

ARKANSAS STATE BOARD OF EDUCATION

FEBRUARY 13, 2025

9:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

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MS. ADRIENNE WOODS  
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MR. RANDY HENDERSON

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MR. JACOB OLIVA, ADE Secretary  
MS. STACY SMITH, Deputy Commissioner  
MR. BEAU McCASTLAIN, Arkansas Teacher of the Year  
MS. HOPE WORSHAM, Assistant Commissioner - Public School  
Accountability

ADE LEGAL COUNSEL:

MS. WHITNEY JAMES, Managing Attorney - Professional  
Licensure Standards Board

LOCATION:

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

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1           you're about to give is the truth, the whole truth,  
2           and nothing but the truth?

3           MS. ROBERSON: I do.

4           CHAIR ROLLINS: I need to swear you in, as well,  
5           the attorney?

6           MR. CANTRELL: Okay.

7           CHAIR ROLLINS: What?

8           You have -- you have ten minutes.

9           MR. CANTRELL: Good morning. Thank you kindly  
10          for hearing us out this morning. My name is Chord  
11          Cantrell. I'm an attorney in Searcy. I represent  
12          Ms. Roberson this morning. And I just want to begin  
13          a little bit by telling you about her qualifications  
14          as to why we're here.

15          Ms. Roberson is a ten-year educator with the  
16          State of Arkansas. She has a master's degree in  
17          Educational Leadership; she is a certified pre-K  
18          through 4th grade teacher; she's certified in  
19          district leadership; she's a certified reading  
20          interventionist; and she has a dyslexia therapist  
21          endorsement. She is a highly qualified educator.

22          The facts that lead up to this event are  
23          somewhat unfortunate. Ms. Roberson is a  
24          four-and-a-half year educator at McCrory School  
25          District, over in east Arkansas, and during that time

1 she served as the reading interventionist at the high  
2 school. She worked with four or five students at a  
3 time, helping them cultivate their reading skills.  
4 During that time at the high school, she has no  
5 disciplinary actions against her; she has no negative  
6 job performance evaluations. Her students are  
7 thriving. The teachers at the high school love her;  
8 her students love her. There was no reason for her  
9 to have left the job or be removed from that job.

10 Instead, the district had a vacancy come up in  
11 the kindergarten classroom. And the person who was  
12 in that -- in that role left and broke her contract  
13 with the school district and that left the school  
14 district in a bind. And they moved Ms. Roberson from  
15 the high school interventionist role down to a  
16 kindergarten classroom. Ms. Roberson has only nine  
17 weeks' experience as a kindergarten teacher, and even  
18 then she was not a teacher; she was only doing that  
19 during her student teaching experience while she was  
20 in college. That was ten-plus years ago. She has  
21 not been in the kindergarten classroom since.

22 So they move her from a role where she's  
23 thriving, where her students are thriving in the high  
24 school, to the kindergarten classroom. And this is a  
25 rough classroom, to say the least. The previous

1 teacher, as I said, had left, had broken her  
2 contract, had no consequences of doing so. Eleven  
3 out of her 15 students in the classroom needed some  
4 kind of behavior plan. There was only -- or there  
5 were none in place. There were students in that  
6 classroom that had IEP needs and special education  
7 needs that the district was not meeting. The  
8 district did not provide her with any aids in the  
9 classroom, did not provide her with any  
10 paraprofessionals to help adjust to this new role.  
11 And in fact, they -- they moved her in at nine-week  
12 mark and asked her to put in grades for the previous  
13 teacher. She had no knowledge of what the previous  
14 teacher had done and was -- received no -- no  
15 guidance, had no idea, knew nothing about these  
16 students and was asked to put in grades for them.  
17 They received -- she received no assistance from an  
18 educational co-op. There was an educational co-op  
19 that could've sent in behavior specialists, could  
20 have sent in professional help, and the district did  
21 not do that for her.

22 Which leads us to an incident that occurs, and  
23 it's unfortunate.

24 Ms. Roberson takes her class out to recess one  
25 day. There were supposed to be two other

1 kindergarten classes with her. Two under -- two  
2 other kindergarten teachers were supposed to be on  
3 the playground with her. She takes her class out  
4 there. The other teachers do not tell her that  
5 they're not going; the principal doesn't tell her  
6 that they're not going.

7 And during that period of time, there are two  
8 students who were troublesome for Ms. Roberson. They  
9 had engaged in a pattern of behavior towards her,  
10 they had taken items from her class, they had caused  
11 disruptions in the class, they had bothered other  
12 students. And they were supposed to be in ISS during  
13 this day, had the principal followed through with her  
14 disciplinary recommendations to the parents and to  
15 Ms. Roberson. But instead, they are in regular  
16 class. And they have acted in such a manner this day  
17 that they have wasted their 30 minutes of free time  
18 during the day. So Ms. Roberson, as they're going to  
19 recess, sends these students to the office so that  
20 they can sit out their recess time and instead have  
21 an educational time with the principal.

22 The students deviate from -- from the other  
23 students heading out to recess and they go towards  
24 the office, and during that time they speak to three  
25 different educators. They speak to a counselor who

1           directed them -- who directed them to the lunchroom  
2           where the principal was. They spoke to an  
3           interventionist who had directed them to the office.  
4           And then they spoke to the principal herself who sent  
5           the students back out to the playground without  
6           letting Ms. Roberson know that they were going back.  
7           So Ms. Roberson believed these students are in the  
8           office; nobody lets her know that they are headed  
9           back out towards her on the playground.

10                    What happens next happens in three minutes.  
11           There's been some reporting that it was about 20  
12           minutes in length, but actually what happens takes  
13           about three minutes to occur.

14                    The children leave the lunchroom on the far side  
15           of the playground, and they walk towards the end of  
16           it, away from the view and behind the back of Ms.  
17           Roberson. They then walk directly behind her back.  
18           You can see in the video the school district provides  
19           that they walk directly behind her. There is no  
20           viewing of the children by Ms. Roberson; she has no  
21           idea that they're even there. And then they proceed  
22           out the far open gate of the playground. There's an  
23           open gate that is left open. We don't know how it  
24           got left open, but it's left open by the district.  
25           And these students walk out the gate, walk around the



1 school, and come back in the front office door of the  
2 elementary where they are then taken in. It takes  
3 about three minutes to occur.

4 Ms. Roberson, after she comes in from recess, is  
5 told that her students are in the office, and she  
6 says, "Great. Well, that's where they were supposed  
7 to be." And then she finds out that they walked  
8 outside the gate and around to the front entrance of  
9 the school and she's mortified. She's horrified. I  
10 mean, this is an open gate that leads to an open  
11 road, anything could have happened to these children  
12 at this point in time.

13 There was some reporting done, there was some  
14 forms taken where it appears that Ms. Roberson is not  
15 upset about this event. That couldn't be further  
16 from the truth. The video shows her in shock, she  
17 covers her face, she's mortified, she's terrified as  
18 to what could have happened to these children.

19 This is not the only time this has happened in  
20 the school district either. This gate has been left  
21 open multiple times throughout the school year.  
22 They've had children go out the school before, with  
23 no consequences to those teachers. And now, they  
24 have tried to take corrective action to fix those.  
25 But all while painting Ms. Roberson as a scapegoat as

1 to why this gate was left open.

2 When we had our hearing, the superintendent  
3 could not tell us whose responsibility it was to  
4 close that gate, only that the buses go through there  
5 and that somebody is responsible for closing it. But  
6 it was not closed -- and, conveniently, the cameras  
7 as down as to that particular location outside the  
8 gate.

9 The administration has tried to blame Ms.  
10 Roberson. They've tried to paint her as a scapegoat  
11 here. They've threatened her. And that just  
12 couldn't be further from the truth, as to what Ms.  
13 Roberson's educational background is, as to her  
14 feelings toward the students, and to the position she  
15 was put in. She was taken from a very successful  
16 role in the high school, placed in the elementary  
17 kindergarten -- or in the kindergarten classroom  
18 where she had no experience, and had no support. The  
19 McCrory Elementary principal herself was new on the  
20 job and did not provide her with any assistance or  
21 training as well; did not follow through with the  
22 plans that they had put in place for these behavior  
23 issues.

24 The original recommendation from the State was a  
25 suspension, the maximum amount of probation, a fine,

1           and some classes. The new recommendation before you  
2           is three years' probation, a fine, and classes. And  
3           today what we're asking this Board to -- to consider  
4           is -- is not -- not the recommendation from the PLSB.  
5           This is a district failure and they're trying to  
6           paint Ms. Roberson as the scapegoat; they're -- it's  
7           preventing her from obtaining gainful employment,  
8           preventing her from being able to take care of her  
9           family. Her husband is an educator, a lifelong  
10          educator as well. They understand the importance of  
11          education. They understand the importance of taking  
12          care of children.

13                 There was a DHS case that was opened in this  
14          case, as would be expected. And there were charges  
15          of endangering, there was charges of neglect, charge  
16          of lack of supervision. And DHS only found that  
17          there were true findings as to lack of supervision.  
18          No findings of neglect, no finding of endangering.  
19          There's been no criminal charges filed against Ms.  
20          Roberson. And DHS, importantly, has since found that  
21          Ms. Roberson does not present any kind of threat to  
22          children and would recommend -- and she is not going  
23          to be placed on any maltreatment report or finding.

24                 Ms. Roberson simply wants to help students  
25          succeed and she simply wants to help students read

1 better, which is critical in this state. We need  
2 better reading. My mom is an elementary librarian.  
3 We understand the importance of reading.

4 So we are asking this Board today to let a good  
5 educator back in the classroom to help boost reading  
6 across the state of Arkansas. Thank you.

7 MS. JAMES: Thank you.

8 Whitney James with the Department.

9 A couple of clarifying items. Ms. Roberson has  
10 not been removed from the classroom. The  
11 recommendation was probation. Of course, it's not  
12 final because this case hasn't been to you yet for  
13 that decision. What you heard from her attorney  
14 today is largely her version of events, and I'm going  
15 to speak about facts.

16 You have the transcript in the packet that we  
17 sent to you, so you know what the testimony was at  
18 the hearing. You know that she testified and had  
19 several different versions that differed from her  
20 interviews with us. And you also know -- when you  
21 read over the packet, you can see that the hearing  
22 subcommittee did not find her testimony to be  
23 credible.

24 The Educator in this case has requested a State  
25 Board review after the hearing panel lowered her

1           sanction. At the hearing, we argued that the  
2           appropriate sanction was suspension, largely that was  
3           because, again, that she's not credible. If you  
4           watch the videos, you can see that there wasn't just  
5           lack of supervision in -- you know, on the  
6           playground; there was also lack of supervision in the  
7           hallway. You also see that the students walked right  
8           in front -- or right behind -- right in Ms.  
9           Roberson's area, where she would have seen them  
10          before they walked out of the gate. So her argument  
11          that they were in the office, and she wasn't  
12          expecting them to be out there just doesn't make any  
13          sense and it does not -- it does not correspond with  
14          the video evidence or the witness testimony.

15                 She does have ten years of experience, a  
16                 master's degree, and numerous certifications.

17                 As her attorney described, on November 30, 2023,  
18                 while at recess, two students in her kindergarten  
19                 class walked by Ms. Roberson -- as you saw on the  
20                 video -- and walked to the side of the playground  
21                 where they exited through a gate and walked around  
22                 the campus, through a parking lot, and near a busy  
23                 road. Thankfully, the students were not injured.  
24                 They showed up at the front door of the school where  
25                 the counselor let them in and was wondering why the

1 students are coming to the front door of the school  
2 when they should be at recess. Again, the counselor  
3 let them in and determined they had gotten out of the  
4 gate.

5 When Ms. Roberson was walking back to the  
6 building after recess she did not notice that the  
7 students were missing from the group, even though she  
8 claims the students were in alphabetical order.  
9 Another teacher commented to her, and that was -- and  
10 she testified to that at the hearing, and she also  
11 told us this in her -- in her interview, that she had  
12 mentioned to Ms. Roberson "two of your students were  
13 in the office," and Ms. Roberson said, "What are you  
14 talking about? My students aren't -- aren't in the  
15 office; they aren't missing." The school counselor  
16 took the students back to class. She testified at  
17 the hearing that's the first time she took them  
18 anywhere. She took them back to class after recess  
19 and Ms. Roberson apparently had not noticed that the  
20 students had been missing for whatever period of time  
21 that was. When questioned by her administration in  
22 our office, Ms. Roberson did not accept  
23 accountability. She gave a different version of  
24 events that did not match what others were saying and  
25 it did not match the video footage.

1 Ms. Roberson makes numerous excuses for the  
2 incident, including: the gate should have been  
3 locked; Ms. Nick, the teacher that informed her that  
4 her students were in the office, shouldn't have been  
5 in the office; the superintendent yelled at her; the  
6 students had behavioral issues; she had never taught  
7 kindergarten before; the district didn't offer proper  
8 supports; the ethics training didn't cover lack of  
9 supervision.

10 She had Code of Ethics training in August of  
11 2023, which she stated at the hearing she didn't  
12 remember having. She claims that she knows the eight  
13 standards well, yet she failed to properly supervise  
14 her students with -- which put their safety in  
15 jeopardy. At the hearing she stated, "It's my  
16 responsibility to supervise the student, yes. But  
17 when they are leaving an area and I'm unaware of what  
18 they are doing, how am I supposed to supervise them  
19 when they leave the safety of the supervision willing  
20 -- it was their choice to leave. They were being  
21 supervised by me safely and securely." She mentions  
22 at another time "they," the students, "left my  
23 supervision." She also stated, "I just trusted the  
24 children wouldn't betray me and do that. I didn't  
25 ever think those children would be capable of that."

1 But she also testified, and her attorney mentioned  
2 today, that these students had behavioral issues.

3 At the evidentiary hearing, Ms. Roberson gave  
4 testimony that was inconsistent with her recorded  
5 interview with our office, the video footage and the  
6 witness statements, and testimony. In her interview  
7 with our office, she stated again when the teacher,  
8 Ms. Nick, asked her, "Do you know some of your  
9 students are in the office," she said, "Well, not at  
10 this time. I sent them at the beginning of recess.  
11 Ms. Simmons sent them back out." At the hearing, she  
12 testified, "I knew they were in the office." So she  
13 has said that she didn't know where they were, but  
14 that she didn't know where they were. We're not sure  
15 which is -- which is correct or which statement she's  
16 going to stand by.

17 She stated at the hearing that she did not see  
18 the students on the playground. But as you saw on  
19 the video, they walked right by her, right before  
20 they walked out the gate. The video footage shows  
21 the students going out to recess. They were with  
22 her, with the other group when they went out to  
23 recess. That is on the video. If she thought they  
24 were in the office, then she didn't see them as they  
25 were walking out to recess, that indicates that she's



1 not supervising them in the hall, like I said  
2 earlier. There's no evidence to support her claim  
3 that she sent the students to the office and the  
4 counselor walked them back out.

5 The evidence is that she did not properly  
6 supervise the students, and as a result, they were  
7 able to exit the gate. She did not provide credible  
8 testimony at the hearing, and her testimony was  
9 inconsistent with the evidence and her previous  
10 statements. She's not taken accountability and  
11 there's a preponderance of the evidence to support  
12 that she violated the Code of Ethics. Thank you.

13 CHAIR ROLLINS: We now can open the floor to  
14 Board questions.

15 Ms. Woods, do you want to start?

16 MS. WOODS: Thank you so much. I have a couple  
17 of questions about the protocol for taking the kids  
18 out to recess.

19 CHAIR ROLLINS: Ms. Roberson, would you go -- go  
20 to the mic?

21 MS. WOODS: All right. So your testimony is --  
22 or through your attorney -- that you had sent these  
23 two students to the office prior to recess. Did you  
24 just send them out of the class on their own? Did  
25 you drop them off? What did that process look like?

1 MS. ROBERSON: No, ma'am. We had talked in  
2 class. The one that was coerced out of the gate by  
3 the other student had -- had a discussion with me.  
4 He had turned the water faucet towards the wall and  
5 sprayed water all over the floor, and we spent time  
6 cleaning that up. And I discussed with him, since  
7 your math instruction was missed today and you did  
8 this instead, then we're going to sit out at recess.  
9 And on our way down there, I told him, I said, "You  
10 need to go and talk to the principal. You need to go  
11 and have a discussion with Mrs. Johnston, and you  
12 need to talk about your behavior. Because the next  
13 consequence needs to happen -- I've clipped you up  
14 and down today, and this is -- you're not responding  
15 to that. So the next thing needs to be a discussion  
16 with the principal so she can make her decision about  
17 what is the next consequence." They followed me out  
18 to -- out to recess. They made a distraction at the  
19 door and Ava came -- the counselor, Ava Simmons came  
20 to the door and asked what they were doing. They  
21 said, "We are waiting for the principal." She said,  
22 "She's not here. She's on lunch duty." So they  
23 stayed there at the door, because they knew they were  
24 not coming to recess. And the interventionist came  
25 and asked them if they needed a jacket, and they said

1 no. And she said, "Go play." She also -- so Carrie  
2 also -- Carrie Bowling also confirmed that they had  
3 spoke to Ava, and Ava said, "No, I did not." And so  
4 when they knew that Julia was -- Ms. Johnston was in  
5 the lunchroom, they walked down the awning to the  
6 lunchroom and knocked on the door and Julia -- Ms.  
7 Johnston, the principal, approached them. I saw them  
8 having a conversation with her. I assumed she took  
9 them in with her by the way of the lunchroom. And I  
10 was watching the rest of the group. My back was not  
11 towards them. And on video you can see they do not  
12 go in with Ms. Johnston; they go behind my back and  
13 walk out of the open gate. That is a bus entrance in  
14 the morning and in the afternoons that was left open  
15 by a custodian that was supposed to close that gate  
16 when she came to duty after she parked her bus, and  
17 she did not. I was not notified by the office that  
18 this gate had not been closed. The cameras were down  
19 on the side of the building where they walked on the  
20 sidewalk safely, under the awnings to the front door.  
21 There is no camera footage of those children in a  
22 parking lot.

23 MS. WOODS: I'm -- okay. I don't mean to  
24 interrupt you. But I'm concerned -- well, here's  
25 where my concern is.

1 MS. ROBERSON: Uh-huh.

2 MS. WOODS: That you left them unsupervised,  
3 like, you didn't walk them in to the principal's  
4 office or in to the office area. And I'm not  
5 familiar with the set-up of your school, but I assume  
6 there's an office leading to the principal's office.  
7 So you're lining them up for recess. Do you walk  
8 them to the front door and ask somebody to take  
9 control -- here's my concern: they're five.

10 MS. ROBERSON: Yes.

11 MS. WOODS: And I have an almost-five-year-old  
12 and I wouldn't trust him to like go down the hall.

13 MS. ROBERSON: If I had not been by myself, with  
14 my other teacher team, I would have done that. But  
15 there were other students who were fighting in the  
16 classroom that day. There was a student who had  
17 autism who had been kicked in the back in his  
18 calm-down area by a student who was out picking up  
19 some of the recreational items that were left by 4th  
20 grade. And I was monitoring those two students to  
21 make sure that the boy who had autism wasn't attacked  
22 again. And those two boys were waiting for the adult  
23 at the door where the camera was on them.

24 MS. WOODS: Okay. So you're taking your -- how  
25 many were in your classroom?

1 MS. ROBERSON: Fifteen that day.

2 MS. WOODS: Fifteen.

3 MS. ROBERSON: They were all present.

4 MS. WOODS: Okay. So you had 15 students.  
5 You're walking them down the hall. You tell those  
6 two to peel off and wait there by the door?

7 MS. ROBERSON: I told them -- yes, you are --  
8 you are going to go to the principal's office during  
9 recess today.

10 MS. WOODS: Right. But do you drop them off at  
11 the door of the principal's office?

12 MS. ROBERSON: They are -- they wait.

13 MS. WOODS: Okay.

14 MS. ROBERSON: They wait.

15 MS. WOODS: So they're left unsupervised right  
16 there, though, outside the door? It's, like, yes or  
17 no.

18 MS. ROBERSON: They're not unsupervised.  
19 There's --

20 MS. WOODS: You're with them?

21 MS. ROBERSON: -- an interventionist right  
22 there. We are.

23 MS. WOODS: You drop them off with the  
24 interventionist as you're walking out?

25 MS. ROBERSON: The class. They do. They fight.

1           There's no restriction on the areas they can play on  
2           the playground.

3           MS. WOODS: No, no, no, no. I'm not concerned  
4           about the playground. What I'm concerned about is as  
5           you're taking them outside --

6           MS. ROBERSON: Uh-huh.

7           MS. WOODS: -- what happens to those two  
8           children? Do you hand them off to another adult?

9           MS. ROBERSON: They come out with us. They come  
10          out with the class. And they understand that they're  
11          not to -- not to be playing, because there is a  
12          consequence. The procedure for students who are at  
13          Level 1 infractions may walk the perimeter of the  
14          fence, which is a very large playground, which is  
15          inappropriate for five-year-olds, especially when the  
16          gate is being left open on multiple days.

17          MS. WOODS: Okay.

18          MS. ROBERSON: And there are students who are  
19          flight risks, who look at the gate and -- it's been  
20          reported to the principal that this student who is a  
21          flight risk chose not to go out the open gate and  
22          there's not an action plan ever put in place by the  
23          principal as to why that gate is still being  
24          unlocked.

25          MS. WOODS: Okay. And I'm not -- I am concerned

1 about a gate being open, but that's not my question.

2 MS. ROBERSON: Uh-huh.

3 MS. WOODS: My question is these two students.  
4 I'm trying to figure out where the failure occurred.  
5 Did it occur -- did you leave them out --

6 MS. ROBERSON: An adult didn't take them in.  
7 When they were sent to come off of the playground and  
8 the action plan was told, there was no -- there's no  
9 consequence. So the behaviors are continually --  
10 nothing is going to be corrected until there is a  
11 consequence.

12 MS. WOODS: I understand that, ma'am. But I  
13 need to know where were these two children. You're  
14 taking your 15 students out.

15 MS. ROBERSON: They are on the playground --

16 MS. WOODS: So they do come out to the  
17 playground with you?

18 MS. ROBERSON: -- and they are at the awning --  
19 at the awning.

20 MS. WOODS: They're standing there at the awning  
21 --

22 MS. ROBERSON: Uh-huh.

23 MS. WOODS: -- and within your supervision. So  
24 they're still under your supervision at this point?

25 MS. ROBERSON: Uh-huh.

1 MS. WOODS: Okay. So that seems inconsistent  
2 with what was said earlier, where you said you sent  
3 them to the office, and they never came outside with  
4 you.

5 MS. ROBERSON: No. They were sent to the  
6 office, but they weren't allowed to come to the  
7 office by Ava, and she did talk to them. She did not  
8 allow them to come because Julia was -- Ms. Johnston  
9 was not in there. So they go to the lunchroom --

10 MS. WOODS: So then they have no supervision at  
11 this point in time, is what you're saying. So you  
12 walk outside with 13 other students and leave them in  
13 the hall?

14 MS. ROBERSON: Leave who in the hall?

15 MS. WOODS: The two students at issue.

16 MS. ROBERSON: They were never in the hallway.

17 MS. WOODS: Okay. So they walk -- all 15  
18 students walk outside with you?

19 MS. ROBERSON: Outside. Uh-huh.

20 MS. WOODS: Okay. At what point did Ava come  
21 and get them?

22 MS. ROBERSON: That's a good question. You  
23 can't see that on camera.

24 MS. WOODS: Okay. So --

25 MS. ROBERSON: There's no camera there.



1 MS. WOODS: Okay. So then all 15 students are  
2 under your supervision. What's the protocol for  
3 taking two students inside?

4 MS. ROBERSON: You -- the protocol is all three  
5 teachers should be on duty.

6 MS. WOODS: Okay. But they weren't?

7 MS. ROBERSON: But there was only one, so  
8 there's no protocol.

9 MS. WOODS: Just you. Okay.

10 MS. ROBERSON: I don't know what to do.

11 MS. WOODS: Okay. All right. My second issue,  
12 you didn't have any classroom experience. I  
13 understand that 15 five-year olds is a lot.

14 MS. ROBERSON: Uh-huh.

15 MS. WOODS: At any point in time prior to taking  
16 the job did you say, hey, I don't have classroom  
17 experience?

18 MS. ROBERSON: I did. I asked them at the -- at  
19 the week when they asked me to finalize grades, that  
20 were not entered by me --

21 MS. WOODS: No. Before that.

22 MS. ROBERSON: I did.

23 MS. WOODS: So you were a reading  
24 interventionist up at the high school and they say,  
25 hey, we need a kindergarten teacher. Do you say I'm

1 not a kindergarten teacher; I've not been in a  
2 classroom in ten years? This is not --

3 MS. ROBERSON: There was no choice for that.  
4 When your superintendent tells you what to do, you do  
5 it.

6 MS. WOODS: Okay. Did you at least tell them --

7 MS. ROBERSON: I told them I was looking for  
8 another job. It would be recommended to the board,  
9 but it would probably not be approved.

10 MS. WOODS: Okay. There was also -- from the  
11 packet that we received, there was multiple times  
12 where like the principal came in and said, hey, we've  
13 got some classroom management issues, this is the  
14 schedule you're supposed to follow. Is it your  
15 testimony --

16 MS. ROBERSON: I was on schedule.

17 MS. WOODS: Okay.

18 I may have more questions, but I'll turn it  
19 over.

20 CHAIR ROLLINS: Mr. Bragg, questions?

21 MR. BRAGG: No.

22 CHAIR ROLLINS: Ms. Hunter?

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

24 MS. KEENER: I have some questions. One -- just  
25 first and foremost, did you open the gate?

1 MS. ROBERSON: No, ma'am. I did not.

2 MS. KEENER: Can you tell me what role you  
3 played in establishing, implementing or insuring  
4 compliance of safety protocols at the school?

5 MS. ROBERSON: Behavior, addressing behavior  
6 right away. That was documented through discussions  
7 with the principal and the parents.

8 MS. KEENER: Did you help write the safety  
9 protocols for the school?

10 MS. ROBERSON: No, I did not.

11 MS. KEENER: Were you responsible for ensuring  
12 implementation of the safety protocols, like --

13 MS. ROBERSON: I'm uncertain. Can you rephrase  
14 that in a different way?

15 MS. KEENER: Were you ever given the  
16 responsibility of setting the practices that ensured  
17 safety was maintained at all times?

18 MS. ROBERSON: We were never educated on what to  
19 do if there were cameras down. The camera was down  
20 that day and they knew in the office, and the  
21 secretary was on lunch and didn't notify. I'm not  
22 sure if she notified Chris Snyder, the technology  
23 director, that that camera was down before she left  
24 to lunch and Ava took her position. But we should've  
25 been contacted by schedule since I'm going to be out

1           there that day on -- at the time that that camera  
2           went down. But there were no cameras on the outside  
3           of the building and that the gate was unlocked.

4           MS. KEENER: Are you aware of any consequences  
5           or training that the principal or the superintendent  
6           were given to ensure that better safety protocols  
7           were in place?

8           MS. ROBERSON: I do know that the superintendent  
9           did attend a Morgan Nick training during the summer  
10          --

11          MS. KEENER: Okay.

12          MS. ROBERSON: -- for missing and exploited  
13          children.

14          MS. KEENER: So I think back to my first year of  
15          teaching, and I'll tell you a story of a misstep of  
16          mine. We're in the middle of state testing. We have  
17          everything covered. We've been given all the -- all  
18          the practices that we're supposed to do; never leave  
19          the children unsupervised; you know, stay with the  
20          test. And there's all these things so that -- and --  
21          and it's pretty scary your first year of teaching,  
22          how serious this test is. So I'm in the middle of,  
23          like, a second day testing and this sweet little girl  
24          throws up all over her test, and I froze. I didn't  
25          know what to do. I went to the phone, and I called

1           the office; no answer. Who knows what was going on.  
2           I called the nurse; no answer. Who knows what was  
3           going on. And I look at this classroom of 25  
4           children, who I cannot leave with the test, and this  
5           one little baby who is sick and crying and needs  
6           attending -- you know, assistance. And I couldn't --  
7           I was just frozen. I didn't know what to do. Do I  
8           help -- do I leave the 99, put the whole state  
9           testing of the school at risk, and take care of this  
10          one child? Or do I tell her to -- I mean, I didn't  
11          know what to do. And it was one of those situations  
12          that you don't -- are not prepared for until you're  
13          there. I think about how many times I've been on --  
14          you know, focused on one child telling his story  
15          about the dream they had last night. And I'm so  
16          focused on that kid and engaging with them and giving  
17          them my attention that something happens in a far  
18          corner that I missed, because it's -- that's just the  
19          way it is.

20                 And I think that this comes down to two things.  
21                 First of all, I do not believe that you are  
22                 responsible for setting protocol for practicing the  
23                 drills for having systems and processes in place to  
24                 prevent these things. I also do not think that the  
25                 -- the decision that we're faced with today is based

1           on your actions during the incident. I think it's  
2           more about your reaction afterwards. I think the  
3           frustration with the PLSB board and administration  
4           was in sort of a lack of accountability. So I am of  
5           the notion that teachers are human, and mistakes are  
6           going to happen, but we have to also be vulnerable  
7           enough to say I wish I had -- I wish I'd done things  
8           differently and learned from them.

9           I think I've taken up enough time and will pass  
10          it. Just getting my thoughts out. Thank you. Go  
11          ahead.

12          CHAIR ROLLINS: Dr. Arnold?

13          DR. ARNOLD: No.

14          CHAIR ROLLINS: Dr. Moore, do you have any  
15          questions for Ms. Roberson?

16          DR. MOORE: Thank you. Yes, I do of Ms. James,  
17          if that would be okay.

18          MS. JAMES: Yes, ma'am.

19          DR. MOORE: Can you walk with me through the --  
20          the thinking of the PLSB committee? And can you  
21          remind me, was there two hearings or -- the initial  
22          hearing and then the evidentiary hearing?

23          MS. JAMES: So this one went to the Ethics  
24          Subcommittee and then --

25          DR. MOORE: The Subcommittee.

1 MS. JAMES: -- Ms. Roberson requested a hearing.  
2 So just the one hearing. And --

3 DR. MOORE: Okay.

4 MS. JAMES: -- I can read the rationale and  
5 remind everyone of the sanctions by both groups, if  
6 that will be helpful.

7 DR. MOORE: Yes.

8 MS. JAMES: Okay.

9 When this initially went to the Ethics  
10 Subcommittee on May 3rd, they found that Ms. Roberson  
11 violated Standards 1 and 2; and they recommended  
12 training, reading, written reflections, quarterly  
13 reports; and found that her license should be  
14 suspended for one year followed by probation of  
15 license for two years, plus a \$300 fine.

16 Their rationale was video evidence shows that  
17 the Educator left multiple kindergarten students  
18 unsupervised. The students were left unsupervised  
19 for approximately 20 minutes. The Educator has two  
20 true findings from DHS for child maltreatment. The  
21 Educator showed no remorse for her actions; she took  
22 no accountability for her actions. Her account is  
23 inconsistent with the evidence. A moderate to high  
24 negative impact on students. She should have known  
25 her actions were a violation of the Code of Ethics.

1           And the only mitigator, it looks like, was this was  
2           her first year as a kindergarten teacher.

3           Following the evidentiary hearing, the sanction  
4           was lowered to three years' probation, a fine of  
5           \$250, coursework, reading, written reflections,  
6           quarterly reports. The rationale there was video  
7           footage illustrates the Educator allowed multiple  
8           kindergarten students to leave a supervised area;  
9           multiple students were not properly supervised which  
10          led to those students leaving the playground through  
11          an open gate close to a public road. Educator showed  
12          no remorse and no accountability for her actions.  
13          Her account is inconsistent with the evidence.  
14          Educator should have known her actions were a  
15          violation of the Code of Ethics. She has two true  
16          findings from DHS for child maltreatment.

17                 DR. MOORE: Thank you.

18                 MS. JAMES: Yes, ma'am.

19                 DR. MOORE: So it's -- it is not common that  
20          we're going to see -- I mean, so the initial sanction  
21          was lessened --

22                 MS. JAMES: Yes, ma'am.

23                 DR. MOORE: -- to three years' probation and  
24          took away the one-year suspension?

25                 MS. JAMES: Yes, ma'am.



1 DR. MOORE: It is not common that we've seen --  
2 you know, seen hearings things like that after that  
3 initial was lessened. Can you speak to the three  
4 years' probation? It allows you to continue to teach  
5 in the classroom. But, you know, your district is  
6 under -- under the understanding -- is there any sort  
7 of work by a district if they hire a teacher who's  
8 under probation?

9 MS. JAMES: The district would be able to see  
10 that she has a violation of Standard 1. They would  
11 be able to see on AELS that she is on probation.  
12 Whether or not they would choose to hire her after  
13 knowing that, is that -- that would be a decision  
14 that the district would make. But the probation will  
15 not keep her out of the classroom.

16 DR. MOORE: Okay. And then as far as the DHS  
17 goes, based on what I read, it was a finding, but her  
18 name didn't go on any list; is that correct? And so  
19 that doesn't jeopardize a license?

20 MS. JAMES: Correct. She would still be  
21 eligible. She's not on the Child Maltreatment. I've  
22 never seen that before. But, again, I haven't been  
23 doing this long enough to say whether that's typical.  
24 But she is not on the Child Maltreatment Registry.  
25 But the true findings for supervision or neglect to

1 supervise were upheld.

2 DR. MOORE: Okay. But because she's not on the  
3 list, that doesn't impact licensure?

4 MS. JAMES: Yes, ma'am. That is correct.

5 DR. MOORE: Okay. Thank you. Those are all my  
6 questions right now. I appreciate it.

7 MS. JAMES: Yes, ma'am.

8 CHAIR ROLLINS: Mr. Henderson, did you have any  
9 questions or comments? No?

10 MR. HENDERSON: I do not.

11 CHAIR ROLLINS: Okay. Ms. James, can you kind  
12 of walk us through our voting process here?

13 MS. JAMES: Yes, ma'am. So for these cases,  
14 there are three motions. And the first is whether  
15 the Educator violated the Code of Ethics and if so,  
16 what standards. In this case, we have Standards 1  
17 and 2 on the table.

18 The second motion is what the sanction is. And  
19 you all can choose to modify the sanction or uphold  
20 the sanction of either the Ethics Subcommittee or the  
21 Hearing Subcommittee.

22 And then, the third motion is the rationale  
23 which you can pick and choose. You've got two sets  
24 of rationale. You can choose one or the other, pick  
25 and choose, add your own.

1 MS. WOODS: And just so I'm clear, what's on the  
2 table is the probation for three years, the fine, and  
3 the classes, written reflections, quarterly reports?

4 MS. JAMES: That is the recommendation of the  
5 Ethics Hearing Subcommittee. You're free to modify  
6 that. That was the most recent --

7 MS. WOODS: Okay.

8 MS. JAMES: -- recommendation. Yes, ma'am.

9 CHAIR ROLLINS: And then, the one or two in the  
10 rationales, can you go over those again?

11 MS. JAMES: Yes, ma'am. The rationale of the  
12 Ethics Subcommittee was video footage illustrates  
13 that the Educator allowed multiple kindergarten  
14 students to leave a supervised area; multiple  
15 students were not properly supervised which led to  
16 those students leaving the playground through an open  
17 gate close to a public road; Educator showed no  
18 remorse and no accountability for her actions;  
19 Educator's account is inconsistent with the evidence;  
20 Educator should have known her actions were a  
21 violation of the Code of Ethics; Educator has two  
22 true findings from DHS for child maltreatment.

23 CHAIR ROLLINS: And that's rationale number one.

24 MS. JAMES: That is rationale of the Hearing  
25 Subcommittee.

1 CHAIR ROLLINS: Okay.

2 MS. JAMES: So I can tell you -- let me compare  
3 just real quick. The main difference is that the  
4 Ethics Hearing Subcommittee removed the language  
5 about 20 minutes because at the hearing it was not  
6 totally clear how long they were unsupervised. And  
7 they also removed the mitigator that this was her  
8 first year as a kindergarten teacher. And let me  
9 see. I believe they also removed the statement that  
10 there was a moderate to high negative impact on  
11 students.

12 CHAIR ROLLINS: Okay.

13 MS. JAMES: Other than that, they're pretty much  
14 the same.

15 CHAIR ROLLINS: Okay. Do we have any other  
16 questions of Ms. James?

17 MS. WOODS: Is she currently teaching, still, or  
18 no?

19 MS. JAMES: No.

20 MS. ROBERSON: I took the advice of Ms. James  
21 and took a position at UACCB in the fall, and I  
22 taught adult education at Batesville in their Sharp  
23 County offices.

24 CHAIR ROLLINS: Can you --

25 MS. ROBERSON: But I resigned --

1 CHAIR ROLLINS: Can you step up to the  
2 microphone?

3 MS. ROBERSON: I taught adult education classes  
4 to the students, high school students seeking high  
5 school diplomacy in Sharp County. But it was too far  
6 of a distance for me to drive and I wasn't making  
7 enough money.

8 MS. WOODS: Okay.

9 CHAIR ROLLINS: What are the -- Ms. Roberson,  
10 what are the employment opportunities -- what  
11 districts are you close to if this district would not  
12 take you back?

13 MS. ROBERSON: There is 17 districts in our  
14 co-op. I'm ineligible to work at the Riverview  
15 School District because I left that job to go to  
16 McCrory. So that leaves me with 15 districts --

17 CHAIR ROLLINS: Okay.

18 MS. ROBERSON: -- to seek gainful employment  
19 with.

20 CHAIR ROLLINS: Okay. Thank you.

21 MS. JAMES: I want to clarify I did not advise  
22 Ms. Roberson regarding employment. She had initially  
23 requested to move her hearing date out, pending the  
24 DHS decision. And I always ask any time we're moving  
25 anything out are you working in education, and they

1 informed me that -- that she wasn't. I just want to  
2 clarify that I didn't give any advice to her  
3 regarding that.

4 CHAIR ROLLINS: Okay.

5 DR. ARNOLD: I do have one question.

6 CHAIR ROLLINS: Sure.

7 DR. ARNOLD: Could you clarify then the Judge  
8 Stevens order of January 13th in relationship to our  
9 votes today?

10 MS. JAMES: Let me -- let me find those orders  
11 real quick. Like I said, I've never seen this  
12 before. However, I don't know if this is something  
13 that -- that is commonly done. It looks like they  
14 made a settlement agreement of sorts to not proceed  
15 with the hearing. Maybe you can explain that better  
16 than I can.

17 MR. CANTRELL: Perhaps I can. I represented Ms.  
18 Roberson during that as well, and we entered into a  
19 stipulated agreement. It was the recommendation  
20 actually of the State. That was the original  
21 recommendation that she basically admit to the true  
22 -- two -- the two true findings of lack of  
23 supervision, but she would not be placed on a  
24 maltreatment list because DHS did not feel like she  
25 was any danger to the children and there was no

1 impact on the students as to what happened.

2 So that was actually the recommendation of DHS  
3 and that was what we entered into an agreement with.

4 And just so I may clarify that as well, that was  
5 one of the big reasons why we wanted to come today,  
6 was because they did that. DHS, you know, while they  
7 did find that that was a true finding, they did find  
8 that she does not pose any danger to the children and  
9 that what happened here did not have any kind of  
10 negative impact on the children in this case. And so  
11 that's why we're -- more or less that's why we're  
12 here today.

13 CHAIR ROLLINS: Thank you.

14 MS. WOODS: So, I guess, I'm just making sure I  
15 understand. So part of that stipulated agreement was  
16 her admitting that she had failed to supervise the  
17 children?

18 MR. CANTRELL: It was that we would not contest  
19 it, that we would enter into the true findings. Yes.

20 MS. WOODS: Okay.

21 CHAIR ROLLINS: Okay. Board, if we are ready to  
22 vote, the first vote is: did Ms. Roberson violate  
23 the Code of Ethics, Standards 1 and 2.

24 MS. KEENER: I'm not sure of the correct  
25 language on this, but I move that we find that Ms.

1 Roberson did in fact violate Standards 1 and 2.

2 MS. WOODS: I'll second.

3 CHAIR ROLLINS: Okay. All those in favor say  
4 aye.

5 (UNANIMOUS CHORUS OF AYES)

6 CHAIR ROLLINS: Is anyone opposed?

7 Dr. Moore, did you vote? Dr. Moore?

8 DR. MOORE: Yes. If you don't mind, I can  
9 hardly hear you. I can hear others better. I'm  
10 sorry. But I voted yes.

11 CHAIR ROLLINS: Okay.

12 Mr. Henderson?

13 MR. HENDERSON: Yes.

14 CHAIR ROLLINS: Okay. Thank you.

15 Okay. Now we uphold the sentence of three-year  
16 probation or modify?

17 MS. JAMES: You would decide if you want to  
18 uphold or increase or lower the sanction. So the  
19 next motion would be I move that the sanction should  
20 be --

21 CHAIR ROLLINS: Upheld or modified?

22 MS. JAMES: -- upheld, modified. And if it's  
23 modified, state what you would -- what you would like  
24 it to be modified to. Yes, ma'am.

25 MS. KEENER: I'll move that we modify it, that



1 she receive no license suspension or probation. Oh,  
2 excuse me. No license suspension, a one-year  
3 probation, and we keep the recommended training,  
4 coursework, with monitored progress.

5 MS. JAMES: And the fine, the \$250 fine?

6 MS. KEENER: No.

7 MS. JAMES: Okay.

8 CHAIR ROLLINS: Say that again. I'm sorry.

9 MS. KEENER: Oh, sure, if I can remember. Okay.  
10 So I move that we modify the recommendation, we  
11 remove the license suspension, change it to a  
12 one-year probation, and we keep the recommended  
13 training, coursework, with monitored progress and  
14 remove the fine.

15 CHAIR ROLLINS: Okay.

16 MS. WOODS: I will also add -- I will second  
17 that. I have a question though. Can we stipulate  
18 that the district provide her with a mentor as part  
19 of this, or no? Or is that something we can ask for?

20 MS. JAMES: No, ma'am. This is her sanction.

21 MS. WOODS: Okay.

22 MS. JAMES: Yes, ma'am.

23 CHAIR ROLLINS: Okay. So it's been moved and  
24 seconded --

25 MS. WOODS: I'll second. Yes.

1 CHAIR ROLLINS: Okay. All those in favor say  
2 aye.

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIR ROLLINS: Mr. Henderson, was that yes?

5 MR. HENDERSON: Yes.

6 CHAIR ROLLINS: Okay. Dr. Moore?

7 DR. MOORE: Yes.

8 CHAIR ROLLINS: Okay. Motion passes.

9 And then we need to decide on the rationale?

10 MS. JAMES: Yes, ma'am.

11 CHAIR ROLLINS: Rationale number one.

12 MS. JAMES: Rationale number one is the  
13 rationale of the Ethics Subcommittee. It has the  
14 moderate to high impact and it also has the 20  
15 minutes that the students were left unsupervised. I  
16 believe those are the two main -- oh, and the  
17 mitigator that it was her first year as a  
18 kindergarten teacher.

19 CHAIR ROLLINS: Okay. And then rationale number  
20 two.

21 MS. JAMES: Rationale number two is the same,  
22 basically, minus the moderate to high negative impact  
23 and first year as a kindergarten teacher and the 20  
24 minutes that the students were unsupervised.

25 CHAIR ROLLINS: Okay.

1 Are there are any questions?

2 MS. WOODS: But didn't we say between the  
3 original and the second that the 20 minutes got  
4 erased because that was incorrect?

5 MS. JAMES: That's correct. Yes, ma'am. The  
6 second one does not include the 20 minutes, the  
7 moderate to high negative impact, the first year as a  
8 kindergarten teacher.

9 CHAIR ROLLINS: Can I have a motion, please?

10 MS. KEENER: So I'll make a motion that the  
11 rationale for the updated recommendation is that,  
12 number one, it was not the responsibility of the  
13 Educator to ensure the consistent application of  
14 safety protocols; that falls on the administration.  
15 And, number two, I do believe -- we do believe that  
16 mistakes were made, and a mind-shift is necessary for  
17 additional accountability on the part of the  
18 Educator. Because to sum that up, teachers are  
19 human; we all have things to learn. But I do not  
20 believe the events were solely her responsibility,  
21 but her accountability was.

22 MS. JAMES: Is the motion to add that to the  
23 Hearing Subcommittee's rationale?

24 MS. KEENER: I'd like to replace all that. But  
25 that's the vote of the Board.

1 MS. WOODS: I'll second it if we add it to.  
2 MS. KEENER: Okay.  
3 MS. WOODS: Because I do -- I mean --  
4 MS. KEENER: That's true. Okay.  
5 MS. WOODS: We have to have a factual rationale;  
6 right?  
7 MS. JAMES: This has more detail --  
8 MS. WOODS: Yeah.  
9 MS. JAMES: -- that supports the sanction, if  
10 that's okay.  
11 MS. KEENER: So in addition to?  
12 MS. WOODS: Yes.  
13 MS. KEENER: Okay.  
14 CHAIR ROLLINS: So in addition to -- I'm  
15 confused now -- rationale number one or rationale  
16 number two?  
17 MS. KEENER: Would you read the remaining  
18 rationale.  
19 MS. JAMES: Yes, ma'am.  
20 MS. KEENER: Perfect.  
21 MS. JAMES: The rationale of the Hearing  
22 Subcommittee: video footage -- in addition to the  
23 rationale that Ms. Keener just gave us -- video  
24 footage illustrates that she allowed the multiple  
25 kindergarten students to leave the supervised area;

1           they were not properly supervised which led to  
2           students leaving the playground through an open gate  
3           close to the public road; no remorse, no  
4           accountability for actions; inconsistent -- account  
5           is inconsistent with the evidence; should have known  
6           her actions were a violation; and two true findings  
7           from DHS.

8           MS. KEENER: Yes. Plus the -- yes.

9           MS. JAMES: That is your motion?

10          MS. KEENER: Yes.

11          MS. JAMES: Okay.

12          MS. WOODS: Second.

13          CHAIR ROLLINS: Okay.

14          MS. WOODS: And I will second that.

15          CHAIR ROLLINS: Okay. All those in favor say  
16          aye.

17                            (UNANIMOUS CHORUS OF AYES)

18          CHAIR ROLLINS: Anyone opposed?

19                            Okay.

20          MS. KEENER: Okay.

21          CHAIR ROLLINS: Motion passes.

22          MS. KEENER: Okay. Thank you. I'm sorry.

23          MS. JAMES: It's fine. It takes a little while  
24          to get it ironed out.

25          CHAIR ROLLINS: That's what we need to do.

1 MS. JAMES: Okay.

2 MR. CANTRELL: Thank you for all of your time  
3 this morning.

4 CHAIR ROLLINS: Thank you.

5 Do we need to take a short break or are we okay  
6 to proceed?

7 **2: CONSIDERATION OF THE RECOMMENDATION OF THE PROFESSIONAL**  
8 **LICENSURE STANDARDS BOARD FOR CASE 24-129 - EVELYN JAMES**

9 CHAIR ROLLINS: Okay.

10 MS. JAMES: Yes, ma'am.

11 The next review hearing we have is for an  
12 Educator, Ms. Evelyn James. It is case number  
13 24-129. We had an evidentiary hearing in this case  
14 on October 30, 2024, and Ms. James has requested a  
15 review. And -- okay. I wasn't quite sure what she  
16 -- Ms. James?

17 MS. EVELYN JAMES: Uh-huh.

18 MS. JAMES: Okay. Ms. James is here. Thank  
19 you. She came in during the other hearing.

20 Just a reminder of the procedures, swear in  
21 anyone that is speaking, who is not PLSB staff or an  
22 attorney; the Educator will have ten minutes to  
23 present her objections; and the PLSB will have ten  
24 minutes to provide its argument.

25 CHAIR ROLLINS: Okay.

1                   Ms. James, do you want to come -- come to the  
2 mic?

3                   MS. EVELYN JAMES: Yes. Good morning.

4                   CHAIR ROLLINS: Good morning. Oh, I need you --  
5 I need to swear you in before you start.

6                   MS. EVELYN JAMES: Okay.

7                   CHAIR ROLLINS: Do you swear the testimony  
8 you're about to give is the truth, the whole truth  
9 and nothing but the truth?

10                  MS. EVELYN JAMES: Yes, ma'am.

11                  CHAIR ROLLINS: Okay. Thank you. You've got  
12 ten minutes. I think you can see the clock behind  
13 us.

14                  MS. EVELYN JAMES: First of all, thank you for  
15 your time. And I came because the first date we got  
16 the dates mixed up, and the second date we were in  
17 the middle of testing, and I could not take off. So  
18 -- and I do not want to come -- I didn't want a  
19 decision to be made about me as an educator without  
20 me speaking up for myself because that paper doesn't  
21 represent me and who I am. And I think the biggest  
22 statement for me was that the educator didn't show  
23 remorse, and that is absolutely not the case; and so  
24 I don't want anybody to ever think that. I'm a --  
25 I'm a parent, so I have two children and I'm a single

1 parent. I have two kids in college. So harming  
2 children is not something that's what I do, so -- I  
3 love kids. So I didn't want that to be a mitigating  
4 factor.

5 I'm trying to -- y'all have to excuse me because  
6 my -- my eyes are terrible. So I did -- I'm trying  
7 to find the -- the paper. I'm sorry. [coughing]  
8 Excuse me.

9 And so I just wanted to highlight some of the  
10 things. And this is not any way me saying, oh, I'm  
11 not accountable for anything, or I don't have any  
12 remorse for anything. So that's not what it is.  
13 It's just some things that were stated and a complete  
14 picture was not given. There we go.

15 The first thing is -- so in the -- in your  
16 evidence, the North Little Rock School District says  
17 that I was told that I would be placed on an  
18 intensive support plan in May 2023, which was true.  
19 However, when you look at the reasoning, the  
20 reasoning has absolutely nothing to do with tests.  
21 The reasoning was because I -- I let a parent know  
22 the last period of the day that their child came to  
23 my class with a gash on their head and a bruise. And  
24 I -- I -- I knew that I had had a conference the day  
25 before with this parent about some issues that the



1 child was having; I did not want the child to get on  
2 the bus and go home like that. And I asked the  
3 child, I said, "Well, did you go to the nurse?" And  
4 he said yes. So another little boy says, "Oh, I took  
5 him to the nurse." Okay.

6 So I get to work the next day, I'm getting  
7 lambasted because I contacted the parent. I'm like  
8 isn't that what I'm supposed to do, like literally.  
9 So he was injured at lunch in front of some security  
10 and admin, and he was taken to the nurse and none of  
11 them called him. So four periods later, I got him,  
12 and I was the only one that contacted the parent --  
13 but now I need to be placed on an intensive support  
14 plan. And for me I felt like that was retaliation  
15 because y'all clearly had no intentions of telling  
16 the parent. And it was just boy stuff. I have a  
17 boy. He threw a ball in the thing and the boys got  
18 mad, so they jumped on him for -- they -- you know,  
19 they're boys and they're rough. And he didn't want  
20 to say anything because he's got his boy bravado. So  
21 that wasn't to me what you --

22 If you fast-forward, I asked to be moved out of  
23 the building because of the hostile working  
24 environment and I was denied a transfer. And then  
25 they employed three people who were not certified at

1 all, and I am certified to teach Science 7 through 12  
2 in Arkansas and left me in the building. So when I  
3 get to work in August, and every other core teacher  
4 has two pre-AP classes, I only had one. And with the  
5 exception of one other teacher, I had the most  
6 teaching experience in the building.

7 Okay. So then I get this inclusion class, and  
8 this is the class that's -- that's in the paperwork  
9 that you have because I didn't have issues in the  
10 other five classes. I very rarely write kids up.  
11 I'm not -- you know, we're doing stuff, so we don't  
12 have time for all the shenanigans, so I don't write  
13 the kids up. And this particular class not only is  
14 it an inclusion class, there's 30 kids in the class;  
15 12 of them have IEPs. I've got three kids that have  
16 -- that don't have IEPs, but they came from ALE with  
17 behavior issues. It -- it was just toxic. I mean, I  
18 get cursed out every day, talk crazy to me every day,  
19 I'm reported. I'm like, "Hey, can I get -- can I get  
20 a co-teacher? I had one the year before." "No.  
21 It's science. You don't get one." "Hey, I've got  
22 all these kids in here," and I'm not afraid to say,  
23 "Hey, I know I've been a teacher for a long time, but  
24 I need some help. This is a lot." And so it was  
25 just a build-up like every day. You know, other

1 teachers are like, "Oh, that class." They'd have  
2 them, they were like, "Oh, that class." But the math  
3 -- the math teacher and the English teacher, they  
4 have a co-teacher. The social studies teacher, they  
5 have a parapro in there with them. But only the  
6 science people didn't have anybody to help them with  
7 the same rotation of kids.

8 So this particular -- the first incident, I just  
9 wanted to highlight, I did not go towards the child.  
10 It was like I'm standing here talking to you all. He  
11 is eating, and I'm like, "You're not supposed to be  
12 eating in class. Go throw your trash away." So  
13 instead of him walking around the behind of me, he  
14 tries to come in between. So I put my hand out, I  
15 was like, "Hey, go that way." All right. So when he  
16 comes back from the trashcan, he does the exact same  
17 thing; he gets in front of me. So I put my hand up  
18 on his shoulder, I said, "You clearly want my  
19 attention today. You are so adorable," and I played  
20 with his cheek. I said, "Now, will you please go sit  
21 down?" So it wasn't an interaction that was  
22 aggressive or negative or anything. And he was in my  
23 space; I never went into his space and, you know,  
24 touched him. And I felt like that needed to be  
25 illuminated.

1           And so there was this really long gap in there  
2           because I had Covid, I had -- that's why I can't see.  
3           So I find out that I have diabetes, high blood  
4           pressure; I had a hemorrhage in my eye. And me being  
5           super teacher, I'm like, oh, I'll just wait till  
6           Christmas to get my eye fixed. Well, that -- that  
7           can affect your mood, it gets over-stimulated and  
8           then you're trying to compensate.

9           So here I am, this next day -- this -- when we  
10          come back from -- I came back after the Covid, after  
11          the being at home, all of that -- all of that other  
12          stuff. So I had this new student, never seen before  
13          because he -- you know, he came when I was out. So  
14          here I am this particular day -- the day before, the  
15          student, he -- he touched me up in the classroom  
16          after class, alone, and there's nobody upstairs. So  
17          I'm upstairs in the corner. The other teachers have  
18          walked the kids downstairs. So he's still in the  
19          room, and so he's following me around the room. And  
20          I'm like, hey, you -- you've got to -- so I had to go  
21          out in the hallway and close my door to get him to  
22          come out of my classroom. And it was very  
23          aggressive. And so I told the assistant principal,  
24          and it was like whatever. Well, I have PTSD, and it  
25          was very triggering for me because when I was in high

1 school -- and I didn't -- and I didn't realize that  
2 it was triggering for me. When I was in high school  
3 my classmate, he stabbed the teacher in the room next  
4 to us, and then he came out and he was covered in  
5 blood, and nobody did anything about it. We didn't  
6 get counseling; we didn't get therapy. They told our  
7 parents we were already gone to a football game. So  
8 I carried that. So I don't like kids too close to me  
9 and I don't like to be alone in the room with them.  
10 And I never really, like, identified what that was,  
11 like, oh, okay, I've been traumatized, Evelyn. So,  
12 here I am. He did it that day. And then that  
13 afternoon we find out one of our students was in a  
14 housefire, and my coworker is like, oh, my god, I  
15 feel bad because I'm the reason he got suspended and  
16 he was at home. And I'm like, no, it's not your  
17 fault. You know, it's a horrible day. We get up,  
18 and the boy died. So this particular day, it was  
19 just bad all the way around. And so that's not an  
20 excuse; that's just the reality of like a school day,  
21 and it was horrible.

22 So this child -- the lesson that we were doing  
23 is very open-ended. You have them make a statement;  
24 do you agree or disagree. So there is no right or  
25 wrong answer. I can't tell you what you agree or

1 disagree with. He couldn't accept that as an answer.  
2 So he doesn't -- what you didn't hear was he called  
3 me dumb, stupid, and cursing at me. And so when he  
4 told me to shut-up, my response was, "No, you shut-  
5 up." Was that appropriate? No. And I understand  
6 that. But in that moment, I -- I was having a bad  
7 day and -- it was a horrible day.

8 You know, I've looked at the statements.  
9 They're all inconsistent. The handwriting is -- and  
10 these are the same classes, so you all can see the  
11 handwritings look different. It's the same exact  
12 class. How is the handwriting different? How are  
13 kids writing the exact same thing on the statement?  
14 All of that, to me, is, you know, terrible. But then  
15 when you fast-forward, I had no paperwork with this  
16 child; he's special needs. It's not in the -- it's  
17 not in eSchool. I don't have it. It's nowhere,  
18 because there's nothing that says this. The only  
19 paperwork I have said they came from -- the school  
20 that he came from said he doesn't have anything; he's  
21 not receiving services. But the mother took to the  
22 internet because she couldn't come upstairs that day  
23 and fight with me. And you all should have that  
24 audio from the office where she's trying to come in  
25 and be combative with myself and the math teacher.

1           So she takes to the internet, and she has portrayed  
2           this whole story, this is a child with special needs  
3           and there's nothing saying that he is. And I did not  
4           respond to her until she got on my Facebook page,  
5           bothering my 78-year-old mother. Then she was  
6           bothering my children, and then she was harassing me.  
7           So that's why I filed a police report on her because  
8           she was harassing me and -- and not representing the  
9           situation well. Because she's -- she's an  
10          influencer, so she's making money off of these posts.  
11          She's making money off these. And she's -- I have --

12           CHAIR ROLLINS: Ms. James --

13           MS. EVELYN JAMES: I'm sorry.

14           CHAIR ROLLINS: -- your time is up.

15           MS. EVELYN JAMES: Yeah, I saw that. Sorry.

16           CHAIR ROLLINS: Okay. We're going to hear from  
17          the other Ms. James, with the Department.

18           Do you want to sit right here so we can ask  
19          questions if we need to? Thank you.

20           MS. JAMES: Hi. Whitney James, with the  
21          Department.

22           Ms. Evelyn James has been a teacher since 2004.  
23          She began her employment with -- employment with the  
24          North Little Rock School District in August of 2021.  
25          She was a 7th grade science teacher. She has

1 referred to herself in our interviews as an excellent  
2 educator, an overly trained educator. She has not  
3 accepted accountability. She denies that she  
4 violated the Code of Ethics or district policy. The  
5 evidence presented at the evidentiary hearing proved  
6 otherwise. She has displayed a pattern of physical  
7 abuse and verbal abuse towards students.

8 The allegation in this case is as follows: on  
9 September 1, 2023, Ms. James allegedly forcefully  
10 grabbed a student by the neck during class and  
11 started pulling on him. Other students filled out  
12 witness statements that Ms. James put her hands on  
13 the student, either by pulling his ear or neck or  
14 putting her hand on his eyes.

15 Later, on November 9, 2023, the student (we'll  
16 call S2), who had been complaining to his mother that  
17 Ms. James was mean to him and would not help him in  
18 class, took it upon himself to record part of the  
19 class so that he could document the way that Ms.  
20 James spoke to the students. That -- that recording  
21 of that classroom interaction was in the documents  
22 that we sent to you. And I'm sure you heard that --  
23 that Ms. James made statements, such as "you're  
24 talking to me like I'm stupid and slow; you are;"  
25 "shut up, that's why I don't like you because you've



1 got to constantly say something to me. Shut up.  
2 Shut up." She says shut-up to the students  
3 repeatedly, and this was just an 18-minute clip of  
4 one class on one day.

5 Following this, Ms. James engaged in a Facebook  
6 argument with a student's parents and others on  
7 Facebook, where others can see. Ms. James insulted  
8 the parent, discussed 504 plans, and IEPs; posted  
9 about how the student who recorded the interactions  
10 in class had been transferred from one district to  
11 another. Other parents and students were engaging in  
12 this on Facebook. And also had posted other things  
13 about Ms. James' behavior and incidents at other  
14 districts.

15 In this case, the appropriate sanction is  
16 suspension of license, followed by probation. The  
17 allegations are inappropriate communication with a  
18 student, plus inappropriate interaction with a  
19 student. The starting sanction is probation;  
20 however, in this case, there's moderate to severe  
21 level of impact of a student. There's evidence of  
22 prior similar behavior, willful or intentional  
23 violation of the Code of Ethics. She's a veteran  
24 educator. These aggravating factors take us from  
25 probation to suspension. That is what the Hearing

1 Panel found, that's what the Ethics Subcommittee  
2 found, and that is our argument here today. Thank  
3 you.

4 CHAIR ROLLINS: Okay. Do we have any questions  
5 for Ms. James?

6 Dr. -- Dr. Moore, do you have any questions?

7 Mr. Henderson, do you have any questions?

8 MR. HENDERSON: I do not at this time.

9 CHAIR ROLLINS: Okay.

10 DR. MOORE: And I don't either. Sorry. I could  
11 barely hear you. Thank you.

12 CHAIR ROLLINS: Okay.

13 So, Ms. James, would you go over the -- how  
14 we're going to vote?

15 MS. JAMES: Yes. The first motion is whether or  
16 not the Educator violated the Code of Ethics -- and  
17 if so, what standards. This one is another 1 and 2.

18 The second is the sanction. The State Board may  
19 uphold the recommended sanction or modify it. The  
20 sanction was, I believe, the same between the two  
21 groups that reviewed. The only difference is the  
22 fine was lowered to \$250 at the evidentiary hearing.  
23 And the rationale was a little different.

24 MS. WOODS: Can you, just for a second -- so a  
25 suspension for how long?

1 MS. JAMES: The Ethics Subcommittee recommended  
2 suspension of license for one year, followed by  
3 probation of license for one year. There's some  
4 training, coursework, readings, and a \$500 fine. The  
5 Ethics Hearing Subcommittee upheld the one-year  
6 suspension, followed by one year of probation,  
7 lowered the fine to \$250, and gave the same trainings  
8 and other recommendations.

9 MS. WOODS: Okay. Sorry. And then you were  
10 saying the rationale?

11 MS. JAMES: Do you need the --

12 MS. WOODS: No. No.

13 MS. JAMES: Oh, okay.

14 MS. WOODS: I thought you were going to read it.

15 MS. JAMES: Oh. I'm so sorry. I -- I certainly  
16 can. Do you want to wait till --

17 MS. WOODS: I don't need it, but okay.

18 MS. JAMES: Okay. Yes, ma'am.

19 CHAIR ROLLINS: So then, our first motion will  
20 need to be: did Ms. James violate the Code of  
21 Ethics, Standards 1 and 2.

22 MS. WOODS: I'll move to substantiate -- uphold  
23 that she violated Standards 1 and 2.

24 CHAIR ROLLINS: Okay.

25 MR. BRAGG: I'll second.

1 MS. HUNTER: Second.

2 CHAIR ROLLINS: We have a motion by Ms. Woods, a  
3 second by Mr. Bragg. All those in favor, say aye.

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIR ROLLINS: Is there anyone opposed?

6 Okay. Our second motion then is to uphold or  
7 modify the probation and suspension.

8 DR. ARNOLD: Move to uphold.

9 MS. KEENER: Second.

10 CHAIR ROLLINS: Motion is to uphold the one-year  
11 suspension, with one-year probation, training -- with  
12 a \$500 fine?

13 MS. JAMES: It is \$500 at the Ethics  
14 Subcommittee lowered to \$250 at the hearing.

15 CHAIR ROLLINS: So we need to decide either --  
16 which way --

17 MS. JAMES: Yes, ma'am.

18 CHAIR ROLLINS: -- we'd like to go?

19 MS. JAMES: Yes, ma'am.

20 CHAIR ROLLINS: So that needs to be in our  
21 motion?

22 MS. JAMES: Yes, ma'am. If you would -- if you  
23 would like to uphold the one-year suspension,  
24 followed by one-year probation, you can list whether  
25 you want \$250 or \$500. And then if you want to

1           uphold the rest of the recommended trainings and  
2           coursework.

3           CHAIR ROLLINS:   Okay.

4           DR. ARNOLD:   I would like to -- for the motion  
5           to be upheld with the modification of the fine  
6           reduction to \$250.

7           CHAIR ROLLINS:   Okay.   So we've got a motion.  
8           Is there a second?

9           MS. KEENER:   Second.

10          CHAIR ROLLINS:   Second.   Okay.   All those in  
11          favor say aye.

12                            (UNANIMOUS CHORUS OF AYES)

13          CHAIR ROLLINS:   Mr. Henderson?

14          MR. HENDERSON:   Yes.

15          CHAIR ROLLINS:   Dr. Moore?

16          DR. MOORE:   Yes.

17          CHAIR ROLLINS:   Okay.   All right.   And then our  
18          final motion needs to be on the rationale?

19          MS. JAMES:   Yes, ma'am.

20          MR. BRAGG:   I move we uphold the rationale.

21          CHAIR ROLLINS:   Okay.

22          MS. HUNTER:   Second.

23          CHAIR ROLLINS:   Been moved and seconded to  
24          uphold the rationale.

25          MS. JAMES:   Was that of the Hearing

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Subcommittee?

MR. BRAGG: Of the Subcommittee.

CHAIR ROLLINS: Okay.

MS. JAMES: The Hearing Subcommittee?

CHAIR ROLLINS: Yes.

MS. JAMES: I'm sorry. We have two  
subcommittees. Okay.

CHAIR ROLLINS: Thank you.

All right. We need to vote on that. All those  
in favor say aye.

(UNANIMOUS CHORUS OF AYES)

CHAIR ROLLINS: Anyone opposed?

Dr. Moore?

DR. MOORE: Yes.

CHAIR ROLLINS: Mr. Henderson?

MR. HENDERSON: Yes.

CHAIR ROLLINS: Okay. All right. Thank you

--

MS. JAMES: Thank you.

CHAIR ROLLINS: -- very much.

MS. JAMES: Thank you.

CHAIR ROLLINS: Ms. James, thank you.

Everybody, take a deep breath. Those are always  
very difficult.

**3: GRADUATE ARKANSAS CHARTER, CITED RECOMMENDATION, STANDARD**

1 **1-C.1.1**

2 CHAIR ROLLINS: Okay. Our next item of business  
3 is Graduate Arkansas Charter. And I believe they  
4 have a recommendation.

5 MS. WORSHAM: Good morning. Hope Worsham,  
6 Assistant Commissioner for Public School  
7 Accountability.

8 The rules governing Standards for Accreditation  
9 for Arkansas Public Schools, Standard 1-C.1.1,  
10 requires that all students [sic] test 95 percent of  
11 their students in the state summative assessment in  
12 grades 3 through 10 -- well, 3 through high school.  
13 Excuse me.

14 We have two buildings this morning that are in  
15 their second year of not meeting that requirement for  
16 95 percent tested. The first one is Graduate  
17 Arkansas Charter High School. They are here to  
18 address the Board.

19 The Department is recommending that they remain  
20 in accredited cited status for their high school.  
21 They did make significant improvement in the percent  
22 of students tested across the past two years,  
23 doubling the number of students percent that they  
24 were able to test. And we believe that with  
25 continued support from the Department and remaining

1 in cited status that they will see significant  
2 improvement this year, as well.

3 So I will turn it over to -- I believe the  
4 district is going to speak and we have slides for  
5 you.

6 CHAIR ROLLINS: If you would introduce yourself  
7 as you come to the microphone, let us know your --  
8 your name, please.

9 SUPT. HATLEY: Good morning. Katie Hatley,  
10 superintendent of Graduate Arkansas. Thank you.

11 MS. WOODS: Hold on one second. I'm sorry. I  
12 see people waving back here.

13 MS. MUNDELL: She needs to be sworn in. Sworn  
14 in.

15 CHAIR ROLLINS: Oh.

16 MS. WOODS: Sorry.

17 MS. SMITH: I don't believe this is a hearing.

18 MS. PERRY: Oh. I thought all -- everyone  
19 testifying had to be sworn in.

20 MS. SMITH: Were you appealing? Y'all weren't  
21 doing that appeal. Or were you appealing the  
22 citation?

23 SUPT. HATLEY: Yes, ma'am. We are.

24 MS. SMITH: You are appealing?

25 SUPT. HATLEY: Yes, ma'am.



1 MS. SMITH: Okay.

2 CHAIR ROLLINS: Oh, okay.

3 MS. SMITH: I thought you were just going to  
4 present, so --

5 SUPT. HATLEY: No, ma'am.

6 MS. SMITH: Did we receive a letter to appeal?

7 SUPT. HATLEY: Uh-huh.

8 MS. WORSHAM: It was -- we did receive a request  
9 to speak to the Board. And I was -- I did not  
10 understand that there was an appeal.

11 MS. SMITH: Okay.

12 MS. WORSHAM: But --

13 MS. SMITH: Then we do need to swear in since  
14 it's an official appeal.

15 CHAIR ROLLINS: Okay. I'm sorry. So all of you  
16 that will testify this morning, I'll need to swear  
17 you in. So please -- please stand, who's -- who's  
18 going to be testifying. Okay. Do you swear the  
19 testimony you're about to give us is the truth, the  
20 whole truth and nothing but the truth?

21 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

22 CHAIR ROLLINS: Okay. Can you introduce  
23 yourself again?

24 SUPT. HATLEY: Okay.

25 CHAIR ROLLINS: I didn't quite -- I didn't quite

1           hear your last name. I'm sorry.

2           SUPT. HATLEY: Yes, ma'am. Katie Hatley --

3           CHAIR ROLLINS: Hatley.

4           SUPT. HATLEY: -- superintendent with Graduate  
5           Arkansas.

6           CHAIR ROLLINS: Thank you, Ms. Hatley. Go  
7           ahead.

8           SUPT. HATLEY: Good morning, State Board  
9           Members, Assistant Commissioner Smith.

10           We come today, again, to appeal the accredited  
11           cited status. And with our presentation you will see  
12           the many reasons why. Today, we traveled with our  
13           entire leadership team, but we have two test  
14           coordinators who will present the material to you.

15           MS. KEENER: I'm sorry. Do we need a timer? Is  
16           that kind of --

17           MS. SMITH: Yeah. There will be -- there --  
18           there's a time limit, 15 minutes.

19           MS. HATLEY: Fifteen.

20           MS. KEENER: Fifteen. Okay.

21           MS. MUNDELL: We won't be able to put it up  
22           because the presentation --

23           MS. KEENER: Okay.

24           MS. MUNDELL: -- at the same time.

25           MS. SMITH: I'll do it. I'll take care of it

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for you.

SUPT. HATLEY: Don't start my timer yet.

MS. SMITH: You just sit back.

SUPT. HATLEY: Ms. Smith, it isn't working.

CHAIR ROLLINS: I miss Dr. Moore this morning.

MS. KEENER: Always.

DR. MOORE: You're doing great.

SUPT. HATLEY: Don't start the timer yet. The clicker is malfunctioning.

CHAIR ROLLINS: Don't start yet.

MS. SMITH: I'm ready whenever you are. Jacob couldn't have handled this, so I'm glad I'm here.

SUPT. HATLEY: Thank you. Thank you, Stacy.

So many of you may not know much about Graduate Arkansas. And I mentioned we educate students 15 to 21 years of age, or 14 if they're in the 9th grade. But our mission states -- simply states that we provide personalized learning opportunities to re-engage disconnected students to help them earn a high school diploma and pathways to lifelong success. Our vision is still to become the nation's leading model for dropout recovery, and credit recovery education through excellence in student support, instructional innovation, and community partnerships.

And at this time I turn it over to our

1 coordinators.

2 CHAIR ROLLINS: If you would please introduce  
3 yourself and really get up into the mic for us.

4 MS. GUINTIVANO: Good morning. My name is  
5 Kathryn Guintivano, and the district test  
6 coordinator.

7 This is our data pulled directly from My School  
8 Info. In each of our subgroups, our testing  
9 percentages have doubled or more than doubled last  
10 year compared to 2023, with the exception of the  
11 African American subgroup. We have the largest  
12 growth and highest achievement in our Hispanic and  
13 Latino subgroup. And I also serve as the ESOL  
14 coordinator, so this is a huge source of pride for me  
15 as much of that subgroup is our English learners and  
16 I get the pleasure of supporting them as well.

17 We've included 2022's percentages on this slide  
18 as well for historical data. Overall, we have shown  
19 tremendous improvement from the previous year's  
20 percentages.

21 Here is our enrollment growth over the past few  
22 years. We currently have 653 students, and last year  
23 our enrollment was at 490. We've tested more  
24 students year-after-year with a growth in enrollment  
25 and more students tested means percentages carry more

1 weight. We must now test more students now than  
2 ever. We have put systems and personnel in place to  
3 ensure that we have the capacity to test any student  
4 required to participate.

5 Last year, we tested 317 students in writing,  
6 but only 298 of those students were counted in our  
7 ELA participation as a whole. Since there were  
8 separate testing windows for writing and ELA last  
9 year, this limited our student completion. Some  
10 students who attended the writing test session didn't  
11 or were not able to attend the ELA test session,  
12 which was held over a month later. Now that both  
13 tests are within the same test window, we can better  
14 ensure that each one is completed to provide an  
15 accurate ELA participation percentage.

16 We do want to acknowledge that DESE worked with  
17 us to compare writing data with ELA data. However,  
18 this is a challenge for us as we try to get students  
19 to complete in-person testing.

20 MR. COY: Thomas Coy with Gradate Arkansas.  
21 Thank you all for having me. Good morning, Board. I  
22 know I've appeared before you in a different capacity  
23 many -- for many years, so I'm thankful to be back  
24 here today.

25 One of the things that we did want to address

1 with you is this remote testing approval. So last  
2 year we started the writing assessment, as Ms.  
3 Guintivano said. We were doing all of those in  
4 person. We were having students to our campus; we  
5 were traveling across the state trying to get  
6 students tested in writing. We were informed then  
7 that we would also have to do our ELA testing in  
8 person as well. If a student started in person, they  
9 had to finish in person.

10 Now, I will commend the State, and I will  
11 commend especially Michelle Johnson and her group in  
12 -- in -- in assessment and Assistant Commissioner  
13 Worsham. They have all worked with us. They've been  
14 attentive to our calls, our concerns. I think  
15 they've put play -- put things in place for this year  
16 that will make it much easier for us. But it was a  
17 challenge. This was a source of stress for us last  
18 year. It was a source of frustration. And then,  
19 when we finally got approved to test remotely, it was  
20 kind of a source of relief. Right? We could -- we  
21 could get some of these students tested in -- in  
22 multiple methods. So I did want to commend DESE for  
23 that.

24 This year, I want to assure you all that we are  
25 ready for in-person and virtual testing. Because the

1 State released a Commissioner's Memo and released  
2 information about the -- the testing agreement early  
3 in the year, we have been collecting those. We have  
4 over 4 -- over 300 students, I believe, that have  
5 remote testing agreements in place, so we can test  
6 them remotely. We still have a plan, and we'll get  
7 to that in just a minute, about how we test students  
8 in person as well.

9 So if you look at this map, this kind of gave --  
10 it gives you a breakdown of where a lot of our  
11 students were concentrated last year. So if you  
12 don't know anything about our school, we are both an  
13 in-person and a virtual model. We try to help  
14 students recover from credit deficits or students who  
15 have been -- maybe a traditional school just doesn't  
16 work for them. We serve them all. We take them all.  
17 So any student who needs to enroll with us, that  
18 would fit the requirements or the age requirements,  
19 they can enroll with us, absolutely.

20 So if we look at these 16 testing sites across  
21 the state, these -- these represent places that we  
22 actually travel to. And this was not just one day.  
23 We traveled during the writing; we traveled during  
24 the open window; and we also traveled to these sites  
25 during makeup testing. So all of these sites

1 represent maybe three trips or more to each of these  
2 places. Y'all, this was a team effort. It wasn't  
3 just several of us getting out and driving; it was  
4 everyone. It was our teachers. We would -- we would  
5 drive. We are thankful for the educational co-ops  
6 who hosted us, the public libraries who gave us  
7 spaces to test. Community centers, community  
8 colleges -- oftentimes, we had to pay to rent those  
9 spaces. But we went to these places, and we met  
10 students.

11 And if I can just give you a real quick personal  
12 thing, the sites I went to, what the made the most  
13 difference to me is actually getting to interact with  
14 the students who often would only join us virtually,  
15 figure out how they came to us, maybe what wasn't  
16 working in their school. And that's not an  
17 indictment of their school; it's just how did they  
18 end up with us and why are we serving them. So, you  
19 know, it took a lot to get me to leave the  
20 Department. I was here for a long time. But I feel  
21 like I'm in the right place because our students are  
22 really doing great things, and our school is really  
23 doing great things. And, again, this is a whole  
24 team, our entire leadership team, our teaching team.  
25 We have core teachers in every area; we were all out



1 testing. Not to mention we did not put on here  
2 Little Rock, North Little Rock and Jacksonville, the  
3 places in central Arkansas where we would meet our  
4 central Arkansas students in person. They would come  
5 to either our campus or we also set up some  
6 opportunities for them.

7 So if you look at our -- our breakdown, we did a  
8 lot of traveling last year, a lot of work to get a  
9 lot of students tested.

10 We are doing after-hours testing. I've got bags  
11 under my eyes, as some of our other folks have bags  
12 under their eyes. We're doing this right now with  
13 our interim testing. We offer remote after-hours  
14 testing if the students have a remote agreement in  
15 place. We offer that from 4:30 to 9:00 p.m., while  
16 we're doing interims, also while we're doing  
17 summative assessments. So I wanted to point out that  
18 it's not just the regular school day because I  
19 believe that our students -- circumstances happen to  
20 all of us. Right? Economics happen to some of our  
21 students. Some of our students work full-time, some  
22 of our students are homeless, some of our students  
23 are parents, and we have to accommodate their  
24 schedules. So we are doing everything that we can to  
25 try to accommodate them so that they can be present

1           for testing.

2           One thing that we did this year -- last year, we  
3           did not use the Atlas assessments. We -- we -- when  
4           the State released all those, we started using ATLAS  
5           assessments because we're trying to build this  
6           culture of accountability in our school. If we can  
7           get our students accustomed to logging on to the  
8           ATLAS portal, taking those tests, I believe that they  
9           will then show up for summative. So we are doing the  
10          interim assessments. We're in round two right now  
11          and we've got people testing right now while we are  
12          here. We'll be testing this evening, as well. The  
13          benefit of that, and one of the great things that the  
14          State has done in providing that for us, it provides  
15          quick score results which will help us guide  
16          instruction and strategies. We hear a lot about  
17          that. We hear a lot about intervention. It's a  
18          challenge sometimes to get our students to show up  
19          for intervention. But what we do is we look at those  
20          scores and we have created weekly small group support  
21          for our students scoring Level 1 and Level 2. There  
22          is required participation in the intervention group.  
23          So you may already be asking like, well, what happens  
24          if the student isn't there. Right? You just told me  
25          that maybe they can't be there during the day. We

1 report all of those, there's an exit ticket.

2 We are also -- we are a mastery program, so we  
3 have turned off prescriptives, like students cannot  
4 accelerate quickly if they do not assess. So there's  
5 a consequence. We don't deny them their education.  
6 We don't deny them the support. But we do tell them  
7 you're not going to get to rush through this class or  
8 this program if you don't participate in our testing.

9 So those are some of the strategies that we've  
10 done to try to encourage and motivate our students,  
11 if you will, to -- to perform and to show up.

12 And so, finally, we have plans for improvement.  
13 Another thing you might not know about our school,  
14 every student has an academic advisor; every student  
15 has a success coach. Our success coaches kind of  
16 deal with the extraneous, if you will. Academic  
17 advisors deal with, again, the academic piece.  
18 Right? So what we're trying to do is enhance  
19 communication through our entire team of support to  
20 get students engaged.

21 So what you might see at our school is you might  
22 see an academic advisor calling a student four or  
23 five times, and especially if they're online only,  
24 "Hey, I need you to test; I need you to test; I need  
25 you to test." Well, if they're not responding,

1           you'll see our success coaches step in and our  
2           success team led by Mr. Johnson, who is here, is  
3           fantastic. Y'all, they -- they have the -- the  
4           motivational skills that oftentimes we don't have as  
5           academic advisors, but they are wonderful to  
6           encourage, support, come back to the academic team  
7           and say, hey, this student is struggling with this,  
8           can they test tonight at 7:30? Absolutely, sure.  
9           We'll -- you know, we'll -- we're going to do  
10          whatever we can to accommodate them.

11                 We're trying to, again, offer flexile in-person  
12           and remote testing times. We've talked about that,  
13           so I won't revisit that.

14                 When we met with DESE on the Zoom, some of our  
15           support Zooms for the 95 percent tested that we're  
16           required to attend, have been great. They've added  
17           some encouragement around test completion incentives.  
18           So we're trying to incentivize not only our teachers  
19           and our -- our staff to encourage students, but also  
20           our students who actually take and complete all of  
21           their tests.

22                 We are partnering with juvenile justice systems.  
23           If we know that a student has a parole officer or a  
24           FINS officer, we're leveraging that so that we can  
25           perhaps motivate a student to show up and to do what

1           they -- what they're required to do. And we're in  
2           the process of creating local educational support  
3           hubs.

4           So one thing that we learned last year through  
5           our traveling to different places is -- and I  
6           mentioned it earlier -- the personal part is that it  
7           was really meaningful to me to see our students and  
8           to figure out what they were doing. A real quick  
9           story, because I've only got a couple of minutes, we  
10          had a student who showed up, and dad brought her to  
11          testing, and said, "Are they going to be done by  
12          11:00? Because we've got chicken houses and cattle  
13          farms." It reframed my whole thought about the  
14          students. Because when she works, she works from  
15          6:00 in the morning till 4:00 in the afternoon, and  
16          that's just the reality. Right? I don't -- we don't  
17          look at that as -- as pity. So, but I -- but I say  
18          that to help you understand that when we create these  
19          local educational hubs our desire is to really  
20          connect with our students. Because we believe that  
21          if we connect with them, that they will be more  
22          inclined to participate. And -- and I couldn't be  
23          prouder of this team that sits behind me. I couldn't  
24          be prouder of the work that we're doing because we  
25          truly are reaching students who I believe are

1 underserved in our state and that traditional school  
2 doesn't necessarily work for them.

3 I'll turn it back over to Ms. Hatley.

4 SUPT. HATLEY: So as you can see from the  
5 presentation, we're a non-traditional model. We --  
6 we really are in the trenches, meeting the needs of  
7 students who really need us the most. I was a coach  
8 growing up, traditional setting; I was licensed to  
9 teach in other states, Arkansas -- I mean, Hawaii and  
10 Alabama. And I was still just attracted to at-risk  
11 students. That has been my purpose to finish out my  
12 educational career. But I want the State Board to  
13 see that we are meeting the needs, that we are  
14 following -- DESE gave us a plan of support; we just  
15 put it on steroids to make sure we go above and  
16 beyond to try to meet the needs of these students.  
17 Thank you.

18 MS. WORSHAM: So the request from the Department  
19 is to have -- to continue the citation status for  
20 Graduate Arkansas High School. They have made  
21 significant improvements; we commend them for that.  
22 And we feel like that with the continued support from  
23 the Department they will continue to make  
24 improvements to meet the 95 percent tested. And then  
25 we do not request any further action past that.

1 CHAIR ROLLINS: Okay.

2 Board, do we have any questions?

3 MS. WOODS: So we could remove them from cited  
4 status? That's within our discretion?

5 MS. WORSHAM: So we bring the recommendation for  
6 you for them to remain in cited status, and then it's  
7 the Board's decision of what to do with that.

8 MS. HUNTER: So -- but because this would be  
9 their second year -- they're in cited status now; is  
10 that correct?

11 MS. WORSHAM: That is correct.

12 MS. HUNTER: And so the normal progression would  
13 be that they would move from cited status to --

14 MS. WORSHAM: That is after two years.

15 MS. HUNTER: Okay.

16 MS. WORSHAM: So if -- if they do not meet their  
17 95 percent tested after this year's citation, then  
18 they would be moved to probationary status, which  
19 then could have other consequences --

20 MS. HUNTER: Thank you.

21 MS. WORSHAM: -- other actions.

22 MS. HUNTER: Thank you.

23 CHAIR ROLLINS: Dr. Moore, do you have any  
24 questions?

25 DR. MOORE: I do have one question. Does this

1           have any relevance -- does this go in front of the  
2 Charter Panel, and does it have any relevance on  
3 their charter?

4           MS. WORSHAM: This does not go before the  
5 Charter Panel because it's a Standards for  
6 Accreditation request.

7           DR. MOORE: Okay.

8           MS. WORSHAM: But I do believe that Mr. Smith  
9 may have the -- the school discuss their action plan  
10 with the Charter Panel upon renewal.

11          DR. MOORE: Okay. Thank you.

12          CHAIR ROLLINS: Mr. Henderson, questions?

13          MR. HENDERSON: For my clarification, what --  
14 what are we -- what is the State -- the Department  
15 asking us to do, once again?

16          MS. WORSHAM: So we're requesting that -- the --  
17 the school is currently in cited status for this  
18 particular standard. We are requesting that they  
19 remain in cited status for one additional year, as  
20 they implement the action plan that they have  
21 discussed today.

22          CHAIR ROLLINS: Okay.

23          MR. HENDERSON: Okay.

24          CHAIR ROLLINS: Questions?

25          SUPT. HATLEY: May I speak?



1 MS. KEENER: No. I don't think the protocol,  
2 sorry.

3 CHAIR ROLLINS: Questions, Gary?

4 DR. ARNOLD: No.

5 CHAIR ROLLINS: Okay. I think my question is,  
6 you've talked about how far they've moved. What  
7 percentage have they changed?

8 MS. WORSHAM: So they went from 25 percent  
9 tested in ELA to 61 percent this year -- 61.9,  
10 actually, so almost 62. And they went from 26  
11 percent tested in '23, in math, to 50 percent tested  
12 this year. So they've doubled the percentages  
13 they've tested and they have made significant --  
14 implemented significant changes to their system to  
15 ensure that that happens.

16 CHAIR ROLLINS: Okay.

17 MS. HUNTER: So -- so being in cited status,  
18 aside from the fact that they are in cited status,  
19 does this -- does that limit them in any other way?

20 MS. WORSHAM: It does not limit them in any  
21 other way. In fact, it provides -- requires a plan  
22 of action from us and then additional support from my  
23 office, however we can be helpful.

24 CHAIR ROLLINS: Okay.

25 MS. WOODS: So if we remove cited status, your

1 office doesn't assist?

2 MS. WORSHAM: We would assist at the normal  
3 level that we do with other schools, so that is more  
4 general assistance. But with this situation, we are  
5 more in touch with the building; we would be working  
6 with them more closely.

7 MS. KEENER: Okay. If we remove cited status  
8 and they do not meet that goal again, does the clock  
9 start completely over where they're in the first year  
10 cited again?

11 MS. WORSHAM: Yes, it would.

12 MS. KEENER: Okay.

13 MS. HUNTER: And so I have another hypothetical.  
14 If they remained in cited status this year, and then  
15 we come back next year, then we're -- we're not  
16 compelled to move them to probationary status; we  
17 could -- we could again just keep them in cited  
18 status?

19 MS. WORSHAM: The rules do require that after  
20 you've failed for two consecutive years, that you  
21 shall be assigned probationary status. So that --  
22 the rules do require that, that you shall be. Now,  
23 then you don't have to take any further action past  
24 that at that point.

25 MR. BRAGG: Is there a time frame on the

1                   probationary status?

2                   MS. WORSHAM: It is for one year. Yes.

3                   MS. WOODS: But where cited doesn't really have  
4 any ramifications, probation does?

5                   MS. WORSHAM: That is correct.

6                   MS. WOODS: No. Could.

7                   MS. WORSHAM: No. Sorry.

8                   MS. WOODS: Could?

9                   MS. WORSHAM: Could. It doesn't require.  
10 Could, yes, and that is the right word.

11                   MS. HUNTER: I mean, I'll just say I'm just so  
12 impressed with the work that you all do. I remember  
13 you here last year and, you know, I'm so -- just  
14 impressed then, even more so now. So congratulations  
15 for the progress that you've made.

16                   CHAIR ROLLINS: Ms. Hatley?

17                   SUPT. HATLEY: Yes, ma'am.

18                   CHAIR ROLLINS: I know you wanted to say  
19 something a minute ago, if you want to come to the  
20 mic and go ahead.

21                   MS. KEENER: The Chair is allowed to do that.

22                   SUPT. HATLEY: Ma'am?

23                   MS. KEENER: The Chair can do that, so -- so I  
24 would take that opportunity.

25                   SUPT. HATLEY: I'm from a family of 12. I had

1 strict parents, so I can obey real quick.

2 I just wanted to say that, yes, we did appear  
3 before the State Board two years ago and that  
4 accredited cited status was released. Just to know,  
5 the charter has been in -- in existence for 14 years  
6 and under my leadership the whole time. The whole --  
7 any time we've had -- been in any trouble with the  
8 State it's the 95 percent non-tested. But, once  
9 again, I mean I understand federal law, but I also  
10 understand state compliance. So by no way am I  
11 trying to overstep or anything like that. I just  
12 don't feel that we're comparing apples to apples.  
13 You know, we're not testing, you know, 15-,  
14 16-year-olds; we're testing -- I get emotional.  
15 We're testing 18- and 19-year-olds who are in the 9th  
16 grade too.

17 CHAIR ROLLINS: Okay.

18 SUPT. HATLEY: Yeah.

19 CHAIR ROLLINS: Thank you.

20 MS. KEENER: I wonder if -- if this is one of  
21 those things that -- this is such a -- a niche little  
22 pocket. Can you tell me again -- tell me a little  
23 bit more about other schools that are similar with  
24 nontraditional populations and sort of where they  
25 fall in their testing percentages?

1 MS. WORSHAM: So there are only two schools that  
2 we're bringing to you today. Both of them are  
3 dropout recovery or prevention, at-risk student  
4 populations. There are a few other programs that  
5 serve similar populations, and they are not on the  
6 list today. What I would say is with the  
7 implementation of online testing the population will  
8 be easier to reach. And, again, I feel like the --  
9 the building has done significant improvement under  
10 the support that we've been able to provide and  
11 maintain contact with them. And I just wouldn't want  
12 to see that fall off in -- in the future. I think  
13 that they -- they're committed and -- and they'll --  
14 and they will meet their goal.

15 MS. WOODS: I struggle to your point and to --  
16 when you brought up --

17 MS. HUNTER: Yes.

18 MS. WOODS: We're applying traditional rules to  
19 a nontraditional setting, and that's hard.

20 MS. HUNTER: Right.

21 MS. WOODS: But also it is the rules we have, so  
22 that's my conflict.

23 MS. HUNTER: Well, and -- and -- and I'll go  
24 even further on that conflict, because, you know, the  
25 work that you do is so amazing and I think that

1           having the additional support of the State being in  
2           cited status is a plus. So I hate to see -- I mean,  
3           and you might say, well, we don't need it; we've got  
4           our -- we've got our plan and we're -- we've planned  
5           our work and we're going to work our plan. And if  
6           that's the case, then I mean, I -- I don't know. I'm  
7           very conflicted about, you know, easing up on any  
8           support that you may have.

9           MS. KEENER: I also wonder -- seeing that there  
10          is no direct consequence at this point for staying in  
11          cited status and you -- the plan is -- we're  
12          confident about the plan. I say we -- my thoughts  
13          are we stay in cited status, prove it to us, get that  
14          95 percent, and we won't be here next year. And if  
15          we do, perhaps that was the right decision, that  
16          maybe moving to a higher tier of consequences would  
17          be the right time. In the meantime, we might look at  
18          the rule.

19          CHAIR ROLLINS: Is that in the form of a motion?

20          MS. KEENER: Yeah. I'll make a motion that we  
21          -- oh, sorry. I've cut him -- did you have anything?

22          DR. ARNOLD: No.

23          MS. KEENER: Okay. I was ready to move on.

24          I'll make a motion that we approve the  
25          recommendation of the Department which is to maintain

1           -- excuse me -- to -- to -- for Graduate Arkansas to  
2           be in cited status for their second year.

3           CHAIR ROLLINS: Okay. Is there a second?

4           MR. BRAGG: Second.

5           DR. ARNOLD: Second.

6           CHAIR ROLLINS: Okay. Second by Mr. Bragg.

7           Is there any further discussion? Dr. Moore?

8           DR. MOORE: No questions. Thank you.

9           CHAIR ROLLINS: Okay. Mr. Henderson?

10          MR. HENDERSON: No questions.

11          CHAIR ROLLINS: Okay. All those in favor say  
12          aye.

13                               (MAJORITY CHORUS OF AYES)

14          CHAIR ROLLINS: Anyone opposed?

15          MS. WOODS: I'm going to oppose, just -- just  
16          because I'm still conflicted. So --

17          CHAIR ROLLINS: We have a motion. Motion  
18          passes. Thank you.

19          MS. KEENER: And y'all are a sharp looking  
20          group. Thank you for coming.

21          MS. SMITH: Can I make a comment, do you mind?

22          CHAIR ROLLINS: No.

23          MS. SMITH: Again, I just want to acknowledge  
24          that -- and I think this board today does acknowledge  
25          and recognize the -- the students that you work with.

1 Not everybody opens their doors and goes after kids  
2 who have not been successful, and you do. And I know  
3 Ms. Worsham's recommendation today was not to impugn  
4 or -- we made no recommendation other than meeting  
5 the standard. Right? We're here to support you. We  
6 applaud you. No recommendations where there's  
7 actions upon you today. So keep doing the good work,  
8 keep working hard. And hopefully, next year, we're  
9 going to fill this place with balloons and say we  
10 made it to 95 percent. All right? So,  
11 congratulations on your work.

12 SUPT. HATLEY: Thank you.

13 **4. PREMIER HIGH SCHOOLS OF ARKANSAS, CITED RECOMMENDATION,**  
14 **STANDARD 1-C.1.1**

15 MS. WORSHAM: So the second request that we  
16 bring to you today is for the same Standards for  
17 Accreditation 1-C.1.1, which is to test 95 percent of  
18 students.

19 The school that we are recommending to remain in  
20 cited status for their second year is Premier High  
21 School Online, part of the Premier High Schools of  
22 Arkansas group. I will say for this particular  
23 district they did have three schools on the list last  
24 year, and they are down to one. They have as well  
25 made significant improvement. They have gone from



1 approximately 50 percent of their students testing in  
2 2023, to 90 and 93 percent. So they are very close  
3 to meeting that mark.

4 Similar request as before, the Department will  
5 continue to support them directly through the efforts  
6 of an action plan. They have made significant  
7 improvements. We do not request any further action  
8 than for them to remain in cited status. And the  
9 district is here to speak on behalf of the request.

10 MS. SMITH: I just want to clarify real quick.  
11 So are we -- because this wasn't clear before. Are  
12 you accepting the citation today or are you doing an  
13 appeal?

14 MS. WORSHAM: So they do want to appeal --

15 MS. SMITH: Okay.

16 MS. WORSHAM: -- the cited status.

17 CHAIR ROLLINS: Okay. I'll need to swear you in  
18 before we start. Do you swear the testimony you're  
19 about to give is the truth, the whole truth and  
20 nothing but the truth?

21 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

22 CHAIR ROLLINS: If you would please really get  
23 to the mic and introduce yourselves.

24 DR. FELTON: I'm Dr. Dennis Felton, Junior. I'm  
25 the vice president of School Operations for

1 ResponsiveEd Arkansas.

2 MS. PROVENZA: Good morning. My name is Susan  
3 Provenza. I'm the superintendent for ResponsiveEd  
4 Arkansas. Thank you for having us here today.

5 DR. FELTON: Now we were just clarifying with  
6 the Department. Originally, when we prepared this  
7 presentation we were going to talk about three  
8 schools. And so we're just going to focus on Premier  
9 High School Online.

10 And so, once again, we are here to appeal the  
11 State's recommendation to put Premier High School  
12 Online as cited status for accreditation. And as you  
13 can see here, we barely missed the mark. We  
14 understand that the State though has guidelines on  
15 test participation, but we do also believe that it's  
16 not the intent to penalize small schools that may  
17 have one or two uncontrollable circumstances in which  
18 students are not taking their test. And so you see  
19 here, well, we had 90.4 percent tested in ELA and 93  
20 percent tested in math.

21 And so also just showing you all our improvement  
22 with our online, we almost doubled our participation  
23 from 2023 to 2024. So you see where all students in  
24 ELA we tested 50 percent; we came back with a 40  
25 percent increase and tested 90 percent of students.

1           And you see in math where we had 51 percent of  
2           students tested, and we came back and had the 42  
3           percent increase in student participation.

4           So one of the things that we do, very similarly,  
5           we serve a very nontraditional population when it  
6           comes to our Premier High School students. Often,  
7           these students are struggling; they're dealing with  
8           chronic absenteeism, may have been dropped from  
9           previous school districts due to lack of attendance.  
10          A lot of students have previously dropped out of high  
11          school, and so we engage them back into the high  
12          school process.

13          And so I wanted to commend our team of the  
14          efforts that they put together to test students  
15          remotely, to set up testing locations, to -- to test  
16          afterhours, alternate days, just to be flexible for  
17          our families which represents that big increase you  
18          all have seen from year over year.

19          One of the things we also have implemented --  
20          the state assessment, it does bring its challenges.  
21          And one of the things that we've noticed that the  
22          State had information that if a student hadn't  
23          completed 75 percent of coursework they would not be  
24          able to -- they shouldn't be participating in the  
25          end-of-year assessment. So we realized, when we

1            looked at our data, we did have students -- because  
2            we are mastery-based and we're able to track where  
3            students are in their coursework -- that enrolled  
4            late in the school year had not met the requirement  
5            that still participated in the assessment.

6            And so what we did is we compiled data to see  
7            which students participated in the state assessment  
8            who actually completed the 70 percent threshold, the  
9            students who participated in assessment who did not  
10           meet the 70 percent threshold.

11           And so just moving forward, we're just here  
12           committed to let you all know that we continue to put  
13           a strong participation plan together and be flexible  
14           for our families to communicate with those families  
15           to test early, as soon as the testing window opens,  
16           and continue to provide a myriad of options, whether  
17           it's in site -- I mean onsite, remote, afterhours, on  
18           alternate days, maybe like a weekend day to be able  
19           to get students tested.

20           And so here what you're looking at is we took  
21           the data that we got from the state, and we went back  
22           and looked at our own data. And we broke it down  
23           based on which students actually should've taken the  
24           state assessment and met that coursework requirement,  
25           and which students actually participated who should

1 not have been participating and should've been  
2 removed from the testing roster. And so where we  
3 tested 50 students in Algebra 1 we should've just  
4 tested 14 students. We tested 42 students in  
5 Geometry, where we actually should have had 19  
6 students on that roster.

7 And so breaking down those students -- so we  
8 identified eight students who did not take the ELA  
9 assessment at Premier High School Online. Of those  
10 eight students, one student was incarcerated in  
11 juvenile justice, so we were not able to test that  
12 student. We had six students that enrolled in the  
13 school after the testing window had closed. And so  
14 as previously stated by a district last year, the way  
15 the testing windows were set up where we tested  
16 writing, and one window early in the spring semester,  
17 and then later we start our other assessments. So if  
18 a student enrolled after the writing window was over  
19 with, we did not have the ability to test that  
20 student. And then we had one student who was just  
21 dealing with a technology issue with their device,  
22 which we was trying to troubleshoot, which hindered  
23 their ability to actually complete the assessment  
24 after they had logged on.

25 And so, as we know, there -- there will continue

1 to be uncontrollable circumstances. I want to  
2 commend our team: our principals, our teachers, our  
3 student engagement specialists, our success coaches.  
4 They were constantly on the phone contacting parents.  
5 They were setting up with both testing locations. We  
6 were going to certain communities to make it more --  
7 make more accommodations for those students. And  
8 also putting together different things; that way, if  
9 a student was having maybe like a transportation  
10 issue or there was a device issue to set up where  
11 they could actually come in-site on one of our  
12 campuses.

13 And so also what we did to compile the data, we  
14 took the data from the students who actually had  
15 completed 75 percent of the coursework and who took  
16 the state assessment. And you see on our  
17 end-of-course science assessment the adjusted  
18 completion rate was 100 percent. We tested five out  
19 of five kids, controlling those variables. When we  
20 look at the math assessment, we're supposed to test  
21 36 kids, and we tested 33 students, which ended our  
22 adjusted participation rate of 91 percent.

23 That's no longer applicable.

24 And so just know that we recognize the  
25 accreditation standard. We recognize the -- the

1 standard that's set by the State and the feds. And,  
2 once again, we do not feel like this standard is --  
3 was written to penalize small schools that have one  
4 or two uncontrollable circumstances that's outside  
5 the school's control, to be penalized for not meeting  
6 that threshold.

7 And so when we look and see where we have 93  
8 percent and 94 percent of students tested, we're  
9 appealing because we want to be an advocate for our  
10 staff. And our -- our teachers, our principals have  
11 worked relentlessly to make sure that we have those  
12 40 and 50 percent increases in our participation  
13 rate.

14 In closing, I feel like we have a strong  
15 participation plan. We continue to work with the  
16 State on that participation plan. I guess I can go  
17 to the extent to say I feel like after working with  
18 the State two years we have a solid plan. And that's  
19 why you see our schools at 95 or above. And the ones  
20 that don't make the mark that are laying around 93  
21 percent and 94 percent, it's because of those  
22 uncontrollable circumstances.

23 MS. WORSHAM: Thank you.

24 So from the Department, we are recommending that  
25 Premier High School Online only remain in accredited

1           cited status for one additional year. Through that  
2           status we will continue to provide support and work  
3           with them on their action plan to reach the goal of  
4           95 percent tested.

5           CHAIR ROLLINS: Let me check and see if we've  
6           got questions.

7           DR. ARNOLD: Oh, one clarification. So when you  
8           say the -- are the -- the circumstances are out of  
9           your control, it really boils down to the eight  
10          students noted?

11          DR. FELTON: That -- that is correct. And just  
12          to credit the Department, the Department has adjusted  
13          the testing sessions this year. That way, writing is  
14          not a totally separate window. But we're a highly  
15          mobile school and students sometimes are coming in  
16          later because we are serving -- we're taking all the  
17          students; we're taking a lot of students who have not  
18          been enrolled in school. And so getting those  
19          students onboarded -- we're not turning students away  
20          just because we've started state assessments.  
21          However, as you can see, from six students we're  
22          penalized by enrolling those students to give  
23          opportunity to earn credit towards graduation and  
24          because they're not participating in an assessment  
25          window that's already been closed by the State.



1 DR. ARNOLD: Right. You know, so it's difficult  
2 given the context of our prior case, the decision we  
3 made, when you compare it to these real circum- --  
4 well, these numbers and the circumstances behind  
5 those numbers.

6 MS. WORSHAM: And I will add one point of  
7 clarification. The writing window, yes, there was an  
8 original window at the beginning of the -- the test  
9 that was in March for this year only because we had  
10 to field test. But there was also an additional  
11 window inside of the -- the larger window where  
12 students were able to take their writing assessment  
13 if they had missed it in March.

14 To his point, there could have been students  
15 that enrolled after that as well. There is an  
16 appeals process inside of our assessment corrections  
17 where schools are able to tell us the reasons why  
18 certain students weren't able to test, and in some  
19 cases we are able to remove them from their  
20 population.

21 MS. KEENER: So these six did go through that  
22 process and it was determined that they should not be  
23 removed from the numbers, that they should be  
24 included?

25 MS. WORSHAM: Yeah. I would have to go back and

1 look at the exact six students that he's referencing,  
2 if there was documentation provided or if we were  
3 able to remove them or not. I would have to look at  
4 that. But we do that.

5 MS. KEENER: I have another question. The one  
6 student who was incarcerated, with a nontraditional  
7 setting like this are they unenrolled after ten days,  
8 ten consecutive absent days? I wonder if that  
9 student should -- shouldn't have been unenrolled.

10 And then with the -- the other -- you know, I  
11 think the number is set at 95 percent to offer a  
12 cushion for those circumstances like that. I'm -- my  
13 thought is if the six students truly had an  
14 opportunity to take that test, then we stay at cited.  
15 If those six were really enrolled after all windows  
16 were closed, then we should -- they shouldn't be  
17 cited. That is -- that's going to be enough to push  
18 them to 95 percent and above. Right? So I almost  
19 need more information on those six. What -- what do  
20 you think?

21 MS. SMITH: What's the total number of students  
22 that you have in your high school? What are we --  
23 because earlier, when you showed the numbers you were  
24 saying like 50 students, 14 students.

25 DR. FELTON: Yeah.

1 MS. SMITH: What's the number of students that  
2 you say --

3 DR. FELTON: At Premier High School Online, last  
4 year we served right under 300 students.

5 MS. SMITH: Okay. And so in your Algebra and  
6 Geometry courses, 50 -- I was confused between  
7 there's 50 students taking Algebra, but 70 percent of  
8 them hadn't completed the course, and so you thought  
9 only like 14 should have taken the test. So what's  
10 -- so your cohort of a grade level of students is  
11 about 50 taking a course at a time; is that right?

12 DR. FELTON: Yes. That sounds right.

13 MS. SMITH: Okay. So for the Board, the  
14 Department is always going to come with a  
15 recommendation of a cited status for anybody that  
16 falls below 95 percent. That's -- that's just  
17 clear-cut for us. When you get into a small school  
18 district and you see that they were missing it by --  
19 and -- and in essence, for 93 percent in a small  
20 district, you're -- that's one or two students that  
21 they're missing it by.

22 This is not a heartbreak or a heartburn for us  
23 if this Board today decides not to cite this  
24 district. Okay? I will say, though, in the  
25 presentation there were some things that made my

1           eyebrows go -- we need to look at that or do some  
2           more education around that, figuring out where we are  
3           on this competency-based piece when it's time to test  
4           kids, when it's not; making sure that they understand  
5           the portal for being able to say, hey, this kid  
6           shouldn't have tested or not tested or it shouldn't  
7           be counted against us. We have -- we have things in  
8           place for that. I think there's probably still some  
9           education or partnership that we need to provide to  
10          them, which we can do. But when you look at a  
11          district that's this close, again, this -- this is  
12          not -- if you guys don't go with the recommendation,  
13          that's okay. All right? We're always going to come  
14          if somebody is below 95 percent because that's the  
15          standards that we've set for accreditation. All  
16          right? But this is where you guys have some  
17          discretion.

18                 DR. ARNOLD: That's very helpful as we  
19                 differentiate between the two cases.

20                 MS. SMITH: Yes.

21                 DR. ARNOLD: Okay.

22                 MS. WOODS: And I'll just offer for those of you  
23                 who are new, the last year that we took off the  
24                 citation because of like two students and they were  
25                 just circumstances beyond their control. So it has

1           been done before.

2           MS. KEENER: And I notice they are not back  
3 here.

4           MS. WOODS: And they are not back this year. So  
5 sometimes life just works itself out.

6           MS. KEENER: So hopefully, I won't see you next  
7 year.

8           MS. HUNTER: So what is the status of this  
9 school with other standards? Are you cited for any  
10 other standard violation?

11          DR. FELTON: No. This is the only one.

12          CHAIR ROLLINS: Dr. Moore, did you have any  
13 questions?

14          DR. MOORE: No, not at this point. Thank you.

15          CHAIR ROLLINS: Mr. Henderson? Okay.

16          Anyone else? Okay. Well, we'll need a motion  
17 then.

18          DR. ARNOLD: I would move that we remove the  
19 cited recommendation.

20          MS. KEENER: Second.

21          CHAIR ROLLINS: There's been a motion that we  
22 remove the cite (sic) recommendation. All those in  
23 favor say aye.

24                    (UNANIMOUS CHORUS OF AYES)

25          CHAIR ROLLINS: Anyone opposed?

1                   Okay. Good job.

2                   DR. FELTON: Thanks, y'all.

3                   MS. KEENER: Good job. Thank you.

4                   MS. KEENER: Good job.

5                   MR. BRAGG: Just a question. Is it -- is it  
6 worth evaluating the standards to -- to have a  
7 different testing standard for these situations?

8                   MS. KEENER: Promulgating different rules.

9                   MS. SMITH: Yeah. So when you look at like  
10 Graduate Arkansas, the one previously, so their  
11 charter is a charter for, like, an alternative  
12 learning environment. So they don't get an A-to-F  
13 grade, so our state law does already differentiate.  
14 But because they are a high school within the state,  
15 they're expected to meet Standards for Accreditation  
16 that are set. Ninety-five percent is a federal law  
17 that we have to meet in testing kids, and so that's  
18 where we've set the standard for the state.

19                   I will say that bringing in districts who didn't  
20 have 95 percent tested was not something that we used  
21 to do. We added it to the Standards for  
22 Accreditation around Covid time. And if you  
23 remember, right after Covid we had a very large group  
24 that didn't meet 95 percent, and we asked you guys to  
25 waive all of those. Right? And so this is fairly

1 new as far as bringing districts who don't meet that  
2 95 percent.

3 I will say, with Graduate Arkansas, they made a  
4 significant increase from 20 percent to 50 percent.  
5 I feel like they have an aggressive plan that next  
6 year I think that they'll make another jump. Premier  
7 went from the 80s up into like right there, one or  
8 two kids.

9 So I feel like the attention we're bringing to  
10 it is -- is worthy. But I think you guys made a good  
11 recommendation today.

12 And congratulations to you for the work that you  
13 do.

14 DR. FELTON: Thank y'all.

15 (The Action Agenda was concluded at 11:14 a.m.)  
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