams, like, let's look at secondary math --
23 the 7-12, so you have anywhere from general math to
24 stat to trig to calculus. So, you know, if you
25 haven't had one of those classes in a few years, you

1 have to kind of go back and refresh yourself on that
2 content. Even though you may not be teaching that,
3 you're tested on it. So that's just one example.
4 But yes, it's about a 30-to-45-day window that they
5 can't take that exam.

6 SUPT. CORNISH: A lot of these 1240 teachers are
7 making a financial obligation as well when they're
8 signing with the district to go get their masters.
9 We go -- a lot of them go through the MAT program.
10 When they do complete it, they'll have their master's
11 and that can be a six-to-seven-thousand-dollar
12 investment. And sometimes that takes more than a
13 year to be able to get that masters license. So --

14 MR. WOOD: So is -- and I'm sorry if somebody
15 else has questions, feel free to interrupt me. If I
16 understood it, you have -- you have five teachers
17 remaining at the middle school that are on 1240?

18 SUPT. CORNISH: Yes, sir. At Warren Middle
19 School.

20 MR. WOOD: Yes. At the middle school. And of
21 those five, what would be the longest projection for
22 all five of those to --

23 SUPT CORNISH: Do you want to speak to exactly
24 the ones you have?

25 MR. WOOD: -- maintain their certification?

1 SUPT. CORNISH: I think we're close on some --
2 on a few of those.

3 MS. CORNISH: Yeah.

4 SUPT. CORNISH: And then -- go ahead.

5 MS. CORNISH: I have one that this year is her
6 fifth year; one is in fourth; I have one -- I have
7 one that's in her second and two that's in their
8 first year. So I would say, you know, the next two
9 should be within the year. The other ones will
10 probably be within the year or two and the ones with
11 their first year of teaching, they are currently
12 enrolled all in the MAT program at UAM. So they're
13 finishing up their course, working toward -- working
14 toward their Praxis.

15 MR. WOOD: Okay.

16 MS. KEENER: One of the things I can -- sorry to
17 interrupt. One of the things I can really appreciate
18 is when Mr. Cornish was talking about sort of that
19 job security and how that feels as a teacher in
20 January/February/March, am I going to get renewed?
21 Am I going to have a job? And so I kind of want to
22 change my stance on it feeling like an emergency that
23 right now, teachers are looking ahead, and they don't
24 want to go into the summer -- I also appreciate you
25 mentioned that understanding if you hire them and

1 sign contracts or whatever in the spring that you can
2 work with them in the summer. So you know I think
3 I'm sort of changing my view on -- on that emergent
4 situation and understanding that maybe while I'm
5 hesitant to grant it for three years, that maybe for
6 one year we can ensure these teachers that you know
7 they do have job security and encourage that
8 retention and -- but maybe just a year to time and
9 then see where the numbers are next year.

10 MS. WOODS: Can I just ask, how much does it
11 cost to take the Praxis?

12 MS. SARACINI: The Praxis content test is around
13 -- it averages around 135, but if you're looking at
14 someone that also has to take the foundations of
15 reading, that's even more expensive than the Praxis.
16 That's a Pearson exam. It's quite --

17 MS. WOODS: So this teacher -- the one that's on
18 the five years, she's paying \$135 every month?

19 MS. SARACINI: Every time that they take that
20 and there's some that, you know -- that's why we're
21 doing as much as we can to provide at the co-op. And
22 I know y'all are utilizing that. That -- we're --
23 we're using and paying for vouchers for 240 Tutoring,
24 Study.com, there's a lot of different ones out there;
25 and then also for the science of reading --

1 foundations of reading, I worked with Dr. Pride's
2 group, and we actually have tutors and -- that we pay
3 after hours, literacy coaches. And so, I mean, we
4 try to work with them as best we can. But again,
5 when you've not gone through a lot of times the
6 traditional program, you're having to learn that
7 knowledge, those skill sets, and so it takes a little
8 bit of time. And also most of our alt routes or any
9 -- most of them are two years and we have a couple
10 that are three to complete. I know that's probably
11 what you were trying to ask.

12 MS. WOODS: My heart -- my heart goes out to
13 her. I mean, I -- I only took the bar exam, but
14 incredibly smart people fail these tests every day.
15 So that is not a reflection on her.

16 CHAIR MOORE: Questions, Mr. Henderson?

17 MR. HENDERSON: Yeah. I really appreciate the
18 Department sharing those stats. When I asked earlier
19 about, you know, some measurements and data, I'm
20 really glad that you were able to back that up
21 because I'm like, what do I see? What do I -- what
22 -- I like to see numbers. And, you know, I too share
23 the same concern as Mr. Woods and Ms. Kenner about
24 making conflicting decisions, but I also believe in
25 the power of being consistent amongst the district.

1 I think having that disconnect, no one wins. So I'm
2 happy to say that I do believe in what you guys are
3 doing.

4 SUPT. CORNISH: Thank you.

5 MS. SMITH: On your current waivers for the
6 district -- because it always confuses me when we
7 talk about expiring dates, like, in the middle of the
8 year, like, that makes it difficult. So is it
9 through the -- so you said -- we're saying three
10 years, is that through the -- obviously, so it would
11 be through the rest of this year? It would be
12 through the '24-'25 school year and then you're
13 asking for the '25-'26 school year. Would it --
14 would all of your waivers end at the '25-'26 school
15 year then or is it rolling over into the mid of the
16 next year? Like, I think there's some clarity pieces
17 there for me too.

18 SUPT. CORNISH: I think it will -- right now,
19 we're currently under our second year with the
20 five-year waiver that the --

21 MS. SMITH: And does it go all the way through
22 the school year?

23 SUPT. CORNISH: It goes all way through the
24 school year is my understanding, yes.

25 MS. SMITH: So I would just -- as you guys were

1 thinking of a motion, if you'll think in terms of,
2 like, through the school year in terms.

3 MR. WOOD: Sure.

4 MR. WOOD: Yeah.

5 MS. KEENER: Well, and the -- the waivers from
6 the charter that even though the vote is not to move
7 forward with the charter, those waivers cover you for
8 this year. So I think it, like you said, it would go
9 into '26-'27 which was what y'all were thinking; is
10 that right?

11 SUPT. CORNISH: Yes, ma'am.

12 MS. KEENER: It's a long way out, but it will
13 be here before we know it.

14 SUPT. CORNISH: (INDISCERNIBLE)

15 MS. KEENER: Okay. Thanks.

16 Questions, Board Members?

17 MR. WOOD: I'll just say this, I'm probably
18 going to vote against the three-year waiver request,
19 but it's not -- I don't want y'all to take it as an
20 offense at what y'all are doing. It sounds like
21 y'all are working very hard to get to full
22 certification. I -- I understand that that causes an
23 inconsistency in the district, but I would like to
24 just create an urgency among administrators that, you
25 know, five-year-long-term waiver requests aren't

1 routine or rubber stamped or common. Yeah. I think
2 that -- I'm all about working with people that are
3 doing hard work, and I would -- I would have -- I
4 would vote to approve a waiver request through the
5 end of the '24-'25 school year, but -- but not one
6 longer than that at this time.

7 SUPT. CORNISH: Would it be feasible to say that
8 we should maybe get the approval for a three-year
9 waiver with the requirement that we report back
10 yearly to give an update; is that an option or is
11 that -- is that something that the Board?

12 MS. WOODS: I think it is.

13 CHAIR MOORE: It's been it's been done before.
14 It just depends on the motion that's made by the
15 Board Member.

16 SUPT. CORNISH: If that's something that the
17 Board would want us -- to report back if we did a
18 three-year --

19 MS. HUNTER: So --

20 SUPT. CORNISH: to give a yearly update.

21 MS. HUNTER: -- how does that benefit you
22 exactly if we did it that way?

23 SUPT. CORNISH: If we did a three year?

24 MS. HUNTER: If we did a three year, but you
25 reported back to us --

1 SUPT. CORNISH: Well, I was just asking if
2 that's something maybe that you all wanted to
3 consider, that we would give you an update as to
4 where we're at as far as hiring certified and non --
5 and 1240 teachers.

6 MS. HUNTER: Right. And you --

7 MR. WOOD: To continue to provide
8 accountability? Yeah.

9 SUPT. CORNISH: Yes. And I was just -- I was
10 just asking that if that may be an option for you
11 all. If that -- or if not -- I mean, I was just --

12 MS. KEENER: That's an interesting option to me
13 with the understanding that if the report back or
14 something from Ms. Saracini isn't in line with sort
15 of the plan that at that point, we could change the
16 three-year contract. How does that --

17 MS. HUNTER: I think -- well - and I think
18 that's really my question. I mean, like --

19 SUPT. CORNISH: Yeah.

20 MS. HUNTER: Like, what is the material
21 difference?

22 SUPT. CORNISH: Yeah. Yeah. I see what you're
23 --

24 MS. WOODS: Yeah.

25 MS. HUNTER: -- between a one-year waiver versus

1 three-year with check ins?

2 SUPT. CORNISH: I would just like -- I just
3 would like to ask for the three years to keep the
4 consistency and then to keep the -- the have the
5 teachers know that they're when they sign on, as long
6 as they're meeting their requirement that they don't
7 stand -- that they understand that they're still
8 going to be employed the following year in the event
9 that we have to hire a 1240 teacher. And we're
10 competing with other schools around us that have to
11 hire 1240s as well and a teacher has an option to
12 come -- or a 1240 teacher has an option to come to
13 the Warren School District or they have an option to
14 go to another school district that has a 1240 waiver.
15 Well, they're going to choose that other district
16 because at Warren they're only guaranteed for that
17 one year.

18 MS. HUNTER: That's the --

19 SUPT. CORNISH: I can't --

20 MS. HUNTER: -- that's the answer I was looking
21 for.

22 SUPT. CORNISH: Yeah. I can't guarantee them
23 that they can be there for the three years where the
24 other --

25 MS. HUNTER: As they --

1 SUPT. CORNISH: As they --

2 MS. HUNTER: -- work towards their
3 certification.

4 SUPT. CORNISH: Yes. Yes, ma'am.

5 MS. KEENER: And I'm in the mindset that if
6 you're not certified, maybe you don't have the luxury
7 of that guarantee for year after year unless -- until
8 you can get that certification. If that's your long-
9 term plan, you're moving on that path, and it will be
10 a no brainer once you get that certification.

11 CHAIR MOORE: May --

12 SUPT. CORNISH: And I agree with that and -- I'm
13 sorry.

14 CHAIR MOORE: No, go -- you --

15 MR. WOOD: Well, I think that puts more -- more
16 responsibility on the Department and on this Board to
17 not allow district hopping or school hopping by
18 uncertified individuals that -- well, I can't -- I
19 can't be at Warren for three years, so I'll go over
20 here where I can get it -- where I can fit into a
21 three-year waiver; right. You know, I -- I agree
22 with your concern there, but rather than just grant a
23 three-year waiver, I think we should be mindful of
24 how easily we hand out waivers and put pressure on
25 that individual to continue pursuing certification as

1 fast as possible.

2 MS. HUNTER: Well and -- and I think your point
3 is well taken. I don't know how we could actually
4 track that because the waivers are given to the
5 districts, not to people -- to the -- you, know, so I
6 don't know if there is any kind of tracking on that
7 point.

8 MS. SARACINI: Karli Saracini. One thing we do
9 track when they are working as teacher record --
10 which these Act 1240 waivers are -- my division
11 supports novice teachers, year one, year two and year
12 three, and we do keep track if they're in those first
13 years. I have mentoring specialists in every co-op;
14 and matter of fact, they're getting mid-year reports
15 to me right now because I'm all about looking at
16 numbers to see how many that you have unlicensed, how
17 many are going through your 240 Tutoring, things like
18 that. I even ask for what's your pass rates, if they
19 go through tutoring, if they're -- if it's a group
20 tutoring. So we do track that. So we could give you
21 some reports on a yearly basis.

22 MS. HUNTER: So when you're tracking those
23 numbers, is it by district or are you actually
24 getting down to the employee level? I mean, like, to
25 say I was teaching under a 1240 waiver at Warren this

1 year or for two years and then I was like, I can't --
2 and so now I'm going to get over to a different
3 district and work under their waiver.

4 MS. SARACINI: If they've already -- if it's
5 beyond their first three years?

6 MS. HUNTER: Yes.

7 MS. SARACINI: No. If it is within those first
8 three years, yes.

9 Ms. Keener: Well, thankfully I know Ms. Kathy
10 -- is that correct? Ms. Cornish, that you seem to
11 have you track it by the individual which I can
12 appreciate. And so that's, that's reassuring.

13 CHAIR MOORE: And to ask a clarifying question,
14 when you all sought the waiver for your elementary
15 school and high school, that was with the Southeast
16 co-op; is that correct?

17 SUPT. CORNISH: Yes, ma'am.

18 CHAIR MOORE: So I think that was in 2022 and
19 the entire -- which we have a lot of board members
20 that weren't here --

21 SUPT. CORNISH: Yes.

22 CHAIR MOORE: -- the entire region came to
23 request this waiver. There was a lot of concerns,
24 but at the end of the day it was passed for all the
25 districts and their co-op. But at that point in time

1 you didn't do it for your middle school since it was
2 under the charter?

3 SUPT. CORNISH: Yes, ma'am, that is correct.

4 CHAIR MOORE: Okay.

5 MS. SMITH: I think that's a really good,
6 important point that you made. So that means almost
7 all the districts in your co-op region have that
8 waiver for that many years.

9 This might be an area, Jeff, with your
10 subcommittee --

11 CHAIR MOORE: Yes.

12 MS. SMITH: -- conversations that we've talked
13 about in areas of reports and when is it time to pull
14 someone in, this could be a topic that you're looking
15 at as a region and groups that you're calling in in
16 the subcommittee level. And then if you see that it
17 needs to be pushed up to the full Board then -- I
18 mean, I -- so that might be the way to be able to do
19 that without it always having, like, this Board
20 trying to keep everybody year to year to year. That
21 subcommittee level, that might be a way to do that.
22 And then being able to stay consistent within the
23 region with the number of waivers given because right
24 now you know southwest region school districts all
25 are on this five-year track. So you could look at

1 the entire region as a whole instead of them having
2 one school that's not on track with everyone else,
3 just something to consider. I -- what you're saying
4 today, it resonates with everything that we've been
5 saying at the Department and some of the initiatives
6 and pushes that we're doing. So I don't -- but I do
7 feel like there's this -- we've got this like one
8 isolated school that did something different as a
9 charter conversion trying to do something different
10 and they're not linked in with everybody else.

11 MR. WOOD: But what you just said is that a
12 statement of fact or was that a hypothetical? That
13 everyone else in the region is on a five-year track.

14 CHAIR MOORE: It was --

15 MR. WOOD: Five-year waiver.

16 CHAIR MOORE: Yeah. The -- the entire the co-op
17 came with every district, and they all requested the
18 waiver at the same time and received it. There was a
19 lot of discussion at that point by the Board, but it
20 was passed.

21 MS. KEENER: Maybe I'm missing something but
22 understanding that Ms. Cornish is on top of this and
23 that she's tracking each individual, what is the
24 downfall of a single school moving to a single year
25 while the remaining district is working through -- I

1 guess I'm missing where that consistency is so
2 important outside of district hopping, you know, like
3 we talked about. Is there something else that is
4 going to add an extra challenge, an extra layer that
5 I'm missing? Because if not, maybe --

6 MS. WOODS: I don't think I understand your
7 question.

8 MS. KEENER: Okay. So we keep hearing it's
9 important for this region to be consistent. So
10 what's the challenge to not being consistent to
11 starting with this Warren Middle School and moving
12 them to a year as the new ones come up, we move them
13 to a year? Where's the challenge that I'm missing
14 outside of district hopping -- outside of district
15 hopping teachers? Is there something, you know, that
16 -- because we're not talking inconsistencies within a
17 single building. And Ms. Cornish has, you know,
18 proven that she's on -- she's watching these year by
19 year and supporting. So what am I missing?

20 CHAIR MOORE: I think that there can be
21 discussions with the Board moving forward as to how
22 we hold the Act 1240 waiver hearings. Every district
23 is on a different timeline. This is the -- in my
24 knowledge, this is the only time a whole region co-op
25 has come to request a waiver at the same time, so

1 we're going to see a lot of discrepancies across the
2 state in that sense.

3 MS. KEENER: So a discrepancy within a region is
4 no different than a discrepancy across the state --

5 CHAIR MOORE: Right.

6 MS. KEENER: -- for us --

7 CHAIR MOORE: Right.

8 MS. KEENER: -- as far as we're concerned?

9 CHAIR MOORE: I think this might be one of the
10 only times where it would be within districts, you
11 know, where --

12 MS. KEENER: Right.

13 CHAIR MOORE: -- buildings are doing different
14 things within their district. And assuming that
15 because they're choosing to voluntary surrender --
16 voluntarily --

17 MS. KEENER: Right.

18 CHAIR MOORE: -- surrender their charter. If
19 they would have retained that, they would have had
20 these waivers, so that, you know --

21 MS. KEENER: Well -- and they were able to work
22 through the struggles of having an isolated charter
23 school within that region within that district. I
24 don't see that this waiver is going to add an extra
25 layer of challenge, unless again, there's something

1 that I'm missing.

2 MS. WOODS: Just to play devil's advocate --

3 MS. KEENER: Yeah.

4 MS. WOODS: -- because I do remember the co-op
5 now, coming. I'll say from the beginning, I've done
6 some research into 1240 waivers because I'm like, I
7 don't love them. I told Secretary Key that a lot. I
8 was like, why are we doing this? Because I'm -- I'm
9 with you. I don't like them. But I'm like, what's
10 our alternative? Like, how do we get the schools,
11 the resources that they need to be able to teach our
12 kids, so I feel that. I don't know -- just playing
13 devil's advocate, but it feel -- it kind of feels
14 punitive towards them to not give them the waiver
15 because they identified a problem, and they said
16 here's our solution. But we have to go to the Board
17 to fix it. And now we're like, well, maybe we start
18 and make an example out of you that we're not going
19 to renew it for three years. That's what's going on
20 in my mind. I mean, I'd love to just say if you want
21 a waiver you get for a year and then you come back.
22 But I also struggle with -- and I don't know that
23 this is the right situation to start that.

24 MS. KEENER: Yeah. I can appreciate that. And
25 I certainly don't want it to feel like an example,

1 but more changing the common practice of blanket
2 waivers. And it's just unfortunate that it happens
3 to be Warren Middle School and you know it's has got
4 to be somebody. I appreciate that. Thank you.

5 MR. BRAGG: If you had never had the charter for
6 the middle school, you'd be under these waivers
7 anyway, wouldn't you?

8 SUPT. CORNISH: Yes, sir. We'd be under the
9 waiver if we wouldn't have had the Charter.

10 MR. BRAGG: So the waiver is for the district?

11 SUPT. CORNISH: Yes, sir.

12 MR. BRAGG: Okay. Thank you.

13 CHAIR MOORE: We're having a lot of different
14 discussions. I do think maybe -- I would say in
15 addition to --the committee will have that discussion
16 later, maybe doing a workshop at some point on Act
17 1240 waivers to see the status of where districts
18 are. I think this sounds like a conversation that we
19 need to continue overall as to policies of -- of
20 where this Board is headed in granting 1240 waivers.
21 And, you know, we're already gearing up for the
22 fiscal session, but thinking about a session in a
23 year from now if we are continuously giving waivers
24 to laws, then maybe there's broader discussions about
25 those laws as well. Not a comment on teacher

1 licensure per se, but those are -- these are the kind
2 of conversations we have. That being said, we do
3 have these two motions here is there any more
4 discussion or questions for the district on, one
5 again, the first vote is to review or not review the
6 Charter Authorizing Panel decision; the second one
7 after that is on these waiver requests.

8 MS. KEENER: If we vote not to review the
9 Charter that accepts --

10 CHAIR MOORE: That accepts the Charter
11 Authorizing Panel's recommended vote to rescind the
12 Charter.

13 MS. KEENER: Okay. I'll make a motion to not
14 review the Charter Authorizing Panel's decision.

15 CHAIR MOORE: Okay. There is a motion on the
16 table --

17 MS. WOODS: Second.

18 CHAIR MOORE: -- by Ms. Keener.

19 CHAIR MOORE: A second by Ms. Woods to not
20 review the Charter Authorizing Panel's decision. Is
21 there any discussion or questions before we take a
22 vote?

23 All in favor, say aye.

24 (UNANIMOUS CHORUS OF AYES)

25 CHAIR MOORE: Any opposed?

1 Motion passes.

2 **2B: WARREN SCHOOL DISTRICT - CONSIDERATION OF WAIVER REQUESTS**
3 **FOR WARREN SCHOOL DISTRICT**

4 Next on the table is Action 2B which is a
5 consideration of the Act 1240 waivers. Any
6 questions, more comments or a motion?

7 Ms. Keener?

8 MS. KEENER: So I'd like -- understanding the
9 issue of teacher retention, job security, things like
10 that, understanding you've got teachers you want to
11 keep in the classroom -- until we can have a further
12 discussion, I think we need -- I'd like to make a
13 motion to grant a one-year waiver for Warren School
14 District.

15 CHAIR MOORE: Okay. We have a motion by Ms.
16 Keener to grant a one-year waiver. Is there a -- and
17 the one-year waiver being through the school year?

18 MS. KEENER: No. I -- I was thinking more for
19 teacher retention and job security that those
20 teachers -- she could go to those teachers and ensure
21 them they have a job for the following year. So I
22 would say through the end of next May or whenever.

23 CHAIR MOORE: Okay. So through the end of the
24 2024-2025 school year.

25 MS. HUNTER: So --

1 CHAIR MOORE: Questions?

2 MS. HUNTER: -- protocol questions.

3 CHAIR MOORE: Yes.

4 MS. HUNTER: So if -- if we are not favor of
5 one-year waiver, but more in favor of the three-year
6 waiver. Can there then be a second motion?

7 CHAIR MOORE: So there -- let's see. So we don't
8 have a second on -- yeah.

9 MS. WOODS: So if nobody seconds that --

10 CHAIR MOORE: That's true.

11 MS. WOODS: -- then it fails?

12 CHAIR MOORE: Yeah.

13 MS. WOODS: Then we can do a second motion for
14 whatever?

15 CHAIR MOORE: Yes. So it -- right now on the
16 table there is a motion by Ms. Keener for one-year
17 waiver. Is there a second to that motion?

18 MS. McFETRIDGE-ROLLINS: I'll second.

19 CHAIR MOORE: There is a second by Ms. Rollins.
20 So the floor is open. There is a process to do a
21 substitute motion. But there's also the process of
22 we will go -- vote on this whether it goes through or
23 not.

24 MR. WOOD: I would just like to briefly explain
25 why I've decided to change my mind on this. I'm

1 going to -- I'm going to vote for the three-year
2 waiver request because of the prior Board granting
3 the whole region the five-year thing. I -- and I
4 agree that if you were not a conversion charter
5 school at the time, you would already be under this.
6 I'm reluctantly doing this. I don't like five-year
7 waivers. That -- that's shocking to me that that was
8 done. I'm sure there's a reason and I'll listen to
9 that. I won't be so freely voting for them in the
10 future, but it only makes sense in this particular
11 situation.

12 CHAIR MOORE: Okay. Any more comments? Okay.
13 We will go ahead and do the vote on the motion. The
14 motion for a one-year waiver by Ms. Keener; seconded
15 by Ms. Rollins. I think we'll go ahead and do a roll
16 call on this one to make it cleaner.

17 And so we'll start down here. Ms. Keener?

18 MS. KEENER: Yes. Aye, sorry.

19 CHAIR MOORE: Mr. Wood?

20 MR. WOOD: No.

21 CHAIR MOORE: Ms. Hunter?

22 MS. HUNTER: No.

23 CHAIR MOORE: Ms. Rollins?

24 MS. McFETRIDE-ROLLINS: Yes.

25 CHAIR MOORE: Mr. Henderson?

1 MR. HENDERSON: No.

2 CHAIR MOORE: Mr. Bragg?

3 MR. BRAGG: No.

4 CHAIR MOORE: Ms. Woods?

5 MS. WOODS: No.

6 CHAIR MOORE: Okay. So the motion fails.

7 So now we're back on the table. A motion for
8 item 2B.

9 MR. HENDERSON: Just -- just to clarify, if we
10 vote on a three-year waiver, there is an annual or
11 yearly accountability in place?

12 CHAIR MOORE: There is not. That would have to
13 be put into the motion.

14 MR. HENDERSON: Okay.

15 CHAIR MOORE: The floor is open if anyone wants
16 to make a motion now.

17 MS. WOODS: I'll make a motion for the
18 three-year, but I would like to add in the annual
19 reporting. I feel like that's fair to start with
20 y'all on that, but it gives you the assurance you can
21 go forward in you're actual, like, HR planning as you
22 do that. But it also starts to help us set the
23 pathway of we're not handing out waivers voluntarily
24 and there will be accountability when it comes to it.
25 And knowing that we have the ability to pull it off

1 if next year things start changing. So I'll make a
2 motion for the three-year with annual reporting.

3 CHAIR MOORE: Okay. There's a motion by Ms.
4 Woods for -- to accept the waiver request by the
5 Warren School District for three years with an annual
6 reporting requirement.

7 Is there a second?

8 MS. HUNTER: Second.

9 CHAIR MOORE: A second by Ms. Hunter.

10 MR. WOOD: Before we vote on that, I would like
11 the Board and the Department to consider making the
12 same yearly reporting requirement of everyone in that
13 co-op that received this large five-year waiver. I
14 don't think it's fair for Warren Middle School --

15 CHAIR MOORE: I -- can I --

16 MR. WOOD: -- when everybody else doesn't have
17 to do it.

18 CHAIR MOORE: So I think that would have to be
19 an action item we would have to add. I will say that
20 we have done that -- in my tenure on the Board, that
21 has been done and it proved to be very unfruitful
22 because they would just put in some anecdotal
23 comments about what was to be said. So I would
24 recommend that if we were to, you know, they -- they
25 would throw in a few, these people are doing great.

1 They would maybe tell us the number of teachers, very
2 little information about student achievement. I
3 would say this would be something potentially in a
4 workshop we could go over -- think about what would
5 make sense to be --

6 MR. WOOD: Yes.

7 CHAIR MOORE: -- reported and spell that out so
8 that we don't have districts this coming up here to
9 tell us they have five people and two are doing okay.

10 MR. WOOD: Okay.

11 MS. SMITH: I do think there's an opportunity
12 here where Ms. Saracini and her team, just as she was
13 able to pull the numbers specifically for what this
14 district did, she could pull the numbers for everyone
15 in that region, look at them; if there is a concern
16 she could, she could then do a report to this Board
17 and then if you choose to call in a specific
18 district, you could. And that could be some of that
19 subcommittee work as well, as we talked about. You
20 know what I'm saying? I feel like to me that's
21 something that --

22 CHAIR MOORE: Yeah. That's very good.

23 Okay. So we have a motion for a three-year
24 waiver with reporting requirements by Ms. Woods. I
25 just lost my mind. Was there a second to that?

1 MS. WOODS: Ms. Hunter, yes.

2 CHAIR MOORE: A second by Ms. Hunter. I
3 apologize. We will do a roll call vote here.

4 Ms. Keener?

5 MS. KEENER: No.

6 CHAIR MOORE: Mr. Wood?

7 MR. WOOD: Yes.

8 CHAIR MOORE: Ms. Hunter?

9 MS. HUNTER: Yes.

10 CHAIR MOORE: Ms. Rollins?

11 MS. McFETRIDGE-ROLLINS: No.

12 CHAIR MOORE: Mr. Henderson?

13 MR. HENDERSON: Yes.

14 CHAIR MOORE: Mr. Bragg?

15 MR. BRAGG: Yes.

16 CHAIR MOORE: Ms. Woods?

17 MS. WOODS: Yes.

18 CHAIR MOORE: So motion passes.

19 Thank you, Mr. Cornish.

20 SUPT. CORNISH: Thank you all.

21 CHAIR MOORE: I appreciate all your time.

22 SUPT. CORNISH: Yeah. Thank y'all. Appreciate
23 it.

24 CHAIR MOORE: Yeah. There's a lot of
25 conversations I think we have and look forward to a

1 work session further on this.

2 **3: RULES FOR SPECIAL EDUCATION AND RELATED SERVICES,**
3 **SECTION 10: MEDIATION AND HEARINGS**

4 CHAIR MOORE: So next we'll go ahead and move
5 along. Mr. Reynolds is going to present the rules
6 for special education and related services.

7 MR. REYNOLDS: Good morning, Stephen Reynolds,
8 staff attorney for the Department. Before you
9 section 10, mediation and hearings of the division of
10 elementary and secondary education rule governing
11 special education. This rule is approved for release
12 for public comment by you all at the July 14th
13 meeting. No public comment was received. This rule
14 is before you for final approval and I'm happy to
15 answer any questions to the best of my ability.

16 CHAIR MOORE: Questions, Ms. Keener?

17 MS. KEENER: No.

18 CHAIR MOORE: Mr. Wood?

19 MR. WOOD: Yes. This is the special education
20 related services?

21 CHAIR MOORE: Yes.

22 MR. WOOD: So I do have a couple of questions.
23 It came up just recently in talking with some other
24 individuals. Page 14, the removal of the definition
25 of impartial hearing officer. It's slightly

1 concerning to see a striking language that says that
2 hearing officer has to be an impartial, trained
3 individual. Do you feel that the new language
4 adequately requires the same thing, impartial and
5 trained?

6 MR. REYNOLDS: Yeah. I think that most of the
7 -- the bulk of the revisions to this rule were done
8 for some federal monitoring by the Department of
9 Education. But what you're referring to is -- this
10 is language that was struck that's not specifically
11 provided for in IDEA and so that -- we just -- we
12 tried to revise the language to get the same meaning
13 but without the more restrictive requirement, I
14 guess.

15 MS. KEENER: There was a piece in there that
16 also removed the SEA, which I understand to be the
17 state education agency --

18 MR. REYNOLDS: Uh-huh.

19 MS. KEENER: -- as the hearing officer --

20 MR. REYNOLDS: Uh-huh.

21 MS. KEENER: -- and now it's gone to -- it's
22 done with the third party; is that correct?

23 MR. REYNOLDS: Yeah.

24 MS. KEENER: So I think maybe even removing the
25 SEA -- which can't remember exactly what page that's

1 on. But maybe having the state as the hearing agency
2 was pretty unfair, you know? So maybe removing that
3 helps with the third party and then impartial. I saw
4 that too.

5 MR. WOOD: Well, okay.

6 MR. REYNOLDS: Okay.

7 MR. WOOD: Second -- second question have is, is
8 there -- does the Department ever -- and I didn't
9 find it in the rules specifically. Is there -- does
10 the Department ever follow up with the parents of a
11 student to see if they are satisfied with how the
12 district or the school is carrying out the hearing
13 officer's decision? Because I understand the process
14 to be that if a parent is not -- might not be
15 satisfied, that they then have to essentially file
16 another complaint or grievance or whatever, request
17 another hearing, go through the whole process again
18 where it seems as though there may be some efficiency
19 if the Department checked in and --

20 MR. REYNOLDS: Uh-huh.

21 MR. WOOD: -- act as a level of accountability
22 for whether or not the hearing -- what the hearing
23 officer decided.

24 MR. REYNOLDS: That is a great question for a
25 special education expert, and I have one right here.

1 MS. SALAS-FORD: Thank you. Courtney
2 Salas-Ford, and I am answering since I used to serve
3 in that role for the Department. And the person in
4 that role now is not here. But the reason that we
5 don't do that is once a parent or anyone else files a
6 complaint and it goes through the investigation
7 process. Of course, they are interviewed, but once
8 the Department determines whether there was any
9 violations and any correct corrective actions that
10 need to be done, it's on us as the Department to
11 ensure that they are complying with the federal law.
12 If we were to check in with a parent, that would be a
13 continuous back and forth of -- did -- is the parent
14 -- you say is the parent satisfied? That's not the
15 standard that we are trying to reach. The standard
16 is -- that we're trying to reach is that they are
17 complying with federal law. The parent may never be
18 --

19 MR. WOOD: Okay.

20 MS. SALAS-FORD: -- satisfied with that.

21 MR. WOOD: Fair enough. Is there accountability
22 from the Department to the district to ensure that
23 the hearing officers' decisions are being followed?

24 MS. SALAS-FORD: Yes, absolutely.

25 MR. WOOD: Okay.

1 MS. SALAS-FORD: It is our burden to ensure that
2 -- and that's a different scenario; we're talking
3 complaints and hearings.

4 MR. WOOD: Yeah.

5 MS. SALAS-FORD: In a hearing situation where a
6 hearing officer has issued an order, it is our burden
7 to ensure compliance with that order. If we -- if
8 there is not compliance, we have certain actions that
9 we can take, or the parent or other complainant can
10 then file an appeal to district court.

11 MR. WOOD: What was that last thing?

12 MS. SALAS-FORD: If the parent or complainant is
13 not the prevailing party and they feel that the
14 district is not complying with the order or that --
15 again, that they're not the prevailing party, they
16 can appeal to District Court.

17 MR. WOOD: Okay. Is what you described as far
18 as the Department following up with the hearing
19 officer's decision, making sure that it's implemented
20 in the school or the district, is that in policy or
21 is that just --

22 MS. SALAS-FORD: That is in law.

23 MR. WOOD: That's in law?

24 MS. SALAS-FORD: Yes. That's in federal IDEA.

25 MR. WOOD: Okay.

1 CHAIR MOORE: More questions, Ms. Hunter?

2 MS. HUNTER: No.

3 CHAIR MOORE: Ms. Rollins?

4 MS. McFETRIDGE-ROLLINS: No.

5 CHAIR MOORE: Mr. Henderson?

6 MR. HENDERSON: No.

7 CHAIR MOORE: Mr. Bragg?

8 MR. BRAGG: No.

9 CHAIR MOORE: Ms. Woods?

10 MS. WOODS: No.

11 CHAIR MOORE: I did have a question. I was
12 surprised to hear there was no comment -- public
13 comment. When was this rule first put out?

14 MR. REYNOLDS: So the rule was put out in, I
15 believe, October for public comment and the public
16 comment ended in November of '23, if I remember
17 right.

18 MS. WOODS: Was it triggered by changes in
19 federal law or just or state law or just a general
20 update?

21 MR. REYNOLDS: No. The rule change was
22 necessitated by results of a monitoring by the
23 Federal Department of Education. They noticed a part
24 of our rule that was not in compliance with IDEA and
25 let us know. And so we ran a rule change to correct

1 that.

2 CHAIR MOORE: Okay. And they've given -- have
3 they seen the new version?

4 MR. REYNOLDS: Not yet. It hasn't been fully
5 promulgated yet.

6 CHAIR MOORE: Okay. So once it's promulgated,
7 then you go back --

8 MR. REYNOLDS: Right.

9 CHAIR MOORE: -- to make sure you're in
10 compliance with federal law?

11 MR. REYNOLDS: Right.

12 CHAIR MOORE: More questions? Okay. Then the
13 floor is open for a motion. This is final approval
14 for the rules.

15 MR. REYNOLDS: Final approval, yeah.

16 MR. HENDERSON: I'll make a motion for final
17 approval of the rules.

18 CHAIR MOORE: Okay. There's a motion by Mr.
19 Henderson to approve the rules for special education
20 and related services.

21 Is there a second?

22 MR. BRAGG: Second.

23 CHAIR MOORE: A second by Mr. Bragg.

24 All in favor say aye.

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIR MOORE: Any opposed?

2 Motion passes.

3 MR. REYNOLDS: All right. Thank you.

4 CHAIR MOORE: Thank you.

5 **4: REQUEST FOR WAIVER - LA-24-001 JOSEPH E. SMITH**

6 Next, we have a request for a waiver. Ms.

7 James, will you be presenting? Okay. Ms. James will
8 be coming up.

9 MR. WOOD: Could we take a short break before we
10 begin this one?

11 CHAIR MOORE: We can, yeah.

12 MR. WOOD: Is that possible?

13 CHAIR MOORE: Ms. James, is that okay?

14 MS. JAMES: Yes, ma'am.

15 CHAIR MOORE: Okay. Let's -- let's --

16 MR. WOOD: Five or --

17 CHAIR MOORE: do --

18 MR. WOOD: Five or ten --

19 CHAIR MOORE: 10:35 we'll start back.

20 (WHEREUPON, after a break was taken, the
21 proceedings were resumed as follows to-wit:)

22 CHAIR MOORE: Okay. We're ready to get started.
23 We got a few bonus minutes there. We are on action
24 item No. four request for a waiver.

25 Ms. Sarcini.

1 MS. SARACINI: Karli Saracini, assistant
2 commissioner, educator effectiveness and licensure.
3 Today we have a waiver request by Joseph Smith and
4 the Flippin School District. I'm going to let
5 Ms. Whitney James go over our procedures and then
6 I'll come up -- back up -- and give the opening.

7 MS. JAMES: Whitney James with the Department.
8 So for a licensure action hearing, you know, Ms.
9 Saracini has introduced the item; we've already
10 exchanged exhibits and I believe that you have the
11 exhibits packet that we sent to you. Each party will
12 have the opportunity to present an opening statement
13 of five minutes. I don't think that we'll probably
14 even take that long. And then each party will have
15 15 minutes to present their cases, starting -- each
16 starts with a division -- with opening statement and
17 the presentation of the case. Again, I don't think
18 we'll take very much time on our side. But before
19 that happens, we'll need the Chair to please swear in
20 everyone who is testifying other than the attorneys.
21 And then at the end of the educator's case, there's
22 limited rebuttal. Again, I don't think we'll have
23 any. And then at that time, if there are questions
24 from the Board, we can -- we can talk about that.
25 And then the Board can vote if there's a motion on

1 the waiver.

2 CHAIR MOORE: Okay. Thank you, Ms. James. So
3 at this point in time, anyone speaking on this that
4 is not an attorney, please stand and raise your right
5 hand. Okay. Thank you. Do you swear to tell the
6 truth, the whole truth and nothing but the truth?

7 (ALL ANSWER AFFIRMATIVELY)

8 CHAIR MOORE: Thank you. You all might want to
9 take a seat here in the front row. We'll start with
10 a five-minute opening statement by the Department.

11 MS. SARACINI: So I'm just going to give you a
12 little bit of the facts. Mr. Smith -- we've received
13 a true finding on -- DHS -- on 10/9/23. So when we
14 talk about -- if you can look at your Exhibit No. 1
15 is kind of the timeline of events that occurred. Mr.
16 Smith began working in the school district in
17 September of 2021, as an IT assistant director. And
18 when you're a classified employee, you do not have to
19 go before the State Board; it's the local board that
20 they go before. The local board waived -- accepted
21 and made a motion for a waiver for Mr. Smith to
22 continue employment in the school district. Again,
23 he was IT. He fit the bill for computer science, and
24 so we fast forward to '23, and when the background
25 check was redone for a licensed employee because they

1 would like for Mr. Smith to teach computer science --
2 he passed -- he passed the Praxis. He was ready to
3 go. So upon doing so, the background check again
4 came back with the true finding with DHS, this time
5 under the licensed personnel. That procedure is it
6 comes to you, State Board, to either grant or deny
7 the waiver for the -- Mr. Smith to continue
8 employment in the Flippin School District.

9 And so at this time, we have spoken with Mr.
10 Kees, legal for the district, several times. He is
11 currently appealing the waiver. I know a lot of you
12 have heard these waivers before. Sometimes it can
13 take up to two years for a waiver with DHS; it's a
14 very slow process. So I want to just try to give you
15 enough information that's kind of in the packet but
16 not in the packet.

17 So any questions for me?

18 MS. WOODS: I did. I just wanted to confirm you
19 were actually able to receive the report; correct --
20 this time?

21 MS. SARACINI: Yes, ma'am.

22 MS. WOODS: Which I think this is one of the
23 first ones we've ever gotten.

24 MS. SARACINI: Well, guess what? I listened to
25 what you said and guess what I did.

1 MS. WOODS: Thank you, ma'am.

2 MS. SARACINI: Okay. Well, I wanted you to have
3 all the information because I know that was one of
4 your concerns in the past. And so we are working
5 diligently. Ms. Clara, who is our background check
6 coordinator and Ms. James, our attorney, we're
7 working really hard to get you all the information
8 because I know in the past you felt like you've not
9 had -- had the whole story. And I feel this time you
10 have the whole story to make your recommendation. So
11 at this time, I will turn it over.

12 MR. KEES: Thank you, Ms. Saracini.

13 Thank you, members of the Board. I'm Cody Kees,
14 representing the district, and have the pleasure to
15 represent the employee. I have done this before and
16 in past instances, I kept it brief, and you had
17 questions. I just want to hit a couple of high
18 points.

19 Mr. Smith is currently employed with the
20 district in a classified position. He has passed the
21 practice. And taking all steps necessary to be a
22 certified teacher. And he has an offer of
23 employment. The Superintendent will be utilizing him
24 and --

25 CHAIR MOORE: Mr. Kees, if you could pull the

1 microphone up. Thank you.

2 MR. KEES: I'm sorry. Thank you, Ms. Moore --
3 Dr. Moore.

4 So pending approval from the Board, he will be
5 utilized in the role of a certified employee for
6 computer technology. He has the support of his
7 superintendent; he has the support of his principal.
8 He's taken all other actions to receive his license.
9 We had attempted to resolve this with DHS but
10 unfortunately pending timelines, we weren't able to
11 get the appeal. We're still in that process. It's
12 not -- it's nothing more than a technical matter. We
13 just weren't able to get that done and we'd like to
14 have it resolved by the Board.

15 I do know that there may be some questions about
16 the facts, so I was going to have him just present
17 the facts as they were in February of 2000 -- it was
18 three years ago, so February of 2021 -- if that that
19 would be the pleasure of the Board and then make him
20 available for any additional questions. Since that
21 time, he's taken a gun -- it did involve the
22 misfiring of a weapon in his home where his child was
23 was in the home. This was in Harrison, Arkansas.
24 And so it involved in -- this firing of a gun in the
25 presence of a minor and then that led to a finding of

1 child endangerment. He's since taking the gun safety
2 class, and he's taking the child maltreatment class,
3 which I provided to the Board. And so the pleasure
4 of the Board if you'd like to hear from him as to the
5 incident, I'd make him available with this time; and
6 then really stand ready to answer any questions that
7 you might have and make the superintendent and
8 principal available as well. Okay. All right.

9 CHAIR MOORE: I want to check real quickly. Did
10 the Department want to come back for their 15-minute
11 opening or should we just go ahead and move into the
12 --

13 MS. SARACINI: We can go ahead if there's no --

14 CHAIR MOORE: Okay. And then -- but we'll --
15 we'll be able to come back to answer questions from
16 the Department later.

17 MR. KEES: Okay.

18 CHAIR MOORE: Thank you.

19 MR. KEES: So, Mr. Smith, if you would tell the
20 Board in your own words what happened in February of
21 2021, regarding a gun misfiring in your apartment.

22 MR. SMITH: Yes, sir. My name is Joseph Smith.

23 CHAIR MOORE: If you don't mind moving forward
24 to the microphone. I'm sorry.

25 MR. SMITH: Is that better?

1 CHAIR MOORE: Yeah. Thank you.

2 MR. SMITH: Okay.

3 My name is Joseph Smith. I was -- we had just
4 my -- my wife, my 12-year-old son at the time -- we
5 had just gotten back from an aquarium trip -- got
6 back to my house. I had a gun laying on my desk that
7 I had gotten from my father's estate. My dad had
8 passed away. My mother -- my stepmother was living
9 there. The house had fallen into very much
10 disrepair, and so we moved her out and in the midst
11 of cleaning everything out brought the gun over. It
12 was old, was going to clean it, had it sitting on my
13 desk. I didn't really think about it.

14 We didn't really have any loaded guns in the
15 house as a kid, and I didn't take the forethought to
16 check it. I was sitting at my desk; my wife was
17 sitting on the couch; my son was sitting on the floor
18 playing Legos. I bumped my desk swiveling around or
19 something, knocked the gun off, the gun fell onto the
20 floor, went off and went through the floor into the
21 neighbor's apartment downstairs. Very loud sound --
22 my -- I made sure my wife, my son and everybody was
23 okay. I went downstairs to check on my neighbor.
24 She wasn't in her -- she was in the living room.
25 This was 11:00 at night. Scared her -- made sure she

1 was okay and at that time she didn't say that
2 anything had -- we didn't know what had been damaged
3 or anything had been done. I didn't even know it had
4 gone through the floor. She just heard the loud
5 bang. Went back upstairs, made sure everybody was
6 okay up there. My wife, my son, left, went to go
7 back to my wife's house or our house. And my
8 neighbor called and said she found a bullet on the
9 floor, went downstairs, had -- it gone through the
10 ceiling, through her coffee table. And there was
11 parts of a bullet on the floor. I went -- I
12 apologized to her and made sure that she was still
13 okay and everything like that. Went back upstairs to
14 talk to my wife and my son, they decided to go home
15 because it was 11:00 at night a lot of things had
16 happened. Yeah. Let's just close out the night and
17 go home. And after -- shortly after they had left,
18 the gun was still in the home so -- well, still in my
19 apartment. I decided it was probably a better idea
20 to take it and store it, and in that -- the
21 downstairs neighbor had called the police. They
22 called me and in the midst of driving out there, then
23 turning around and driving back, they talked to me
24 that evening, told me to be more responsible with my
25 -- with -- with the gun and left it with me and that

1 was the end of that night.

2 CHAIR MOORE: Thank you. Any additional
3 comments at this point by your group? Thank you for
4 sharing.

5 MR. KEES: The -- and if the Board wants
6 testimony, it would only be from the superintendent
7 and principal to confirm that he has employment.
8 He's currently employed, and I think that's in the
9 statement.

10 CHAIR MOORE: Okay.

11 MR. KEES: So if those are in the record, I'll
12 save you the time of that.

13 CHAIR MOORE: Okay. Thank you.

14 MR. KEES: Thank you, Dr. Moore.

15 CHAIR MOORE: Board Members, questions? We'll
16 start with Ms. Keener down here.

17 MS. KEENER: No.

18 CHAIR MOORE: Mr. Wood?

19 MR. WOOD: Not right now.

20 CHAIR MOORE: Okay. Ms. Hunter?

21 MS. HUNTER: I have questions but I'm trying to
22 get them well formulated. I guess I just -- just to
23 make this comment. There just seems to be a lot of
24 inconsistencies in the documentation that was
25 provided and that is concerning to me. And I don't

1 know if you can -- if you are aware of any of the
2 inconsistencies and if you want to speak to any of
3 those.

4 MR. SMITH: What --

5 MS. HUNTER: That's not a question really, but
6 --

7 MR. SMITH: What inconsistencies?

8 MS. HUNTER: Well, I mean --

9 MR. SMITH: This is -- to be honest, whenever
10 all of this -- whenever I received the -- the true
11 finding and everything like that and finally got with
12 DHS to get their report and to get the police report
13 and everything like that with it, that's the first
14 time I had ever seen that report.

15 MS. HUNTER: Okay.

16 MR. SMITH: So there was a lot of things that
17 were in there that I -- that doesn't match up with
18 the go of events that I have it for that night or
19 that were in my statement that I gave the police that
20 night.

21 MS. HUNTER: Okay. So -- so it said that you, I
22 think, told your neighbor that there were fireworks
23 that went off?

24 MR. SMITH: No.

25 MS. HUNTER: Is that not true?

1 MR. SMITH: No, ma'am.

2 MS. HUNTER: Okay.

3 MR. SMITH: And I -- I never told the officers
4 that either. So --

5 MS. HUNTER: Okay.

6 MR. SMITH: Anything that they asked as soon as
7 they asked this was what happened, who was there --
8 yeah.

9 MS. HUNTER: Okay. And then there was also --
10 not sure who this is from -- but it said that
11 whenever, like, later that night, whenever you, I
12 guess, talked to the police officer that he asked you
13 if there was a rifle in your vehicle and if it was
14 unloaded; and that you said yes, that you had checked
15 it three times to make sure it was unloaded and then
16 he racked back the slide which ejected a .22 caliber
17 round from the chamber; is that true?

18 MR. SMITH: Yes, ma'am. Yes. Well, I don't
19 know how many times I told him that I had checked it,
20 but whenever it went off, I pulled the --

21 MS. HUNTER: You don't have to --

22 MR. SMITH: The loading tube.

23 MS. HUNTER: -- use the right words I don't even
24 know. What it -- I mean, whatever.

25 MR. SMITH: Yeah. I -- it I pulled the loading

1 tube out from the bottom just to dump it out and make
2 sure nothing else was in there. As far as I could
3 tell, nothing else was in there, put the rod back in
4 and put it into the trunk of my car. Well, it was a
5 Jeep, but -- yeah -- in the back of the Jeep.

6 MS. HUNTER: Okay. All right. And had you
7 taken gun safety before this incident? I know you
8 have --

9 MR. SMITH: I'd taken hunters ed as a kid --

10 MS. HUNTER: Okay.

11 MR. SMITH: -- but prior to that, no ma'am.

12 MS. HUNTER: Okay.

13 CHAIR MOORE: Ms. Rollins, questions?

14 MS. McFETRIDGE-ROLLINS: I think I'd like to
15 know, how many guns do you have? And where have you
16 secured them at this point?

17 MR. SMITH: Oh, very much so. Every gun in the
18 house -- we've got a -- two .22s and there's a
19 shotgun in the home, but none of them have ammo
20 anywhere near them. They are stored very separately,
21 and every gun has a safety flag that's in it -- that
22 is inserted in it that you have to remove before
23 anything can get loaded or it become a usable weapon.

24 MS. McFETRIDGE-ROLLINS: Did you learn that
25 through gun safety?

1 MR. SMITH: Yes.

2 MS. McFETRIDGE-ROLLINS: Okay.

3 MR. SMITH: Yes, ma'am.

4 MR. KEES: Let her finish. She said where did
5 you learn it?

6 MR. SMITH: Oh, where? The gun safety course.
7 So DHS wanted me to take a gun safety and hard target
8 course. So I did take that course and have been
9 doing my own research, reading best practices,
10 finding ways to make it safe but still be usable. So
11 --

12 MS. McFETRIDGE-ROLLINS: Has your son gone
13 through any safety courses?

14 MR. SMITH: Not yet, no, ma'am. He does --

15 CHAIR MOORE: Questions, Mr. Henderson?

16 MR. HENDERSON: Not at the moment.

17 CHAIR MOORE: Mr. Bragg?

18 MR. BRAGG: No.

19 CHAIR MOORE: Ms. Woods?

20 MS. WOODS: So is it practice -- and I don't
21 know if this is a question for you or for Mr. Kees.
22 Is it typical procedure that once a police report is
23 taken, they turn it over to DHS? Are you aware?

24 MR. KEES: I've only -- I don't know the answer.

25 MS. WOODS: Okay.

1 MR. KEES: When I participate in DHS appeals,
2 it may or may not have a police report.

3 MS. WOODS: Okay.

4 MR. KEES: We just didn't see this one because
5 he didn't have notice before DHS made a finding.

6 MS. WOODS: Okay.

7 MR. KEES: And that's why we had to go on the
8 back end and ask for the hearing that hasn't been
9 scheduled.

10 MS. WOODS: I just have a real problem with them
11 making findings without an interview.

12 MS. HUNTER: Agree.

13 MS. WOODS: So -- okay.

14 MS. HUNTER: So you've not had a hearing? I
15 mean, so like you believe that this true finding will
16 then be undone?

17 MR. KEES: I do. But I'm not optimistic that
18 that would happen really timely --

19 MS. HUNTER: Right.

20 MR. KEES: -- because we've had a lot of
21 technical issues getting that appeal hearing set and
22 since he has employment and the district wants to
23 hire him in the certified capacity and I've been
24 before this Board before, I thought this would be the
25 better move. But that -- even if we didn't have this

1 option, we would still pursue the DHS option to have
2 the true finding removed which would -- this would be
3 a nullity at that point.

4 MS. HUNTER: Exactly. Thank you.

5 CHAIR MOORE: Ms. Woods, more questions?

6 MS. WOODS: No.

7 CHAIR MOORE: Ms. Sallam?

8 MS. SALLAM: (Shakes head side to side)

9 CHAIR MOORE: Any member -- the floor is open
10 also for questions from the agency if anyone has any
11 questions?

12 MS. McFETRIDGE-ROLLINS: I think I have a
13 technical question. If we were to grant this way,
14 you just come back up again if it's not off the DHS
15 record? How often do they go for a background check?

16 MS. SARACINI: Every five years.

17 MS. McFETRIDGE-ROLLINS: Okay.

18 MS. SARACINI: And so this one was in September
19 -- I mean, October of '23. So we would have another
20 background check completed in five years, in 2028.

21 MS. McFETRIDGE-ROLLINS: Okay.

22 MS. SARACINI: And that's whether he's a
23 classified employee or a licensed. We have
24 background checks on a rotation every five years,
25 either renewing a license or you're on a rotation as

1 a classified employee as well.

2 MS. HUNTER: So --

3 CHAIR MOORE: Ms. Hunter?

4 MS. HUNTER: How -- how long are we -- how long
5 is this waiver request for? Is it like permanently?

6 MS. SARACINI: When you waive this -- when it's
7 waived, as long as it's on -- comes back, this
8 particular item, it will be waived. We put it in our
9 system that it's specifically for this. If another
10 true finding were to happen or something in a
11 background check on FBI or state police were to come
12 up, it would not be waived. It is on this particular
13 item. And remember in the past, you know, some
14 appeals have taken more than a year.

15 MS. HUNTER: I think that's what bothers me the
16 most. Is that, like, these are not aligned. We've
17 talked about alignment a lot today.

18 MS. SARACINI: Yes. I mean, again, that's DHS
19 and their system and their processes.

20 MS. HUNTER: I -- I guess, my -- like, if let's
21 say it's a year and a half before DHS gets to this
22 and then it remains a true finding? I mean, that
23 would bother me if we gave this waiver today because
24 they've found something else. Does that make sense?

25 CHAIR MOORE: Yeah. I think we've granted

1 waivers where you we have -- we have the waiver until
2 such time that hearing comes and if it were to come
3 back positive, then we had a condition on the motion
4 that would trigger them to back in front of the
5 Board; if that is correct?

6 MS. SARACINI: Yes, that is correct.

7 CHAIR MOORE: This is actually probably more
8 information than we've ever had from DHS at this
9 point in time, on anything I've seen. And so we put
10 that condition in before.

11 MS. HUNTER: Thank you.

12 Mr. Wood?

13 MR. WOOD: I have some questions for Mr. Smith.

14 MR. SMITH: Yes, sir.

15 MR. WOOD: What was -- what was said about
16 fireworks on the night of the incident occurring?

17 MR. SMITH: The closest thing that I could think
18 of is whenever I went downstairs to check to make
19 sure that she was okay because of the gun going off,
20 she said it was a loud bang like a firework. Like a
21 -- she said there's a loud ringing like some -- like
22 a firework had gone.

23 MR. WOOD: That -- that's all?

24 MR. SMITH: That's -- yes, sir. And again, that
25 was just from what -- her and I had a conversation.

1 MR. WOOD: How many times did you go down to
2 your neighbor's apartment?

3 MR. SMITH: Twice I believe.

4 MR. WOOD: Why did you go down there the first
5 time?

6 MR. SMITH: Because it had -- the gun had gone
7 off and she would normally bang on the floor whenever
8 my kids would come over. And this was late at night,
9 a gun did go off and I just wanted to make sure that
10 everything was okay. And then once I got back
11 upstairs talking to my wife, she had called me on my
12 phone and told me what she had found and that there
13 was a hole in her coffee table and that I needed to
14 come downstairs.

15 MR. WOOD: Mr. Smith, I'm going to be honest
16 with you. I'm having a hard time with this, not
17 because of the incident that occurred that night with
18 regard to the gunshot. I have a general personal
19 philosophy or whatever about these types of appeals
20 that if you're on the child maltreatment registry,
21 that's a disqualification for teaching. And I was
22 going to stick to that pretty hard until your case
23 came along. And then I was pretty compelled by the
24 fact that someone could almost accidentally end up on
25 the child maltreatment registry and I had some

1 feelings towards when an act occurs that is an
2 accident and you find yourself accused of negligence
3 and -- on there, that that is different than a
4 purposeful act where someone has an inappropriate
5 relationship with a child or pours boiling hot water
6 on a child that -- or over disciplines. Those are
7 very different situations. And yours is one of
8 negligence.

9 MR. SMITH: Yes, sir.

10 MR. WOOD: My problem today is that I -- I --
11 for lack of a better way to say it, I don't believe
12 you because your stories are very inconsistent. And
13 your -- your explanation today is inconsistent with
14 almost every report in here from everyone involved in
15 the incident, including the children that were in the
16 room at the time that talked about fireworks was
17 discussed in your living room. And your neighbor
18 only reports one time of you coming to her apartment,
19 and that was to apologize for the noise and that it
20 wasn't until she showed you the holes in the ceiling
21 and the coffee table and the floor did you have any
22 response about a gun going off. And you continue --
23 your story -- your story today doesn't seem to own up
24 to what occurred that night. And you're -- you're
25 essentially saying that all of these people,

1 including police officers, that were involved in
2 investigating this, that -- that they're all just
3 putting these falsehoods in here and this -- this
4 isn't true. And it gives me a lot of trouble to --
5 to support your waiver request.

6 MR. SMITH: I'm sorry, sir. I -- it's the best
7 recollection of that night. There are parts of that
8 night that I don't forget that I -- that I -- I do
9 very much think about and I am very thankful and
10 very, very, very glad that nobody was hurt that
11 night.

12 MR. WOOD: Of course.

13 MR. SMITH: I -- I very -- I regret not double
14 checking, triple checking and -- or not having -- not
15 having done more due diligence in the safety of that
16 firearm in the first place.

17 MR. WOOD: Again, my concern is not about that.
18 My concern is about honesty, and I don't -- I gather
19 from what I repeat -- read in reports of police
20 officers, your neighbor's statement, your child's
21 statement, your, I believe, wife's statement -- all
22 to police officers -- are inconsistent with what
23 you're telling us today and that gives me a lot of
24 concern; and I think for that reason I would vote no.

25 MR. SMITH: Is there any of those

1 inconsistencies that -- what -- what inconsistencies
2 are -- what parts? I'm not --

3 MR. WOOD: It's just that you don't have a
4 straight story. You don't have a story consistent
5 with what anybody else said. It -- it sounds to me
6 as though your child said -- let me read it here --
7 stated that his dad's neighbor is mean, so they were
8 just going to say that it was a firework. That was
9 going to be the story. Joseph stated to me he was in
10 his room when he heard a loud bang. Having fireworks
11 in the living room, the kids stated they set off a
12 firework. Joseph then went to Apartment C to
13 apologize for the noise, but the neighbor showed
14 Joseph the hole in the ceiling. He went back to his
15 apartment and confronted the kids. It's inconsistent
16 with what you're telling us here today. I'm not sure
17 it merits much more of an argument between me and you
18 about it, but that's why that's why I'll vote to deny
19 the waiver request.

20 CHAIR MOORE: Mr. Wood, any more questions or
21 comments?

22 MR. WOOD: (Shakes head side to side)

23 CHAIR MOORE: Ms. Keener?

24 MS. KEENER: No.

25 CHAIR MOORE: Mr. Henderson?

1 MR. HENDERSON: (Shakes head side to side)

2 CHAIR MOORE: Mr. Bragg?

3 MR. BRAGG: Huh-uh.

4 CHAIR MOORE: Ms. Woods?

5 MS. WOODS: I don't think I have any questions.

6 No.

7 CHAIR MOORE: I think I do have one more
8 question to follow up with Mr. Wood's. There was
9 something that's been bothering me reading this, an
10 inconsistency, and I -- and I don't think it would be
11 fair to you if I didn't ask. And -- in one of the
12 reports, it mentions that you stated you were in a
13 different. Can you talk about that?

14 MR. SMITH: I was sitting in the living room.
15 Well, it's a small apartment. I was sitting in the
16 living room at my computer desk. My -- my wife and
17 my son were on -- well, my wife was sitting on the
18 couch. And her and I were having -- were talking,
19 and my son was sitting on the floor playing with
20 Legos at the time. And it was just the three of us
21 in there -- in the house.

22 CHAIR MOORE: So there's a report here that says
23 that you -- stated you were in your room, and you
24 heard the loud bang which to me is not the same as I
25 knocked it off the table. And so --

1 MR. SMITH: Yes, ma'am.

2 CHAIR MOORE: -- if you'll clarify. You were in
3 the same room as the child, in the same room as the
4 gun?

5 MR. SMITH: Yes.

6 CHAIR MOORE: And you knocked it off the table?

7 MR. SMITH: Yes.

8 CHAIR MOORE: And then heard the loud bang?
9 Okay. So -- yeah.

10 MS. KEENER: I guess in this first report, it
11 appears as if -- you say you were in your room and
12 you went back to confront the children as if -- when
13 the two children told you it fell off the room -- it
14 fell out the table, indicating that you were not in
15 the room and you confronted them asking what
16 happened. And so that was -- that was concerning to
17 me that in this, I guess, this report would have been
18 -- the interview was in 2021 that it was -- it seems
19 in this one, you're passing the blame to the children
20 and that was -- if that's not what happened --

21 MR. SMITH: No, ma'am.

22 CHAIR MOORE: Yeah. That's --

23 MR. SMITH: No. And I have two children, but I
24 only had one of my children at home with me.

25 MS. KEENER: Yeah. It's frustrating. I guess,

1 the report -- and I imagine you're feeling the exact
2 same frustration that the report doesn't match what
3 you said that night -- what happened that night. And
4 --

5 MR. SMITH: Right. That --

6 MS. KEENER: -- so that's -- that's hard for us.

7 MR. SMITH: This is the first -- so whenever I
8 sent a request for information to DHS. This is the
9 first time that I personally have ever seen this
10 report. The first time I sent the request to the
11 DHS, they sent me back a message going you're not on
12 the list. We don't know what you want.

13 MS. KEENER: Yeah.

14 MR. SMITH: And then the second time, it took a
15 bit of calling around to -- figuring out who I needed
16 to get in contact with and to -- to actually get this
17 report. And so whenever I received this report, this
18 was the first time that I'd ever seen all of the
19 report or been able to address anything or look at it
20 and go, why is this like this? Because there's --
21 there's some parts about it that I don't understand
22 why that -- why my neighbor would say that. And as
23 for the rest of it, it was, like I said, it was the
24 -- I hadn't gotten to actually look at it so.

25 MS. KEENER: Well, one --

1 MR. SMITH: I --

2 MS. KEENER: -- thing that does -- oh, sorry to
3 interrupt you. Well, one thing that speaks volumes
4 to me right now that I do want to just acknowledge
5 that Mr. Hudson and Mr. Horn came down here that they
6 know -- correct? That's who -- I haven't met you
7 guys, but that's -- that's huge to me because they
8 know you in the past few years that you've worked
9 there, they could -- that speaks to how much they
10 value as it as an employee, as an educator. So I
11 just wanted to say that too. So I do appreciate you
12 coming down, thank you for that.

13 MS. WOODS: Mr. Smith, I do have one more
14 question. I think it's your wife's statement. She
15 talks about that you paid your fines and should be
16 done with court. What were you charged with?

17 MR. SMITH: Say that again.

18 MS. WOODS: So in -- I think it's your wife's
19 statement. It says Ms. -- name was blanked out --

20 MR. SMITH: Uh-huh.

21 MS. WOODS: Mr. Smith has paid his fines and
22 should be done with court. Were you actually charged
23 with something?

24 MR. SMITH: Negligent discharge of a firearm
25 within city limits.

1 MS. WOODS: Okay. So you paid a fine?

2 MR. SMITH: Yes.

3 MR. WOOD: Did you read the police report as a
4 part of preparing for your whatever -- did you read
5 -- did you ever read the police report on these -- on
6 this incident?

7 MR. SMITH: Whenever I received it, yes.

8 MR. WOOD: When did you receive it?

9 MR. SMITH: I don't remember the date to be
10 honest.

11 MR. WOOD: More than a year ago?

12 MR. SMITH: No, no.

13 MR. WOOD: Did you receive it before you
14 received it from the --

15 MR. SMITH: Just a few months ago.

16 MR. WOOD: When you -- from -- when you got a
17 report from DHS?

18 MR. SMITH: Yes, ma'am -- yes, sir. Sorry.

19 MR. WOOD: That was -- that was the first time
20 you read what the police wrote up about the incident?

21 MR. SMITH: Yes, sir.

22 CHAIR MOORE: Do we have the police report?

23 MR. WOOD: I don't know that --

24 CHAIR MOORE: Because I --

25 MR. WOOD: -- we have a police report.

1 CHAIR MOORE: Yeah. Okay

2 MR. WOOD: But there clearly is one from --

3 MR. SMITH: Yeah. That --

4 MR. WOOD: -- from this record.

5 MS. WOODS: So have you received the police
6 report, or did you receive the DHS report?

7 MR. SMITH: That is -- from the best that I can
8 tell that's both.

9 MS. WOODS: Okay.

10 MR. WOOD: The DHS report cites the police
11 report over and over again.

12 MS. WOODS: Okay.

13 CHAIR MOORE: Yes.

14 MS. SMITH: I just want to clarify something
15 because there's a lot of this statement or that
16 statement. Okay? And whether or not you're taking
17 responsibility. Okay?

18 MR. SMITH: Yes, ma'am.

19 MS. SMITH: So did you -- were you -- were you
20 irresponsible with the gun in your house with the
21 kids?

22 MR. SMITH: Yes, ma'am, I was.

23 MS. SMITH: You were? And that's your
24 responsibility and nobody else's?

25 MR. SMITH: Yes, ma'am.

1 MS. SMITH: Does the district have concerns
2 about the integrity or interaction with students
3 currently in your district, superintendent or
4 principal?

5 MR. KEES: Go ahead and go to the mic.

6 CHAIR MOORE: If you don't mind, come to the mic
7 and introduce yourself, please. Thank you.

8 MR. HUDSON: Kelvin Hudson. I'm the
9 superintendent of Flippin. I requested the police
10 report. That's the reasoning that it's been brought
11 to light and that he's now seen it.

12 MS. McFETRIDGE-ROLLINS: Can you -- can you move
13 your microphone?

14 CHAIR MOORE: Move the microphone.

15 MR. HUDSON: Sorry. I have hearing aids, so I
16 don't always hear what you're asking me to do. So --
17 we hired Eli as an assistant tech director. It's
18 been three or four years ago now. I don't know the
19 exact time. His integrity has been excellent in that
20 time. I cannot speak to what obviously was said that
21 night and what went into the police report. He and I
22 have had those conversations as well that they don't
23 match. But I have -- I have -- my experience with
24 him has been that he's always been truthful with me
25 to the best of my knowledge. And when we asked him

1 two years ago to be a computer science teacher, the
2 teacher pay wasn't to the point where that was a
3 benefit to him, and he chose not to do it. But we
4 knew that he had a relationship with our -- with our
5 students. He has students work with him in the
6 summer on our technology and we had -- we had seen
7 that. If we could get him in the classroom, we felt
8 like we could grow our computer science program. So
9 we -- we hired him this year, sent him to the CTE
10 class to get his license. He also took the Praxis to
11 get his license and then when we filed that
12 paperwork, then the true finding came back. So we
13 started investigating at that point trying to figure
14 out what was going on. And --

15 MS. SMITH: So if this -- if this Board today
16 doesn't grant this waiver, will he remain in your
17 district as a classified employee, IT staff still
18 doing the same job interacting with students and
19 being around -- on your campus?

20 MR. HUDSON: He will.

21 MS. SMITH: Because your local board is going to
22 waive it?

23 MR. HUDSON: Local board has already waived it.

24 MS. SMITH: Okay. So if -- so, today the
25 decision is whether or not he will be granted a

1 license and be --

2 MR. HUDSON: To teach.

3 MS. SMITH: -- allowed to teach?

4 MR. HUDSON: Yes.

5 CHAIR MOORE: Board Members, questions or
6 comments?

7 MR. HUDSON: Yes, for the position that I have
8 available. We have tried -- we've sent a math
9 teacher to the C -- through the CTE program to try
10 and develop a computer science program. It did not
11 grow -- the program didn't. And we tried virtual; we
12 tried digital, and this is the first time that we've
13 -- and Mr. Horn can speak to that -- but it's the
14 first time that we've seen some excitement in that
15 program. And we've also started a -- a after school
16 virtual program through the AAA of Arkansas -- the
17 name leaves me right now -- eSports program. And --
18 so there's -- we're seeing some excitement in the
19 area of technology which is exciting to us. So
20 that's why I'm here in support today.

21 MS. SMITH: I don't want my comments to be taken
22 as I don't think this is serious because I do think
23 it's serious. I think there are gun people and I
24 think there are people that are not gun people. I
25 happen to not be a gun person. I don't know a whole

1 lot about guns. However, this could have gone so
2 many ways. So I think that night in itself, you
3 probably learned more lessons than anything this
4 Board or anybody can say to you today; right?

5 MR. SMITH: Yes, ma'am.

6 MS. SMITH: I do agree with what you said Mr.
7 Wood about we have seen cases in here with
8 inappropriateness, alcoholism, drugs, like, this
9 today didn't have anything to do with that. It is
10 literally in your home personal responsibility that
11 could have been tragic. Thank God it wasn't.
12 Whether or not that night fireworks were talked about
13 or not, I don't know. I'm with you. I don't know if
14 I believe it 100 percent. Okay. But I did hear you
15 today say that you were the one that were supposed to
16 be responsible and that you did not take appropriate
17 whatever with the -- with the gun; right? That's
18 clear. And I hope the lesson from that has been
19 learned.

20 MS. McFETRIDGE-ROLLINS: I do appreciate all of
21 your reference letters. You've got quite a few and
22 several of them are very impressive to me. And that
23 you have a special connection with your students; I
24 think that's very important.

25 Were you his high school principal?

1 MR. HORN: The high school principal.

2 MS. McFETRIDGE-ROLLINS: Do you want to speak to
3 us? I know you came today --

4 CHAIR MOORE: If you don't mind --

5 MS. McFETRIDGE-ROLLINS: -- and we would like to
6 hear from you.

7 CHAIR MOORE: -- introducing yourself in the
8 microphone. Thank you.

9 MR. HORN: My name is Dale Horn. I'm the high
10 school principal. I have no trouble speaking in
11 public, but I had back surgery eight weeks ago and
12 sometimes I just start crying. So if that happens,
13 it's not that that's emotional, it's just the back
14 issue.

15 I'd like to briefly just speak about two things.
16 I think it was Ms. Hunter used the word value will
17 go. What value do you bring? I think it was you.
18 And I'd like to give you two areas that Mr. Smith
19 brings value.

20 As Mr. Hudson stated, we've not been able to
21 find a computer science teacher. Four years ago, we
22 had a math teacher. We tried to make that work. He
23 couldn't pass the Praxis. So then we moved and had
24 my business ed teacher teach computer science. He's
25 a lot better business ed teacher than he is a

1 computer science teacher, so we didn't gather a lot
2 of excitement. Then we did virtual, and we had no
3 excitement with virtual. And then we brought in Mr.
4 Smith, and we've had a lot of interest in the
5 program, and I think it's because of him and his
6 heart for kids.

7 The other thing I want to share is when I --
8 when the -- when I arrived at Flippin 5 1/2 years
9 ago, I came from a private school, 23-year
10 background. My first year Flippin I were -- I was
11 pitiful. I'd never dealt with a third of my kids
12 being raised by their grandparents. A fourth of my
13 kids who come to my office either have a parent or a
14 grandparent in jail or prison. We had homelessness.
15 I was pitiful. I probably graded out at about a D-
16 that year, and since that time I've worked hard to
17 meet the needs of those kids.

18 Mr. Smith has a different background than I have
19 and he's made connections with kids that I've never
20 connected with. He's got kids that just can't wait
21 to get out to his class; he's got kids that share
22 what's going on with their lives that they've never
23 shared with me because I can't relate to them.

24 So academically, I'd ask for you to consider
25 this waiver. We have a phrase we use at Flippin High

1 School. We inform our high school kids 280 at a
2 time; we educate them 20 to 25 at the time; but we
3 make a difference one at the time. Mr. Smith is
4 making that difference for kids that I -- that I
5 haven't been able to connect to. I'm sorry. My
6 back.

7 Do you all have any questions for me?

8 CHAIR MOORE: Thank you, Mr. Horn. Board
9 Members, questions.

10 MR. HORN: Thank you all very much.

11 CHAIR MOORE: Thank you. Board members,
12 questions, comments or open the floor for motion.

13 MS. McFETRIDGE-ROLLINS: Ms. Saracini, can you
14 talk to us a little bit about the training -- the
15 teacher development training that a new teacher goes
16 through? He's passed the Praxis, and I know there's
17 training that also goes along with that for a new
18 teacher.

19 MS. SARACINI: Yes. We actually support and
20 mentor the first three years. It's kind of a gradual
21 -- gradual release. Year one, we have mentors and
22 it's all through our co-op. It's pushed out through
23 our co-ops and our members of OUR -- I have to kind
24 of put myself across the state. I didn't want to
25 state the wrong one. They have a great program there

1 and we support them not only their first year, but
2 their second year and third year. We do -- they kind
3 of do a needs assessment of the ones coming in so
4 that we provide. You know, some may need classroom
5 management; some may need training on our evaluation
6 system TESS, or they may need -- depending if it's K-
7 6, it may be R.I.S.E. training. It just depends on
8 what they need. And so we try to meet the needs. We
9 just don't have a blanket of this is what we provide.
10 We -- actually, each co-op will do a needs assessment
11 and then they build a mentoring plan after our
12 mentoring specialists go out to the individual
13 buildings and meet with the principals and decide
14 this is what I need for my particular school. So we
15 do -- it's as individualized as we can make it
16 because it's -- a lot of needs out there. But they
17 really do support them. And it is all three years:
18 first, second and third year. Again, your first
19 year, we're probably -- they're out there and
20 visiting you once a month and then your second year
21 it -- kind of gradually release and they do a lot of
22 things in the summer. That's kind of that one-on-one
23 teacher prep. All things you need to know.

24 MS. McFETRIDGE-ROLLINS: If I could hear from
25 Mr. Smith one more time.

1 MR. SMITH: Yes.

2 MS. McFETRIDGE-ROLLINS: We've -- I've read your
3 letters of recommendation; we've heard from the
4 principal. How are you building relationships with
5 your students?

6 MR. SMITH: I have two sons that are -- one is
7 14, the other one is 16. They're -- at the end of
8 this month -- they're two years and nine days apart.
9 So I'm about to have a 17 and a 15-year-old. I treat
10 my students like I treat my kids and vice versa is I
11 want to -- I want to find some way to connect to
12 them. I want to -- I want to know what's going on in
13 their life without being the weird, buggy teacher.
14 But whenever I hear stuff that's kind of concerning
15 or, you know, something like that, I ask questions.

16 My youngest is ADHD and possibly autistic -- on
17 the spectrum somewhere. And he's -- he's a
18 completely different creature than my oldest. My
19 oldest is rather rebellious. He lives with his
20 mother and -- but he and I connect and get along just
21 fine. He talks to me. He -- he -- finding something
22 in common with somebody isn't as hard as some people
23 might think, and finding stuff in common with my
24 students is finding stuff in common with my kids. I
25 -- I want a better future for them than what I had.

1 I want to be a teacher that I didn't have or be a
2 teacher that I needed, and I've got a few great
3 examples of those. And how those teachers and those
4 principals, growing up, impacted my life, I -- I want
5 to give that back. I -- because there's so many kids
6 that just kind of slipped through because of one
7 reason or another. They're not athletic or they're
8 not in this club, that club, or anything like that.
9 All the kids are welcome in my classroom. It's one
10 of the things I like about eSports. eSports, I've
11 got kids that are playing basketball, kids that are
12 more nerdy, kids that are more books, kids that are
13 outdoorsy or cars or ag or anything like that, and
14 they -- they want to come together to play video
15 games which is awesome in -- of its own. But it --
16 it bridges connections with them, and I want to
17 foster those connections so that I don't have kids
18 that are left out that fall through, that don't have
19 somebody that's there for them.

20 MS. McFETRIDGE-ROLLINS: Thank you. Thank you
21 very much.

22 CHAIR MOORE: Thank you.

23 Board Members, questions?

24 Ms. James, if you would remind us what -- what a
25 motion would look like here. Do we have to take

1 multiple motions? I get -- we haven't done a license
2 your case in a little bit.

3 MS. JAMES: Yes, ma'am. At this time, someone
4 could make a motion to either grant or deny the
5 waiver.

6 CHAIR MOORE: Okay.

7 MS. JAMES: I don't know if there would be any
8 conditions attached to that waiver; that would be up
9 to the Board.

10 CHAIR MOORE: Okay. But it's just one motion
11 that has to be made?

12 MS. JAMES: Yes, ma'am.

13 CHAIR MOORE: Okay. Comments or question?

14 MR. BRAGG: I move we grant the waiver.

15 CHAIR MOORE: There's a motion by Mr. Bragg to
16 grant the waiver.

17 Is there a second?

18 MS. McFETRIDGE-ROLLINS: I'll second that.

19 CHAIR MOORE: There's a second by Ms. Rollins.

20 Is there -- any questions or comments before we
21 take a vote?

22 MS. HUNTER: So it --

23 CHAIR MOORE: Ms. Hunter?

24 MS. HUNTER: -- is a -- it's a motion that is a
25 complete waiver with no conditions on DHS?

1 MR. BRAGG: I'm not aware of any conditions that
2 need to be made.

3 CHAIR MOORE: Okay. So a motion to -- to grant
4 the waiver.

5 Mr. Wood?

6 MR. WOOD: I have a comment to make. I'll try
7 to keep it brief. I'm going to vote against the
8 motion. I -- I don't question any of my fellow Board
9 members who vote for it. I understand.

10 My concerns, like I said earlier, are not about
11 the -- the events related to the discharge of the
12 firearm that night. I believe that that would be a
13 situation that -- that could be overlooked from
14 someone in position of authority over a school
15 district and in our case over -- to make that
16 decision. My concern is about the -- I'm going to
17 call them the dishonest statements that were made
18 during the investigation immediately after the
19 incident occurred that involved DHS workers and
20 police officers.

21 I came in here today fully prepared to vote to
22 grant the waiver, but I believe that his story today
23 essentially denies that he was dishonest in the days
24 following, in the hours following the incident, and
25 that is very concerning to me. I believe that

1 everyone is deserving of grace and forgiveness. I
2 was willing to extend the grace and forgiveness of
3 the dishonesty that occurred two or three years ago.
4 But I believe that by denying that there were --
5 there was a story made-up, or that there was
6 conspiracy with his children to make up a story or
7 the reasons for going to the neighbor's apartment --
8 by denying that he made those things up that night,
9 he is essentially being dishonest to us; and that is
10 extremely frustrating and concerning to me that all
11 he had to do to come get my vote was just be honest
12 today about what occurred back then. He has not
13 convinced me that he is being honest about what
14 happened then and so I'll vote no.

15 CHAIR MOORE: Okay. Any more comments?

16 So there is a motion on the floor to approve the
17 waiver and we'll do a roll call.

18 Ms. Keener?

19 MS. KEENER: I wish you didn't start with me.

20 Aye.

21 CHAIR MOORE: Mr. Wood?

22 MR. WOOD: No.

23 CHAIR MOORE: Ms. Hunter?

24 MS. HUNTER: Yes.

25 CHAIR MOORE: Ms. Rollins?

1 MS. McFETRIDGE-ROLLINS: Yes.

2 CHAIR MOORE: Mr. Henderson?

3 MR. HENDERSON: Yes.

4 CHAIR MOORE: Mr. Bragg?

5 MR. BRAGG: Yes.

6 CHAIR MOORE: Ms. Woods?

7 MS. WOODS: Yes.

8 CHAIR MOORE: Motion passes. Thank you. Thank
9 you.

10 CHAIR MOORE: So last on our agenda -- thank you
11 all for coming today. We'll give you a second to get
12 out.

13 MR. KEES: Thank you.

14 **5: FORMATION OF STATE BOARD OF EDUCATION COMMITTEES**

15 CHAIR MOORE: State Board committees. Do one of
16 y'all want to go first? If one of y'all want -- who
17 wants to go first? Jeff? Okay.

18 Next -- last on our action agenda is a
19 discussion of the formation of committees within our
20 Board. We looked at the bylaws and know that needs
21 to be an action taken.

22 So if -- Jeff, do you want to go first or --

23 MR. WOOD: I'll go first.

24 CHAIR MOORE: Okay.

25 MR. WOODS: Yeah. So my proposal is to create a

1 committee on academic accountability. Last month, I
2 passed out a -- a handout -- and I apologize I didn't
3 make a bunch more copies and bring it again this
4 month -- but a committee that will meet to -- I'm
5 trying to figure out how to describe it. I described
6 it well here, but I don't want to just read it to
7 you.

8 But -- but anyway, a committee that would limit
9 its review to schools which received a D or F in the
10 2023 assessment and to the school districts and the
11 charter management organizations that have authority
12 over each such school. That -- that -- the committee
13 would be empowered to compel reporting to the
14 committee by any school which received the D or F in
15 2023, and to the school districts and charter
16 management organizations that have authority over
17 each such school. The committee would ensure that
18 any reporting that it requires to the committee from
19 any school district or charter management
20 organization or individual school would not require
21 duplicate -- duplicative information that is already
22 reported to the ADE. That we would work to minimize
23 that, but that we would work to identify any new
24 information that we would be looking for. And that
25 -- if necessary, we would require in person testimony

1 to the committee regarding the -- the issues that
2 contribute to the lack of achievement and or growth
3 in in the school or the district as a whole.

4 I would -- I would propose that it be either a
5 three- or five-person committee. I -- I don't have
6 feelings either way. I guess, maybe I would lean
7 towards three, but I -- I think five would be good
8 too. I just -- whatever we -- whatever would be more
9 able to meet with a full committee as often as
10 possible. That's what I would like to see.

11 CHAIR MOORE: And do you envision appointing
12 non-board members on the committee or just --

13 MR. WOOD: I don't.

14 CHAIR MOORE: Okay.

15 MR. WOOD: I actually would envision this just
16 being a committee of the Board itself, but we would
17 be very open and inviting to non-board members to be
18 present to answer questions about even -- even
19 interviewing successful schools and successful school
20 districts about what is working, to interview the
21 Department about how -- what their levels of
22 accountability are over these schools and districts.
23 What are we doing to help successful schools and
24 districts meet and assist and bring along
25 unsuccessful schools and districts. Also, to answer

1 specific questions, I think having Department staff
2 available to answer questions related to data that
3 they already have for state averages or things like
4 that to help us keep things in context, I think would
5 be important. But -- but I really envisioned this
6 being a committee of the -- made up entirely of the
7 Board.

8 CHAIR MOORE: Does anyone have questions for Mr.
9 Wood down here to my right? Questions?

10 MS. HUNTER: So how often do you expect this --
11 this to meet?

12 MR. WOOD: My thought would be that this would
13 be a once-a-month meeting, probably. I -- I think
14 that we should have a meeting before the next regular
15 State Board meeting to kind of let the committee set
16 its own parameters and organize itself for what it
17 wants to do as far as that goes. If it's available
18 to meet maybe slightly more often than once a month,
19 then so be it. But if -- but if once a month was
20 what it needed to do then -- then that too. But I'll
21 let the committee make its own decision on that.

22 CHAIR MOORE: Okay. So I think we'll -- we can
23 vote on them together. Our -- it says that we are to
24 establish a committee by majority vote and then the
25 Board Chair can delegate the power to the -- to the

1 member to select the membership.

2 MS. KEENER: So I'm --

3 So with that, Ms. Keener, if you want to present
4 your committee.

5 MS. KEENER: Oh, okay. Then yeah -- okay. So
6 -- so I'm -- shocker -- I'm very interested in
7 digging into early learning and I think that we're
8 presented with a really unique opportunity here.
9 And, you know, with the LEARNS act shifted early
10 childhood from the Department of Health over to our
11 little world. And so I think we're in a unique spot.
12 There's been a lot of work done, a lot of really
13 strong work. In fact, you know the history of sort
14 of the governance of that department there at one
15 point was the Arkansas Early Childhood Commission
16 that in a similar way that we do now, oversaw that
17 work. Years ago, that authority was stripped and
18 they're more of an advisory board. They have been
19 doing the work, though. They have been -- I think
20 they even had a strategic plan moving forward. So
21 I'm really excited to learn from them, to work with
22 them, to sort of shift -- take the work that they've
23 done and shift it in the light of outcomes based on
24 what we now -- the tasks that we've been given
25 through Arkansas LEARNS.

1 So just the basics. You know, the purpose of
2 the committee is for the outcomes of the kids in
3 order. What I'm really interested in looking at is
4 the, you know -- I think we've spoken about this
5 before, but children will often spend five years
6 under the care of licensed programs and still enter
7 kindergarten not ready. And that disempowers our
8 kindergarten teachers from doing what they're trained
9 to do and what they want desperately to do. So that
10 ultimately would be my goal is getting that
11 kindergarten readiness, ensuring that that's done
12 throughout all programs: faith-based, private,
13 family care, obviously, our programs receiving
14 childcare assistance.

15 And so, you know, with that purpose being in
16 mind -- I'm going to go through here, make sure I
17 don't forget anything. The membership also was kind
18 of a no brainer. It's written in LEARNS who the
19 stakeholders are in the early learning space. So I
20 want to use that as our basis. That includes
21 programs that maybe we don't oversee like Head Start
22 because they are licensed through our state, and they
23 have a lot of wonderful information gifts. I think
24 we can learn from them and and share and work in a
25 partnership as -- as opposed to just saying, oh,

1 they're federal, we don't need to mess with them. So
2 I definitely want to include Head Start programs,
3 private childcare providers, school based pre-
4 kindergarten providers, family with children
5 receiving early care -- certainly that's important,
6 the input from the families -- experts in early
7 childhood and education, early childhood -- excuse me
8 -- childhood care and education, experts in early
9 literacy and early numeracy, business and industry
10 representations -- I think is a big one -- and
11 leadership from the Department of Ed.

12 Thank heavens, we have Ms. Tonya Williams
13 because all of the changes that have happened in the
14 past, you know, 15/20 years, she is the constant; she
15 is the expert. So we're thrilled to engage with her
16 and work together. And then any relevant advocacy
17 organizations. So I foresee this being a little bit
18 different than yours, that it maybe would include a
19 single member of the Board, that I could serve as the
20 facilitator to get facilitator to get that
21 conversation going. And the liaison between the
22 committee and yourselves and kind of keep you up to
23 date.

24 I also see this as being a little different in
25 that I think there would be an intense amount of work

1 on the front end gathering information, looking
2 ahead, you know, brainstorming that strategic
3 planning and then backing off to more of a reporting
4 role and checking in after that plan has been
5 finalized and put into place. So that -- that, you
6 know, the time determination I think would be
7 different. I also want to ensure that we're
8 representing all areas of the state. So in a similar
9 way, if you would be willing to delegate that power
10 to me to appoint the members, I will keep you guys up
11 to date as it goes on. And I have a similar report
12 and I realize as I'm sitting here that I've shared it
13 with Ms. Williams and people at the Department, but
14 not with my fellow Board members. So I'll be sure to
15 get you guys a copy.

16 CHAIR MOORE: Thank you, Ms. Keener. Questions
17 down to my right?

18 MS. WOODS: Will you take recommendations for
19 people to serve on your committee?

20 MS. KEENER: I would love to.

21 MS. WOODS: Because I have somebody that I think
22 you need to talk to.

23 MS. KEENER: Yes, perfect. And that's -- in
24 fact, I have people in mind that I have not put out,
25 you know, publicly. But there are areas of the state

1 that I still don't have represented. So I definitely
2 want recommendations. In fact, throw them my way;
3 I'm going to demand that of you.

4 MS. WOODS: Okay, thanks.

5 CHAIR MOORE: Mr. Bragg? Mr. Henderson,
6 questions?

7 Okay. So what it says in our procedures is that
8 we would vote to establish the committee and then as
9 Chair I have the ability to delegate the authority to
10 the Board Member who's over the committee to to
11 select the membership of the committee. So at this
12 point in time, any more questions, thoughts,
13 reflections, or a motion? We can, I would say, just
14 go ahead and take them together to approve or deny
15 the formation of these committees.

16 MS. HUNTER: So -- so I'll make a motion to -

17 CHAIR MOORE: To establish --

18 MS. HUNTER: -- establish --

19 CHAIR MOORE: -- the --

20 MS. HUNTER: -- committees --

21 CHAIR MOORE: -- Academic Accountability
22 Committee and an Early Learning Committee.

23 MS. HUNTER: Yes.

24 CHAIR MOORE: Yeah. So there's a motion to
25 establish an Academic Accountability Committee and an

1 Early Learning Committee by Ms. Hunter. Is there a
2 second?

3 MR. HENDERSON: Second.

4 CHAIR MOORE: A second by Mr. Henderson. All in
5 favor say aye.

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIR MOORE: Any opposed?

8 Motion passes.

9 I will then delegate the authority to Mr. Wood
10 as chair of the Academic Accountability Committee to
11 comprise the membership and to Ms. Keener as chair of
12 the Early Learning Committee to comprise your
13 membership.

14 And with that, that is the end of our action
15 agenda item.

16 (The Action Agenda was concluded at 11:40 a.m.)

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C E R T I F I C A T E

STATE OF ARKANSAS)

) ss

COUNTY OF PULASKI)

I, Miranda McEntire, Certified Court Reporter #852, do hereby certify that the facts stated by me in the caption on the foregoing proceedings are true; and that the foregoing proceedings were reported verbatim through the use of the voice-writing method and thereafter transcribed by me or under my direct supervision to the best of my ability, taken at the time and place set out on the caption hereto.

I FURTHER CERTIFY, that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested or otherwise, in the outcome of this action, and that I have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original deposition transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties in the action.

WITNESS MY HAND AND SEAL this 29th day of January, 2024.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

