

ARKANSAS STATE BOARD OF EDUCATION

May 8, 2025

9:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

DR. SARAH MOORE, Chair
MS. KATHY ROLLINS, Vice Chair
MS. ADRIENNE WOODS
MS. LISA HUNTER
MR. JEFF WOOD
MS. LEIGH KEENER
MR. KEN BRAGG
MR. RANDY HENDERSON
DR. GARY ARNOLD

NON-VOTING BOARD MEMBERS:

MR. JACOB OLIVA, Secretary of Education
MR. BEAU McCASTLAIN, 2024 Arkansas Teacher of the Year

ALSO APPEARING:

MS. STACY SMITH, Deputy Secretary of Education
MS. HOPE WORSHAM, Assistant Commissioner - Public School
Accountability
MS. COURTNEY SALAS-FORD, Chief of Staff - ADE
MS. KARLI SARACINI, Assistant Commissioner - Educator
Effectiveness and Licensure

ADE LEGAL COUNSEL:

MS. WHITNEY JAMES, PLSB Managing Attorney

LOCATION:

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

I N D E X

	Page
ACTION AGENDA	3
1. Consideration for Release for Public Comment . . .	3
1.a. Rules Governing the Public School Rating System on Annual School Performance Reports and the School Recognition Program	3
1.b. Rules Governing the Child Sexual Abuse and Human Trafficking Prevention	22
2. Rules Considered for Final Approval: Rules Governing Special Education and Related Services Sec. 18.00 - Residential Placement.	25
3. Highland School District Standard 1-A.4.1 Waiver Request	28
4. 2024-2025 Cited Recommendation for Maynard School District	43
5. Consideration of the Recommendation of the Professional Licensure Standards Board for Case 25-050 - Joanna Blocker	53
Court Reporter's Certificate	72

P R O C E E D I N G S

1. CONSIDERATION FOR RELEASE FOR PUBLIC COMMENT

CHAIR MOORE: Then we will start with item number one, a request for public comment, enforcing rules.

MS. SMITH: All right. Thank you. Good morning. Deputy Commissioner Stacy Smith. I'm back. Legislation is over, and we have rules. So, so excited.

All right. So I wanted to remind you how the rule process works. First, the rules come to the board to be released for public comment. The rules go out for a minimum of 30 days, and those are noticed. Comment is received here at the Department and reviewed by Legal and responded to. If there is a substantive change, it goes back out again for public comment and the process starts again. All right. If there are no substantive changes, then it comes back to this board for approval. And then it goes over to the Arkansas Legislative Council for final review.

1.A. RULES GOVERNING THE PUBLIC SCHOOL RATING SYSTEM ON ANNUAL SCHOOL PERFORMANCE REPORTS AND THE SCHOOL RECOGNITION PROGRAM

All right. So today, we have two new rules before you. One is the rules governing the Public

1 School Accountability Rating System. And this is the
2 rules that directly reflect the accountability system
3 that was shared with you guys recently. All right.
4 Previously, the -- in the appendix of the old rules,
5 they had the business rules in there. And we have
6 removed the business rules from this -- the set of --
7 the -- these set of rules. All right. These set of
8 rules really uplift that. The accountability formula
9 is focused on achievement, growth, and the success
10 rate of graduates. It also adds an automatic grading
11 scale increase, which we talked about in our work
12 session, when we see that schools are on the rise,
13 right, that we automatically start increasing the
14 letter grade system. And that that all comes before
15 the State Board to approve where we set those cuts.
16 And it also revises the school recognition program.
17 Previously, it was done by specific grades. This now
18 puts it into the elementary, middle and high school
19 bands; and it also makes sure that schools are -- are
20 getting awarded not just for their achievement, but
21 also for their growth. And schools that are getting
22 awarded for their achievement must have positive
23 growth scores.

24 So those are the rules that we'll be putting out
25 for their first review of public comment. Okay. Do

1 you have any questions?

2 SECRETARY OLIVA: Can I just also add, one, we
3 did a pretty extensive workshop on this and this is
4 what I'd like to say is kind of a culminating point
5 of a very long progression that we spent the last two
6 years, with building systems alignments, where
7 everything was clear and concise. And that it was
8 easy to understand from assessments, the standards,
9 to an accountability system. We took the -- the
10 recommended formula and ran a simulation of what the
11 grades would be like and shared that with schools and
12 told them these are simulated grades; they're not
13 finalized; that the State Board may have feedback.
14 We're still going to put it up for another round of
15 public feedback. But I can tell you, overall, the
16 feedback we received, even when we ran these grades,
17 we've heard from superintendents from all over the
18 spectrums and they were like -- they feel that this
19 methodology of how we're calculating growth and
20 focusing on those quartiles and achievement levels is
21 really more reflective of the learning that's
22 happening in their schools. And even superintendents
23 were like, yeah, our -- our schools went down a
24 little bit, but we can see why. Or the schools that
25 stayed flat, they're saying, yeah, we -- we -- we

1 know what we need to work on. And the ones that
2 improved are, like, this validates the hard work that
3 we're seeing in our students in classrooms every day.
4 So just know we're -- we're -- we're ready to put
5 this out, to continue to get more feedback. Because
6 this is -- this is -- a big piece of the puzzle for
7 building that systems alignment. And I'm just really
8 proud of the team and -- and everybody that's come
9 together. And as we've -- I keep going back -- as
10 we've engaged in this process from day-one, we -- we
11 want to create standards, test items and assessment
12 system that reflected the input of Arkansas educators
13 and experts along the journey and the way. And we've
14 done that. And I want to say, from start to finish
15 it was over 3,000 Arkansas educators participated at
16 some point in this process.

17 So I think this is something that we want to
18 celebrate too, being able to get this out and moving
19 it one step closer to get across the finish line.

20 One of the things that timing-wise we want to
21 achieve now is we're actually in the closing part of
22 the window of our assessment season for ATLAS. And I
23 want to say the latest update that I've seen we have
24 successfully administered statewide over 800,000
25 exams and have less than 100,000 to go. So we're

1 almost completely done. We're going to get those
2 results back. We've already set the standards.
3 We're going to be able to get the real-time data and
4 information. And if we get this back from public
5 comment and don't have a lot of substantive changes,
6 we'll be able to bring this back to the board next
7 month for approval; and then be able to run the
8 scores that the students are taking now through this
9 system so that by August -- this is where I make her
10 a little nervous -- early August, maybe late July,
11 we'll be able to have this system in place and start
12 moving forward with notifying schools where -- where
13 -- where their status is. So --

14 MS. SMITH: Yeah.

15 SECRETARY OLIVA: -- this is a big deal.

16 MS. SMITH: Schools will be looking forward to
17 that in August and September. I'm teasing.

18 SECRETARY OLIVA: Late July.

19 MS. SMITH: If any -- any questions from the
20 Board?

21 CHAIR MOORE: Board Members, questions? To my
22 left, questions?

23 MR. WOOD: I just want to briefly -- in
24 conversations we've had about this new system, one
25 thing that I don't think set with me is this

1 implementation of an automatic grading scale increase
2 once 65 percent of schools reach a rating of A or B.
3 Can you briefly explain that, what happens there?

4 MS. SMITH: So what would happen is we would --
5 we set our cuts, and we would have to bring those
6 cuts back to this board to determine is it the
7 appropriate placement for our school to get an A, a
8 B, a C or a D.

9 MR. WOOD: So that's a statewide 65 percent? If
10 65 percent of the schools statewide get an A or a B,
11 we'll re-evaluate cut scores?

12 MS. SMITH: Yes.

13 SECRETARY OLIVA: Yeah. And what I -- what I
14 want to call that is an automatic escalator because
15 we're -- we're never going to rest on our laurels.
16 And -- and, ideally, we get to the point where you
17 would have a scale that mirrors what we have in
18 classrooms where 90 to 100 is an A, 80 to 89 is a B.

19 MR. WOOD: Yeah.

20 SECRETARY OLIVA: But we did a standard setting
21 based on achievement levels now, and that's -- that
22 floor has been set with the goal that we're going to
23 have an automatic escalator to keep raising
24 expectations.

25 MR. WOOD: Yeah. Okay.

1 MS. SMITH: Good?

2 MR. WOOD: Yeah.

3 MS. SMITH: Any other questions?

4 CHAIR MOORE: Ms. Rollins, questions?

5 MS. ROLLINS: Does this system also set kind of
6 rules for when we recognize teachers individually,
7 monetarily?

8 MS. SMITH: So you're -- you're thinking about
9 the merit pay program.

10 MS. ROLLINS: Yes.

11 MS. SMITH: So -- so that is measured by our BAM
12 data. Okay? This is overall growth scores, which we
13 have a BAM model for individual student scores. And
14 the same model and formula is used over on the side
15 for individual teachers, but it's a different formula
16 and it's a different set of rules -- not a different
17 formula, but it's applied individually to each
18 teacher based on the students that she is teaching.

19 MS. ROLLINS: Okay.

20 MS. SMITH: But for the whole school all
21 teachers' scores are accumulating into their growth
22 score.

23 MS. ROLLINS: Okay. So another set of rules for
24 the --

25 MS. SMITH: Uh-huh. And -- and -- and the way

1 we are reporting growth scores with our
2 accountability formula is the percentage of students
3 in the school who met their expected growth. Teacher
4 merit pay is based on overall growth of their
5 students in -- in -- in the BAM formula. And so who
6 grew their students the most, not just did you meet
7 it or not meet it.

8 SECRETARY OLIVA: Oh, go ahead.

9 MS. HUNTER: So the expected growth then is one
10 year; is that correct?

11 MS. SMITH: Yes, ma'am.

12 MS. HUNTER: Regardless of where they start?

13 MS. SMITH: Yes, ma'am.

14 MS. HUNTER: Okay.

15 CHAIR MOORE: Board Members to my right,
16 questions?

17 SECRETARY OLIVA: Can I have a comment?

18 So while I say this just feels like the final
19 piece of the puzzle, as I was listening to Stacy it
20 reminded me, there will be one more piece of this
21 puzzle coming to you later. Because with Arkansas
22 ACCESS one of the great pieces of that legislation
23 gave us the authority to do is assign district
24 grades, as well as co-op grades. So we want to get
25 this process done for calculating district grades,

1 and then we're going to probably have to go through
2 another standard setting process on how we aggregate
3 all the student performance. It's not going to just
4 be like, well, this district had three A's and three
5 C's, their grade is a B. No. If we put all of your
6 students in a denominator and looked at the
7 performance in a numerator of what is your impact on
8 a district is -- is kind of the -- what the work
9 group is working towards. So we -- we will get this
10 finalized, but then soon after, we're going to come
11 back and ask the Board to possibly look at a
12 different set of cut scores. Because when you --
13 when you aggregate the buckets, K-12, we want to make
14 sure we get that right as well. So that -- that
15 piece is coming.

16 CHAIR MOORE: I have a question within that
17 though. So these rules do not say -- they say in
18 general how the letter grades are created. But I
19 know at the last meeting we talked about, you know,
20 what percent does that letter grade -- is composed of
21 proficiency versus what percent is growth. Where is
22 that decided?

23 MS. SMITH: So that is indicated in the business
24 rules.

25 CHAIR MOORE: Okay.

1 MS. SMITH: Okay. And that's where you get into
2 the very transparent individual calculation on every
3 scenario that we've possibly applied to a school.

4 CHAIR MOORE: Okay.

5 MS. SMITH: And so those business rules are --
6 and they're referred to in here and they will be
7 published on our website.

8 CHAIR MOORE: Do those come in front of the
9 State Board?

10 MS. SMITH: As far as the approval for the
11 percentages, that's -- that's not -- no, because
12 they're not written specifically in these rules.

13 CHAIR MOORE: Right. I -- I think the -- my
14 concern would be that over time then those
15 percentages will change without anyone knowing. Is
16 there going to be a process that that would be -- you
17 know, do we know that this letter grade is composed
18 of 50 percent growth, or 60, whatever it is?

19 MS. SMITH: Well, I think -- I think part of the
20 -- the work through this was that we did have the
21 stakeholder groups and we did have input statewide.
22 And that is indicated in the rules that it's -- there
23 is a statewide process for going through that. You
24 know, as far as it being specific in the -- in these
25 rules, the percentages, it's -- it's not. If that

1 was something that was to be added, that would be
2 considered a substantive change.

3 CHAIR MOORE: Okay. And so that -- that will be
4 pub- -- I'm trying to go back, since y'all did a
5 great job at the work session telling us those
6 things.

7 MS. SMITH: Uh-huh.

8 CHAIR MOORE: I think the concern -- my concern
9 would just be that, you know, all of a sudden, growth
10 is now only ten percent instead of the -- I think it
11 should -- should be more; and where is that decision
12 made and how are districts notified of that, if there
13 were a change.

14 MS. SMITH: Right. Well, this board -- and --
15 and I -- I -- I want to acknowledge that you're
16 right, Secretary Oliva may not always be sitting in
17 that seat; I may not always be the one standing here
18 in front of this board. The accountability system in
19 the past and historically has always been something
20 that this board has heard public comment about, has
21 participated in work sessions for. I believe that
22 that is the authority in which you call districts
23 before you and getting information, you know,
24 evidenced by the work sessions that we had and
25 hearing from the State that growth was a primary

1 factor that they wanted to see in the accountability
2 system. As far as naming the percentages in these
3 rules, some of that has to do with formulas and --
4 and weeding out how things actually flesh out.
5 Right? And so any time that there is an -- when we
6 look at doing an automatic escalator, if we were to
7 set the cuts in these rules, then that means every
8 time this board wanted to try to adjust something on
9 the formula we'd have to come back and do an entire
10 30-day process. In the accountability formula,
11 setting the percentages, that is something that I
12 feel pretty confident to say will always go through
13 this board in terms of a work session, allowing you
14 guys to ask for public transparency, to make sure
15 that school districts understand the formula. The
16 previous formula, what we heard over and over and
17 over again was that it was not transparent. And we
18 saw schools chasing small SQSS factors of attendance,
19 small points for, you know, a kid in the computer
20 science credit, and not focusing on overall
21 achievement in math, science, and literacy, and
22 overall growth of their students. The formula has
23 been simplified to take out the noise and get people
24 focused on growth and get folks to focus on
25 achievement. And the exact percentages for high

1 school, middle school and elementary on growth and
2 achievement, they differ. They're not all the same.
3 But it does carry more weight, growth does, at this
4 time.

5 CHAIR MOORE: I understand that. I think I --
6 I -- I wish in a perfect world we could also have the
7 business rules with this, so that we know exactly
8 what we're approving and what those scores look like.
9 Because I would hate for there to be a change --

10 MS. SMITH: We --

11 CHAIR MOORE: -- without --

12 MS. SMITH: I --

13 CHAIR MOORE: -- all the districts knowing.

14 MS. SMITH: I -- I will make sure the business
15 rules are sent to all of you.

16 CHAIR MOORE: Okay.

17 MS. SMITH: And then that is something we can
18 have further discussion about.

19 CHAIR MOORE: Maybe, like, with the public
20 comment attached. Because I think there is -- there
21 should be -- you know, people should be able to
22 continue to put in feedback about what the percentage
23 of each of the categories is.

24 MS. SMITH: I think that's a great suggestion.
25 We'll -- we will make sure that the business rules

1 are attached when they go out for public comment.
2 And we'll make sure you all get a copy.

3 MS. HUNTER: But -- but -- so I'll just add to
4 that. What is the process for business rule change?
5 It doesn't come before us. Who's the decider?

6 MS. SMITH: So that is an internal Department of
7 Education document --

8 MS. HUNTER: Okay.

9 MS. SMITH: -- that is our guidance document on
10 every formula that is calculated, and it's posted --
11 and it's published. And these rules require us to do
12 that. All right. So it was put in here that we
13 would publish the rules so that it's very transparent
14 on how the formula is being applied to everyone. So
15 when you get into the business rules you get in --
16 into everything from the configuration of the school.
17 If you're a K-1, if you're a 1st, if you're a -- or
18 if you're, you know, a standalone 9th grade academy,
19 how do things get applied to you. If you don't have
20 all the indicators, if you're missing some of the
21 components, the business rules spell out each
22 individual calculation in step, and then it's
23 published then for folks to be able to see. And when
24 we get questions about how did you do that, we refer
25 everyone back to the business rules. And if we can't

1 point to how we did it in the business rules, then
2 we've got a -- we've -- that's -- that's a problem.

3 CHAIR MOORE: But there -- I mean, and are those
4 consistent for a certain time period?

5 MS. SMITH: They are -- so -- so the business
6 rules that we have put out right now show exactly
7 what we did for calculation with the simulated
8 grades. So as we're going through this process, at
9 some point if we see that there's -- as schools are
10 looking at their grades and applying the formulas and
11 running the numbers, there's a chance that there is
12 an anomaly out there that we're not aware of. And so
13 when we get asked questions about that, it gives us
14 the opportunity to say, okay, we missed that
15 population or we missed that type of student; or what
16 do you do when legislation passes a new rule about
17 students with their EL language or whatever, how that
18 -- that applies. It gives us the flexibility, in
19 those business rules, to say exactly how it's going
20 to be calculated. It -- it -- it is a granular step
21 compared to the overall rules. The overall rules are
22 guaranteeing that the State is using achievement,
23 growth and success/ready/pass in the accountability
24 system.

25 CHAIR MOORE: I understand that. I think I

1 would prefer that it's stated -- taking a rule of
2 privilege just as the board chair -- that it's stated
3 specifically what percentages of each category there
4 is so that we have consistency over the years and
5 there's no backdoor changing in a year or two that
6 completely changes the letter grades.

7 I have another question around the reward
8 schools.

9 MS. SMITH: Yeah.

10 CHAIR MOORE: So there's some wordsmithing here
11 that's changing how the schools are rewarded based on
12 grade span. And I know, as you've alluded to, we
13 have tons of different types of schools, K-2, 7-12,
14 that kind of thing. Is this going to be giving
15 rewards based on one particular grade or is that --

16 MS. SMITH: So schools are assigned -- so when
17 -- when we did the workshop, we saw where schools
18 were assigned in Group 1, Group 2 or Group 3, based
19 on their grade span. So we had those three spans.
20 They're going to be considered an elementary, middle,
21 or high school. And so awards will be based on those
22 three categories. Instead of combining everybody
23 together, the formula comes up and you have -- you
24 know, so this allows us to give equal awards in each
25 of those spans.

1 CHAIR MOORE: Okay. Do you take K-2 assessments
2 into this?

3 MS. SMITH: The K-2 is not a part of the
4 accountability formula.

5 CHAIR MOORE: Okay.

6 MS. SMITH: But it does go -- grow into growth.

7 MS. WORSHAM: (Indiscernible)

8 MS. SMITH: But we're not using K-2 in the
9 formula.

10 MS. WORSHAM: (Indiscernible)

11 MS. SMITH: K-2 is paired normally with their
12 3rd, 4th, and 5th grade building.

13 CHAIR MOORE: Okay. And that's with -- there's
14 some --

15 MS. SMITH: Yeah.

16 CHAIR MOORE: -- wordage around if you don't
17 have it you're connected to your feeder school?

18 MS. SMITH: Yes. Yes. So you're combined. So
19 when you're given your -- (a) if you're a K-2 school
20 and you didn't have all the data elements, you're
21 paired -- and it indicates that in there -- with your
22 feeder school and you receive that same grade. And
23 so in our simulated grades that's what you saw, and
24 that was done previously as well. But K-2 data goes
25 into growth for math and ELA.

1 CHAIR MOORE: Okay.

2 MS. SMITH: That goes into the 3rd grade score.

3 CHAIR MOORE: Okay. And just to clarify, I --
4 my personal preference is that we only award for
5 growth. Is -- does legislation specifically say that
6 we have to award for achievement and growth?

7 MS. SMITH: I believe so. Yes.

8 CHAIR MOORE: Yeah.

9 Okay. Board Members --

10 MS. SMITH: And we -- and we actually
11 strengthened the rules based on the preference of
12 growth, that if you --

13 CHAIR MOORE: Right.

14 MS. SMITH: -- are being awarded for achievement
15 you had to show positive growth.

16 CHAIR MOORE: I appreciate that. And I think
17 that needs to be singled out more so that we --
18 schools understand this is not who's coming in your
19 door; it's what you're doing with who's coming in
20 your door.

21 MS. SMITH: And -- and I'm a growth fan.

22 CHAIR MOORE: Right.

23 MS. SMITH: I mean, I want schools to grow. And
24 that's one of the first things we look at. One of
25 the things I think that we can't lose sight of is we

1 still want kids to achieve and meet the proficiency
2 level.

3 CHAIR MOORE: Right.

4 MS. SMITH: And that's what we're -- when we're
5 pushing for growth, we're pushing for growth to get
6 to that achievement level. And I think recognizing
7 those schools that are getting there to the
8 achievement level, especially when they've had
9 tremendous growth on top of that, I think that
10 matters.

11 CHAIR MOORE: Board Members, any additional
12 questions?

13 Do we want to take both of these rules together,
14 or this one separately?

15 MS. SMITH: I would go ahead and ask for a
16 motion to release these --

17 CHAIR MOORE: Okay.

18 MS. SMITH: -- for public comment.

19 CHAIR MOORE: So this will be a motion to
20 approve the rules for public comment.

21 MS. ROLLINS: So moved.

22 CHAIR MOORE: Okay. There's a motion by Ms.
23 Rollins. Is there a second?

24 MS. HUNTER: Second.

25 CHAIR MOORE: A second by Ms. Hunter. Any

1 questions?

2 Okay. Move forward with a vote. All in favor
3 say aye.

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIR MOORE: Any opposed?

6 Motion passes.

7 MS. SMITH: Thank you.

8 **1.B. RULES GOVERNING THE CHILD SEXUAL ABUSE AND HUMAN**
9 **TRAFFICKING PREVENTION**

10 MS. SMITH: The second set of rules that are
11 coming to you today are -- is actually kind of a
12 rollover from previous legislation of LEARNS and
13 human trafficking and safeguarding our students at
14 school. And so this requires school districts to
15 implement a Sexual Abuse and Human Trafficking
16 Prevention Program. Our Learning Services curriculum
17 team has been working hard on adding those standards
18 into the health and -- health standards and physical
19 education standards. They've also been reviewing
20 curriculum that they'll be able to embed into the
21 standards so that districts will have access to
22 curriculum that is aligned to those standards. It
23 requires school districts to provide training to
24 teachers concerning awareness, reporting requirements
25 and prevention. The Department has put together

1 training in that area as well. And it also prevents
2 school districts from providing instruction on
3 certain topics that are inappropriate for students
4 before the grade 5, and that is on page 2.

5 CHAIR MOORE: Board Members to my left,
6 questions?

7 To my right, questions?

8 Okay.

9 MS. WOODS: I'm sorry. When -- it talks about,
10 in -- I think it was provision 4, basically it says
11 that the school has to allow parents to preview the
12 curriculum?

13 MS. SMITH: So that is in legislation.

14 MS. WOODS: It is? Okay.

15 MS. SMITH: Uh-huh. And so there's a notice --
16 there's a notice that schools need to make parents
17 aware that they are providing this type of
18 curriculum, and school districts' parents can opt
19 out. Or parents can opt to come in and review the --
20 read the materials.

21 CHAIR MOORE: Along those lines, it does not
22 state what specific grades? It just says schools.
23 Is there a requirement that --

24 MS. SMITH: Are you talking about standards? So
25 the -- so the Arkansas standards for health and

1 safety are K-12 standards and --

2 CHAIR MOORE: Okay.

3 MS. SMITH: -- the Department has embedded human
4 trafficking within K through 12 --

5 CHAIR MOORE: Okay. So --

6 MS. SMITH: -- at appropriate levels. So what's
7 -- what's appropriate for a kindergartner to know,
8 what's appropriate for a 1st and 2nd.

9 CHAIR MOORE: Okay. So every grade will have --

10 MS. SMITH: Yes.

11 CHAIR MOORE: -- something then?

12 MS. SMITH: Yes.

13 CHAIR MOORE: Okay. Okay. Board Members --

14 MS. SMITH: And that looks very different from
15 kindergarten to 8th grade.

16 CHAIR MOORE: Right.

17 Board Members, any questions or comments?

18 MS. ROLLINS: Well, parents can also opt out as
19 well?

20 MS. SMITH: Yes. At their school districts,
21 yes, they may.

22 MS. ROLLINS: This to me is so important, when
23 you hear about human trafficking and how students or
24 children can be -- what is the word -- groomed for a
25 situation and not be aware that they're being groomed

1 at all. And also parents. So I really appreciate
2 this very much.

3 MS. SMITH: And I think it was --

4 MS. ROLLINS: Very sensitive, I know. And I'm
5 sure we will be careful with what we present to
6 children. But this is vital. Thank you.

7 MS. SMITH: Yeah. Well, it's not me. I think
8 this is where you look at the Governor, of her taking
9 a stand on bold actions on protecting kids.

10 MS. ROLLINS: Yeah.

11 MS. SMITH: So I would request an action for
12 release to public comment.

13 CHAIR MOORE: Okay. The floor is open for a
14 motion.

15 MS. ROLLINS: I'll make the motion to approve.

16 CHAIR MOORE: Ms. Rollins made a motion to
17 approve. Is there a second?

18 MS. WOODS: I'll second.

19 CHAIR MOORE: Ms. Woods made a second. Any
20 questions or comments?

21 All in favor say aye.

22 (UNANIMOUS CHORUS OF AYES)

23 CHAIR MOORE: Any opposed?

24 The motion passes.

25 **2. RULES CONSIDERED FOR FINAL APPROVAL: RULES GOVERNING**

1 **SPECIAL EDUCATION AND RELATED SERVICES SEC. 18.00 - RESIDENTIAL**
2 **PLACEMENT**

3 MS. SMITH: The next set of rules actually have
4 already come before this board and for release for
5 public comment back in -- it would be prior to the
6 legislative session starting. And so now that the
7 legislative session is over it has finished its
8 public comment period, and so now we're bringing it
9 back for you for final approval for it to go to ALC.
10 These are final rules that really are only changes
11 that were made in previous legislative sessions, so
12 there was nothing in here that was not specifically
13 named in legislation that got changed.

14 And so the overall action is requirements that
15 must be met to pay for educational related cause for
16 disabled juveniles who are in -- who are going into
17 an out-of-state residential inpatient facility. And
18 it also added some requirements for juvenile
19 detention facilities regarding notifying a resident
20 district of the student that has enrolled in their
21 school or facility.

22 So I would ask for final approval of these
23 rules.

24 CHAIR MOORE: Board Members to my left,
25 questions?

1 MS. HUNTER: Yes. So I have one that opposition
2 said, except my question I think whenever this came
3 before us before was the definition of juvenile.
4 And, you know, it's 18 years and younger, rather than
5 under 18 years. Is that -- I mean --

6 MS. SMITH: I would have to --

7 MS. HUNTER: -- I think that's a little -- and I
8 -- and I --

9 MS. SMITH: Yeah.

10 MS. HUNTER: -- asked about this before. That's
11 a little different than like I think what most of us
12 consider to be a juvenile.

13 MS. SMITH: Yeah. I think that's probably
14 something that's specific in legislation. I'd have
15 to defer to Courtney on the residential, if you want
16 to comment on that.

17 MS. SALAS-FORD: Good morning. Courtney
18 Salas-Ford.

19 That specific -- that definition is specific to
20 the juvenile detention centers and the age limits
21 that they set for being able to be court-ordered into
22 those programs.

23 MS. HUNTER: Okay. Thank you.

24 MS. SMITH: She told me she'd be a great pitch
25 hitter for me if I needed her, and so --

1 CHAIR MOORE: Board Members to my right,
2 questions?

3 Okay. With that, the floor will be open for a
4 motion. This is final approval for these rules.

5 MR. BRAGG: I move we approve the final
6 approval.

7 CHAIR MOORE: We have a motion for approval by
8 Mr. Bragg. Is there a second?

9 MR. HENDERSON: Second.

10 CHAIR MOORE: A second by Mr. Henderson. Any
11 questions or comments?

12 All in favor say aye.

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIR MOORE: Any opposed?

15 Motion passes.

16 MS. SMITH: Thank you.

17 CHAIR MOORE: Thank you.

18 **3. HIGHLAND SCHOOL DISTRICT STANDARD 1-A.4.1 WAIVER REQUEST**

19 CHAIR MOORE: Next on our agenda we have a
20 request for a waiver from the Highland School
21 District. I believe Superintendent Jeremy Lewis is
22 on Zoom.

23 Mr. Lewis, can you hear us?

24 SUPT. LEWIS: Yes, ma'am.

25 CHAIR MOORE: Great. We'll start with Ms.

1 Worsham and then we will get to you. Thank you.

2 MS. WORSHAM: Good morning. Hope Worsham,
3 assistant commissioner, Public School Accountability.

4 I bring to you a waiver request from the
5 Highland School District for Standard 1-A.4.1 which
6 requires a district to attend either 1,068 hours or
7 168 school days -- 178 school days, excuse me.
8 Highland is on the alternate calendar which requires
9 them to attend school 1,068 hours. Due to inclement
10 weather and a boil order that was put in -- in place
11 on April -- April the 7th at their district, that
12 caused them to miss one additional day they were not
13 planning for. So they are requesting to not have to
14 make-up the six-and-one-third hour that would have
15 been done on that day.

16 CHAIR MOORE: Okay.

17 Superintendent Lewis, do you want to make any
18 comments at this point?

19 SUPT. LEWIS: Yes, ma'am.

20 Of course, we had experienced some winter --
21 winter weather, inclement weather throughout the
22 year, had our five days built into our calendar we
23 attended those days. We actually added four days to
24 the end -- to the end-date of the school year. And
25 then we -- our area was hit particularly hard with

1 flooding at the end of March, the first of April. We
2 had some roads that were bad. We were still planning
3 on running alternate bus routes and getting to school
4 on that Monday, but our water system unfortunately
5 was affected by a boil order. We worked hard on the
6 Sunday, April the 6th, getting water and everything
7 ready to go because -- so we could have school on
8 Monday, and just couldn't get it done. We spent the
9 rest of the day that Monday preparing for school on
10 Tuesday.

11 So we are requesting a waiver, a standards
12 waiver from the 1,068 hours for that Monday, April
13 the 7th.

14 CHAIR MOORE: Okay.

15 Board Members, questions to my left?

16 MR. WOOD: I have a question. So what -- before
17 all the bad weather what day was -- were Highland
18 schools supposed to get out for summer?

19 SUPT. LEWIS: So we were scheduled -- our last
20 day was scheduled, when we got our calendar approved,
21 for May the 15th.

22 MR. WOOD: Really? That strikes me as
23 surprisingly early. I'm -- I'm -- I'm -- you know,
24 when did -- when did you -- when did you start
25 school?

1 SUPT. LEWIS: So we started on August the 12th.

2 CHAIR MOORE: They have 169 days in their
3 calendar this year.

4 MR. WOOD: 169?

5 CHAIR MOORE: Uh-huh.

6 MR. WOOD: Yeah. You know, do you have a
7 special number of hours every day? I -- I -- I'm --
8 I'm really surprised at the -- I guess the -- the
9 short calendar for the year. Just -- just having --
10 having been a local school board member and
11 struggling with building a school calendar, the fact
12 that you could have scheduled to be out of school May
13 15th just surprises me. So how -- how did you y'all
14 -- how did y'all do that?

15 SUPT. LEWIS: Yes, sir. So we're -- we take
16 advantage of one of the calendar options which is --
17 y'all call it the alternative calendar.

18 MR. WOOD: Okay.

19 SUPT. LEWIS: That calendar requires 1,068 hours
20 of instruction time throughout the year. And we
21 actually built our calendar with -- just right at
22 1,070 hours. We utilized a couple of hours -- we had
23 an accident with one of our students, so we used
24 those hours there. Of course, we've got the five
25 days built in for inclement weather throughout the

1 year. And then, we also -- we have four days beyond
2 that added to the end of the year. So, you know, we
3 get our hours in during the day. We go to school
4 6.33 hours. We have 6.33 hours of instructional time
5 every day. That adds up to a thousand -- right at
6 1,070 hours. So that's how we get our days in.

7 MR. WOOD: Okay. So my -- my next question is
8 beyond the surprise of the schedule. But you missed
9 a lot of days for snow days, nine, before the -- the
10 flooding of early April.

11 SUPT. LEWIS: Yes, sir.

12 MR. WOOD: And -- and anyone who's watched a
13 board meeting where we've talked about school
14 calendars knows that I don't like May days. I don't
15 think much learning takes place in May in schools.
16 So my question is how -- how -- what did you do
17 between January 10th and the end of April to make
18 sure that the time -- well, I don't know. How are
19 you -- how are you hoping kids make up for the nine
20 days they've missed in a meaningful substantive way,
21 rather than just another day to clean a classroom in
22 May?

23 SUPT. LEWIS: Well, I mean -- so, I mean, I hope
24 I can answer your question. You asked about our
25 start date. We -- we always like to start as early

1 as possible here, because we do have a large rural
2 district and we usually do experience some weather
3 days in January and February. But we also have days
4 scheduled off in January and February. We were able
5 to utilize those. We went to school on MLK, we went
6 to school on Presidents' Day and we -- I've also used
7 the Friday and Monday around Easter that we had
8 scheduled off to help make up some of that
9 instruction time.

10 MR. WOOD: Okay. So those were changes you made
11 after bad weather occurred?

12 SUPT. LEWIS: Yes, sir. Those are the -- those
13 were the five days that were built into our calendar
14 for inclement weather days.

15 MR. WOOD: Okay. Well, fair enough. I'll
16 actually tell you I'm slightly impressed by that. A
17 lot of -- a lot of school districts wouldn't take
18 calendar holidays and turn them into educational
19 days. So I'll -- I'll give you a pat on the back for
20 that, actually.

21 SUPT. LEWIS: Thank you.

22 MR. WOOD: All right. Yeah.

23 CHAIR MOORE: Other board members to my left,
24 questions?

25 (NO RESPONSE)

1 Board members to my right, questions?

2 MS. WOODS: I guess my only question is why not
3 just go one extra day and get out on May 22nd?

4 SUPT. LEWIS: That's -- I mean, that's what we
5 have scheduled right now. But with the -- with the
6 unusual circumstance of the flooding and the water
7 system being down I just -- I felt like I owed it to
8 my district to ask -- ask for a waiver at that point.
9 I mean, it's -- we would appreciate a positive vote
10 on this, but if we don't get it we'll just add a day
11 to the -- to the end of our school year. Yes, ma'am.

12 MS. WOODS: Okay.

13 CHAIR MOORE: I -- I -- it is notable that the
14 21st is a Wednesday. It's not the end of the week.
15 And so I understand maybe arguing coming back after
16 Memorial Day. But when you still have time before
17 this --

18 So I -- I actually -- if -- if you -- like Mr.
19 Wood said, if you've been listening to our board,
20 myself particularly have honed in on this idea that
21 we are providing less opportunities for students to
22 learn. I have a first-grader and he needs to be in
23 reading group five days a week. Do we -- adding 30
24 minutes to your day every day to do six-and-a-half
25 hours of instructional time does not give him two

1 reading groups. How do you feel that -- a day,
2 unless you tell me otherwise -- how do you feel that
3 your district is really making up for those nine days
4 that five years ago, when alternative calendars
5 weren't allowed, your district would've already gone
6 to school for nine more days than you did this year,
7 not even talking about snow days? How do you feel
8 like you're making up for those lost days of
9 instruction with that --

10 SUPT. LEWIS: Well --

11 CHAIR MOORE: -- extra 30 minutes?

12 SUPT. LEWIS: -- I hope I can answer your
13 question. I mean, I -- of course, we work really
14 hard. I think we work really hard with our
15 interventions and things that we have going here. We
16 -- we do have a little bit of time added to our day.
17 That was not the case when we were going 178 days
18 throughout the year. And so, I mean --

19 CHAIR MOORE: I guess in digging into it your
20 elementary goes to school from 8:00 to 3:15. And
21 what time do your -- what time does your bus -- what
22 time do your buses arrive?

23 SUPT. LEWIS: Well, our buses get to school --
24 we start dropping off over at the elementary like at
25 7:35.

1 CHAIR MOORE: Okay. And then what time do the
2 buses pick up students at the elementary school?

3 SUPT. LEWIS: It's around 3:15 --

4 CHAIR MOORE: Okay.

5 SUPT. LEWIS: -- when our buses finally get to
6 the elementary school.

7 CHAIR MOORE: I certainly recognize it is not
8 our job to understand when buses come and go. We are
9 a -- that -- that's a local decision. But what we
10 have seen and heard from districts is that they are
11 not protecting that time. And sometimes we will have
12 districts that, you know, buses have to run earlier,
13 and so students aren't truly getting that full amount
14 of time.

15 When you're looking at this six-and-a-half hours
16 of instructional time, are you making sure that those
17 six-and-a- -- and -- and I know at the elementary
18 level recess is included in that. So you have 45
19 minutes of your day for lunch and bathroom breaks.
20 Do you feel confident that your students are fully
21 receiving the six-and-a-half hours of instructional
22 time?

23 SUPT. LEWIS: I do. I -- I think -- I think
24 that -- I absolutely think that -- that they are.
25 Yes, ma'am.

1 CHAIR MOORE: Okay. I -- you know, I -- I'm --
2 and in my time on the board, the point of chair, I am
3 disappointed in our legislature that we did not bump
4 back up to 178 days at the minimum this year. I'm
5 also disappointed that our law does not more clearly
6 define instructional time. And I am urging the
7 Department of Ed to make sure we are looking at
8 districts to make sure that students are getting that
9 full instructional time, that these alternative
10 calendar days are doing. I would love to see some
11 sort of audits to make sure that students are
12 actually learning as we go to fewer and fewer days.
13 We have a lot of districts getting out this week and
14 next week, you know, and -- and that's their purview.
15 We also have districts who are just now doing ATLAS
16 this week and they are really trying to, you know, do
17 the most instruction possible.

18 When was ATLAS in your district administered?

19 SUPT. LEWIS: We finished up last week, so over
20 the past two weeks. We didn't test this week but the
21 previous two weeks --

22 CHAIR MOORE: Okay.

23 SUPT. LEWIS: -- we -- we finished up.

24 CHAIR MOORE: And are your teachers still in
25 instruction mode this week?

1 SUPT. LEWIS: And I would like to add that next
2 year, with our calendar, we actually have days added
3 above and beyond -- above the 1,068 hours, just to
4 accommodate for situations like this, if they come
5 up.

6 CHAIR MOORE: How many days will y'all be going
7 next year?

8 SUPT. LEWIS: We've got 170 -- 169. I think we
9 have 170 days, so I have an extra day.

10 CHAIR MOORE: Okay.

11 With that, Board Members, any questions or
12 comments?

13 MR. WOOD: I -- I appreciate --

14 CHAIR MOORE: Mr. Wood.

15 MR. WOOD: -- the detail of the questions you
16 just asked. And I recognize that you'll be leaving
17 our board --

18 CHAIR MOORE: Well, next --

19 MR. WOOD: -- starting in July, and I hope that
20 we carry on that level of questioning. Because it's
21 very important and I hope that there is a growing
22 sentiment around the state that quality instruction
23 time occurring, in my opinion, five days a week is
24 more important than these check-a-box, we've got our
25 hours in attitude towards it.

1 CHAIR MOORE: Exactly. When we look at our
2 college-going rates and our college graduation rates
3 we are not where we want to be. We don't want to
4 provide less opportunity to -- for students; we need
5 to provide more. We also have so many students who
6 are struggling. We want to provide lunches. If you
7 give an extra day of lunches and an extra day to be
8 at school, that's a net positive to me. So I don't
9 understand our slippage in that way, particularly in
10 that you're still having to pay teachers for 190
11 days.

12 MR. WOOD: Yes.

13 CHAIR MOORE: So we are now paying teachers the
14 most we've ever paid them and they're having the
15 least amount of student contact they've ever had, in
16 most districts in our state.

17 With that -- a point for the chair -- any other
18 additional questions or comments?

19 Ms. Rollins.

20 MS. ROLLINS: Dr. Moore, I also appreciate your
21 -- your questioning, and it has really helped me
22 think through this. I want to deny the waiver. That
23 -- that is in the form of a motion.

24 CHAIR MOORE: There is a motion by Ms. Rollins
25 to deny the waiver. Is there a second?

1 MR. BRAGG: I second.

2 CHAIR MOORE: Okay. Questions or comments
3 before a vote is taken?

4 MR. WOOD: I'd like to make a quick comment.
5 I'm going to vote for the motion to deny the waiver
6 and mostly it's based on the fact that I don't see
7 much of a logical reason to not go to school
8 Thursday, May 22nd. If there was a more compelling
9 calendar reason, I would consider voting to grant the
10 waiver. But I want to also just reiterate my
11 compliments -- despite the conversation that we have
12 had, to compliment that they took scheduled holidays
13 and turned them into education days. I do think that
14 that's commendable.

15 CHAIR MOORE: With that, any additional
16 questions or comments?

17 Okay. There's a motion on the floor to deny the
18 waiver. All in favor say aye.

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIR MOORE: All opposed?

21 Okay. The motion passes to deny the waiver.

22 SECRETARY OLIVA: So just before we move to the
23 next item, to Dr. Moore and Mr. Wood and to the other
24 boards, about future conversations with the
25 Legislature, we have lost our way on what we value in

1 education in this state when we say not setting a
2 minimal calendar of 178 days, of which we fund
3 schools for, should be the minimum expectation. We
4 have schools that range from 143 days to 178 days.
5 And when you build your own calendar with the very
6 minimum threshold, ignoring the fact that weather is
7 going to happen, emergencies are going to happen, you
8 put yourself in these circumstances. If -- if school
9 districts would have a six-and-a-half-hour day and a
10 178-day calendar, they would have over 1,000
11 instructional hours. They'd be well over that
12 threshold. They wouldn't be having to come to this
13 board and asking waivers. I don't know why it's a --
14 it's -- it's -- it's an argument to just say to
15 school districts set a calendar that has 178 days of
16 school. Exceed the minimum expectation; don't meet
17 the minimum expectation. And already at a national
18 level, 178 days is below the national average.
19 There's only like six or seven other states that have
20 lower expectations of that calendar.

21 And the fact that we have school districts that
22 will argue and say that going 143 days is just as
23 good as going 178 days, I struggle. That's literally
24 giving the access of a Covid shutdown to students
25 each and every single year. And if -- if -- if we

1 know anything in education -- I keep going to all
2 these conferences and hear all these people talk
3 about we've got to mitigate Covid learning loss --
4 kids didn't learn -- have losses of learning; we took
5 away their access to learn. You know, when we
6 started allowing districts to build calendars that
7 deny access to learning, I struggle. And, I'm sorry,
8 just going ten minutes more a day doesn't equate to a
9 full day of learning experience.

10 So I think I can tell you, as your time on this
11 board may become limited, I assure you this is a
12 conversation that I intend to keep happening.
13 Because we're not number one in education in a lot of
14 things, but we will be number one and the least
15 amount of schools -- school days for students when
16 they start establishing calendars of 143. And that
17 is not a category I want to win in.

18 And so my conversations, how do we encourage
19 these districts to go above and beyond minimum
20 expectation, minimum. And when you set those
21 calendars of 169 that's like you're right at that
22 threshold. So I applaud the district for adding
23 another day. I still think they strategically should
24 add those days in the calendar, and then if they
25 don't need them it -- it -- no harm, no foul. So I

1 -- I know -- I've been consistent all through this
2 last legislative session, working with legislators to
3 try to raise that -- that expectation. I don't know
4 why we can't establish calendars of 178 days of
5 school, but that is something that I'm committed to
6 keep that conversation going.

7 MR. WOOD: We need more learning days in August,
8 less learning days in May.

9 SECRETARY OLIVA: Agreed.

10 CHAIR MOORE: Thank you. And I do echo what you
11 said. I do appreciate they added those holidays.
12 We're seeing some tack on May where they're not doing
13 that to learning, particularly before the assessment.
14 So --

15 MR. WOOD: Yeah.

16 CHAIR MOORE: Thank you for pointing that out
17 with them.

18 **4. 2024-2025 CITED RECOMMENDATION FOR MAYNARD SCHOOL DISTRICT**

19 CHAIR MOORE: Okay. Next, Ms. Worsham, we have
20 a cited recommendation for Maynard School District.
21 And I see Superintendent Amy Jackson on Zoom here.

22 MS. WORSHAM: Correct.

23 So, again, Hope Worsham, Assistant Commissioner,
24 Public School Accountability.

25 So annually my department brings to you the list

1 of schools to be cited for the school year or to be
2 accredited. And so Maynard School District was
3 notified as early as November of a issue with a
4 teacher that was -- did not have the appropriate
5 licensure requirements. From the -- of course, from
6 November through April, we worked and notified the
7 district of this need to have the proper paperwork
8 submitted for this particular individual to get on an
9 alternative learning plan. The district failed to do
10 that.

11 The district is not appealing the citation
12 request, and we are requesting that the board place
13 the Maynard School District on cited status for
14 failure to comply with providing the appropriate
15 documentation and paperwork in the required time
16 frame.

17 CHAIR MOORE: Superintendent Jackson, do you
18 want to make comments at this point?

19 Oh, I think you're on muted, if you don't mind
20 starting over. There you go. Thank you.

21 SUPT. JACKSON: Good morning. Thank you for
22 having me.

23 I just wanted to point out that we hired
24 Michelle Sarah Byers as our curriculum coordinator.
25 And with that she was under the impression that all

1 she needed to do was take the school leadership
2 licensure exam. Later found out that that was no
3 longer required. And then -- and she applied to add
4 her masters in curriculum and instruction but was
5 denied by Arka State -- Arkansas State University.
6 And they said the reason being was she -- her degree
7 was more than ten years old and that they had added
8 additional requirements and that she needed to take
9 two additional classes and an internship. And so
10 this communication spanned over two semesters, kind
11 of went back and forth with Arkansas State
12 University. And so, finally, she worked with
13 Arkansas Tech University, and she was able to
14 complete her enrollment and receive her ALCP
15 documentation, signed documentation from that
16 university.

17 So I just wanted the board to know it wasn't for
18 lack of trying to obtain these documents and submit
19 them in a timely manner. Because, you know, I
20 certainly, you know, don't want our school to be --
21 to look at like, you know, in a negative way. So I
22 just wanted you to know the circumstances behind
23 this.

24 CHAIR MOORE: Board Members to my left,
25 questions?

1 (NO RESPONSE)

2 To my right, questions?

3 SECRETARY OLIVA: Hope, can you just reaffirm or
4 re-explain what this means when they take this
5 consideration of a citation? What -- what is that
6 task of the Agency and what is the task of the
7 district?

8 MS. WORSHAM: Right. So the task of the Agency,
9 we watch, across the year, all the standards for
10 accreditation to ensure that districts are complying
11 with the standards. In -- in the event that we
12 notice a district has not been doing what is asked of
13 them or if it's not staying in compliance, that's
14 when a citation would be recommended to the board.
15 That citation is for a one-year period of time.
16 Should the district not remedy the issue next year,
17 then there are further actions that the board could
18 take towards that district. Should the district
19 remedy the -- the -- the citation and -- for example,
20 in this particular situation, the teacher remain on
21 the ALCP, complete that, and then no harm, no foul
22 there; the citation would be removed in the following
23 year.

24 MS. WOODS: So I -- this is the same citation
25 that we give or not given for, like, incomplete

1 testing?

2 MS. WORSHAM: That is accurate.

3 MS. WOODS: So there's really no ramifications
4 for this; right? Other than it takes us to the next
5 level next year?

6 MS. WORSHAM: Yes. Other than if they do not
7 remedy it next year. If they get cited for the same
8 standard next year, then that's when additional
9 action could be taken.

10 MS. WOODS: Right. And, I guess, my question
11 is, was why even have this step if nothing actually
12 changes, other than we've put them on notice. Does
13 that make sense?

14 MS. WORSHAM: Yeah. So from our side, we will
15 work more closely with the district. So, for
16 example, with Maynard, in the fall, I'll have my team
17 look more closely at their licensure requirements to
18 make sure that we're helping earlier if there is a
19 need to do that and then be in more regular contact.
20 So it does, from our side, trigger a level of support
21 that's not general to everyone; a little closer touch
22 to ensure they have what they need.

23 MS. KEENER: I have a question. Superintendent
24 Tran of Marvell-Elaine School District did not have
25 what was required, I think got a waiver of it. There

1 was some path, some alternative path, something that
2 he was the very first -- I think Ms. Saracini may be
3 able to help, if you'll explain that. And is that an
4 -- was that an option here? Is it something that we
5 could've offered? If you'll give a little more
6 detail on that. Thank you.

7 MS. SARACINI: Karli Saracini, Assistant
8 Commissioner.

9 Yes. We do have alternate pathways now that Mr.
10 Tran -- Dr. Tran, yes, went through because he
11 already had leadership degrees all the way up to, you
12 know, a doctorate. But, again, this particular --
13 was easier for this individual to go through, go back
14 to the university. We just look at the easiest
15 pathways. And Dr. Sutherlin and his team worked with
16 them and reached out. And most universities, if it's
17 past ten years old, will not accept. It's kind of
18 their policy. Each university is different. Some
19 are five, some are ten. If Arkansas Tech had not
20 worked with them, then we would've looked at what can
21 we do past that. There are lots of options now that
22 we didn't have when this first started.

23 MS. WOODS: Okay. Thank you.

24 MS. SMITH: Just real quick. Our -- our -- the
25 standards unit works with districts to get them

1 accredited. Right. There's been a lot of back and
2 forth between -- about this specific situation for
3 this citation. The district has accepted the
4 citation. They've acknowledged that they didn't get
5 done what they needed to get done. It is pretty much
6 what you said, it's a notice. All right. We've got
7 to get our ducks in order; we've got to get our
8 paperwork in. If you see the same school district
9 getting cited for testing, licensure, you know -- and
10 there are some standards for accreditation that can
11 get you into probation. Right? And so multiple
12 citations can lead to that. Yes, we want this person
13 to get on the right path and our folks are committed
14 to helping this school district make sure they get
15 the paperwork in and get that taken care of. Today,
16 we're not asking and they're not asking for a waiver.
17 They -- they have -- they -- there is a process. We
18 notify them that we're bringing them to the board for
19 this citation; they have the opportunity to say I
20 want to appeal that and come to you with an appeal.
21 This item today could have easily been on the consent
22 agenda where they -- where they have accepted it. I
23 appreciate the superintendent with the knowledge and
24 the background and that she's paying attention to
25 this, and I'm confident that this will be resolved.

1 MS. WOODS: Is it not already, or does she still
2 have to submit the paperwork?

3 MS. WORSHAM: It is resolved.

4 MS. SMITH: So is it completely resolved?

5 MS. WORSHAM: Though she submitted the ALC
6 paperwork after the deadline, yes.

7 MS. WOODS: So we're rubbing -- we're
8 rubber-stamping a citation?

9 MS. WORSHAM: The citation is for the failure to
10 --

11 MS. WOODS: To -- to provide the documentation?

12 MS. WORSHAM: -- to provide the documentation we
13 asked for. Correct.

14 MS. WOODS: But we've already got the
15 documentation now. So now it's just -- we received
16 it after?

17 MS. WORSHAM: Yes.

18 MS. WOODS: So we know for this they won't be on
19 it this year because they remedied it?

20 MS. WORSHAM: That is correct.

21 MS. SMITH: And that might've been a reason for
22 them to appeal to you.

23 MS. WOODS: Fair.

24 MS. SMITH: But they did not appeal. And there
25 are guidelines and rules to follow an appeal process.

1 And they -- they did -- they said they did not want
2 to appeal and that they accepted the citation.

3 MS. WOODS: Okay.

4 MS. SMITH: And so that -- that's the -- kind of
5 a distinction piece here.

6 MS. WOODS: Okay. How long after the deadline
7 did she submit the paperwork? I was unclear on that.

8 MS. SARACINI: Several months.

9 MS. WOODS: Several months. Okay.

10 CHAIR MOORE: Okay.

11 Ms. Jackson, did you have anything to add?

12 SUPT. JACKSON: I just want to say, you know,
13 that it was just unfortunate and it was something
14 that was really out of her control because she was
15 trying to work with the university and the university
16 wouldn't grant it. We -- she had to rely on the
17 university to sign this paperwork in order for us to
18 get the paperwork to you, to DESE.

19 The reason I didn't ask for an appeal is because
20 I didn't want it to look negative on our district.
21 And I asked Ms. Worsham, I said, you know, what are
22 the consequences, what are the pros and the cons
23 versus me appealing this and not appealing it?
24 Because I certainly wanted our district, you know, to
25 -- to basically be in a positive light with the --

1 with the board. And I'm new to Arkansas. This is my
2 second year as superintendent. So I'm, you know,
3 really not -- wasn't familiar with all of these
4 requirements. But, you know, that's on me.

5 So that's the reason that I didn't appeal the
6 decision because I had asked for a second -- for
7 consideration. After they had indicated that we were
8 going to be cited, I emailed them back and explained
9 the situation. And, again, I was told, no, you know,
10 that you will still be cited and this will go to the
11 Board for consideration. And so that was another
12 reason why I didn't appeal the decision.

13 CHAIR MOORE: Okay.

14 Board Members, any questions or additional
15 comments?

16 (NO RESPONSE)

17 Okay. With that, then there -- the floor will
18 be open for a motion regarding the cite
19 recommendation.

20 MR. BRAGG: I move we approve the recommendation
21 for citation.

22 CHAIR MOORE: There's a motion by Mr. Bragg to
23 approve the citation. Is there a second?

24 DR. ARNOLD: Second.

25 CHAIR MOORE: And there's a second by Dr.

1 Arnold. Any questions or comments?

2 Okay. All in favor say aye.

3 (MAJORITY CHORUS OF AYES)

4 CHAIR MOORE: All against?

5 MS. WOODS: I'll say aye.

6 CHAIR MOORE: Motion passes. Thank you.

7 **5. CONSIDERATION OF THE RECOMMENDATION OF THE PROFESSIONAL**
8 **LICENSURE STANDARDS BOARD FOR CASE 25-050 - JOANNA BLOCKER**

9 CHAIR MOORE: Next, we have a PLSB case. Ms.
10 James to come to present.

11 MS. JAMES: Good morning. Whitney James, with
12 the Department.

13 The next item is the consideration of the
14 recommendation of the PLSB recommendation for case
15 number 25-050, Joanna Blocker. This is a case that
16 went to an evidentiary hearing. The recommendation
17 from the Ethics Subcommittee was upheld, and the
18 Educator has requested a review hearing.

19 Just a reminder of the procedures. Anyone, who
20 is not an attorney, who will be speaking today needs
21 to be sworn in. And each party will have ten minutes
22 to make oral arguments, starting with the educator.
23 The educator is not present today; however, her
24 attorney Katelynn Caple is present to speak on her
25 behalf.

1 CHAIR MOORE: Thank you, Ms. James.

2 So at this point no one needs to be sworn in; is
3 that correct?

4 MS. JAMES: There is -- I don't believe there's
5 anyone here today that needs to be sworn in, since
6 the educator is not present.

7 CHAIR MOORE: Okay.

8 MS. JAMES: Thank you.

9 CHAIR MOORE: So we'll start with the educator's
10 -- so introduce yourself, please.

11 MS. CAPLE: Thank you, Board. Thank you for the
12 opportunity to appear here today. As you heard, my
13 name is Katelynn Caple and I represent Ms. Blocker, a
14 dedicated educator with 25 years of experience, whose
15 career is now at issue.

16 We're here today because the evidentiary hearing
17 led to the recommendation that this board revoke Ms.
18 Blocker's teaching license, based on the allegations
19 of the -- a violation of ethics. However, we
20 respectfully urge this board to deny that request.

21 Let me be clear, it is not Ms. Blocker's
22 position to condone any misconduct, nor does she take
23 these concerns lightly. However, revocation is the
24 most extreme sanction available to this board, and it
25 is meant to be reserved for cases that -- where the

1 educator poses an extreme risk of -- to children's
2 safety, to student safety, where they would be
3 considered an ongoing threat to them. But that is
4 not what we have here.

5 Well, the core allegation here is that Ms.
6 Blocker misrepresented holding a Ph.D. The only
7 evidence of this alleged misrepresentation is a
8 single email sent in 2019, in which she casually
9 referenced "and then the Ph.D." No diploma was
10 submitted; no false documentation was produced; and,
11 importantly, no evidence showed that she represented
12 herself as Dr. Blocker in any official capacity. In
13 fact, Ms. Blocker followed the protocol each year by
14 submitting sealed official transcripts to human
15 resources at her school, as required by the Arch Ford
16 handbook. These transcripts were used to verify
17 contracts, and they were used to be reviewed
18 regularly by HR. And those were used regularly,
19 without issue, for over 16 years.

20 The Subcommittee also asserted that there was a
21 salary increase based on the Ph.D. credential. Yet,
22 no salary schedule exists for her position linked to
23 that degree. Rather, her compensation reflected the
24 additional responsibilities she had, serving in a
25 dual role, and she was also serving as a brain injury

1 specialist. There was no evidence presented to
2 establish any undue financial gain resulting from
3 credential misrepresentation.

4 As to claims of professional harm or district
5 impact, again, no evidence was submitted. No
6 students, administrators, or districts testified to
7 any negative consequences. This alone calls into
8 question whether any ethical violation, assuming one
9 occurred, had a widespread impact that the Ethics
10 Committee suggested that it had.

11 Finally, to address the other allegations such
12 as appearing as doctor in external documents or
13 seminars based on other materials that were created
14 by third parties, there's no evidence Ms. Blocker
15 directed or encouraged doctor to be used or that
16 title to be used.

17 Essentially, this case was built on inference,
18 not evidence. To revoke a license on the basis of
19 one ambiguous email without proof of intent to harm
20 or deception does nothing but deprive children of a
21 dedicated teacher.

22 And I'd like to address proportionality. Even
23 if the alleged misconduct occurred, the appropriate
24 response should match the gravity and the content of
25 the offense. In this case, Ms. Blocker is facing

1 permanent revocation, a career-ending punishment,
2 which would not be proportionate to this conduct.
3 According to the board's own sanctioning guidelines,
4 there are only two other examples that are punishable
5 by revocation, and those offenses are particularly
6 egregious, including sexual abuse towards children --
7 and that's not what we're talking about here. This
8 isn't an predatory action. This was just an error in
9 judgment, if any.

10 The misconduct alleged is not one that would be
11 repeated; it's not one that can't be deterred by
12 other sanctions. There's no pattern of misconduct.
13 There's no reoccurrence. And there's no indication
14 that the students were ever in danger.

15 In conclusion, we would ask this board to
16 exercise its discretion, consider what sanction would
17 be appropriate given this alleged misconduct.
18 Revocation should be the last resort and only when
19 it's necessary and just. We urge the board to deny
20 the Commission's recommendation, based on the
21 evidentiary hearing -- to deny revoking Ms. Blocker's
22 license and allow her the opportunity to continue
23 serving her students, as she's done for 25 years.

24 MS. JAMES: Thank you.

25 CHAIR MOORE: Thank you.

1 MS. JAMES: Whitney James, with the Department
2 again.

3 Just to respond to a couple of the Educator's
4 attorney's comments. Ms. Blocker admitted to our
5 investigator and at the evidentiary hearing that she
6 was dishonest about her credentials and said she had
7 a Ph.D. This wasn't merely a casual mention in an
8 email.

9 There was also testimony from the co-op
10 direc- -- or from a co-op employee that the salary
11 was only increased because she was then on the Ph.D.
12 schedule -- pay schedule. There was also no evidence
13 at the hearing that each year Ms. Blocker submitted
14 her transcripts to the co-op. As far as I know, she
15 only submitted them one time; don't know how that got
16 missed, but they got filed away.

17 The educator in this case worked at Arch Ford
18 Co-op for 16 years; she's been in education for 25
19 years. She has a bachelor's degree and a master's.
20 It's undisputed that she does not hold a doctorate
21 degree. However, because of a reduction in force
22 that happened many years ago, in order to keep her
23 job she was dishonest with the co-op and conveyed to
24 the co-op, in writing, that she did have a doctorate;
25 thus increasing the number of points that she had so

1 that she could survive the reduction in force. This
2 meant she was able to remain employed. She never
3 came to them at any point and said that was -- you
4 know, I was dishonest about that. She continued to
5 accept the salary, year after year after year.
6 Another employee at the time of that initial RIF, who
7 did legitimately have the qualifications, was laid
8 off.

9 Ms. Blocker's salary was increased, like I said,
10 to the Ph.D. pay scale. She has accepted
11 approximately \$60,000 from the co-op over the years
12 following her dishonest statement. At the
13 evidentiary hearing, when she was specifically asked,
14 "Do you think you need to repay that," she said no.
15 And this all came about, and this was all discovered
16 at the co-op when she was actually asking to receive
17 more money from a stipend.

18 Like I said, she admitted at the evidentiary
19 hearing that she was dishonest. She said she didn't
20 need to reimburse the co-op.

21 The Hearing Subcommittee heard Ms. Blocker's
22 testimony, in person. She's not here today, but the
23 Hearing Subcommittee heard her testimony and
24 unanimously upheld the recommendation of the Ethics
25 Hearing Subcommittee that her license should be

1 revoked and that she should pay a \$500 fine.

2 Regarding Standard 2, she was clearly unethical
3 and unprofessional; she was dishonest. She also
4 signed documents that stated Joanna Blocker, Ph.D.
5 So this, again, was not a one-time thing. At the
6 hearing, she took me by surprise when she said that
7 someone had forged her signature on those documents.
8 And the Ethics -- the Ethics Subcommittee did not --
9 Ethics Hearing Subcommittee did not find that
10 statement to be credible. They were able to look at
11 other documents she had signed, and they did not
12 believe that to be true. They stated in their
13 rationale that she falsified reports.

14 Regarding Standard 3, she failed to honestly
15 report her credentials.

16 Regarding Standard 4, she accepted public funds
17 for a doctorate that she knew she did not have. Now,
18 while this by itself may not -- may not show on the
19 sanctioning matrix that revocation is proper, there
20 are so many aggravating factors in this case. And in
21 the past, you all have revoked licenses when people
22 have been dishonest about their credentials, so this
23 -- this would be consistent. She has also said, via
24 her attorney, in writing, twice, that she has never
25 held herself out to have a doctorate, to the Arch

1 Ford Co-op. And this is blatantly untrue. So it's
2 our position that she has also lied to the PLSB.

3 The appropriate sanction or the only appropriate
4 sanction is the permanent revocation of license and
5 the \$500 fine. Thank you.

6 CHAIR MOORE: Thank you, Ms. James.

7 Now we open the floor up for questions, both for
8 Ms. James or of the -- usually the educator, or the
9 attorney?

10 MS. JAMES: Yes, ma'am.

11 CHAIR MOORE: So I'm going to start to my left.
12 Questions? Ms. Keener.

13 MS. KEENER: I was wondering -- in the time that
14 she worked at Arch Ford, how many -- I guess --
15 what's the correct term -- the evaluations that were
16 given -- let me get the correct term here. Just a
17 second. It slipped my mind. How many psychological
18 specialized evaluation reports was she responsible
19 for? She was there 16 years; is that correct?

20 MS. JAMES: I -- I do not have the exact number
21 on that. In the exhibits that were in the file that
22 we gave to you, I think we had maybe three or four.
23 And she was also listed on PD schedules as Dr. Joanna
24 Blocker. So, presumably, the parents of students who
25 were being evaluated believed that she had a

1 doctorate degree based on her signature on those
2 documents.

3 MS. KEENER: So without a doctorate would she
4 have been qualified to complete as an examiner these
5 reports?

6 MS. JAMES: Yes, ma'am. I believe -- I believe
7 that she was. But the Ph.D. was still listed on
8 there.

9 MS. KEENER: And so would the Ph.D. on -- I
10 think every single one of those would be an incidence
11 of fraud to me -- every time she signed her name.

12 And just to respond to Ms. Caple's assertion
13 that she was not a risk or a threat, I think that
14 amount of lack of integrity is a risk and a threat to
15 the colleague that lost his job, to every family that
16 believed that this evaluation was done by someone
17 with credentials that they didn't have. The risk in
18 this, right there, is apparent.

19 DR. ARNOLD: As the newest member of the board,
20 I just want to restate what I regard to be my inputs
21 for this case, to make sure that they're correct.
22 It's the determination of the Ethics Subcommittee and
23 the hearing transcript of that -- of those
24 proceedings, which I've read, and then the
25 recommendation of the PLSB. And then the attorney's

1 statements this morning and Whitney James's rebuttal
2 of those statements before us. So those are my five
3 inputs that I've used to make -- make my decision,
4 which I'll voice in -- in -- when -- at the
5 appropriate time. But am I correct that those are --
6 that's a complete set of inputs?

7 CHAIR MOORE: Uh-huh.

8 DR. ARNOLD: Thank you.

9 CHAIR MOORE: Right. We don't always have the
10 Evidentiary Subcommittee in -- in this, and in that
11 case it's harder to make a decision. So we have more
12 complete information than --

13 DR. ARNOLD: It would seem so. Thank you.

14 CHAIR MOORE: More questions? Mr. Wood?

15 MR. WOOD: Has she -- has she repaid any money
16 to Arch Ford?

17 MS. JAMES: No.

18 MR. WOOD: If -- if the board were to uphold the
19 recommendation and a fine, can the fine be increased
20 beyond \$500?

21 MS. JAMES: I believe it's up to \$500. But if
22 the co-op chooses to do something else to recoup that
23 money, that's --

24 MR. WOOD: Yeah.

25 MS. JAMES: -- that's their decision.

1 MR. WOOD: Right.

2 CHAIR MOORE: Board Members -- Mr. Bragg,
3 questions?

4 MR. BRAGG: It's just Ms. Blocker is not here
5 and can't -- can you answer why -- she was repeatedly
6 asked for the doctorate certificate -- why she never
7 produced that?

8 MS. CAPLE: Let me make sure that I'm -- I'm
9 following. Are you asking if she was requested that
10 -- if they requested that document?

11 MR. BRAGG: They requested the document, the
12 actual diploma?

13 MS. CAPLE: My understanding is that they never
14 requested it and that she provided her official
15 sealed transcripts at the appropriate times, when
16 requested, directly to HR. And whether those were
17 reviewed or not, I think that's on -- on the school
18 district at that point, on HR, the person who is
19 reviewing it. But she was never requested of that
20 document, and she provided her sealed transcripts.

21 MR. BRAGG: Well, from what I read, especially
22 with concern to the salary, that they -- they were
23 going to try to confirm that she had an actual
24 certificate, a doctorate, to justify that salary.

25 CHAIR MOORE: Any more questions?

1 MS. KEENER: Since Ms. Blocker isn't here, does
2 she understand that her silence is deemed by probably
3 most of us as not caring about her license?

4 MS. CAPLE: I -- I can't speak as to what she
5 understands or not.

6 MS. KEENER: Okay. Can you speak to where she
7 is or her thoughts on not --

8 MS. CAPLE: Yeah.

9 MS. KEENER: Obviously, it's not her thoughts.
10 But were you surprised that she is not here today?

11 MS. CAPLE: No, I was not surprised. She had
12 asked that we attend. She had a conflict as well.
13 But it was also -- as far as this goes, this has been
14 a very emotional situation, and her testimony was not
15 required. So, therefore, she sent me here to speak
16 on her behalf.

17 CHAIR MOORE: Mr. Henderson.

18 MR. HENDERSON: I think Leigh pretty much asked
19 the question I was going to ask. I guess, for me,
20 does she really understand the nature of this offense
21 or the seriousness of this?

22 MS. CAPLE: Are you asking if she understands
23 the seriousness of this?

24 MR. HENDERSON: Yes.

25 MS. CAPLE: Yes. She understands the

1 seriousness of this. I can't speak as to, again, her
2 thoughts. I am only her counsel. But what I -- I
3 can say is that she is very aware of this and she
4 would not be -- she would not have -- have fought
5 this situation had she not believed that she was a
6 contribution to the teaching society. So --

7 MS. WOODS: I had a comment to pass along to
8 her. I would -- as we go back, depending on what
9 this board decides, we've had people here for a lot
10 less come and -- and try and argue for their
11 licenses. So --

12 MS. CAPLE: Okay..

13 CHAIR MOORE: Ms. Rollins.

14 MS. ROLLINS: Did I understand she's working in
15 Little Rock School District, currently?

16 MS. CAPLE: I'm not sure of her current
17 employment situation.

18 MS. JAMES: (Nods head up and down)

19 MS. ROLLINS: Yes?

20 MS. CAPLE: That might be --

21 MS. JAMES: The last that I heard, she was
22 working in Little Rock School District.

23 MS. ROLLINS: Okay. Can you clarify, was she
24 qualified, without a doctorate, to make evaluations
25 of students?

1 MS. JAMES: Yes, ma'am. I believe that she was
2 qualified without a doctorate. You will see on the
3 reports that you have some also lists Ed. Specialist.
4 That's another degree she did not have. But as far
5 as I know, she was qualified to do that work with the
6 certification that she did have.

7 MS. ROLLINS: Okay. Because it concerned me
8 that she had said she was not harming children. But
9 in my mind, that is harming children if you're
10 misrepresenting yourself.

11 DR. ARNOLD: And I'm glad you brought up the Ed.
12 Specialist. You know, we should really take a
13 snapshot of that in our minds of -- of signature of
14 Ph.D. and a signature of Ed.S. You know, there's a
15 big difference. And the inconsistency on top of the
16 lack of verity is pretty telling.

17 MS. KEENER: As a parent of a child who's gone
18 through evaluations, who struggled with sort of
19 coming to realization and understanding that, had
20 this been the situation with my child I would have
21 zero trust in what was written in that report. The
22 damage and the emotional toll that I cannot imagine
23 that this is taking -- taken on 16 years' worth of
24 family going through a very difficult time is
25 astronomical.

1 MR. WOOD: And it's not even the difference
2 between the degree or not the degree. It's -- it's
3 the honesty of the person that's evaluating your
4 child, you know. There's a very good chance that all
5 -- if -- if almost all, if not all, of the families
6 that trusted her -- they probably would've also
7 trusted her had she just not misrepresented her level
8 of degree. But it is -- it is a real gut punch when
9 you find out that the -- the people that you're
10 trusting with your children's path towards
11 improvement is -- is being dishonest with you about
12 their credentials.

13 What's the proper motion? It -- to -- to
14 approve --

15 CHAIR MOORE: Yes. There's going to be --

16 MR. WOOD: -- the recommendation?

17 CHAIR MOORE: -- three motions, if you recall
18 Ms. James's --

19 MR. WOOD: We do this every time. You'd think
20 --

21 CHAIR MOORE: Yeah. Right.

22 MS. WOODS: Well, if we accept it is it one? Do
23 we just --

24 MS. JAMES: It still will, if you can, be three
25 motions. The first is the violation of the Code of

1 Ethics and the standards. The second is up- --
2 uphold or modify. And the third is the rationale.
3 And if I may ask, if you will please address the fine
4 in the recommendation for sanction.

5 CHAIR MOORE: Okay.

6 So the first motion is in regard to the
7 violation of the Code of Ethics and the specific
8 standards to be listed; the second motion is the
9 sanction; and then the third one is the rationale.

10 Can you remind us what were the standards --

11 MS. JAMES: Yes, ma'am.

12 CHAIR MOORE: -- that were violated, found by
13 the Evidentiary Subcommittee?

14 MS. JAMES: Yes, ma'am. Those standards were 2,
15 3 and 4.

16 CHAIR MOORE: Okay.

17 Were there any questions or comments -- are
18 there any questions or comments on how we proceed
19 with voting?

20 (NO RESPONSE)

21 CHAIR MOORE: Okay. Then the floor will be open
22 for the first motion regarding the violation of the
23 Code of Ethics.

24 MS. KEENER: I'll make a motion that we accept
25 the violation as determined by the PLSB, including

1 standards 2, 3 and 4.

2 CHAIR MOORE: Okay. There's a motion by Ms.
3 Keener. Is there a second?

4 DR. ARNOLD: Second.

5 CHAIR MOORE: A second by Dr. Arnold.

6 Questions or comments?

7 All in favor?

8 (UNANIMOUS CHORUS OF AYES)

9 CHAIR MOORE: Any opposed?

10 Okay. The motion passes.

11 CHAIR MOORE: The second motion is regard -- in
12 regard to the sanction.

13 MR. WOOD: I move to uphold the recommendation
14 of the PLSB for a revocation of the license and a
15 \$500 fine.

16 CHAIR MOORE: Okay.

17 MS. KEENER: Second.

18 CHAIR MOORE: There's a motion by Mr. Wood and a
19 second by Ms. Keener.

20 Questions or comments?

21 (NO RESPONSE)

22 CHAIR MOORE: Okay. All in favor?

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIR MOORE: All opposed?

25 The motion passes.

1 The third is a motion in regard to the rationale
2 for the decision.

3 MR. WOOD: Is it possible to move to adopt the
4 rationale of the PLSB?

5 MS. JAMES: Yes, sir.

6 MR. WOOD: Okay. For simplicity's sake, I move
7 to adopt the rationale of the PLSB for the sanctions.

8 CHAIR MOORE: Okay. There's a motion by Mr.
9 Wood. Is there a second?

10 MR. HENDERSON: Second.

11 CHAIR MOORE: A second by Mr. Henderson. Any
12 questions or comments?

13 (NO RESPONSE)

14 DR. ARNOLD: Whitney has suggested that we
15 address the fine in that rationale.

16 MS. JAMES: He addressed the fine in the
17 sanction. Yes, sir.

18 DR. ARNOLD: Okay.

19 CHAIR MOORE: That was included. Yeah.

20 MS. JAMES: May I clarify that it is the Ethics
21 Hearing Subcommittee rationale that you wish --

22 MR. WOOD: (Nodding head up and down)

23 MS. JAMES: Okay. Thank you.

24 MR. WOOD: Yes.

25 CHAIR MOORE: Any other questions or comments?

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(NO RESPONSE)

CHAIR MOORE: Okay. We'll take a vote. All in
favor say aye.

(UNANIMOUS CHORUS OF AYES)

CHAIR MOORE: Any opposed?

Okay. Motion passes.

Thank you.

MS. JAMES: Thank you.

CHAIR MOORE: Okay. With that, that is the end
of our action agenda.
(The action agenda was concluded at 10:52 a.m.)

C E R T I F I C A T E

STATE OF ARKANSAS)

) ss

COUNTY OF PULASKI)

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

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

WITNESS MY HAND AND SEAL this 16th day of May, 2025.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

