

ARKANSAS STATE BOARD OF EDUCATION

JUNE 12, 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. COURTNEY SALAS-FORD, Chief of Staff - ADE
MS. TONYA WILLIAMS, Division Director - Office of Early Learning
DR. KIFFANY PRIDE, Assistant Commissioner - Learning Services
MS. ROSS WHITE, Director - Division of Career and Technical Education

ADE LEGAL COUNSEL:

MR. DANIEL SHULTS, ADE Litigation Attorney
MS. WHITNEY JAMES, PLSB Managing Attorney

LOCATION:

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- Auditorium
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Little Rock, Arkansas

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P R O C E E D I N G S

1. UPDATE TO ARKANSAS BETTER CHANCE PROGRAM RENEWAL GRANTS
2025-2026 PROGRAM YEAR

CHAIR MOORE: Item number one, we have Tonya Williams up here for the Arkansas Better Chance Program.

MS. WILLIAMS: Thank you. Get right to business after that lovely introduction to the morning.

I am here -- I'm going to take you guys back to March. We talked about Arkansas Better Chance allocations, and you all made approvals for the bulk of the programs back in March. We used a process that I described to you, and I just want to describe it again. We worked with the local leads -- if you'll remember, that's part of the LEARNS Act that we work with local leads, that we get those set up across the state. So we have 26, and we use data from the local leads that we have in our state, covering all the counties. They did a child count back in October of last year, and then, in December, followed up with a coordinated funding request. So in March, the allocations that I brought to you -- because we have -- there aren't any new funds, but we had taken action against programs that were not at full enrollment. So we had several hundred slots

1 that we reallocated using that data. So since March,
2 unfortunately, we've had some programs that have
3 notified us that they are relinquishing, voluntarily,
4 the slots that they currently have. There's a
5 variety of reasons for that. Some is restructuring;
6 one school district is closing some elementary
7 buildings. So there are many reasons. We are
8 certainly very saddened by that. But we use the same
9 process to make these recommendations to you today.

10 So I'm going to start with that, and we have a
11 few slides, I think, if I can get it -- hang on.
12 I'll go back. This is the number of center-based
13 slots with the amount per child and then the
14 home-visiting slots. And I know we've talked about
15 home visiting. None of the reallocations -- we have
16 really converted all of those to center based, any
17 that were turned in. So these are the numbers and
18 the amount of funding.

19 This is just a breakdown, a summary of what has
20 happened, the action items that have happened. There
21 were three programs that we brought to you, in March,
22 that were going to be new programs. Two were family
23 childcare homes, one was a school district. All
24 three of them declined, sadly. One thing that we did
25 differently this time is we called all of the

1 programs that had requested, to make sure they wanted
2 to take these before I brought these today. The
3 reason that those were declined, at least for one of
4 them, is that in the school district they are opening
5 up a paying classroom, which is very exciting too.
6 That's not always done in school districts. So they
7 just had a little different direction that they were
8 going to go in.

9 But this is just a summary at the top of what
10 has been converted or reallocated. We do have a
11 couple of co-op changes. And Dawson Co-op is
12 relinquishing 80 of their slots to Benton School
13 District at the request of the school district to
14 operate their own program. That's a mutual
15 agreement. And then Sheridan is moving slots to
16 Dawson to administer on their behalf. So just a few
17 little nuance changes there. It doesn't change the
18 number of children. But this is just a breakdown of
19 that and what's been reallocated.

20 And then this is just a different visual to look
21 at that, the different groups. So DeQueen-Mena, how
22 many slots they had and how many we're adding in this
23 request. So I will note that we do have some
24 programs that are going to do infant/toddler, which
25 is allowable in Arkansas Better Chance. So just

1 point that out, that DeQueen-Mena is going to be
2 serving some infants and toddlers across I think four
3 of their counties in their respective service area.

4 And we -- these are programs that requested
5 slots. They're programs where the data has --
6 they're only serving zero to 40 percent of their
7 population, and that's the reason we're asking for
8 these to be reallocated to these programs. But you
9 can kind of look at that. Again, these were either
10 relinquished -- and it shows the new number for Fort
11 Smith, who is relinquishing 100 slots. And then they
12 did convert some to -- this is one place where there
13 was some home visiting. They're converting some of
14 their center-based to home visiting. It's the only
15 place where I've seen a change with center to home
16 visiting this year.

17 And then -- and these -- this is the rest. This
18 is just across all the different programs and the
19 number of slots. And the number they will have, at
20 the bottom, is what their total will be.

21 And I'll stop there. If you all have questions
22 about this part of it -- again, we're just
23 reallocating -- it's about 179 slots that were
24 relinquished or turned back that we're reallocating.

25 CHAIR MOORE: Board Members to my left,

1 questions? To my right, questions?

2 MS. WOODS: I have a dumb question.

3 MS. WILLIAMS: Not at all.

4 MS. WOODS: No, I promise, it is really dumb.
5 Can you remind me of the distinction between center
6 and home based? I mean, are these people that have
7 signed up through the state and --

8 MS. WILLIAMS: Yes.

9 MS. WOODS: Okay.

10 MS. WILLIAMS: Yes. So in -- in the law for
11 Arkansas Better Chance there are two options. You
12 can do center-based programming, which would be a
13 traditional classroom style setting. Or you can
14 deliver it through home visiting, and that's a home
15 visitor who goes into the home and works with the
16 family and delivers either a home instruction program
17 for preschool youngsters' curriculum or
18 parents-as-teachers. They're both nationally
19 recognized curriculums.

20 MS. WOODS: And are we just seeing a downward
21 trend?

22 MS. WILLIAMS: We are seeing a downward trend,
23 Ms. Woods. We've seen that really over the last 20
24 years. It has continued because families need --
25 families are working and need center-based care,

1 generally speaking.

2 CHAIR MOORE: I have a question on the co-
3 ops. When they are administrating programs are those
4 facilities at the co-ops or are they typically in the
5 district and the co-op is running it?

6 MS. WILLIAMS: Typically, in the school district
7 and the co-op is operating it from the school.

8 CHAIR MOORE: What -- why are some districts
9 deciding to do that in-house versus co-op -- is that
10 -- is --

11 MS. WILLIAMS: You know, we don't always get
12 down in the weeds --

13 CHAIR MOORE: Okay.

14 MS. WILLIAMS: -- with those details. But what
15 I can tell you, I usually do ask questions about it.
16 I think the Benton situation is the school
17 superintendent who is going to that district, who
18 will be new, has operated early childhood in his
19 previous districts and wants to have -- manage it
20 himself. And we see that a lot in districts where
21 they may want to. And then, consequently, we also
22 see where some districts say I don't want to
23 administer; the co-op administers a pretty large
24 program and we'd just like for them to handle that,
25 so that they're not having to get into that early

1 childhood space. So I think it's just a difference
2 for -- in leadership possibly, Chairman.

3 CHAIR MOORE: And then when you have this -- you
4 said we're starting to see more of the birth to
5 three. Is there any funding differences given to the
6 --

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

8 CHAIR MOORE: Okay. It's all the same?

9 MS. WILLIAMS: Yeah, it's all the same. Yes, it
10 is the same. The \$5,105 is what they get for a
11 child, whether it's a child that's an infant or a
12 preschool age child.

13 CHAIR MOORE: Are there ability -- I know, in
14 school districts specifically, school districts might
15 open up classrooms for students who pay. Is there
16 any part where districts will receive both funding
17 and, you know, require some additional pay for
18 students? Or students that are coming can only
19 receive state funding?

20 MS. WILLIAMS: So they could blend in a
21 classroom students who pay with students who receive
22 ABC funding. I see that. But --

23 CHAIR MOORE: But there's --

24 MS. WILLIAMS: -- they wouldn't charge the ABC.
25 That is actually in the rule.

1 CHAIR MOORE: -- nowhere in the rule ABC funding

2 --

3 MS. WILLIAMS: That's right.

4 CHAIR MOORE: -- this is the only funding --

5 MS. WILLIAMS: Yeah.

6 CHAIR MOORE: -- you get for that child?

7 MS. WILLIAMS: For the school-day portion of
8 that day, that is in the rule that they can't charge
9 for items that would be considered part of that day.
10 If the child went past the school-day, like if they
11 go to after-hours care, they could charge them for
12 after-hours care beyond the school day. Does that
13 help?

14 CHAIR MOORE: Uh-huh. Is there -- are you going
15 to talk about the summer awards?

16 MS. WILLIAMS: Yes. That's separate. I just
17 wanted to get this one out of the way first.

18 And then, secondly, we have a request for summer
19 for children whose parents are working and need
20 extended care beyond the school year. And I can go
21 ahead and jump into that, if you guys want me to.

22 CHAIR MOORE: Okay.

23 MS. WILLIAMS: Ms. Keener, did you have a
24 comment?

25 MS. KEENER: Well, do -- are these two separate

1 motions or do you want to -- or are they -- is it all
2 the same, I guess, because it's all ABC? One motion?

3 CHAIR MOORE: We do have two separate action
4 items.

5 MS. KEENER: Yes. Then kind of wrap --

6 CHAIR MOORE: Should we wrap the first one up
7 first -- first, for these renewal grants? And then
8 the second one looks like it's the summer services.

9 MS. KEENER: And y'all know I have a comment, so
10 -- so much. First of all, compliments to Ms.
11 Williams and Ms. Ishmon and Ms. Shepherd, everybody
12 on her team for digging into the why. As -- I've --
13 I've spoken about ABC funding as a partial funding.
14 It is a match where -- 60/40; so the state will give
15 60 percent, but you have to put in the other 40.

16 CHAIR MOORE: Oh.

17 MS. KEENER: And we're learning that it's not
18 enough and districts often are the ones who can take
19 advantage of this, given their built-in structure.
20 They already have sort of a oversight, the
21 administration, they've got the buildings, they've
22 got the lights turned on. So that 40 percent match
23 is pretty -- is fairly easy, or easier, I should say.
24 So it is troublesome when districts are saying we
25 don't want a part of this. So we are going to dig

1 into this in the subcommittee. We're going to look
2 into what -- what they could -- at what they -- what
3 could've changed their minds, what did they need from
4 us that we -- that this current system didn't
5 provide? Because as we know, third-grade reading
6 levels are of utmost concern right now and when
7 districts are asking what can we do, our response is
8 always don't wait till kindergarten; get these kids
9 at their brain-building years, align kindergarten
10 with those early childhood. You'll know your kids
11 before they come to you. You'll understand them.
12 It's going to be a part of the community.

13 So I appreciate all the work. I'm excited about
14 the coordinated funding efforts and seeing this play
15 out. And we will dig into the why, and maybe later
16 on I'll ask you to look at ABC in a different way,
17 and we'll do what we can to meet the needs of these
18 providers. Thank you.

19 SECRETARY OLIVA: If I could, Ms. Keener, may --
20 I might -- I hope I'm not putting you on the spot.
21 Can you tell a little bit more about what that match
22 is? And when you say 60/40 -- because I think people
23 think it's dollar-per-dollar match. But what -- what
24 does it really look like for a school district to
25 contribute to make maybe some of that in-kind

1 contribution? I think that might help with the
2 clarification.

3 CHAIR MOORE: I think -- and I think that's
4 where my question was coming from --

5 SECRETARY OLIVA: Yeah.

6 MS. KEENER: Yeah.

7 CHAIR MOORE: -- not understanding the pay
8 structure. But, yeah.

9 MS. KEENER: Interesting, because it is
10 understood that \$5,000 and some change is not nearly
11 enough to cover care for a child, especially one with
12 such low ratios, infant/toddler, early childhood, for
13 the year. So it is understood that when you are
14 given this money you'll have to make up the
15 difference, with the understanding being it's
16 probably going to be about 40 percent of what the
17 total cost would be. Now, unfortunately, the cost of
18 care is often higher than what is funded for care.
19 And so, you know, we all need more money, but -- but
20 when you're looking at lower ratios, consider that --
21 how many adults you have to hire, how many salaries
22 and sick days and substitutes, when you might only
23 have four children in a classroom, versus in
24 kindergarten where you've got 20 or larger, in larger
25 rooms. So I -- does that clarify?

1 The other thing -- and I'll let you fill it in,
2 because there is some interesting ways that school
3 districts --

4 MS. WILLIAMS: Yeah. Let me talk a little bit
5 about the match itself. So we see where they may
6 match with a teacher; they pay the teacher salary out
7 of maybe, like, Title 1 funds or something. That
8 would be allowable. Or other -- ESSA funds or
9 something like that. Space could be one that's
10 often, you know, compared to a community-based
11 provider who may be renting or purchasing space. A
12 school district sometimes inherently has space, but
13 their space could be counted as in-kind match. So it
14 isn't always a dollar-for-dollar match. It can be,
15 you know, materials, training, things like that, that
16 the school district -- and even private providers can
17 use. It just can be more challenging, I think, on
18 the community-based side.

19 MS. KEENER: Well, and we know that more and
20 more school districts are facing lower enrollments.
21 They have empty classrooms. What a way to solve that
22 problem and develop the kids that you're going to
23 later have in your first- and third-grade classrooms.
24 So it's a, you know, if -- I believe every
25 superintendent should be banging on the door, going,

1 Give me some of these kids. So when we're -- when
2 they're not, we'll dig in and see what more they
3 need. Thank you, Ms. Williams.

4 MS. WILLIAMS: Thank you, Ms. Keener.

5 CHAIR MOORE: Board Members, other questions?
6 Ms. Rollins?

7 MS. ROLLINS: Can you talk to us about the
8 process of a foster child or a displaced child? And
9 what -- and how long that takes to be served and how
10 -- do -- do they come through you or --

11 MS. WILLIAMS: Yes.

12 MS. ROLLINS: Talk to us about that.

13 MS. WILLIAMS: Now that's a great question.
14 Because we try to have coverage for that. You know,
15 and -- and probably our relationship, when we were at
16 DHS, made us really hyper-aware of this. But
17 children in foster care can happen overnight, as you
18 may all be aware of. And so when that happens in a
19 community, a parent who's a foster parent may need
20 early care and education. They're working parents
21 too. And so we want to make available -- and so the
22 whole purpose of us putting that language in is to
23 get those children into pre-K, which is a -- a great
24 option for them to get that high-quality early
25 childhood experience immediately or as quickly as

1 possible. And that's why we have that language in,
2 Board Member. It is just to get those children in as
3 soon as that program notifies us, hey, we have a
4 foster family; we're going to approve that that child
5 can be served. It might even go over their threshold
6 of 20, but we want to get them in. And then if they
7 lose a child they wouldn't replace and have 21 past
8 that. But it is to get that child who really needs
9 high-quality early care and education, based on a lot
10 of research around trauma and just making sure they
11 have stability and continuity. So that's the reason
12 we have it there.

13 CHAIR MOORE: Board Members, other questions or
14 comments?

15 (NO RESPONSE)

16 Okay. Then we'll leave the floor open for a
17 motion here. This is on action item one, which is
18 the renewal grants.

19 MS. KEENER: So I'll make a motion that we
20 approve the update to the Arkansas Better Chance
21 program renewal grants for the 25-26 program year.

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

24 MS. HUNTER: Second.

25 CHAIR MOORE: A second by Ms. Hunter.

1 Any questions or comments?

2 All in favor say aye.

3 (UNANIMOUS CHORUS OF AYES)

4 CHAIR MOORE: Any opposed?

5 The motion passes.

6 **2. REALLOCATION OF ARKANSAS BETTER CHANCE (ABC) REMAINING**
7 **FUNDS FOR 2024-2025**

8 CHAIR MOORE: And now we have item two, the
9 remaining funds.

10 MS. WILLIAMS: Yes. So I will talk -- as -- as
11 you may remember, I also, when I spoke to you in
12 March, talked about adjustments that we have made to
13 programs who were not at full enrollment. So we have
14 some remaining -- or projected remaining budget
15 savings from that. We did the projection based on
16 also that our PD or contractors would bill out there.
17 So this is just what we project will be remaining.

18 But during the summer we assess programs and ask
19 if there are any families that are going to need
20 care. We have about -- almost 3,000 children whose
21 families are continuing to work, who need summer care
22 beyond the school year. When I first started over 20
23 years ago, we used ABC remaining funds. Coming
24 forward in time, we used some of our federal
25 childcare funds. But because we have a waitlist on

1 the federal childcare side now, we can only serve
2 those children that are already in -- like, maybe
3 they have before and after care for ABC. So we have
4 those -- we have CCDF, our Child Care Development
5 slots, that can pay for those children, but we do
6 have children in the ABC.

7 And so we're just requesting that we use this
8 much of this year's remaining budget. And then we're
9 asking to use -- from some contract reductions that
10 we talked to you about I think in April, to use about
11 half a million. This 852 would really help us cover
12 June, and the 500, or half a million, will help us
13 cover July. It's just to get us through the summer
14 for these children that are going to need extended
15 care for their families to work.

16 So we have a list of about 82 programs that are
17 continuing. Many of those are community-based. We
18 do have some school districts that a lot of are
19 community-based providers continue to serve children
20 that do ABC, if the families need that extended care.

21 CHAIR MOORE: Board Members, questions, to my
22 left? Ms. Hunter.

23 MS. HUNTER: Okay. So whenever I read on our
24 agenda about the \$500,000 --

25 MS. WILLIAMS: Uh-huh.

1 MS. HUNTER: -- you know, it mentions here that
2 it's for the 25-26 budget.

3 MS. WILLIAMS: So that would be for starting
4 July 1.

5 MS. HUNTER: Okay.

6 MS. WILLIAMS: So summer would go -- you know,
7 just thinking about the remaining funds for June --

8 MS. HUNTER: Yes.

9 MS. WILLIAMS: -- really, and then July 1, we
10 could use some of the savings from our reductions in
11 contracts to continue to serve those children in
12 July.

13 MS. HUNTER: Okay.

14 MS. WILLIAMS: Some of the programs will end at
15 the end of July. I think some are going maybe into
16 that first week of August, but most of them don't go
17 right up to the school year. But some of our
18 community-based providers will go right up to the
19 start of the school year.

20 MS. HUNTER: Okay. Thank you for reminding me
21 when the school year --

22 MS. WILLIAMS: No, that's okay. That's okay.

23 MS. HUNTER: All right.

24 CHAIR MOORE: Ms. Keener.

25 MS. KEENER: Well, my compliments that we --

1 that this money was found. Because blending and
2 braiding and doing all the things with funds, getting
3 innovative is what you have to do when there's not
4 enough. So I appreciate that these kids are in good
5 hands. Thank you.

6 CHAIR MOORE: Other board members, questions?

7 I did notice that the amount is pretty small for
8 -- per center. Is there restricted uses for these
9 funds?

10 MS. WILLIAMS: For the summer?

11 CHAIR MOORE: For the summer.

12 MS. WILLIAMS: It is really just for them to
13 carry, you know, that child through those summer
14 months.

15 CHAIR MOORE: Okay.

16 MS. WILLIAMS: And think about it's a much
17 smaller amount in the summer because it's a fewer --
18 you know, fewer days. But we do it based on their
19 number of projected days.

20 CHAIR MOORE: Okay.

21 MS. WILLIAMS: Some of them may operate --

22 CHAIR MOORE: Okay.

23 MS. WILLIAMS: -- you know, 30 to 45 days; some
24 may go the full 60 days. So it's -- it's a little --
25 it's based on that. So it's their per-daily, you

1 know, calculation.

2 CHAIR MOORE: That makes sense why there's
3 variation between --

4 MS. WILLIAMS: Yeah.

5 CHAIR MOORE: -- the two.

6 Have there ever been sort of a study or an audit
7 done of, you know, these are families that are
8 already connected to programs that are already being
9 done in the summer. But I can imagine if you polled
10 or looked at families across the state whose programs
11 aren't going on in the summer they too need that
12 childcare. Do we have any better understanding of
13 how many families truly do want, would use childcare
14 like that over the summer, from zero to five?

15 MS. WILLIAMS: I would say we could start with
16 the waitlist that we currently have. I mean, that's
17 --

18 CHAIR MOORE: So you do have waitlists?

19 MS. WILLIAMS: We do have waitlists.

20 CHAIR MOORE: Is that per center for calendar
21 year?

22 MS. WILLIAMS: It's actually just statewide.

23 CHAIR MOORE: Okay.

24 MS. WILLIAMS: You know, so we have several
25 hundred and that waitlist will continue to build for

1 childcare assistance. Head Start is another example
2 where it may end in the summer. And I -- I think
3 those -- some of those families -- I will tell you
4 that even in ABC, if you think about we serve almost
5 20,000 children in center-based, but only 3,000 are
6 needing summer. A lot of families want, you know, a
7 little less formal for them. Especially if they're
8 transitioning to kindergartener -- or kindergarten
9 this year, they want to have a less formal situation
10 for their child. But this is how many, you know,
11 needed it out of the 20,000, so it starts to get a
12 little smaller. So I don't want to say everybody
13 needs it, but we do know that the waitlist is a
14 predictor of how many families are requesting
15 childcare.

16 CHAIR MOORE: Do you -- if you're on the
17 waitlist does that mean your center is -- I mean, it
18 might be that your center just isn't open in the
19 summer --

20 MS. WILLIAMS: No.

21 CHAIR MOORE: -- and so you're not on a waitlist
22 --

23 MS. WILLIAMS: No.

24 CHAIR MOORE: -- but you still need care? Yeah.

25 MS. WILLIAMS: The waitlist is because we have

1 no funding to serve them.

2 CHAIR MOORE: Okay.

3 MS. WILLIAMS: The center could serve them, but
4 we have no funding to serve them.

5 CHAIR MOORE: Okay.

6 Board Members, any further questions?

7 (NO RESPONSE)

8 We will have the floor open for a motion on the
9 ABC remaining funds and allocations.

10 MS. KEENER: So I'll make a motion that we
11 approve the reallocation of -- am I on the right one?
12 Yes. The reallocation of Arkansas Better Chance
13 remaining funds for 2024-25, for the summer services.

14 CHAIR MOORE: A motion by Ms. Keener. Is there
15 a second?

16 MS. ROLLINS: I'll second that.

17 CHAIR MOORE: And a second by Ms. Rollins. All
18 in favor say aye.

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIR MOORE: Any opposed?

21 Motion passes. Thank you.

22 MS. WILLIAMS: Okay. I just want to point out
23 -- I know the finance people may be in the room. But
24 I need to make sure 25-26 is covered because they
25 will come after me if I don't have approval from the

1 Board. So --

2 MS. KEENER: And just the agenda is incorrect or
3 is it the document itself?

4 MS. WILLIAMS: Well, I think we said 24-25, the
5 remaining funds. We just need --

6 MS. KEENER: Oh. So I read --

7 MS. WILLIAMS: No, it's -- it's okay. I just
8 want to make sure they know we're good --

9 MS. KEENER: Okay.

10 MS. WILLIAMS: -- to cover it and I don't get
11 myself in trouble.

12 CHAIR MOORE: We need to amend that or is that -
13 -

14 SECRETARY OLIVA: What was your motion?

15 MS. KEENER: I read the year 24-25, as it states
16 in the agenda. But the funds are from 24-25, to
17 cover the 25-26.

18 MS. WILLIAMS: Yeah. We have two years. We're
19 talking about the remaining for 24-25 and then using
20 25-26. I just want to make sure --

21 MS. KEENER: The year is July 1st.

22 MS. WILLIAMS: -- that it's clear.

23 SECRETARY OLIVA: I'd state just let's restate
24 that motion --

25 MS. KEENER: Yeah. Okay.

1 SECRETARY OLIVA: -- for clarification, so that
2 --

3 MS. KEENER: Perfect.

4 SECRETARY OLIVA: -- we get that --

5 MS. KEENER: So I move that we approve the
6 reallocation of Arkansas Better Chance remaining
7 funds.

8 MS. HUNTER: I think -- I thought it was covered
9 in the first one that we -- because we were talking
10 about a 25-26 program year and we have both the final
11 proposal and then the summer services for July.

12 CHAIR MOORE: In the first one, yeah.

13 SECRETARY OLIVA: It's covered then.

14 MS. WILLIAMS: Yeah. If we're good, I'm good.
15 I just want --

16 CHAIR MOORE: So there's -- there's two
17 different documents.

18 MS. WILLIAMS: Correct. Yeah.

19 CHAIR MOORE: Right? Okay.

20 MS. HUNTER: I think we're covered.

21 CHAIR MOORE: Okay. And we have that on record.

22 MS. KEENER: Thank you.

23 CHAIR MOORE: Okay.

24 MS. WILLIAMS: Thank you, Board Members, so
25 much. Appreciate it.

1 CHAIR MOORE: Okay. Thank you.

2 **3. CONSIDERATION OF RULES TO BE RELEASED FOR PUBLIC COMMENT**

3 CHAIR MOORE: With that, we have a series of
4 rules, Ms. Smith, to bring it to us. These first
5 rules will be for -- out for public comment.

6 MS. SMITH: Good morning. Stacy Smith, Deputy
7 Commissioner.

8 All right. We're going to start seeing
9 administrative rules every month coming before the
10 Board. Today, I'm going to show you some rules that
11 are brand-new. They're going out for public comment.
12 And then I'm going to show you some rules that you
13 saw before the legislative session that kind of just
14 got held up because session was going on, but we need
15 to bring them back up and get them -- get them
16 through.

17 So I'm reminding you of the process. First, we
18 release for comment -- public comment by the State
19 Board. They go out for a comment period for 30 days,
20 and a notice. Then it comes back to this board for
21 final approval. And then it goes to be reviewed by
22 ALC. If at any time during the public comment period
23 there is a change to the rule that is considered
24 substantive, it then goes back out again for public
25 comment and goes through that process again. All

1 right?

2 **3.A. RULES GOVERNING MATERNITY LEAVE COST SHARING**

3 MS. SMITH: So new rules that are coming before
4 you today, the first one is Rules Governing Maternity
5 Leave. This is the first time this board has seen
6 these rules, so this is asking for a release to go
7 out for public comment and to come back. During the
8 last legislative session we saw two pieces of
9 legislation that actually expanded -- it expanded
10 Arkansas LEARNS. One, it guarantees that every
11 teacher now has 12-week maternity leave, or public
12 educator or working in a public school district. So
13 every school district before they were getting to
14 choose whether or not they did it. Now it's -- it's
15 a requirement. Every school district will
16 participate.

17 It also does a reimbursement for a
18 hundred-percent of the incurred costs during
19 maternity leave. So that's very clear now what --
20 what the expectation is. It does allow leave to be
21 extended -- the maternity leave to be extended for
22 holidays within an academic school year. So if -- a
23 Christmas break, Thanksgiving break would not count
24 against the teacher's maternity leave time and that
25 would be extended. That was part of the piece of the

1 legislation.

2 So these are going out for their first public
3 comment period. There is going to be a lot of
4 guidance provided with these, once everything kind of
5 gets nailed down, and some examples to make sure
6 everyone is really clear on what counts and what
7 doesn't count. And they did it by the number of
8 days. If you read the rules, it will talk -- 83 -- I
9 mean, 84 days, which is the number of days in a
10 12-week period.

11 So I'm going to pause there and see if there's
12 any questions.

13 MS. WOODS: Would maternity also include
14 paternity leave?

15 MS. SMITH: No.

16 CHAIR MOORE: Board Members, questions?

17 MS. SMITH: This does still include if you are
18 adopting or if you have a foster child that's under
19 the age of one. So, I mean, there's those components
20 that are in there too.

21 All right. So I'm going to go ahead and ask for
22 a motion to approve the maternity leave to release
23 for public comment. Instead of batching them like
24 we've done sometimes, I'm just going to do one at a
25 time today.

1 CHAIR MOORE: Okay. So unless there's any
2 questions, there is a -- the floor will be open for a
3 motion to approve the rules governing maternity leave
4 cost sharing for public comment.

5 MS. HUNTER: I'm sorry, Madam Chairman, I do
6 have a question.

7 Okay. So on page 3 of the document it -- it
8 says for purposes of this part an employee who has
9 been disciplined for any leave abuse during the
10 12-month period prior to the staff member's request
11 --

12 MS. SMITH: So that was in legislation.

13 MS. HUNTER: Okay. So it's just as vague as
14 that, has been disciplined?

15 MS. SMITH: Yes.

16 MS. HUNTER: Okay.

17 MS. SMITH: And so in some of the guidance
18 pieces that's where we were trying to fill in like
19 what is an example of that documentation or what
20 would be needed.

21 MS. HUNTER: Thank you.

22 MS. SMITH: And that may be an area where we
23 receive public comment on clarifications are needed.

24 MS. HUNTER: Thank you.

25 MS. ROLLINS: Is this for the mother only?

1 MS. SMITH: Yes, ma'am.

2 MS. ROLLINS: Okay.

3 CHAIR MOORE: Further questions, Board Members?

4 (NO RESPONSE)

5 Okay. Then we'll have the floor open for a
6 motion.

7 MS. ROLLINS: I make the motion that we release
8 for public comment the rules governing maternity
9 leave.

10 MR. BRAGG: I'll second.

11 CHAIR MOORE: There's a motion by Ms. Rollins, a
12 second by Mr. Bragg. All in favor say aye.

13 (UNANIMOUS CHORUS OF AYES)

14 CHAIR MOORE: Any opposed?

15 Motion passes.

16 MS. SMITH: Thank you. So, again, these will
17 come back to you at some point.

18 **3.B. RULES GOVERNING PUBLIC SCHOOL CHOICE**

19 MS. SMITH: All right. The second one, Rules
20 Governing Public School Choice -- we had three
21 different acts that amended legislation around public
22 school choice. We also have in our state several
23 different avenues for public school choice. So these
24 rules get very lengthy, and at times confusing.

25 One of the things that you'll see with

1 legislation changes was it continues to empower
2 parents regarding choice. It opened up intradistrict
3 school choice; so if you're in a large district that
4 has more than one school, it now allows parents to
5 choose to go to another school within their resident
6 district. So this has resident district transfers,
7 or choice, and also out-of-school district choices.
8 It extended the deadline to June 1st; prior it was
9 May 1st. And it established the capacity definition
10 at 95 percent for enrollment for schools. So if they
11 have -- they can deny a student if they're at 95
12 percent capacity based on school classroom size
13 rules.

14 MS. HUNTER: Is that 95 percent new? Was it 90
15 before or has it always been 95?

16 MS. SMITH: What was it before?

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

19 Previously, it was 90 percent for school choice
20 and 95 percent for opportunity. And so now they've
21 changed it so that they're consistent and it's 95 for
22 both.

23 MS. HUNTER: Thank you.

24 MS. WOODS: Is there any appeal beyond the 95?

25 CHAIR MOORE: What was the question?

1 MS. SALAS-FORD: Sorry.

2 MS. WOODS: Is there any appeal beyond that 95%?

3 MS. SALAS-FORD: So the -- the law does still
4 allow a denial to be appealed to you all. You can't
5 overturn the decision if there was -- it's because of
6 a timeline. But if you feel that it's in the best
7 interest to make the district exceed that 95 percent,
8 then, yes, that appeal is still allowed.

9 MS. WOODS: Okay.

10 CHAIR MOORE: Board Members, questions?

11 Ms. Rollins.

12 MS. ROLLINS: I know interschool transfers gets
13 complicated with athletics. Does this clarify any of
14 that?

15 MS. SALAS-FORD: So we don't address athletics
16 in these rules, other than to say that if a student
17 wants to be eligible that they have to complete the
18 AAA required form. There was a law passed that
19 addresses specific timelines, that if they don't
20 enroll in the new school district by I believe it's
21 July 1, and -- in their 10th, 11th or 12th grade year
22 that they have to sit out a year. But because that's
23 governed under a different law and is not specific to
24 school choice we didn't include it in these rules.

25 MS. KEENER: In fact, the Senate explicitly says

1 that you are not to ask about, what is it, academic
2 achievement, athletic or extracurricular ability,
3 English proficiency level. There are some things
4 that are written to this regard.

5 MS. SALAS-FORD: Right. Right. And it also
6 says in there, for example, like, that they can't
7 discriminate against a student or preclude them from
8 participating in those activities because of their
9 school choice status. And while we didn't want to
10 put the date requirement in there as to create -- to
11 avoid creating that confusion, because that -- that
12 is not specific to school choice. It does affect
13 school choice students, but the -- the fact of them
14 being school choice or achievement level status, none
15 of that should be taken into consideration.

16 MS. HUNTER: I have one more question. And so
17 this is -- so I understand about the intradistrict
18 transfers. So does that also apply to students who
19 are choicing in? I mean, do they then get to choose
20 their school?

21 MS. SALAS-FORD: They can request that. Of
22 course, it's still the same as it was before, whereas
23 if the district says we don't have room at that
24 school they can deny it. That would then enable the
25 -- the parent and student to say, What about this

1 other school. So it -- it is a choice request, but
2 it does not mean that they necessarily will get that
3 school.

4 MS. HUNTER: I have got you. Thank you.

5 CHAIR MOORE: Following along that, I was -- I
6 did not look at this last night. If it is an in-
7 district-choice school, they don't have to appeal to
8 the State Board, do they?

9 MS. SALAS-FORD: Yes. It's all included in
10 there now.

11 CHAIR MOORE: It still is. So -- so even if
12 you're a resident in this district and I just want to
13 choose another elementary school, if --

14 MS. SALAS-FORD: If the district denies it, then
15 they could appeal that to you all.

16 CHAIR MOORE: Do they appeal that first to their
17 local board? Does the local board play any role in
18 this?

19 MS. SALAS-FORD: No. Because it -- it is
20 essentially the board that's making those decisions.
21 Many boards delegate that to their superintendent to
22 make the decision.

23 CHAIR MOORE: Right.

24 MS. SALAS-FORD: But when the superintendent
25 decides, he's acting on behalf of the board. So you

1 would be reviewing the board's decision.

2 CHAIR MOORE: Okay.

3 Board Members, further questions?

4 (NO RESPONSE)

5 Yeah. That will get interesting. Are there --
6 I mean, I assume the procedures will be the same for
7 what we've done longstanding for intradistrict?

8 MS. SALAS-FORD: Yes. It will be the same
9 procedures.

10 CHAIR MOORE: And those -- is there a timeline
11 as to when that has to be done by?

12 MS. SALAS-FORD: There is; and it should be in
13 the rule.

14 MS. WOODS: Is it January 1 that they have to
15 apply by still?

16 MS. SALAS-FORD: Yes. So it -- well, they can't
17 apply before January 1, but they have to apply by
18 June 1. And so --

19 MS. WOODS: So like between January and June,
20 that's their open time?

21 MS. SALAS-FORD: Correct.

22 MS. WOODS: Okay.

23 MS. KEENER: That used to be May; correct?

24 MS. SALAS-FORD: That's correct.

25 CHAIR MOORE: Right.

1 MS. SALAS-FORD: They switched from May 1 to
2 June 1, to give parents that additional time. And
3 there is a -- all right. Here it is. Yeah. They
4 have ten days, excluding weekends and holidays, after
5 receiving notice to file their appeal with the
6 Division. So we would expect probably -- I mean, the
7 school district has to notify them of their decision
8 within 15 days of the application, so we could see
9 appeals throughout the entire spring. But since they
10 have until June 1, I would anticipate that the most
11 of them that we see would be in June and/or July.

12 MS. WOODS: So we're going to go back to what we
13 were doing a couple of years ago, where July was a
14 terrible meeting?

15 MS. SALAS-FORD: It's possible if we see a lot
16 of denials, that we could end up with a lot of
17 hearings. Yes.

18 CHAIR MOORE: Yeah. And larger districts, I
19 imagine, will be tricky. Have y'all received
20 feedback yet from some of the larger districts on how
21 they expect to handle this?

22 MS. SALAS-FORD: No. I have not.

23 MS. SMITH: I think local school districts right
24 now are in the same boat we're in right now, putting
25 out the rules.

1 CHAIR MOORE: Yeah.

2 MS. SMITH: I expect we're going to get a lot of
3 public comment on these rules.

4 CHAIR MOORE: Yeah.

5 MS. SMITH: That will help us decide what kind
6 of guidance we need to be putting out and what kind
7 of charts or graphs or, like, how does this look.
8 The reality right now is we're in a time of choice.
9 We're in a time of parents being able to choose and
10 pick where their child goes to school, whether that's
11 with a private school, charter school or a public
12 school. And we are shifting in our state the mindset
13 of even our public schools and how that operates.
14 And so this is -- there's going to be a learning
15 curve around this. Right? And probably bumpy here
16 in the beginning, but I -- I feel like this will
17 probably smooth out, especially as local districts
18 are creating local policies that make more sense for
19 them. You know, depending on other -- other states
20 have open intradistrict policies right now. So there
21 are going to be people looking at other states, and
22 say, how do you do it over there? Our state is a
23 very small state in terms of the number of schools
24 within most of our districts. So you're really
25 talking only about a handful of districts that have

1 multiple schools. Most districts only have one high
2 school, and you'll have some that have two or three.
3 But other than that it's -- it's -- it's a pretty
4 small -- it gets into your elementary schools, is
5 where you have the larger number. Right? So there's
6 going to be some policy pieces there, and there's
7 going to be times for -- this is time for our
8 partners, Dr. Duncan and AAEEA, to pull together their
9 folks to say, how are you doing this in your
10 district? So there'll be some opportunity there.

11 Today, this is just a release to go out to begin
12 receiving the lots of comments I believe we're going
13 to receive.

14 MS. KEENER: Forgive me, I didn't read it in
15 detail. But the -- I didn't see -- remember seeing
16 this. But the -- I know at least when I was in
17 Little Rock School District, back in the 1900s, they
18 had what was called a TNT, which was
19 Transfer-No-Transportation. So within the district
20 they already allow that choice. But you were giving
21 up transportation. Tell me about that here where
22 transportation -- I'm sorry -- where transportation
23 is involved. Because I think that's always a big
24 topic.

25 MS. SALAS-FORD: Yes. So it kind of depends.

1 If you are applying under opportunity school choice,
2 the law still provides that the district has to
3 provide transportation up to a cost maximum of \$400.
4 However -- and you can do inter- or intradistrict
5 under opportunity or public school choice. If you're
6 under public school choice, under the law there is no
7 requirement that the district provide transportation.
8 However, if you are doing intradistrict and your
9 district has a policy whereas you provide
10 transportation to students -- and this is where, I
11 think, districts are going to be -- have to be very
12 careful and work with their policy drafter to make
13 sure -- you can't discriminate against one of those
14 students because of school choice. And so the law
15 doesn't require you to provide transportation, but if
16 you provide transportation to your other students
17 you're going to have to be very careful in not
18 discriminating against a school-choice student
19 because of their use of school choice. And so you
20 may end up having to provide transportation.

21 MS. KEENER: Okay.

22 MS. SALAS-FORD: Going to Stacy's point, I think
23 this is one of those situations where districts are
24 going to have to be very creative and really look at
25 some of their existing bus routes and policies and

1 things may not look the way that they did before.
2 There may be some riding a bus from home to one
3 school and then that school to another school. I
4 think this is just a -- kind of a whole new area that
5 we're going to have to navigate and figure out how it
6 works best.

7 MS. KEENER: Well, and I think that answers
8 another question I had about including residential
9 address in the list of things that could not be
10 discriminated against. So that --

11 MS. SALAS-FORD: Right.

12 MS. KEENER: -- makes sense now. Thank you.
13 Appreciate that.

14 MS. SALAS-FORD: Uh-huh.

15 MR. WOOD: I have a question. Going back to the
16 comments about the -- the culture is very
17 pro-student, pro-choice -- and -- and I really
18 believe that the Board has demonstrated a -- a
19 favoring students' and parents' choices. And -- and
20 that's been going on for several years. I think that
21 there -- there was a real shift maybe ten years ago
22 or so that started with regard to being critical of
23 districts that denied students the opportunity to go
24 wherever. Does the law -- so my question is: does
25 the law authorize us to put in the rules punitive

1 measures when choice applications are denied and
2 overturned by this Board, so that districts would be
3 disincentivized to deny just out of a, well, let's
4 just deny it and see what happens? Because it -- you
5 know, talking about, you know, the references to, you
6 know, July meetings are going to be bad, we're going
7 to have lots of denial appeals and all this and that,
8 can -- can we -- can we put in the rules that, you
9 know, if they -- if a family or a student is
10 represented by an attorney that those attorney's fees
11 would have to be paid by the -- if -- if the denial
12 is overturned? Is that a possibility?

13 MS. SALAS-FORD: We can look into that further.
14 That's nothing that is explicitly stated in the law,
15 yes or no. I will say though that I -- I believe, in
16 my experience, the denials that we have seen from
17 districts has always been based on capacity. There's
18 been an occasional few that -- where maybe something
19 else was considered, and I think those are different
20 situations. But when a district is -- is lawfully
21 denying it based on capacity, your authority to
22 overturn that doesn't mean that they necessarily did
23 anything wrong or that would deserve punitive action.
24 So, certainly, in those cases I don't feel like
25 punitive action would be necessary or even

1 appropriate. However, in those cases where there
2 might be a different example of denial based on
3 disability, that's something that we can look at.
4 But also, as you know, that is a case of
5 discrimination where that -- that parent and attorney
6 could pursue that avenue in -- in a different avenue
7 in district court and -- for lawful discrimination.
8 But we can look at that.

9 MR. WOOD: Yeah. Fair enough. But that too is
10 complicated and just --

11 MS. SALAS-FORD: Absolutely.

12 MR. WOOD: -- another process that a parent has
13 to go through to recover that. Just anything we can
14 do to just get the message to districts that if kids
15 want to come to your school or want to leave your
16 school, the answer -- there should be a heavy burden
17 to say no.

18 MS. SALAS-FORD: Uh-huh.

19 MR. WOOD: That's -- that's what I think the
20 message often is from this Board.

21 MS. SALAS-FORD: Uh-huh.

22 MS. WOODS: I think --

23 MR. WOOD: Whatever we can do to support that.

24 MS. WOODS: If I could add a comment, so I --
25 this is, like, the number one question I get asked up

1 in Bentonville, Rogers, Springdale and Fayetteville
2 -- because that's our -- my home district -- every
3 school is full. And so I have a hard time when
4 they're like, "But it's school choice." But yet,
5 there's never going to be a choice because all the
6 schools are full, at 100 percent, and over that all
7 of the time. So that's why I'm like I'm going to be
8 staring at these July people that are saying, well, I
9 want to do it at that school, or, We went to that
10 school and we moved, but we want to stay because it's
11 our last year of elementary school. And then you've
12 got somebody else -- like I have a great example from
13 last year -- people were moving between Bentonville
14 High and Bentonville West. It was the senior year,
15 he played for Bentonville baseball the whole time,
16 and I don't remember how it -- she was like, "Can I
17 petition to stay at Bentonville?" I'm like, "I -- I
18 don't -- I mean, there's district transfers, but I
19 don't know about the --" So that's just what I
20 foresee happening, is there's all these one-offs, so
21 it's my last -- kid's last year, we just moved here,
22 X,Y,Z.

23 MS. KEENER: Also, existing schools deny a
24 student leaving their school district, there have
25 been numbers going around, they're like, We can't

1 lose around kid. But if people are, you know,
2 scraping to get out, that's another issue.

3 MS. SALAS-FORD: Yeah. And -- and that cap on a
4 district being able to deny it because they're losing
5 students, that was taken out. So the -- the losing
6 district has no legal reason to say no. It would
7 only be if the receiving district now is full. And I
8 will say, I think something we're working on and
9 looking at to -- to help address that is our
10 student/ teacher ratio and max -- max capacity for
11 classrooms. Because many times as well by adding one
12 student to this class we're going to have to hire
13 another teacher to stay within our ratios. If we can
14 provide some flexibility on that in our rules, then
15 maybe they could and would allow that one student to
16 stay if it didn't cause them to have to hire another
17 teacher or come to the Board and ask for a waiver of
18 the class size rules. So hopefully we can help
19 alleviate and address some of those issues on our end
20 so that we're not putting districts in that position
21 as having to tell that one student no.

22 MS. WOODS: Because we're not talking about
23 funding between districts when we're talking about
24 changing schools, because it's all in the same pot?

25 MS. SALAS-FORD: Right. It all will still be

1 going to same district.

2 CHAIR MOORE: Board members to my right, any
3 questions, additional comments?

4 (NO RESPONSE)

5 CHAIR MOORE: To my left?

6 DR. ARNOLD: I'm ready to make the motion.

7 CHAIR MOORE: Okay.

8 DR. ARNOLD: I'd like to move that we release
9 the Public School Choice rules for public comment.

10 CHAIR MOORE: There's a motion by Dr. Arnold.
11 Is there a second?

12 MR. WOOD: Second.

13 CHAIR MOORE: There's a second by Mr. Wood. Any
14 questions or comments?

15 All in favor say aye.

16 (UNANIMOUS CHORUS OF AYES)

17 CHAIR MOORE: Any opposed?

18 Motion passes.

19 **4. CONSIDERATION OF RULES FOR FINAL APPROVAL**

20 CHAIR MOORE: Next, we have a -- do we have
21 three sets of rules for final approval?

22 MS. SMITH: Yes.

23 **4.A. RULES GOVERNING CHILD SEXUAL ABUSE AND HUMAN TRAFFICKING**
24 **PREVENTION**

25 MS. SMITH: Okay. This one is the rules

1 governing Child Sexual Abuse and Human Trafficking.
2 This is one you've seen recently. This was a change
3 regarding the human trafficking rules that require
4 school districts to implement a Child Sexual Abuse
5 and Human Trafficking Prevention program, provide
6 training to teachers and prevent school districts
7 from providing instruction on certain topics before
8 5th grade. This was released for public comments
9 recently. There were no public comments, so there
10 are no changes to these rules. Most everything in
11 these rules is pretty identical to the law. So I
12 would ask for a motion to approve these for ALC.

13 CHAIR MOORE: Okay.

14 Board members to my right, questions or
15 comments?

16 (NO RESPONSE)

17 CHAIR MOORE: To my left, questions or comments?

18 (NO RESPONSE)

19 CHAIR MOORE: And I did know that there were no
20 comments made in the public comment process.

21 MS. WOODS: I'll make a motion to release to the
22 ALC.

23 CHAIR MOORE: Okay. There's a motion, Ms.
24 Woods, to approve the rules and release to ALC, the
25 rules governing Child Sexual Abuse and Human

1 Trafficking Prevention.

2 MR. BRAGG: I'll second.

3 CHAIR MOORE: A second by Mr. Bragg. Questions
4 or comments?

5 All in favor say aye.

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIR MOORE: Any opposed?

8 The motion passes.

9 **4.B. RULES GOVERNING THE FIRST CONNECTIONS PROGRAM UNDER PART**
10 **C OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT**

11 MS. SMITH: The next set of rules are what we
12 would consider are called First Connections or Part C
13 rules. These were actually presented to the Board by
14 Ms. Keener back on November 7, 2024. The changes in
15 these rules really were about moving from the
16 Department of Human Services over to the Division of
17 Elementary and Secondary Education. Right? So those
18 were the biggest changes. In terms of timeline and
19 why it's taken so long, they were pretty hefty, for
20 one. Other early childhood rules were taking
21 preference trying to get those through. And then in
22 terms of just priority of all the rules going, this
23 was one that was kind of a low-hanging fruit. Once
24 it got to that point where it was approved to go out
25 and the process started, we changed how they have to

1 be -- the format that they have to be put in, which
2 is the C.A.R. format. So we've had to go back and
3 put these rules in the C.A.R. format that you
4 currently see now. That's why it looks like the
5 whole rule is new, when it's not. Right? But that's
6 -- that's why you see that formatting change.

7 So this -- the changes you see reflected are
8 really about changing between Department of Human
9 Services over to the Division, and then just the
10 lagging where we had the legislative session. And so
11 they've just kind of sat there, and so now we're
12 bringing them back up to you. They're in the correct
13 format and they're ready to be approved for -- to go
14 over to ALC.

15 CHAIR MOORE: Okay. That makes sense. Because
16 I was shocked that if it was all a new rule that
17 there was no public comments received. But it's not.

18 MS. SMITH: Correct. That was not the case. In
19 fact, when it went out for public comment it was in
20 the -- I believe in the old format.

21 CHAIR MOORE: Okay.

22 MS. SMITH: And then so once it was approved and
23 we were in that lagging time, they were like, wait,
24 we've changed our format; you've got to go back and
25 reformat it.

1 CHAIR MOORE: Okay.

2 MS. SMITH: And so that's what we've done.

3 CHAIR MOORE: And so that's why it all appears
4 red?

5 MS. SMITH: Yes. Yes.

6 CHAIR MOORE: Not all new words. Okay.

7 MS. SMITH: Yes.

8 CHAIR MOORE: Board Members, questions, to my
9 right?

10 (NO RESPONSE)

11 CHAIR MOORE: To my left, questions?

12 (NO RESPONSE)

13 CHAIR MOORE: Ms. Keener, do you have anything?

14 MS. SMITH: I will say that -- Secretary Oliva
15 would say, quit talking if you think they're about to
16 vote. I will say that I do believe there are --
17 there are -- well, he hasn't given me a look yet, but
18 I was feeling that his head was going to come up.
19 Right? So keep your head down and I'll go ahead and
20 say what I say. I do feel like there is going to be
21 a need for additional changes to these rules at some
22 point. This is still new to our division. Right?
23 And we are learning about how the program has been
24 administered in the past. There are definitely areas
25 that we've identified that we believe need to be

1 addressed or changed or improvements made. However,
2 we need to get some rules on the books. DHS has
3 rescinded their rules, so we need to get the Part C
4 rules back where they need to be. And then we're
5 going to continue to have conversations about these
6 rules and things and changes that we think might need
7 to occur to make this a better program.

8 MS. KEENER: We're building a house, licensing
9 is the foundation.

10 MS. SMITH: That's right. That's a thank-you,
11 Ms. Keener. Thank you. So I would ask for a good
12 vote.

13 MS. HUNTER: Well -- and that, I do have -- that
14 makes me have a question. So -- and I appreciate the
15 fact that, like, it's new and we continue to look at
16 them, like you do all rules. But is there like a
17 cadence for the rule review? I mean, like if you --
18 if we approve this and it, you know, goes through the
19 whole process and gets the stamp, and then next month
20 you find out there's something that needs to be
21 changed, do we start it all over again?

22 MS. SMITH: What would happen is we would make
23 some changes. We would come back to this board.

24 MS. HUNTER: Yeah.

25 MS. SMITH: We would ask this board to release

1 it for public comment.

2 MS. HUNTER: Yes.

3 MS. SMITH: And we would start all over again.

4 MS. HUNTER: Right. Okay.

5 MS. KEENER: And isn't it up to us to set the
6 agenda and ask for those things? Is that how that
7 works? Or what triggers, aside from -- what triggers
8 --

9 MS. SMITH: What triggers rule changes?

10 MS. KEENER: -- rule changes? Outside of legal
11 changes, the statutes. Yeah.

12 MS. SMITH: Any time that we're going to -- if
13 we're going to ask for something to change that is
14 currently in the rules, if we're going to change our
15 practice or what's currently happening, we would need
16 to come and ask permission for that.

17 MS. HUNTER: Okay.

18 MS. SMITH: And that would start here.

19 MS. KEENER: So either the Department or the
20 board, itself, could --

21 MS. SMITH: Uh-huh.

22 MS. KEENER: -- request that again?

23 MS. SMITH: Uh-huh.

24 MS. KEENER: Thanks.

25 MS. HUNTER: Thank you.

1 MS. SMITH: And I would say that some good
2 examples of that happening, the push on our early
3 childhood from licensing. Right? That wasn't
4 something that necessarily came from internal; that
5 came from you and, you know, the Governor's office
6 saying, we need to look at this. Right? And this is
7 something of changes and things, we need to do it.
8 There wasn't anything specifically about licensing
9 and LEARNS that caused us to make the overhaul that
10 we did. But I think we're better for it now.

11 MS. KEENER: Yeah. Thanks.

12 CHAIR MOORE: Board Members, any additional
13 questions or comments?

14 (NO RESPONSE)

15 CHAIR MOORE: The floor will be open for a
16 motion then.

17 MR. HENDERSON: I make a motion to approve the
18 amended rules that identify ADE as a regulatory
19 authority of the program instead of DHS.

20 CHAIR MOORE: Okay. There is a motion to
21 approve the rules. Is there a second?

22 MS. KEENER: Second.

23 CHAIR MOORE: And a second by Ms. Keener. Any
24 questions or comments?

25 (NO RESPONSE)

1 CHAIR MOORE: All in favor say aye.

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIR MOORE: Any opposed?

4 The motion passes. Thank you.

5 **4.C. RULES GOVERNING DYSLEXIA SCREENINGS AND INTERVENTIONS**

6 MS. SMITH: All right. The next set of rules is
7 the rules governing Dyslexia Screenings and
8 Interventions. These rules were brought to the Board
9 back on May 9, 2024, and released for the first round
10 of public comment. We -- dyslexia has always been a
11 big discussion, and we anticipated that we would have
12 lots of public comments, which we did. And we
13 actually welcome it because we think it's makes it --
14 makes the rules better as we go through the process.
15 These rules were released not once, but twice for
16 public comment. There were lots of changes in terms
17 of trying to get our systems aligned. We built them
18 a new ATLAS screener in which we were trying to pull
19 in the dyslexia screening at the same time and be
20 able to set a statewide cut of identifying a student
21 for dyslexia. We think that's a good thing. All
22 right? We're building -- we're building that
23 screening system. We have experts on our committees
24 who are helping set those cuts, but instead of each
25 individual school doing screeners and determining if

1 -- it's set now at the state level that says a kid
2 needs more screening or assessment based on how they
3 did on the initial screener. So we feel like there's
4 some things there.

5 From -- the change from the first time you saw
6 this to the second time you've seen it: the yellow
7 are changes that were made to public comments the
8 first round; the blue are changes that were made to
9 these rules from public comment the second round. So
10 you can see anything that's in yellow in here was a
11 response to a change from public comment. Blue, much
12 more reduced because we -- I think we've got -- we
13 got it right.

14 Some of the -- the big things had to do with
15 timelines. If you remember, the first time that you
16 saw these rules -- I think, Ms. Woods, you actually
17 asked about this a couple of times. I think we had
18 that 15 days -- like it was 15 days for this, and
19 then it was like ten days for this, and then it was
20 like -- and it made it confusing. And a lot of the
21 comments were around that. So we've clarified here
22 to say LEARNS requires screening within the first 30
23 days. The day that you're screened, if you are -- if
24 it's indicated that you need additional assessments
25 because -- then it pulls you in, you have 30 days

1 from that point to get your additional assessments,
2 for your conferences to be held, and begin providing
3 interventions. So instead of us having those
4 individual days, it's 30 days here, and then there's
5 30 days here, and services should be provided if
6 that's what's needed.

7 MS. WOODS: So we're hoping that most kids that
8 are identified are getting services starting November
9 time frame?

10 MS. SMITH: Yes. And, you know, when you think
11 about the initial part of school, I mean it's -- so
12 it's kind of close to when parent/teacher conferences
13 are happening. It puts it in line with our
14 assessment rules for screening our students. So I
15 think where we -- previously we saw the wait game.
16 We'd screen kids and then we would wait. And we --
17 that philosophy of let them grow up a little bit,
18 they're immature, they just need time, they just
19 haven't been exposed -- and maybe that's true for
20 some kids. But we believe even if you haven't been
21 exposed that you need intensive intervention earlier,
22 than later, and it needs to start. So this kind of
23 forces -- I mean, at the latest for a student in K,
24 1, 2, you should be receiving services by day 60. If
25 you were screened according to the timeline, that

1 would be the latest.

2 CHAIR MOORE: Mr. Bragg.

3 MR. BRAGG: So are older grades screened, like
4 through --

5 MS. SMITH: Yes. So if you are in grades -- if
6 you're above 3rd grade and you show a reading
7 deficiency, then you should be being screened with
8 your appropriate screener. And we have screeners
9 built into the ATLAS system. All right? But you can
10 also begin providing services to students -- if you
11 have a student who's scoring at a level one in 4th,
12 5th, 6th grade, they're not on reading level and they
13 need structured literacy intervention. Right? And
14 so the same foundational skills that are going to be
15 used to instruct students with dyslexia are the same
16 grounded fundamental skills you need to teach a child
17 to read.

18 MR. BRAGG: But even through possibly high
19 school?

20 MS. SMITH: Yes.

21 MR. BRAGG: Okay.

22 MS. SMITH: And should be happening.

23 CHAIR MOORE: Board Members, questions?

24 MS. SMITH: And does it happen with fidelity
25 right now, Mr. Bragg? No. I think it's very

1 confusing. And so hopefully be able to put in a
2 state system where we have clear scores, better
3 guidance. Hopefully, that's going to get tighter and
4 cleaner.

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

7 (NO RESPONSE)

8 CHAIR MOORE: I do have some questions.

9 MS. SMITH: Yes, ma'am.

10 CHAIR MOORE: And I will say when we have
11 something -- I think it was 136 pages of public
12 comment. It would've been nice to have more than 24
13 hours to review. So I was scrambling last night to
14 try to get an understanding of what those public
15 comments are. Is there anything else in public
16 comments that's outstanding that you all felt wasn't
17 answered?

18 MS. SMITH: I believe that Legal followed up
19 with Dr. Pride's team and they reviewed every public
20 comment from the first round and the second round
21 again.

22 CHAIR MOORE: Okay.

23 MS. SMITH: Some of the -- the latest public
24 comments I think that we were -- we were getting
25 answers to had to be -- were more around the

1 assessment because we're going to --

2 CHAIR MOORE: Right.

3 MS. SMITH: -- a statewide screener and the AI
4 around that. And so the answers around that, making
5 sure our assessment team, our vendors, our committee
6 -- making sure we were all on the same page there.

7 CHAIR MOORE: Uh-huh.

8 MS. SMITH: But as far as all the public
9 comments being addressed and --

10 CHAIR MOORE: Have you answered them --

11 MS. SMITH: Yes. I feel like we've -- I feel
12 like they addressed all the ones that needed to be
13 addressed.

14 CHAIR MOORE: Okay. This is something that --
15 let's see, it's on page 3 and it's the definition of
16 a dyslexia specialist. This is something I have a
17 small understanding of, but -- and I could totally be
18 off here. So in a lot of districts right now for --
19 the dyslexia interventions are being done by teachers
20 or paraprofessionals who've done dyslexia training;
21 is that correct? And does this change that?

22 MS. SMITH: This doesn't -- this follows what
23 the law says.

24 CHAIR MOORE: Okay.

25 MS. SMITH: On page 4, it talks about dyslexia

1 interventionist. I think my page numbers may be
2 different than yours. You said page 3?

3 CHAIR MOORE: Yes.

4 MS. SMITH: Oh, dyslexia specialist. I'm sorry.

5 CHAIR MOORE: Yes.

6 MS. SMITH: I'm sorry. No. No, it does -- to
7 me, it does not change it.

8 CHAIR MOORE: Okay. Is there a difference
9 between dyslexia specialist and interventionist?

10 MS. SMITH: The interventionist a lot of times
11 is a non-certified teacher.

12 CHAIR MOORE: Okay. That's -- yeah.

13 MS. SMITH: Because you could have a tutor or
14 paraprofessional. The specialist has a higher level.

15 CHAIR MOORE: Okay. So the specialist, it's
16 just changing -- it took away sort of the definition
17 of -- of things and just said dyslexia as a whole?

18 MS. SMITH: Yeah. So the endorsement or
19 certification in dyslexia -- so we took out the
20 individual isolated skill sets.

21 CHAIR MOORE: Okay.

22 MS. SMITH: Because the programs that have to
23 get certification in dyslexia, it's named in there.
24 And then we have to identify and approve which of
25 those programs it would be for you to qualify for

1 that.

2 CHAIR MOORE: Okay. And then this -- so then,
3 therefore, an interventionist, this doesn't change
4 how districts are currently staffing
5 interventionists, does it?

6 MS. SMITH: No.

7 CHAIR MOORE: Okay.

8 MS. SMITH: It does not.

9 CHAIR MOORE: Okay. Those are my questions.
10 Board Members, additional questions?

11 (NO RESPONSE)

12 CHAIR MOORE: I know this represents a lot of
13 work by your team over the past decade and a lot of
14 work by school districts. And then there's still a
15 lot of work to be done --

16 MS. SMITH: There is.

17 CHAIR MOORE: -- with a new batch of students
18 every year --

19 MS. SMITH: Yeah.

20 CHAIR MOORE: -- to serve well.

21 MS. WOODS: I'll make a motion, but I was also
22 going to make a comment, just based on the 136 pages.
23 I think that shows in the state how big of a deal
24 dyslexia is for a lot of students. And so I'm just
25 proud of us moving forward then. My favorite thing,

1 as the Secretary says, is I just want kids to learn
2 to read.

3 SECRETARY OLIVA: That's right.

4 MS. KEENER: You know, it's been proven to
5 reduce the number of dyslexia identifications is
6 high-quality early learning.

7 MS. WOODS: Yeah. We're all on the team here.
8 So, anyway, on that note I will -- motion to release
9 the rules to the ACL -- ALC?

10 MS. SMITH: Yeah. Yeah. That's where it will
11 go next.

12 MS. WOODS: Yeah. To the next level.

13 CHAIR MOORE: There's a motion by Ms. Woods to
14 approve the rules. Is there a second?

15 MS. HUNTER: Second.

16 CHAIR MOORE: There's a second by Ms. Hunter.
17 Any questions or comments?

18 (NO RESPONSE)

19 CHAIR MOORE: Okay. All in favor say aye.

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIR MOORE: Any opposed?

22 Motion passes.

23 MS. SMITH: And thank you. Thank you.

24 **5. HIGH SCHOOL COURSE OFFERINGS**

25 CHAIR MOORE: Next, we have the High School

1 Course Offerings.

2 DR. PRIDE: Good morning. Kiffany Pride,
3 Assistant Commissioner of Learning Services and I am
4 before you today.

5 Arkansas public school districts and open-
6 enrollment charter schools are required to offer a
7 minimum number of unique courses per the DESE rules
8 governing standards for accreditation of Arkansas
9 public schools and school districts. And I want to
10 just sort of give you a high-level overview of some
11 changes and additions for the unique courses that are
12 required to be offered. So -- and you should have
13 the attachment in your agenda.

14 But, in general, one of the changes we made is
15 we wanted to make sure that we noted the accelerated
16 courses options for each of the core areas, for math,
17 science, literacy, and social studies. And those
18 options include advanced placement, Cambridge AICE,
19 International -- IB, International Baccalaureate,
20 and/or concurrent courses. So you'll see there is an
21 asterisk in every -- of each of the core areas that
22 denotes that they must offer accelerated learning
23 offerings across those four core areas.

24 And we do have a list of those courses in an
25 additional document because it's just too lengthy to

1 put them all on here. But there is an additional
2 document that schools get that show all of the
3 courses. And we have a course code manager system by
4 which they can go and look at those courses and the
5 appropriateness and the sequence of courses that
6 students can take across accelerated learning. So
7 that's also a change.

8 And then, also, we have listed the computer
9 science courses and you can see all of them listed
10 there. That's an addition. Before, we had a general
11 statement about them and referenced them to the
12 bigger list. But we've listed them all this time and
13 also we've indicated again with a notation of an
14 asterisk that the courses that are available for 8th
15 grade, and that's to your far right on the list as
16 well. So you see that. That's there.

17 And then, I would say, you'll see a few changes
18 in course names. For example, English 1 through 4
19 previously was Grade 9, 10, 11, 12. But with the
20 opportunities for students to accelerate we didn't
21 want -- we took -- those were the only ones that were
22 listed by grade. And we just changed that name so
23 that you would know the sequence of the courses
24 needed to be taken in, but also that students had the
25 opportunity to take those when they were ready.

1 And I would say that pretty much sums up the
2 changes. Everything else is pretty much the same as
3 it was last year when we saw this.

4 CHAIR MOORE: Board members to my left,
5 questions?

6 DR. ARNOLD: How does our Secretary feel about
7 this inventory of courses?

8 SECRETARY OLIVA: So -- great question. I think
9 this is really starting to line up with the vision
10 that we see in ACCESS to make sure that we're not
11 blocking courses and tying them to grade levels when
12 students are ready for accelerated opportunities.
13 And that's one of the biggest priorities that we have
14 is we need to make sure that we can provide that.
15 And I've said this kind of publicly a few times, I
16 feel like sometimes some of our most neglected
17 students in this state are our highest performing
18 students because we're not letting them get access to
19 high-quality content and rigor when they're ready;
20 we're waiting for them to achieve a certain grade
21 level. So this is going to be comprehensive and
22 we're actually working on building up more
23 accelerated opportunities when we look at ACCESS
24 implementation because we're going to be rewriting
25 this course code catalog a standard way for some of

1 these courses, whether it's concurrent credit or an
2 honors course or an AP course or an IB course. So
3 this is, I think, the first step towards
4 implementation and moving it in the right direction,
5 and it's work that's going to continue to be ongoing
6 as we're putting together our work groups and getting
7 feedback from stakeholders. Just the simple things
8 like saying, like, English 1 and not Grade 9 English
9 is starting to change that mindset. And I know that
10 doesn't sound like a big deal, but a semantics
11 matter. And this is helping to set that mindset that
12 when kids are ready to earn high school credit,
13 especially if they're in middle school, we need to
14 open up those opportunities.

15 DR. ARNOLD: Thank you, Dr. Oliva.

16 CHAIR MOORE: Mr. Bragg.

17 MR. BRAGG: If a school doesn't offer one of the
18 courses and the student wants that course, does the
19 school have any obligation to try to accommodate
20 them, either maybe through remote or --

21 MS. SMITH: So -- so this list is the minimum
22 requirements that all schools are expected to offer.
23 Okay?

24 MS. BRAGG: Oh, so each school has to offer all
25 of these?

1 MS. SMITH: So -- yeah. So when -- we have more
2 courses than this in our course catalog. But when
3 you're looking at this you can see English Language
4 Arts; they have to offer three credits from the list
5 below. Right? They have to offer two from the list
6 below. There are certain -- so this is like the
7 minimum education that all schools have to provide
8 students in the state and those courses are on this
9 list. If a student wants to take a course, though,
10 that their school is not offering -- we do have a
11 course choice that is coming available and that's --
12 more information about that is coming out. You do
13 have virtual options a lot of times that schools will
14 offer their students. And, again, as we're getting
15 into this arena of more choice and creating better
16 pathways, those are the conversations that we need to
17 keep having. At the same time, we need to be having
18 conversations about what courses do we not need to be
19 offering. Okay. For example, we actually had AP
20 courses that we offered in our state that no college
21 in the state of Arkansas would give it credit for
22 because they didn't have it. So why are we paying
23 for a course that nobody in the state is going to
24 give college credit for? Right? So we're going
25 through and making sure that we're really looking at

1 our courses, making sure that they're rigorous,
2 making sure that they make sense, and making sure
3 that there is a pathway developed for that course to
4 take that kid past high school.

5 So this -- this was what would before have been
6 the 38. Right? But we went well beyond 38 when we
7 started requiring you had to have AP classes. Right?
8 Or you had to have your Computer Science classes. So
9 this is just -- we felt was important to bring it to
10 you with the changes around acceleration, because
11 it's no longer just AP, and we wanted to put that
12 before you. We also thought it was important that
13 you could see the Computer Science courses listed,
14 the ones that were indicated for 8th grade, and get
15 your approval on that.

16 CHAIR MOORE: I have some questions, but I want
17 to check, Board Members, questions?

18 (NO RESPONSE)

19 CHAIR MOORE: So previously was it that four AP
20 courses were required? Is that still required or is
21 it that you can do other -- Cambridge or other
22 programs?

23 MS. SMITH: So ACCESS -- in our legislation for
24 ACCESS for acceleration, it opened up where you could
25 offer other accelerated opportunities: concurrent

1 credit, IB, AP, the Cambridge piece. So it's opening
2 it up. Beforehand, it was only AP.

3 CHAIR MOORE: Is concurrent credit included in
4 that?

5 MS. SMITH: Yes.

6 CHAIR MOORE: So concurrent credit is included
7 as an accelerated pathway?

8 MS. SMITH: Yes.

9 CHAIR MOORE: Do we have any authority over
10 those concurrent credit classes to understand how
11 rigorous or not they are?

12 MS. SMITH: So -- great question. So Dr.
13 Warden, our Commissioner of Higher Education, is
14 actually establishing a statewide training for
15 educators who are going to be teaching those courses,
16 so that we make sure that we have alignment to the
17 rigor of higher ed, with making sure that this -- the
18 standards or the matching high school courses are
19 met. So before we had APSIs for AP, which was the
20 training, okay, Advanced Placement Institute. We're
21 now going to be offering training over here to ensure
22 that the rigor for higher ed is there.

23 SECRETARY OLIVA: This summer.

24 MS. SMITH: Yeah, this summer.

25 CHAIR MOORE: So concurrent credit is the only

1 one of those programs that doesn't have a uniform
2 assessment; correct?

3 MS. SMITH: Correct. No uniform assessment.

4 CHAIR MOORE: Okay. When we're talking about --
5 so, English, take for instance the ELA, English 1 was
6 to accelerate the ELA offerings. What are those
7 accelerated ELA offerings? And is that something
8 that this board is approving now, those offerings, or
9 will that be approved at a later date?

10 DR. PRIDE: Yes. So English 1 through 4 would
11 be what you -- you know, you would've known as
12 English 9 would be English 1, 2 and 10 and so-forth.
13 But there are other -- there are other options that
14 students can take as an accelerated pace. So, for
15 example, they could take -- you're challenging my
16 memory here -- it's --

17 CHAIR MOORE: But I guess the way I read this
18 here --

19 DR. PRIDE: A seminar, they could take a seminar
20 course.

21 CHAIR MOORE: Yeah.

22 DR. PRIDE: They could take -- it could be an AP
23 course, it could take -- it could be another course
24 that -- and we have a guide for this. I just can't
25 remember all of the English ones right now off the

1 top of my head. But we do have a progression to show
2 what are options that students can take in an
3 accelerated pace.

4 CHAIR MOORE: I think it would've been helpful
5 for us to see those accelerated offerings to approve
6 this here. But the way I'm reading this is a
7 district will no longer have to -- have to have
8 English through English 4 because it's an option?

9 DR. PRIDE: Well, they -- so they have to offer
10 that. And for the majority of students, they're
11 going to have those students in those courses. Those
12 students that are ready though, they also could --

13 CHAIR MOORE: But it says, like, must offer two.
14 So they could offer English/Public Relations and
15 English/Documents instead of English 3 and English 4.
16 Am I reading this wrong?

17 DR. PRIDE: No. So what you're seeing is in
18 terms of what is required for -- and I guess we did
19 that to divide in terms of the assessment piece. So
20 --

21 CHAIR MOORE: Yeah.

22 DR. PRIDE: But also students, once they get
23 past that English 10 they also could have different
24 options by which they wouldn't have a state
25 assessment that aligned directly to our -- our

1 criteria for --

2 CHAIR MOORE: So we might have high schools that
3 aren't offering, like, what you would used to say was
4 a junior English --

5 MS. SMITH: Yeah.

6 CHAIR MOORE: -- English 3?

7 MS. SMITH: And so these were courses that were
8 brought to the State Board previously. We created
9 English 11 and 12 courses that -- that matched --

10 CHAIR MOORE: Okay.

11 MS. SMITH: -- pathways.

12 CHAIR MOORE: Okay.

13 MS. SMITH: Right? So you had a STEM pathway.
14 So when you're taking that English 11 course, it had
15 a STEM emphasis, so you're reading more technical
16 writings. So -- so high schools could offer those
17 courses in place of that English -- traditional
18 English 11. All right? But English -- old English
19 9, old English 10, which is now 1, 2, have to be
20 offered to everyone because those are the alignments
21 to the state assessment. All right? But as we're
22 trying to create better pathways, while we're trying
23 to create more meaningful coursework for students,
24 you're starting to see some of those pathway courses
25 -- the standards for English 11 are still there, but

1 you might not be reading Macbeth; you might be
2 reading a technical manual for something related to
3 STEM.

4 CHAIR MOORE: Okay. I didn't go back -- I
5 didn't fully understand how that was working. And so
6 -- yeah, so I think with that, so speak to me a
7 little bit about -- it used to be that you had to
8 have 38 offered required and this is saying 22. When
9 did that change?

10 DR. PRIDE: No.

11 CHAIR MOORE: No?

12 DR. PRIDE: No. These are the courses that are
13 required to be offered for students, and this is not
14 the same as the exact list for the graduation
15 requirements. So there's a handout that shows you
16 the number --

17 CHAIR MOORE: Student graduation requirements?

18 DR. PRIDE: Student graduation.

19 CHAIR MOORE: And what is the student graduation
20 requirement right now?

21 DR. PRIDE: So 22 credits that -- there are four
22 ELA, three math, three science. You're challenging
23 my memory. I have it here.

24 CHAIR MOORE: Okay. But -- so this is -- that's
25 -- that's a different set of things?

1 DR. PRIDE: Yes.

2 CHAIR MOORE: And -- and do we -- does our board
3 approve the graduation requirements? I know local
4 boards can go above and beyond that.

5 MS. SMITH: Right. So the graduation
6 requirement is something that's set between the
7 Higher Coordinating Board and the State Board.
8 Right? So it's been set at 22 graduation credits for
9 a long time. We have not brought any changes to this
10 board around the 22 graduation requirements --

11 CHAIR MOORE: Okay.

12 MS. SMITH: -- in recent years. What we have
13 brought are changes around -- the last time you
14 probably saw a controversial change to this list was
15 when we removed Journalism.

16 CHAIR MOORE: Yes, I remember.

17 MS. SMITH: Right? And that -- it caused all
18 kinds of drama. Right?

19 CHAIR MOORE: Yes.

20 MS. SMITH: So what you're seeing now, in terms
21 of what we've added to this list, is the change
22 around acceleration, saying that you no longer have
23 to have just AP. Right? And then we also explicitly
24 stated on here the Computer Science courses because
25 there is an expectation in law that all schools are

1 offering a Computer Science class. There's also an
2 expectation in law that we indicate four of those
3 courses that can be offered in 8th grade. Other than
4 that, it is the same. And as far as the courses and
5 standards, standards you guys have approved. So
6 these English courses, the standards for English,
7 we've already brought to you guys, and you've
8 approved that. What we're showing you really is just
9 here are the courses that we require school
10 districts, that they have to have at least the
11 required amounts off of this. And this is what we go
12 by Standards for Accreditation for. So if the school
13 district didn't offer the correct number of science
14 courses, then they could be brought to this board for
15 a Standards for Accreditation violation. And so
16 we're wanting to make sure that you're aware of what
17 courses are on there.

18 CHAIR MOORE: Okay.

19 MS. SMITH: But the only changes really are
20 around the accelerated pathways with AP.

21 CHAIR MOORE: Thank you. If -- if you look
22 nationwide, 22 credits -- we have high graduation
23 rates, but we have a low bar for graduation with that
24 22 credits. Would that have to be a law change or
25 would that be a change by our board?

1 MS. SMITH: I think that would have to be -- I'd
2 have to look. Let me go back and look for you.

3 CHAIR MOORE: And I know some districts go above
4 and beyond that and they require more of their
5 students --

6 MS. SMITH: Uh-huh.

7 CHAIR MOORE: But if you look at 22, I mean
8 that's less than six credits a year for students.
9 And as we talk about seat time, that's a pretty low
10 bar for our students.

11 SECRETARY OLIVA: Yeah. I think we should raise
12 it.

13 CHAIR MOORE: Great. I'll look forward to y'all
14 doing that.

15 But I -- I also look forward to -- I think -- I
16 think students -- I think this is minimum. I mean I
17 know it's minimum, what we're saying.

18 MS. SMITH: It is minimum.

19 CHAIR MOORE: But I think we should up the
20 minimum to some extent. I think students deserve
21 more opportunities. And I know like now that the
22 world is open for virtual, students do have a lot of
23 virtual options. But I think in person is important
24 too. And so I think in the future, you know, should
25 we push a little harder to require districts to offer

1 more courses, more options for students?

2 MS. SMITH: So I think the answer to that
3 question potentially is yes. Right? I think though
4 where we have to identify roadblocks on our side is,
5 one, with licensure. So if have a science teacher or
6 you have a math teacher --

7 CHAIR MOORE: Right.

8 MS. SMITH: -- and you're asking them to teach
9 mul- -- if you're a small district -- and you have to
10 remember most of our districts in our state are very,
11 very small and rural where they may only have one
12 teacher who's teaching 7th grade math, 8th grade
13 math, 9th grade math, 10th grade -- like, so -- and
14 so every time we put a requirement that you have to
15 offer that course, then you have to have a period and
16 is someone doing it, which is fine. And I think
17 that's where the virtual options sometimes come in.
18 And I think that's where we have to look at our
19 licensing requirement and who can teach what courses.

20 CHAIR MOORE: Yeah.

21 MS. SMITH: So I would agree.

22 CHAIR MOORE: It used to be that every student
23 had to take one virtual course. Is that still on the
24 law?

25 MS. SMITH: No.

1 CHAIR MOORE: Okay. And do we have any sort of
2 requirements as to how many of these have to be in
3 person versus virtual offerings?

4 MS. SMITH: No.

5 CHAIR MOORE: Okay. Do y'all do any sort of
6 audit of that way to get an understanding of, you
7 know, this school district is offering this person
8 high school courses virtually versus in-person?

9 MS. SMITH: They report that in their -- in the
10 eSchool system, the teacher of record, and if the
11 course is virtual or in-person. And we do see some
12 of our districts -- and some districts who have been
13 in trouble and some who have not -- where they have a
14 large offering of virtual courses. Right? And so
15 it's about ensuring the quality and putting practices
16 in place where virtual courses are being offered at a
17 high standard and that kids are being successful in
18 them. And we have places where that's happening.

19 CHAIR MOORE: Okay. I have two more sets of
20 questions. I'm sorry. It's my last day, y'all.

21 MS. SMITH: I'm not sure why you sat down and
22 got off the hook.

23 DR. PRIDE: No.

24 CHAIR MOORE: So I know -- I mean, we've talked
25 about acceleration. A lot of middle school students

1 might want to be taking the Algebra 1, Geometry, but
2 that's not required for a middle school or junior
3 highs to offer the 8th grade level, or is it?

4 MR. SMITH: It's not required. But I will tell
5 you since Secretary Oliva has arrived in our state
6 the numbers of kids who are graduating with
7 associate's degrees are continuing to rise. The
8 expectation in the law for access with acceleration,
9 the guidance that's coming out from this Department
10 around that is going to continue to increase. Your
11 -- Kiffany's team has done a wonderful job of taking
12 the academic standards for ELA and math and backwards
13 mapped them all the way to elementary school, so that
14 kids can be put on these accelerated pathway pieces.
15 And so you're going to have school districts who are
16 going to automatically start putting those in place.
17 We're at the beginning. We're having to change
18 systems work to get acceleration in our state where
19 it needs to be.

20 CHAIR MOORE: Okay.

21 MS. SMITH: And that's where we're at right now.

22 MS. KEENER: And there are two more pieces that
23 I'm excited about. One is the standardization so
24 that kids that are taking concurrent credit, that
25 they actually transfer to the next --

1 CHAIR MOORE: Yeah.

2 MS. KEENER: -- place. I know someone taking
3 Business Law at UACCB and it is not accepted at UCA.
4 So they're stuck. Right. And so, I'm so excited,
5 again, that somebody paid attention and is cracking
6 that.

7 And, finally, the long-term goal being that the
8 box that is checked by default is the advanced math
9 course and you have to opt out of it, as opposed to
10 the way we're doing things now. But, again,
11 long-term goals.

12 CHAIR MOORE: Another one I had written down was
13 World Languages. Is that -- has there ever been a
14 conversation about requiring high schools to offer
15 four years of World Languages, instead of two? I
16 know for accelerated students who are looking to go
17 to colleges, colleges would --

18 MS. SMITH: So you see foreign language --
19 you're going to start seeing that come up in our IB
20 pathways. Right? And so as school districts are
21 starting to increase those opportunities, you're
22 going to see those kind of courses being offered. At
23 this point most schools -- if you have a student
24 who's going on to year three or year four, a lot of
25 them a lot of times are having to do a virtual option

1 --

2 CHAIR MOORE: Yeah.

3 MS. SMITH: -- unless they have a teacher who
4 can continue that on.

5 CHAIR MOORE: Yeah.

6 SECRETARY OLIVA: But -- but I'd say, overall, I
7 think -- well, to your point, as we get into the next
8 phases, maybe part of that conversation is what is
9 that list of required accelerated courses at a middle
10 school.

11 CHAIR MOORE: Yeah.

12 SECRETARY OLIVA: And then maybe even what does
13 that look like at an elementary school. One of --
14 one of the, I think, need pathways in, like, our
15 diploma of merit is we recognize a seal of --
16 biliteracy as an advanced credential on the high
17 school diploma. So that may encourage some more
18 school districts to offer more World Languages. But
19 should we be making sure that there is a pathway to
20 complete a program? Right? Where you're not just
21 getting the introductory courses. So those are --
22 we're not going to have all the answers now, but that
23 -- that's the conversations we're having now with
24 kind of re-imagining expectations for students. I
25 think 22 graduation credits is low. I think we could

1 have higher expectations for our students, if we're
2 going to prepare them to be successful. And when we
3 call one of our three uses is making sure that
4 there's a pathway to be employed, enlisted or
5 enrolled, what do those real expectations mean; you
6 know, what does it mean for a student to be college
7 and career ready when they graduate. So those are --
8 those aren't conversations that just -- you finalize;
9 right? That's just kind of the way of work, that it
10 is ongoing. And we've got to start by building the
11 expectations, supporting districts with shaping that
12 mindset, but then continually engaging in this
13 dialogue, in this conversation. And I -- and I -- I
14 think those are all great suggestions.

15 MS. SMITH: Yeah. And I think you'd be
16 hard-pressed to find any schools in any district in
17 the state that this is all -- that they only offer
18 the minimum.

19 CHAIR MOORE: Right.

20 MS. SMITH: Most are offering more. And going
21 back to your foreign language, you can stack Spanish
22 3, Spanish 4. Right? So it's -- the school has to
23 offer. They don't -- they have to have it in their
24 schedule, Spanish 1 and Spanish 2. If you have a kid
25 who's ready for Spanish 3, you can stack those

1 courses and blend your kids together. So there's
2 opportunities for that.

3 CHAIR MOORE: Yeah. I think long-term it will
4 be exciting. We know research says the sooner you
5 start a foreign language the better, and we can keep
6 on setting that goal, that we could push elementary
7 schools to start. And there's many virtual options
8 that are great for teaching second languages that I
9 think we could push from there.

10 My last kind of question, sorry, was around the
11 Computer Science.

12 MS. SMITH: Yeah.

13 CHAIR MOORE: So it's in law that a Computer
14 Science course has to be offered in 8th grade. What
15 -- but do you have to take it in 8th grade? What is
16 the --

17 MS. SMITH: It -- I think it's in law that for
18 -- I may have to get Ross up here for this. It's
19 that four courses have to be identified that can be
20 offered in 8th grade --

21 CHAIR MOORE: Okay.

22 MS. SMITH: -- for Computer Science.

23 CHAIR MOORE: It was brought to my attention
24 that Computer Science A is a very high-level course
25 and maybe shouldn't be in 8th grade. Has there been

1 any conversations about why these ones were selected?

2 MR. WHITE: So there is a requirement in law
3 that we have to identify four courses that are
4 available within the 8th grade. So when we really
5 get into the list here, you have our full Computer
6 Science list there. So that's every Computer Science
7 course that we have. So our Introduction to Computer
8 Science is really our entry level. But then we have
9 had schools that have been doing Computer Science A,
10 like, that's what their request has been. There is
11 an AP Computer Science Principles that you will see
12 on here. That is there, as well. And this has been
13 more built by -- the way the law was passed, for us
14 to have appropriate courses for 8th graders. It
15 becomes a little bit challenging too because if
16 you're familiar with -- any time I get up here and
17 talk to you about it, we have pathways and we go to a
18 Level 1, Level 2, Level 3; we build on skills. And
19 so we really have to identify the courses that have
20 the most foundational skills. And AP Computer
21 Science A and the Principles, both, are -- have the
22 most foundational that we can pull out, where if we
23 pull any of those other courses, the first course is
24 going to be Introduction to Computer Science; the
25 second course then will be, you know, getting into

1 these advanced databases, digital electronics. Those
2 all become a second or a third course, so they're not
3 appropriate to be an 8th grade course.

4 CHAIR MOORE: Okay.

5 MR. WHITE: And so --

6 CHAIR MOORE: But they're not required to take
7 it in 8th grade?

8 MR. WHITE: But, yeah, they're not required.

9 CHAIR MOORE: They can take it any time in their
10 career?

11 MR. WHITE: No.

12 CHAIR MOORE: Okay.

13 MR. WHITE: So they have to obviously take a
14 course to graduate and, you know, the period to be
15 able to earn that can be in that window. But we do
16 have that opportunity for those that -- obviously,
17 this was kind of done before acceleration, but it
18 does give that accelerated opportunity for a student
19 who might want to go through a really robust Computer
20 Science pathway. And if their school has those
21 opportunities, they can get started a little bit
22 earlier, in that 8th grade window.

23 CHAIR MOORE: Is there still -- at the middle
24 school level, is there still some sort of requirement
25 for a computer course?

1 MR. WHITE: So there's still a coding block
2 requirement.

3 CHAIR MOORE: Okay.

4 MR. WHITE: And so that is -- it varies, based
5 on the district. We give them a lot of options. A
6 lot of them embed it into what we call Key Code,
7 which is a mixture of keyboarding and then, you know,
8 learning the fundamentals of keystrokes and then the
9 coding block, as well. But they still do have a
10 coding block requirement that has to be met in that
11 middle-school block.

12 CHAIR MOORE: And then my question was, are any
13 of these courses like an introductory into AI? And
14 where is AI fitting in -- into these courses? Or how
15 are we approaching that?

16 MR. WHITE: So all of our Computer Science
17 programs have gone through a big revision this past
18 year. So in our CTE world, every three years we
19 revisit all of our programs and look at all of our
20 occupational codes and instructional codes to make
21 sure they align with our postsecondary partners and
22 align with industry. So in that, there has been some
23 adjustments. That -- there is, obviously, that in
24 it. But at the same time, it is still -- I won't say
25 so new, but there's so much to be learned that it --

1 there's not going to be one that's just specifically
2 focused to, you know, artificial intelligence.
3 Specifically, yes, in many of these different groups
4 you're going to see -- I don't want to say groups --
5 different pathways. You're going to see the
6 conversation coming up for probably all of them in
7 some of our standards.

8 CHAIR MOORE: So you said you revisit them every
9 three years. Does it -- do the standards get changed
10 every three years or is it --

11 MR. WHITE: It varies. I mean --

12 CHAIR MOORE: Okay.

13 MR. WHITE: -- it really depends on -- now I
14 will say the Computer Science standards for this year
15 are the ones that have been updated. I mean, it --
16 they hadn't really been reviewed since their
17 inception, for most part. So they have had some
18 pretty big revisions. We went from nine pathways to
19 four, and that was a part of our full pathway
20 revisions that we've talked with y'all about before.
21 Because we're going in the whole world of Career and
22 Technical Education down from 63 to 44, as well. We
23 want to make sure our alignment from CIP and SOC
24 codes with our postsecondary to employment, as well.

25 CHAIR MOORE: Does that come to our board to

1 approve or is that --

2 MR. WHITE: No.

3 CHAIR MOORE: -- inhouse?

4 MR. WHITE: So within the standards within
5 Career and Technical Education -- so, I mean, there
6 are some that you -- that you're made aware of. But
7 we also go with the Career Education Workforce
8 Development Board.

9 CHAIR MOORE: Okay.

10 MR. WHITE: That's seen by Department of
11 Commerce, as well as our standards.

12 CHAIR MOORE: Okay.

13 MS. WOODS: Can I jump in and ask a question?

14 CHAIR MOORE: I've covered everything. Yes.

15 MS. WOODS: So when we're talking about AI --
16 because Beau and I were just talking about it -- is
17 there ever -- when -- if we wanted to make an AI
18 required course -- I remember when Governor
19 Hutchinson, like, laid down the law and he was like,
20 "We're offering Computer Science." How does that
21 process work?

22 MR. WHITE: I'm going to let some other people
23 talk about that one. That's the only one I can tell
24 you --

25 MS. WOODS: We were just sitting here talking

1 about how we're behind the eight ball in a lot of
2 areas. And so as we start looking to future courses
3 --

4 MS. SMITH: When I leave here I'm going to go
5 put in Chat GPT and make it a course, and I'll be
6 back to you tomorrow. I'll be back to you by 3:00.
7 I could do it pretty quickly.

8 MS. WOODS: You've got to be careful. Because I
9 was telling Beau that I was looking something up
10 yesterday and it gave me a state case, and I was so
11 glad that I went to sources.

12 MS. SMITH: Yeah.

13 MS. WOODS: Because I was like I have never --

14 MS. SMITH: Yeah.

15 MS. WOODS: And it was like so on-point. It
16 didn't exist. And Chat GPT finally said, oh, I'm
17 sorry, I made a mistake. And I was like, wait. So
18 on Chat.

19 MS. SMITH: So actually there is -- I believe
20 there is a Governor's taskforce on AI right now. We
21 have two or three different groups here at the
22 Department who are working on AI information and just
23 guidance for school districts. You're going to start
24 seeing AI in terms of, like, professional development
25 and developing that. Our team is in the boat

1 learning right now. And so those are things you're
2 going to see. I think AI is not going to necessarily
3 be a standalone; AI is going to be in everything that
4 we do. You're going to start seeing it within your
5 English Language Arts standards; you're going to
6 start seeing it in your math classes; you're going to
7 start seeing it in your graphic design. It's going
8 to be everywhere. So just your intro to
9 understanding what is it, yes, you're going to start
10 seeing standards pop up on that.

11 MS. WOODS: Okay.

12 CHAIR MOORE: My 1st grader and I are already
13 have this conversation, because we're seeing more
14 generative content. And so I think -- I mean, if
15 y'all are thinking about that, that starts at the
16 elementary standards.

17 MS. SMITH: Yeah. And it's about the being able
18 to even like decipher what's real, what's not real.

19 CHAIR MOORE: Right.

20 MS. SMITH: You know, but it's going -- it's in
21 everything. It's in every element right now, and
22 it's -- and it's going faster than we're moving.

23 MR. McCASTLAIN: I was going to say this for
24 part of my report at the end, but she teed it up, so
25 -- not to hijack it or anything. But I think we need

1 to be careful in our vision of AI not just to
2 associate it with the Computer Science subject or --
3 it's good to hear you say that, what you just said,
4 Stacy. But also focus on training our teachers how
5 to utilize AI for their jobs. And I think it's kind
6 of a prescription for burnout if it's -- if it's
7 learned to use effectively. There's tools out there.
8 And I don't know what that looks like, as far as
9 professional development. Maybe a little bit like
10 Science of -- Science of Reading professional
11 development. I don't think it needs to be one
12 six-hour, you know, course in the summer, and then
13 forgot. Maybe we need to really think about, okay,
14 the requirements of professional development,
15 in-depth professional development, and what type of
16 supports can we give the teachers through the school
17 year to ensure that they're using those tools through
18 the year to benefit them and make them do their jobs
19 more efficiently.

20 MS. SMITH: Yeah. And --

21 DR. ARNOLD: That's good, Beau.

22 MS. SMITH: Right now, folks are wrestling with
23 the policies behind it, you know, with student work
24 and teacher work and giving credits. I mean, there
25 -- so there's a lot of policy being written right now

1 around it and the guidance on that. So I think those
2 will be some interesting conversations and things for
3 us to share with the Board.

4 DR. ARNOLD: Madam Chair, wow, this conversation
5 illustrates why we will miss you a great deal.

6 CHAIR MOORE: Oh.

7 DR. ARNOLD: And clearly you are ready for
8 another seven years.

9 CHAIR MOORE: Well, yeah, sign me up. But your
10 meetings might be shorter.

11 But I -- I -- I did -- I do think I did want to
12 take the opportunity not to just look at those issues
13 but to just reiterate that this is our minimum bar.
14 And that our minimum bar for graduation requirements
15 are lower, too, and we want -- we want our students
16 to succeed. And the more opportunities they have in
17 different areas, the better. So we can keep
18 encouraging districts to offer more courses and maybe
19 at some point revisit the high school graduation
20 requirements.

21 MR. HENDERSON: Dr. Moore, thank you for asking
22 about five questions I was about to ask. Seriously,
23 you know, I really appreciate you asking all those
24 tough questions because this is very important. I am
25 a huge advocate of ACCESS and the launch of it.

1 Commissioner Warden, him and his team, has done a
2 tremendous job.

3 To Mr. Bragg's point, he asked earlier if the
4 consideration as far as virtual options and stuff
5 like that, when we're looking at those roadmaps, when
6 we're looking at the outreach, let's make sure that
7 we are definitely looking at the big picture of rural
8 schools, small school districts that do not have a
9 lot of the resources. So I don't know what that
10 vision looks like, but if we have to partner in an
11 insane way with two-year universities, trade schools,
12 we want to make sure that those conversations are
13 being held and also those things are on the table.

14 CHAIR MOORE: With that, though, isn't there
15 something in LEARNS that -- I mean, if a student
16 requests a course at the high school, that they have
17 to be able to take it or offer it virtually? Or --
18 okay, we'll revisit that later.

19 MS. SMITH: I didn't hear what you said.

20 CHAIR MOORE: If a student -- if there is one of
21 these courses that a school district didn't offer,
22 does the student have the ability to talk with the
23 school and to offer it to them virtually?

24 MS. SMITH: So that was the course choice --

25 CHAIR MOORE: Yes.

1 MS. SMITH: -- aspect. And so there's guidance
2 being written and rules around course choice that
3 will come to this board.

4 CHAIR MOORE: Okay.

5 MS. SMITH: We've built a platform around that.
6 So there's an opportunity for that. So there will be
7 more information coming.

8 CHAIR MOORE: Okay. So just thinking about the
9 opportunities and access for students.

10 Okay. With that, Board Members, questions,
11 comments?

12 (NO RESPONSE)

13 CHAIR MOORE: Okay. The floor will be open for
14 a motion on the high school course offerings.

15 MR. HENDERSON: I'd like to make a motion to
16 approve all the high school required -- high school
17 courses.

18 CHAIR MOORE: A motion by Mr. Henderson. Is
19 there a second?

20 MR. BRAGG: Second.

21 CHAIR MOORE: A second by Mr. Bragg. Are there
22 any questions or comments?

23 (NO RESPONSE)

24 CHAIR MOORE: Okay. All in favor say aye.

25 (UNANIMOUS CHORUS OF AYES)

1 CHAIR MOORE: Any opposed?

2 The motion passes.

3 DR. PRIDE: Thank you.

4 CHAIR MOORE: Looking at the agenda, let's go
5 ahead and take a five-minute break before we start
6 our next item number six. So let's start back here
7 at 11:05.

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

10 **6. CONSIDERATION OF THE RECOMMENDATION OF THE PROFESSIONAL**
11 **LICENSURE STANDARDS BOARD FOR CASE 25-121 - DANNY R. MARRS, JR.**

12 CHAIR MOORE: Okay. We will start back to our
13 action agenda. We have item number six,
14 consideration of a recommendation by the PLSB. Ms.
15 Whitney James or Mr. Shults will be going over
16 procedures for us probably. Thank you very much.

17 MR. SHULTS: Thank you, Madam Chair, Board.
18 Just a brief reminder on the hearing procedures.
19 Review of a PLSB action is conducted pursuant to
20 Section 1.4-4 -- or 1.1-4 of the rules governing Code
21 of Ethics. In this case, the educator has elected to
22 appear and present a full argument, with -- through
23 their attorney. So the educator and their attorney
24 is given ten minutes to present oral arguments. The
25 PLSB attorney will also have ten minutes to present

1 oral arguments. The Chair may allow additional time
2 for good cause shown.

3 In this hearing the State Board is to consider
4 the transcript, the pleadings, and the oral arguments
5 only. However, at the request of the Chair, the
6 State Board, the educator and the Professional
7 License -- the PLSB investigator for the case may
8 provide testimony. No other testimony shall be
9 heard. All testimony from the educator or the PLSB
10 investigator shall be taken under oath. Thanks.

11 CHAIR MOORE: So we'll start with the oath for
12 those who are planning to speak today. If you would
13 stand up, please, for those planning to speak. Do
14 you swear the testimony you're about to give is the
15 truth, the whole truth, and nothing but the truth?

16 (ALL SPEAKERS ANSWERED AFFIRMATIVELY)

17 CHAIR MOORE: Thank you. We start with the
18 Educator or attorney, and you'll have ten minutes to
19 speak.

20 MR. EDDINGS: Thank you, Dr. Moore. And I doubt
21 seriously that I will exhaust ten minutes. Dr. Moore
22 and other members of this board, my name is Khayyam
23 Eddings.

24 And I say this not because I was raised right by
25 my mom and my daddy. My mother was a 49-year

1 educator in Little Rock School District and they
2 always taught me to be polite in public. But I say
3 this because -- what I'm meaning too, it's the right
4 thing to say -- it is absolutely my pleasure to be
5 here on behalf of DJ Marrs. And you'll hear from --
6 from Mr. Marrs, and Mr. Marrs will tell you that, you
7 know, something happened in the locker room at
8 Quitman Junior High School back in May 2024. And Mr.
9 Marrs won't beat around the bush; he'll tell you that
10 and he'll concede that as the head football coach
11 during these football activities he was the one in
12 charge. And he's going to tell you that because as a
13 leader and as a coach, he believes that leadership
14 comes with top down. So he was the one who was
15 responsible. And it's -- it's undeniable what
16 happened, because there's -- there's video there.
17 There's been testimony in the PLSB investigation of
18 -- of some of those things that happened, and Mr.
19 Marrs won't try to minimize what happened or the
20 impact of what happened. Because Mr. Marrs is a
21 leader of young men and those things happened under
22 his leadership on his watch back in May 2024, in that
23 locker room, Mr. Marrs accepted responsibility and
24 did not appeal the recommendation of the PLSB that
25 his license be placed on probation for two years and

1 a \$250 fine. However, Mr. Marrs is eager to be here
2 this morning, not to push back against the
3 recommendation of the PLSB, but to respond to some of
4 the allegations that were made about him before this
5 board, some of the allegations that impugned his
6 character before this board. And before now,
7 because, as you know, PLSB proceedings are
8 confidential, Mr. Marrs has not had that opportunity
9 and he relishes it -- an opportunity.

10 I'm told by the investigators that this
11 investigation was one of the most in-depth and
12 all-encompassing investigations ever done by the
13 PLSB. And I say that to say this: the allegations
14 were investigated thoroughly because the
15 investigation was in-depth. Because the rationale
16 included in the investigation's conclusions were
17 reasonable and -- to support the recommendation, Mr.
18 Marrs encourages you, urges you to accept that
19 recommendation because he has accepted responsibility
20 for what's happened.

21 Now, Mr. Marrs and I both recognize that there's
22 value in public discourse related to issues of
23 children and in schools, in particular. There's
24 absolutely value in that. But there is no value in
25 lodging false accusations against an educator,

1 particularly geared toward the aim of seeking a
2 result that you want when there's no basis in fact
3 for it. Mr. Marrs can tell his story much better
4 than I can, so at this point I'll step aside. And if
5 you'd like to hear from Mr. Marrs, he's available.
6 He's been sworn under oath and he's here to answer
7 any questions that you may have. Thank you.

8 CHAIR MOORE: Thank you, Mr. Eddings.

9 We will take Ms. James now to testify, and then
10 we will open up the floor for questions.

11 MS. JAMES: Yes, ma'am. And I do have my
12 investigator here, who could be sworn in if you have
13 any questions for her.

14 CHAIR MOORE: Okay.

15 MS. JAMES: In this case regarding Mr. Marrs,
16 the Ethics Subcommittee recommended probation of
17 license for two years, a \$250 fine, coursework,
18 reading and training, with written reflections. The
19 Ethics Subcommittee also recommended quarterly
20 reports from the educator's supervisor, which would
21 come to the State Board while on probation regarding
22 how his professional practices are progressing.

23 This case was initially on the consent agenda,
24 since Mr. Marrs did accept the recommendation, and
25 the case was pulled for the review hearing today.

1 The PLSB found that there is a preponderance of
2 the evidence that he violated Standards 1, 2 and 3 of
3 the Code of Ethics and that he should receive the
4 recommended sanction. And the Ethics Subcommittee
5 gave a very detailed rationale for its decision,
6 which was provided in your folder. I'm happy to
7 review that at any time with you or answer any
8 questions that you may have.

9 CHAIR MOORE: Thank you, Ms. James.

10 With that, do you or your team have any more
11 comments that you want to make?

12 (NO RESPONSE)

13 Ms. JAMES: (Shakes head side to side)

14 CHAIR MOORE: Okay. So with that, we will open
15 the floor up for questions and these can be questions
16 of the Educator, the attorney, or the PLSB or staff.
17 So, let's see, I will start to my left with
18 questions.

19 MR. WOOD: I have some questions.

20 CHAIR MOORE: Mr. Wood.

21 MR. WOOD: First, and then primarily to Coach
22 Marrs, I have some questions if you'll step up here.
23 The -- the allegations that the -- I think there were
24 a few boys involved. I don't know exactly how to
25 lump everything together. But I'm going to call them

1 the -- the May 10th incidents. Okay? Roughly, the
2 time that you were notified that two or three boys
3 had been specifically harassed and bullied in the
4 locker room and you -- you learned of that on
5 approximately May 10th, 2024. In those -- those --
6 the -- the conduct that was revealed to you in that,
7 we -- we had allegations of Orbeez guns being brought
8 into the locker room and shot at kids; we had
9 allegations of a whip being used in the locker room
10 on some kids; we had -- I think that that might've
11 been in response to towel popping that was occurring
12 in the locker room; we had kids claiming to be
13 stuffed in the lockers with balls being thrown at
14 them while they were in there; and, what I would
15 consider, we had video evidence of organized fighting
16 occurring where kids were bringing boxing gloves and
17 having duke outs in the locker room; we also had
18 allegations of some really bad stuff, sexual in
19 nature, assaults on kids where kids were humping
20 other kids. Those were all very concerning and I
21 have some concerns about the response to what
22 happened after you learned of those things. But I --
23 I want to first focus on what did you know before May
24 10th that was occurring in the locker room. Were you
25 aware of any bullying or conduct similar to hazing

1 that was occurring in the locker room prior to May
2 10th, 2024?

3 MR. MARRS: No. No, sir. And my assistants
4 were not either. No -- like I said, no one had
5 brought anything to us. Any time we had an issue in
6 the locker room -- and there were times where I
7 might've -- would've heard, you know, someone getting
8 loud or you hear, you know, something where they're
9 not transitioning, getting ready to go back to school
10 or getting to the field, where, you know, we would --
11 we would hear that and call them out and address
12 that. And -- and several people said that.

13 To the allegations of -- of a lot of the things,
14 first of all, the -- the -- the boxing glove issue
15 was -- I saw the video as well. It -- it was -- I
16 didn't know about it initially. It was sent in
17 later. But that was from several years ago, because
18 we knew that by the shimmels that -- by the outfit
19 that they were wearing. That was an issue that was
20 found out. That student was turned over to the dean
21 of students and punished and from the football team
22 -- when that happened, that -- that was -- like I
23 said, that -- that was an issue that was handled and
24 -- and found out very quickly.

25 MR. WOOD: Okay. So I -- I don't really

1 understand your answer then. It sounds like you're
2 saying that the -- the boxing gloves video that we've
3 -- was provided to us occurred long -- years before
4 --

5 MR. MARRS: Yeah.

6 MR. WOOD: -- May 10th, 2024?

7 MR. MARRS: Yes, sir. Our junior high wears --
8 like I said, they wear the black shimmels. I say
9 shimmels; that's their workout top and bottom. Same
10 thing with the -- we had the video with the locker
11 room because I -- I looked into it, like I said, a
12 lot, over and over, once -- once that I was made
13 aware of it.

14 MR. WOOD: When did you become aware of that --
15 of that boxing --

16 MR. MARRS: After I'd already done my
17 investigation.

18 MR. WOOD: After May 10th, 2024?

19 MR. MARRS: Oh, I'm sorry. The -- when did I
20 become aware of -- of a situation with boxing gloves?
21 A couple of years ago, when that happened.

22 MR. WOOD: A couple of years prior to May 10th,
23 2024?

24 MR. MARRS: Yes, sir. That was different kids.
25 Like I said, they -- they were -- those -- those kids

1 that were in the 9th grade --

2 MR. WOOD: Yeah. Of course it was different
3 kids. I understand --

4 MR. MARRS: Yes, sir.

5 MR. WOOD: -- they're going to progress --

6 MR. MARRS: It was the same --

7 MR. WOOD: -- through school.

8 MR. MARRS: Yes, sir.

9 MR. WOOD: But it -- it sounds to me then like
10 bullying, fighting, organized fighting was occurring
11 in the locker room prior to May 10th, 2024, and you
12 knew about it?

13 MR. MARRS: That was two years ago, when they
14 were in the 7th grade. Yes, sir. And it was handled
15 and -- I mean --

16 MR. WOOD: Okay.

17 MR. MARRS: It -- it was -- it was extended --
18 you know, like -- like I said, we -- we found the
19 student who brought the gloves and removed them and
20 turned it over to the dean of students for
21 punishment.

22 MR. WOOD: Any other incidents, other than
23 boxing gloves, prior to May 10th, 2024?

24 MR. MARRS: No, sir.

25 MR. WOOD: Okay. What about -- I -- I would

1 like to ask just a point of procedure in using
2 student names. I'm trying to be very careful here.
3 Students that I believe are no longer in the school
4 had statements included in the record, and I would
5 like to reference that. Is it appropriate for me to
6 use the student's name?

7 MS. JAMES: We had actually created a cheat
8 sheet with student numbers and names. It wasn't made
9 part of this report. You might be able to give
10 enough description that we could tell you --

11 MR. WOOD: Okay.

12 MS. JAMES: -- which number it is.

13 MR. WOOD: Sure. At the very end of the
14 investigation report, page 451, is a transcript of an
15 interview with a now former student. Would it be
16 appropriate to reference that person by name?

17 MS. JAMES: That person is S9.

18 MR. WOOD: S9?

19 MS. JAMES: Yes.

20 MR. WOOD: Okay. And can I give his initials?

21 MR. MARRS: I've -- I've -- I've got the cheat
22 sheet here.

23 MR. WOOD: Okay. I -- I can't confirm because I
24 don't have the cheat sheet in front of me, but I'm
25 going to just rely on what you said, to refer to it

1 as S9.

2 So there -- there was a student that -- that
3 gave an interview that was transcribed in part of the
4 record that -- and -- and I'm -- I apologize for
5 frank language that's about to be used. Everyone has
6 brought kids to the room and I kind of hate that, but
7 we have to do what we have to do. A tea-bagging
8 incident occurred. Are you aware of that?

9 MR. MARRS: No, sir. And the student that we're
10 talking about, I mean, had accusations of things that
11 happened in the high school locker room but never
12 played on the high school team. They -- they were
13 actually -- they were removed from the team for
14 grades by the parents, and then the parents had a
15 meeting to come back and came back for just a short
16 time of the offseason, and then left the program.

17 MR. WOOD: I really --

18 MR. MARRS: So --

19 MR. WOOD: I can't get into the weeds of whether
20 the kid ever played a minute of high school football.

21 MR. MARRS: No. I just meant what locker room
22 he would have been in, as far as to say the things
23 that -- that were said. There was an incident at the
24 school that happened with the student, but in the
25 locker room -- no, sir.

1 MR. WOOD: Did the tea-bagging situation occur
2 in the locker room?

3 MR. MARRS: No, sir.

4 MR. WOOD: You don't believe so?

5 MR. MARRS: No, sir.

6 MR. WOOD: What about pictures being taken of a
7 student on the commode and being shared --

8 MR. MARRS: That was also at the school.

9 MR. WOOD: What --

10 MR. MARRS: Yes, sir.

11 MR. WOOD: What does that mean, at the school?

12 MR. MARRS: That -- that happened not in the
13 fieldhouse. That was an incident that was -- that --
14 that happened in the boys' bathroom of the high
15 school.

16 MR. WOOD: A football player who did it; right?
17 I mean, a football player was punished for spreading
18 pictures of kids on the toilet. Right?

19 MR. MARRS: Yes, sir. Well, he was removed from
20 the team at -- at that point, I -- I do believe. So
21 like he never came back to me --

22 MR. WOOD: Well, that -- that's not --

23 MR. MARRS: -- at the school.

24 MR. WOOD: -- what his story was. His story was
25 not that he was removed from the team at that time.

1 His story, if you're going to adopt his story, was
2 that he was asked to stay on the team; that you told
3 him you were going to throw him off the team; and
4 when he said okay, he didn't care, you said, "Wait,
5 no, never-mind. I can't throw you off the team. I
6 need you."

7 MR. MARRS: That -- that's not true.

8 MR. WOOD: Well, it's his story.

9 MR. MARRS: That -- that's his story, but that's
10 not true. He was -- he was removed from the team.
11 And I had a meeting with his mother and -- and even
12 -- because his -- his stepdad at the time was a
13 pee-wee coach and -- and they came in and -- and we
14 met after he had been punished for this, to try to
15 work him back on the team for his benefit, not for
16 the -- for the team. I mean, this was never a senior
17 high football player, so I mean this is not something
18 that -- I mean, our junior high program is
19 developmental. So, like, we're -- we're working with
20 -- with kids to -- to -- and we work with parents
21 still at that point to try to help them, because he
22 had been in trouble several other times. And -- and
23 sometimes as a coach, like, having those kids in your
24 program you're able to just kind of develop that and
25 work with them and try to get through to them in a

1 different way that maybe a teacher may not.

2 MR. WOOD: That's fine, Coach. My -- my problem
3 is that -- the -- the question really isn't his
4 character. The question is: what was the athletic
5 department, the football administration's response to
6 these types of activities occurring among football
7 players? That's really the question as it relates to
8 Coach Marrs in front of us here. It -- it's not
9 really about what that student was going through and
10 what may have troubled his life and all of that. So
11 it's really about what did you know and what did you
12 do about it and when did you do these things.

13 That same student in that interview said that
14 the fighting with boxing gloves happened daily and
15 the coaches didn't care.

16 MR. MARRS: That -- that's not true. And I go
17 in that locker room before they leave. I have a
18 strict locker room policy, to the point where their
19 helmets hang, and -- and we go through there. That's
20 -- like the thing with the Orbeez gun that came up
21 and it said that there were hundreds of bullets.
22 That -- that -- that's not true. We go in there
23 every day. And we have two loads of laundry that we
24 go in --

25 MR. WOOD: You said that you believed that it

1 was true.

2 MR. MARRS: I -- I do -- I do believe --

3 MR. WOOD: It's not because you couldn't -- not
4 because you found evidence of it, but because so many
5 kids said it happened that you believe it must have
6 been true.

7 MR. MARRS: That so many kids said that one was
8 brought. Yes, sir. Not that kids were shot with it.
9 That -- that was not what multiple kids -- that's not
10 what was said. That was embellished on later, I
11 think by -- by a parent standing right here. When we
12 interviewed kids and we talked to them, a kid did
13 bring one. It was an Orbeez gun and then it turned
14 into a BB gun and then it turned into hundreds of
15 kids shot, and that wasn't true. And -- and -- and
16 with -- with the bags that they bring in, a kid could
17 bring one because they have bags of clothes that they
18 change into, and we no longer allow that to happen in
19 the locker room. But at the time, they were in and
20 out, changing clothes, so a kid could bring one, an
21 Orbeez gun into a bag and -- and have one there. And
22 without screaming and hollering and -- you know, I
23 mean, we're not in there while they take showers and
24 change. So the fact that the kids said that, I do
25 believe that. But, no, we didn't have multiple

1 stories of kids running around getting shot. That --
2 that was simply added by parents later.

3 MR. WOOD: Well, in a minute I will look. I
4 think that -- that's a fine distinction, but I'm not
5 sure I readily accept that a kid brought an Orbeez
6 gun, but it was never fired at anyone. That's kind
7 of hard to believe. But I'll -- I'll review through
8 here.

9 MR. MARRS: But as I'm not in there, I can only
10 go off of what the kids that I interview tell me.

11 MR. WOOD: Well, I know. But six or seven or
12 eight of them said this happened. And, I mean, and
13 this was said to the investigator paid for by your
14 school district. This was in her report, the
15 interviews with students. Half a dozen, at least,
16 referenced the Orbeez gun situation.

17 MR. MARRS: That -- that it was brought, not
18 that it was fired and multiple kids were shot and
19 there were hundreds of bullets or Orbeez loads
20 everywhere. That -- because that's what it was, the
21 -- the initial allegation of it, and that -- in the
22 report it shows that that's not true.

23 MR. WOOD: All right. I will -- I will look for
24 that distinction in a minute.

25 There seems to be in the conversation that you

1 had that was transcribed with -- and I -- I don't
2 remember which mother was involved, if it was Angie
3 Edwards. I think -- I think it may have been the
4 Stephanie White conversation. I'm not real sure.
5 But as I read the transcript of that, there seemed to
6 be a bit of relief on your part that when the humping
7 was occurring that kids had their clothes on. Were
8 you relieved to learn that?

9 MR. MARRS: I mean, no, sir. I -- I -- I was --
10 I was and have been concerned through all of this.
11 As far as as a football coach who's over that
12 fieldhouse, like the safety of those kids is -- is my
13 responsibility.

14 MR. WOOD: I appreciate that.

15 MR. MARRS: So -- so as far as relief in that
16 aspect, I -- I don't -- I don't know that -- I mean,
17 that I -- I don't ever remember feeling relief for
18 clothes. I -- I think the -- I don't know what --
19 like, in the transcript of it --

20 MR. WOOD: Several times you wanted to clarify
21 whether anybody was naked or not.

22 MR. MARRS: Absolutely. Because if a parent
23 comes in and brings something to me, I want to have
24 the full details, especially when they go back and
25 forth. Because the language that was being used in

1 that by the mother kept suggesting that, that it was
2 -- so -- so me and Mr. Stacks who were in that
3 meeting were -- were definitely asking those
4 questions to clarify so that we could fully
5 understand what happened. Yes, sir.

6 MR. WOOD: Well, is --

7 MR. MARRS: But relief, I don't --

8 MR. WOOD: Okay. All right. It sounded to me
9 like there was a strong emphasis on yours and Mr.
10 Stacks' part to -- to make a strong differentiation
11 between skin-to-skin humping versus clothes humping.
12 And I am of the opinion that that's not much of a
13 distinction; that the victim in that situation
14 doesn't want it happening in either situation. And
15 so the -- the emphasis on the fact that there were
16 clothes on was rather problematic to me from yours
17 and Mr. Stacks' perspective when you were
18 interviewing these mothers. You also have to
19 appreciate that you have mothers who are probably
20 extremely emotional about what is happening to their
21 kids. I know that this has been extremely bothering
22 to me to even have to read all of this stuff, as a
23 State Board member in Little Rock, a hundred miles
24 away from the Quitman schools. And I can only
25 imagine what a mom or a dad would be dealing with as

1 they were dealing with these facts as it was going
2 on. So I -- I am -- am frustrated in the way that,
3 you know, you -- you've kind of categorized the --
4 the things they've said.

5 MR. MARRS: And --

6 MR. WOOD: Who --

7 MR. MARRS: And I don't think it was
8 categorization as much as it was -- that -- that --
9 it's when a parent comes to you with a concern,
10 obviously, as educators who deal with this, parents
11 are going to be emotional. And we understand that.
12 But it's -- it's our job to -- to try understand the
13 situation as much as possible, just finding out about
14 it, in order to be able to -- to move forward --

15 MR. WOOD: Right.

16 MR. MARRS: -- with -- with punishments and
17 change and to really understand that situation.
18 Because oftentimes -- a lot of times when parents
19 come in and people are emotional, they don't always
20 tell the truth or they don't always -- or they
21 embellish or they have only one side, one account of
22 it. So I feel like it would be a lack of my
23 responsibility --

24 MR. WOOD: Sure.

25 MR. MARRS: -- if I was just to take a parent's

1 word and what he said without --

2 MR. WOOD: Fair enough.

3 MR. MARRS: -- without digging into it and
4 really asking questions.

5 MR. WOOD: Well, we're all here because really
6 bad stuff did really happen. We're not here because
7 this was a made-up story. In fact, in the summer
8 after this occurred four, five, six kids -- I don't
9 know the exact number -- but some number of kids were
10 convicted by a juvenile court of assault on these
11 young boys. Is that right?

12 MR. MARRS: Yes, sir.

13 MR. WOOD: And they were sentenced to a year
14 probation?

15 MR. MARRS: Six months, I believe. Yes, sir.

16 MR. WOOD: And I believe it was year, but that's
17 really neither here or there. That occurred in July
18 of 2024. I'll -- I'll get back to that. I don't
19 want to get too far in -- and I -- I apologize for
20 having so many stones to turn over here. But who --
21 who was in charge of ensuring that Orbeez guns, whips
22 were not brought into the locker room, that kids were
23 not stuffed in lockers and had -- had balls thrown at
24 them, that organized fighting with boxing gloves was
25 not occurring, that tea- -- well, I'll refrain from

1 that in the locker room, but nonetheless a culture
2 among the football team of -- of tea-bagging
3 occurring, and pictures of kids on the commode being
4 shared amongst football text messaging threads? Who
5 was in charge of ensuring that this type of conduct
6 didn't occur in the football program?

7 MR. MARRS: When they are in the football
8 program it -- it is me.

9 MR. WOOD: I have not mentioned a single thing
10 that was not brought up by a football player being
11 done while they were in football.

12 MR. MARRS: The -- the pictures on the toilet
13 and -- and that --

14 MR. WOOD: Was he a football player at the time
15 it happened?

16 MR. MARRS: Yeah. Yes, sir. But I -- I can't
17 be responsible --

18 MR. WOOD: Yes, you can.

19 MR. MARRS: I'm not responsible for them when
20 they go home at the end of the day.

21 MR. WOOD: This didn't happen at home.

22 MR. MARRS: Or -- or when they are in between
23 4th and 5th period, when I'm with a different
24 football team. Like, I understand that, and I -- I
25 do the best that I can as far as character and -- and

1 team devotions and things that we do to try to build
2 these kids' character. But at the end of the day,
3 some of them, especially when I just get them in 7th
4 grade -- I have them for an hour-and-a-half a day
5 like an English teacher does. Is an English teacher
6 responsible for them doing those -- taking those
7 pictures in the bathroom, as well?

8 MR. WOOD: It is shocking. I've never heard a
9 football coach say I am not responsible for what my
10 student athletes do when they're walking the halls
11 between 4th and 5th grade -- 4th and 5th period. I
12 can't believe that you --

13 MR. MARRS: I'm -- I'm not saying that. I'm
14 saying that --

15 MR. WOOD: It is about culture.

16 MR. MARRS: -- while they're -- they're still
17 accountable to me, absolutely. And we have a great
18 football culture. Every year, we grow in numbers.
19 We have more than we've ever had. If we had a locker
20 room that had these things that was painted, that
21 happened all the time and it was daily abuse and --
22 and it's in pictures been painted, we wouldn't have
23 -- the most kids we've ever had in our program won't
24 even join our program, wanting to be in that locker
25 room.

1 MR. WOOD: And you've zeroed in on the commode
2 pictures. Other than the commode picture, and
3 potentially the tea-bagging incident -- I don't know,
4 I'd have to go back and review that student's
5 statements. Everything else happened in the locker
6 rooms, Orbeez guns, whips, being stuffed in the
7 lockers, fighting with boxing gloves -- all that
8 happened in the locker room. Who was responsible for
9 ensuring that that stuff didn't occur?

10 MR. MARRS: Yes, I was.

11 MR. WOOD: One of the students -- and the
12 student's whose interview I'm referencing said it was
13 going on for years.

14 MR. MARRS: That -- that's -- that's not true.

15 MR. WOOD: You said it was going on for years.
16 You said it was going on for two years.

17 MR. MARRS: It was one incident that happened
18 two years ago.

19 MR. WOOD: Two years before May 10th, 2024?

20 MR. MARRS: Yes, sir. That was one incident
21 that was -- that was found -- that was caught and
22 handled.

23 MR. WOOD: But it --

24 DR. ARNOLD: Coach Marrs, just let me underscore
25 something that Mr. Wood is saying, that we're trying

1 to say that your players and your teams need to be
2 the best examples --

3 MR. MARRS: Yes, sir.

4 DR. ARNOLD: -- of the culture and manhood, not
5 the worst examples of culture --

6 MR. MARRS: Yes, sir.

7 DR. ARNOLD: -- and manhood. So on that note,
8 these examples are -- are -- are important.

9 MR. MARRS: Yes, sir.

10 MR. WOOD: And the overall culture is very
11 important because --

12 MR. MARRS: Yes, sir.

13 MR. WOOD: -- while the PLSB found that you
14 didn't have prior knowledge of events occurring
15 before May 10th, I find that extremely difficult to
16 believe.

17 But let's talk about after May 10th and the
18 response to finding out about the horrible things
19 that were occurring in -- we'll call it that time
20 frame. We've already talked about several boys were
21 convicted in juvenile court and placed on either
22 six- or one-years' probation. We disagree on what
23 that was, but it doesn't really matter. Because you
24 continued to allow some of -- at -- at least one,
25 maybe more, of the boys that were convicted by the

1 juvenile court and put on at least six-months'
2 probation to be on the football team. Did you not?

3 MR. MARRS: The ones that were responsible for
4 the Orbeez gun were removed from the football team.
5 The -- the --

6 MR. WOOD: I don't want to argue with you --

7 MR. MARRS: Yes, sir.

8 MR. WOOD: -- about which --

9 MR. MARRS: Okay.

10 MR. WOOD: -- particular piece of conduct, who
11 did what.

12 MR. MARRS: Yes, sir.

13 MR. WOOD: Because, obviously, it's kind of hard
14 to read redacted transcripts and trace who did what.
15 But nonetheless, a -- a student who was convicted in
16 juvenile court and placed on at least six-months'
17 probation, beginning in July 2024, was allowed to be
18 on the Quitman Junior High football team in fall of
19 2024, was he not?

20 MR. MARRS: In the fall of 2024, there were one
21 -- one on the junior high team.

22 MR. WOOD: Okay.

23 MR. MARRS: Two -- two on the junior high team.

24 MR. WOOD: Along with the victims of this
25 bullying. Right?

1 MR. MARRS: Yes.

2 MR. WOOD: So you allowed perpetrators to be on
3 the same team with victims? Yes or no?

4 MR. MARRS: Yes. Yes, sir.

5 MR. WOOD: And that was against school district
6 policy, wasn't it?

7 MR. MARRS: No, sir.

8 MR. WOOD: It was.

9 MR. MARRS: It was not.

10 MR. WOOD: And hang on just a second. If
11 everyone will bear with me, I apologize. I'm going
12 to pull up the page of the Quitman -- hang on just a
13 second.

14 CHAIR MOORE: Did you want to --

15 MR. WOOD: I've got it written down here.

16 CHAIR MOORE: Why don't I open the floor and see
17 if someone else wants to ask a question; you look
18 that up.

19 MR. WOOD: Fair enough.

20 DR. ARNOLD: And while you're doing research,
21 may I ask --

22 CHAIR MOORE: Yes.

23 DR. ARNOLD: -- a fundamental question that's
24 not -- well, have there been more than one law firm
25 representing you and the district in this? Was there

1 a change in law firms from the beginning to now or
2 are you still with the same firm?

3 MR. MARRS: I'm -- I'm -- I'm -- yes, sir, I'm
4 with the -- I -- none that I -- there's been no
5 changes that I know of --

6 DR. ARNOLD: Okay.

7 MR. MARRS: -- before --

8 MS. KEENER: May I ask, is the district paying
9 for your attorney fees?

10 MR. MARRS: Yes.

11 MS. KEENER: And to what price tag?

12 MR. MARRS: I haven't been made aware yet, that
13 I know. I mean, with the superintendent, my boss,
14 the school board fully supported me and --

15 MS. KEENER: And shifting funds from protecting
16 children to -- or educating children, I should say,
17 to defending you. Thank you.

18 MR. WOOD: It's school district policy six, I
19 call it school district policy. I don't exactly
20 know. It was provided to us as Quitman -- oh, shoot,
21 I don't know. Hang on. I've got to go back to the
22 table of contents. It was provided to us under the
23 title District Policies, and it is policy 6.1.A,
24 number 11. And this is with regard to Guidelines for
25 Participation in School/Extracurricular Activities.

1 Number 11 says, any student that is on court-ordered
2 probation, in-school suspension, out-of-school
3 suspension, or assigned to alternative school for
4 disciplinary reasons will not be allowed to
5 participate in any extracurricular activities, field
6 trips, or overnight activities.

7 MR. EDDINGS: Mr. Wood, may -- may I address
8 that?

9 MR. WOOD: Sure. Please.

10 MR. EDDINGS: With respect to the application of
11 this particular policy, I was asked by the
12 administration of the Quitman School District to look
13 at this policy and -- and give some guidance
14 regarding the interpretation of this policy. And
15 part of the advice --

16 MR. WOOD: When?

17 MR. EDDINGS: -- part of --

18 MR. WOOD: When?

19 MR. WOOD: It was back in -- in the summer of
20 2024. I can't recall the -- the date, but I do -- I
21 do know it was in the summer, last summer.

22 And part of the advice that I gave was that 6.1
23 and 6.1-A have to be read together. Not only that,
24 that I -- I told the administration that every policy
25 in this handbook has to be read in the manner in

1 which they can be reconciled, sort of like statutory
2 construction, as -- as you and I both are aware. We
3 have to -- to read these policies in a manner in
4 which they all make sense. Right? So going to 6.1,
5 that -- that last line there -- and -- and I lift
6 this -- this line up in particular -- it says, if a
7 student is not meeting expectations for either or
8 both -- talking about academic or behavioral
9 expectations -- may lose the privilege to participate
10 for a specific period of time, as determined by the
11 principal -- not by the football coach, but by the
12 principal. And then following that there are the
13 guidelines and -- and I think that one of the
14 guidelines that -- that -- that you're lifting up is
15 6.1.A(11), where it talks about those students who
16 are on court-ordered probations will not be allowed
17 to participate in any extracurricular activities,
18 field trips or overnight activities. It -- it -- it
19 does say what it says. But my advice to the district
20 at that time was that 6.1 and 6.1.A had to be read in
21 unison, along with several other provisions in this
22 handbook that gave the principal discretion to
23 deviate from the -- I guess the -- the discipline
24 meted out for various infractions and gave the -- the
25 administration discretion (a) whether they

1 participate, and if there's intention that they
2 didn't participate the -- the -- the time frame that
3 they -- that they were excluded from participation.
4 And I -- and I think that that's what happened in
5 this case. And Mr. Marrs can -- can -- can talk more
6 freely about that than I could.

7 MR. WOOD: Well, Mr. Eddings, I like you and
8 you're a good lawyer. I do not agree that there is a
9 inconsistency in the language between 6.1 and
10 6.A(11). 6.A(11), if I -- if I'm citing it correctly
11 -- 6.1.A(11) says that those students described will
12 not be allowed to participate. That -- that does not
13 sound to me like there is any equivocation or room
14 for a principal to decide otherwise. But
15 nonetheless, the PLSB decided that there was a
16 violation of school policy, and I agree with the
17 PLSB. I just -- I think we're here because I and
18 maybe -- maybe others disagree with regard to the
19 severity of the things that happened.

20 MR. EDDINGS: Well, I only -- I only inserted
21 myself into the conversation because I thought that I
22 could speak more directly to your questions than
23 Coach Marrs. Because Coach Marrs was not involved in
24 -- in those discussions that I had with
25 administration regarding the interpretation --

1 MR. WOOD: That -- that's fair.

2 MR. EDDINGS: -- of the policy. And he probably

3 --

4 MR. WOOD: That's fair. But he is the head
5 football coach deciding who --

6 MR. EDDINGS: Absolutely.

7 MR. WOOD: -- is on the football team.

8 MR. EDDINGS: Absolutely. I understand that.
9 But my point is, at the end of the day, I suspect
10 what happened was that the administration relied on
11 the discussions that I had and conveyed that
12 information to Coach Marrs --

13 MR. WOOD: You didn't --

14 MR. EDDINGS: -- and he did in turn rely on it.

15 MR. WOOD: You didn't advise them that they had
16 to let the perpetrator be on the football team, did
17 you?

18 MR. EDDINGS: No. No, no. I just -- the only
19 thing -- I didn't get involved in any of the -- I
20 don't know who the individuals are. The only thing
21 we talked about was what this policy meant and how
22 that policy ought to be interpreted, in particular,
23 in relation to all other policies in the -- in the
24 student handbook.

25 MR. WOOD: Okay. So at -- at worst -- at -- at

1 best, the policy allowed discretion; and at worst the
2 policy did not and said he shouldn't have been on the
3 football team. But at best, it allowed discretion
4 and you chose to let the perpetrator be on the
5 football team with the victim. In fact, you had to
6 go so far as to create a special practice schedule
7 for the victim and the perpetrator; correct?

8 MR. MARRS: The practice schedule -- yes, sir.
9 Because --

10 MR. WOOD: To accommodate him?

11 MR. MARRS: For the proba- --

12 MR. WOOD: Yeah. Because he was on probation
13 where the court had said that this perpetrator was
14 not allowed to be around the victim. And so you set
15 up a schedule that excluded the victim on certain
16 days; he wasn't -- he -- under your schedule, he
17 wasn't supposed to come to school and practice with
18 the football team because you needed the perpetrator
19 to get better at football and practice with the team;
20 is that right?

21 MR. MARRS: No, sir. Prior to the court case --
22 which I had punished those involved for the -- and in
23 terms of my -- my punishment with football and -- and
24 had moved those kids from -- to a separate locker
25 room prior to that. Just as I communicated with

1 parents that they would be -- they would be moved to
2 a different locker room. After that, with the order
3 -- like the protection order that was -- that was
4 issued from the court, we set up a rotation where
5 different people would come -- because junior high
6 and senior high, without going into it, was on a --
7 on a different rotation schedule. So, yes, sir,
8 while they were allowed, I -- I haven't kicked a kid
9 off of the football team, outside with -- with
10 someone saying it from my -- my -- my principal may
11 be telling me that I had to. I do that because
12 football is not the only thing that I teach these
13 kids. And -- and I -- if I don't have a kid and --
14 and a couple of those kids, if they don't have
15 football, they -- they might not -- they might not
16 come to school. They -- they're definitely not going
17 to keep up with their grades and -- and allow -- so
18 -- so if they're doing something like this while they
19 are -- they had a punishment through the school. We
20 turned -- we worked and -- and turned everything over
21 that we had, and they had their punishment through
22 the -- the -- the court system. And even then, they
23 were still punished from the team. They -- they're
24 -- they were -- they were not allowed to start. They
25 were -- they were put -- they were -- they did not

1 have perks of the team, but they still were where I
2 had access to them. Because oftentimes -- and you
3 guys know they're -- in education -- when this
4 happens there -- there's usually more to the story,
5 whether it's -- it's self-esteem or confidence and --
6 and things like that. And it's things that as -- as
7 a football coach who -- who is around them more than
8 a lot of -- like I want to be able to find that and
9 -- and fix that and make sure that that doesn't
10 happen again and that they don't that again and that
11 they can learn from that. Like that -- and -- and I
12 know that you have this -- this picture painted of
13 me, that I'm not like that. But -- but I can promise
14 you that I am and anybody that knows me or is in my
15 program will tell you that. And -- and -- and I'm
16 not saying -- and I'm not disingenuous to what
17 happened. I am -- I am -- I am mortified by it. And
18 I've even talked with -- with parents up until they
19 stopped communicating that -- and I tried -- I mean,
20 I -- I -- I -- I hugged their kids. I -- I
21 apologized. And while it goes through with -- with
22 -- at so many levels, because it is ultimately -- as
23 the head football coach, it is up to me. And I'm not
24 -- I'm not pushing that away. They're -- I -- if I
25 just kick a kid to the curb who has made some -- some

1 terrible mistakes and terrible decisions, they never
2 -- they don't have a chance.

3 MS. KEENER: Can I interrupt --

4 MR. MARRS: Yeah, yeah.

5 MS. KEENER: -- for just a second? Because I --
6 I hear exactly what you're saying. And I struggled
7 myself as an educator, as a parent with when to wrap
8 a kid in your arms and when to bring about some
9 really hard but appropriate consequences. I think
10 the reason you're standing here with us today is that
11 the PLSB board -- and I think you can see that
12 members of this board agree that this was a time that
13 a true consequence was necessary to -- to help these
14 kids develop; that perhaps the consequence would've
15 said more to them than you're on the team. My fear,
16 and one of the reasons that this was pulled, is
17 similarly there's a stream -- and I don't have a
18 picture painted of you. I've only listened to you;
19 I've read what was handed to me. But there are some
20 things that you've said that are concerning that
21 perhaps this consequence, this probation is not
22 speaking to you in the same way that a lack of
23 consequence didn't speak to those children.

24 You mentioned that you have a great football
25 culture. I think we all know that it's -- it's not

1 great or we wouldn't be standing here, that there's
2 more work to be done.

3 You mentioned that when that one incident
4 happened two years ago it was just a singular
5 incident and that your locker room policies were
6 great, that you told the kids where to hang their
7 helmets. But if that one incident occurred, that was
8 your first red flag to say, hmm, I've got to look at
9 the supervision; something is not right; there's more
10 happening than we know about. And it's clear that
11 didn't happen, that it was looked at as an isolated
12 incident to where it built, and we're standing here
13 now. When this came about, the locker room policies,
14 it's clear -- I don't think your comment that they're
15 great tells me you have not taken a true look at
16 them, a true introspective look at what you could've
17 done differently to protect these kids.

18 So I'm coming down to the conclusion that
19 perhaps an elevated consequence might speak to you
20 and your district and your principal who I believe
21 went against policy, despite the interpretation of
22 your lawyer, to say when there is a red flag we have
23 to stop and reflect and not ignore and move on and
24 assume that won't happen again.

25 MR. MARRS: Yes. Yes, ma'am. And -- and just

1 to speak to that, when that did happen changes were
2 made. That was a period when we had 7th grade only.
3 And then, prior to this year was the first time that
4 we had to put 7, 8 and 9 all in the same period.

5 MS. KEENER: All right.

6 MR. MARRS: So we -- we -- we did make changes.
7 A lot of those changes, as far as where they put
8 their bags and stuff like that to keep things from --
9 from me were -- were not feasible once we had 7, 8
10 and 9. And that -- in that timeframe, when they went
11 from the afternoon to the morning, where they'd
12 already been at school, to where like, you know, now
13 they'd come in and staggered in with car riders.
14 There's a 25-minute window where kids were staggering
15 in depending on their bus routes and things like that
16 with junior high. So I -- I do -- I do take it very
17 seriously. I -- I can promise you that. I -- I have
18 -- I have -- I didn't need the probation to -- to
19 make me take a step back and -- and -- and realize
20 that -- when I say we had a great culture, I -- I'm
21 not -- I'm not saying that it was perfect. I -- I'm
22 not -- I'm not saying that. There's -- there's
23 certain classes that are different and -- and -- and
24 there are areas that -- that need to be worked on.
25 And when I found out about this on May 10th, like, I

1 -- I started to work on that. But -- but no one had
2 come to me or any of my assistants or even their
3 parents prior to this to let that be known about this
4 group of kids who -- the -- the -- the core of it is
5 -- is no longer in our program. And -- and to speak
6 to the punishment that -- that I applied to them,
7 they were still on the team where I had access to
8 them. But -- but to not get the -- the gear, to not
9 be in the locker room, to have to dress at a
10 different facility across -- and -- and that was
11 something that was going to follow them all the way
12 through high school. That was not something that I
13 just put in for this one year. So -- so I did put a
14 very serious consequence to -- to take things away
15 from them, to -- to try to encourage that change and
16 then still allow me to have access to them as well.

17 MS. KEENER: When you separated the -- or
18 staggered or -- or however the wording was, for
19 practices, which of the parties were in isolation and
20 away from the team? Was it the perpetrators or the
21 victims?

22 MR. MARRS: The perpetrators.

23 MS. KEENER: So it was my understanding that a
24 separate away-from-the-team practice was created
25 isolating those that did no harm?

1 MS. MARRS: No, ma'am. That was an extra time
2 that I stayed on days where they might miss, like --
3 as we had a rotation set in place and we -- I'd gone
4 over that. The -- any time that wasn't offered to
5 the perpetrators where they missed the sprints and
6 lifts, in that practice -- we -- we finish at 10:00;
7 they could come in at 10:00, once there was like --
8 and they could work with me and -- and -- and their
9 position coach and kind of -- and -- and never really
10 have to miss and get that made-up while we were
11 following that protection.

12 MS. KEENER: Well --- and my other concern with
13 probation being the consequence here is while the
14 matrix of each is probation or -- or, you know, the
15 defined consequence, when you have a multitude of
16 offenses -- failure to report, failure to supervise,
17 not following policy -- you know, one after the
18 other, at some point the cumulative effect of that
19 many should lead to a more severe consequence. And
20 that's sort of where I'm falling right now. I'm just
21 shocked at the string of decisions that were made
22 that failed these kids.

23 CHAIR MOORE: Mr. Bragg, questions?

24 MR. BRAGG: Yes.

25 I've got a question about the policy, the

1 dressing room policy. So it's stated that there's a
2 policy that you would not be in the -- in the
3 dressing room. Is that a written or is that just a
4 procedure that over the years that was developed or
5 -- why was -- what's the reasoning behind that?

6 MR. MARRS: We had an issue with, I guess, a
7 district down the road where a -- a principal was
8 sitting in the locker room and was accused of looking
9 at children while they changed and showered. And --
10 and we were just told that while that -- that was
11 happening and -- and kids would be changing to not
12 be, like, present at that moment.

13 MR. BRAGG: Do you think that would change now
14 or do you see a need for a change in that policy?

15 MR. MARRS: Well, I -- I think the way that we
16 have made changes as far as the amount of kids that
17 are in there and the -- and the ways that we send
18 them and the time limits and -- and -- and cutting
19 some of that time down where we hold them before, so
20 there's not as much staggering in. We always know
21 how many kids are there and what kids are there. I
22 -- I think still allows, like, assistant coaches to
23 be protected or me from being in there and -- and
24 still making sure that, you know, there's not a lot
25 of clutter and noise in lockers. There's -- there's

1 fewer kids, so we are closely monitoring a fewer
2 amount of kids in an area. And especially we know
3 their locker number and where their lockers are so
4 you don't have a group of kids in a corner; it's more
5 spread out. So I don't know. I'm not -- I don't get
6 as far as the -- the school's policy changing on
7 that, you know, I -- I think we've -- we've made
8 adjustments but I'm not -- you know, I don't -- that
9 wouldn't be my call.

10 MR. BRAGG: There's also a question about
11 location of your office, what you can hear from the
12 locker room. I mean, are you able to hear a
13 commotion or --

14 MR. MARRS: Yes.

15 MR. BRAGG: -- disturbances or --

16 MR. MARRS: Yes, sir. The door is -- is -- is
17 bolted open. But we also -- even with our office
18 where we have -- we have a -- a team meeting room in
19 between that also houses the locker room and our
20 equipment room connects to that. So we always -- I
21 mean, even now we have coaches there, or even at the
22 -- like, at the film room, right there immediately at
23 the door where they walk in.

24 MR. BRAGG: But nobody heard anything about the
25 incident that happened on May 10th.

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

2 MR. BRAGG: Okay.

3 CHAIR MOORE: Mr. Henderson.

4 MR. HENDERSON: How does your coaching staff
5 look? Are you fully full or are you short on staff
6 members to help, you know, oppose the situation?

7 MR. MARRS: Yeah. We -- we have -- we have a
8 full staff. We have four assistants that are onsite.
9 And -- and then one of our coaches, he drives a bus,
10 so he comes in, you know, a little bit later. But
11 for the most part we have our -- our -- the staff
12 that we have is there. Yes, sir.

13 MR. HENDERSON: Okay. As far as your staff, did
14 any of them hear of any of these incidents, as well?

15 MR. MARRS: No, sir. And they were -- they were
16 interviewed multiple times by all four DHS counties
17 and all the investigations that have been done and --
18 I mean, and even by me when we first found out about
19 it. And -- and no -- no one knew anything.

20 MR. HENDERSON: Thank you.

21 CHAIR MOORE: Ms. Rollins.

22 MS. ROLLINS: So how many students are in the
23 locker room, then, at any given time? What -- what
24 is -- I've not obviously been in a locker room.

25 MR. MARRS: Yes, ma'am. At -- at this time,

1 like I said, they stagger in, depending when their
2 buses -- you know, because some ride buses and some
3 are car-riders, so they would get dropped off. So it
4 would -- it would -- it would vary, depending on the
5 times. But if -- if -- on the team there were 43, 7
6 through 12 -- or 7 through 9 -- 7, 8 and 9; so I mean
7 at times I would say there -- there probably could
8 have been, you know, 15 -- 15 to 20, 25, right about
9 that 7:30 mark when several buses get there.

10 MS. ROLLINS: And there's no adult supervision
11 then in the locker room?

12 MR. MARRS: Not inside the locker room. No,
13 ma'am. Like I said, we have coaches who -- like, one
14 coach will be on the field as kids were going out;
15 you know, we would have one coach in the -- the film
16 room, the meeting room there; and then, you know,
17 coaches -- we would take their laundry in and out,
18 like, push that to the door. So, I mean, there's --
19 there's -- there's a moving -- there's a moving
20 rotation of coaches, and then also the timer letting
21 them know how much time until practice to make sure
22 we're out there, and we would give whistles at
23 ten-minute, 5-minute calls for the kids who came in.
24 So it was just -- I mean, we had several coaches --

25 MS. ROLLINS: Always --

1 MR. MARRS: I would say two to three in that --

2 MS. ROLLINS: Always in that area when students
3 are there?

4 MR. MARRS: Yes, ma'am.

5 MS. ROLLINS: Did that change after this
6 incident?

7 MR. MARRS: Yes, ma'am. We have groups that go.
8 We -- we -- there is no staggering to come in; they
9 go straight to the film room, our meeting room, and
10 sit down. And then we send them in waves. And we
11 start with the older kids and -- and -- and work our
12 way down and send them in waves and give them time --
13 time limits. So -- and it's a very short amount of
14 time, so they will get in, get out. Like I said,
15 when -- when you have that many kids in a locker room
16 with football pads and helmets, those lockers are
17 metal and they slam their equipment; like, there --
18 there's a lot of noise. So just to make sure that,
19 you know, it -- even if it's something remotely
20 low-key, like that we have -- we have a coach right
21 there at the door almost -- you know, like I said,
22 there -- I wish I had a diagram. But it goes in and
23 kind of, you know, makes a little right-hand turn and
24 there are kids right there. We have a coach right
25 there before they go in. So, you know -- and we

1 monitor with smaller groups.

2 MS. ROLLINS: Uh-huh. Who helped you devise the
3 plan after this incident?

4 MR. MARRS: Mr. Stacks.

5 MS. ROLLINS: And who is that?

6 MR. MARRS: My athletic director and principal.

7 MS. ROLLINS: Okay. And principal. I think my
8 concern is I'm sitting here wondering where is the
9 principal? Where's the superintendent? Where is the
10 support for you and this team when all this has
11 happened? Was there a new safety plan that occurred?
12 What?

13 MR. MARRS: Are you talking about prior to
14 finding out about this?

15 MS. ROLLINS: No. After it --

16 DR. ARNOLD: No.

17 MS. ROLLINS: -- happened.

18 MR. MARRS: Oh.

19 MS. ROLLINS: After the May 10th, I'd like to
20 hear where the support for you was to developing --

21 DR. ARNOLD: To help you build an infrastructure
22 to protect the kids.

23 MR. MARRS: Yeah. No. Mr. Stacks was fully --
24 fully involved in that, as far as creating the -- the
25 ways and -- and identifying, you know -- because he

1 also helped me as we were interviewing the kids to --
2 even to find out, you know, when this occurred; and
3 -- and then setting up the -- putting them all in the
4 film room and -- and then sending them in waves.
5 Like, that was something me and Mr. Stacks sat down.
6 And -- and we even, you know, again, we reached out
7 to other schools and -- and seen some things -- you
8 know, tried to get ideas as far as -- as what -- what
9 they did, larger schools, as we're growing. You
10 know, we've normally been in the low 20s in junior
11 high; and then you go to the 40s.

12 MS. ROLLINS: Sure.

13 MR. MARRS: So -- so -- so we tried to reach out
14 to some bigger schools that as -- as we grow and --
15 and try to find ideas to -- to make it more efficient
16 and keep -- keep kids safe and make sure that, you
17 know, again, something like this never happens.

18 MS. ROLLINS: What did you do before this job,
19 before 2010, is it?

20 MR. MARRS: I was in college. I -- I --

21 MS. ROLLINS: Okay.

22 MR. MARRS: Yes, ma'am.

23 MS. ROLLINS: So this is your first job?

24 MR. MARRS: I worked at -- I worked in Pulaski
25 County Special School District until 2017 -- from

1 2010 to 2017.

2 MS. ROLLINS: Okay. Were you a football coach
3 there, as well?

4 MR. MARRS: Yes, ma'am.

5 MS. ROLLINS: Okay.

6 DR. ARNOLD: Coach Marrs, could you comment on
7 the testimony that was shared that in your leadership
8 tool kit would be retaliation or humiliation, can you
9 respond to those accusations?

10 MR. MARRS: Yeah. I -- I never -- I never
11 retaliated. The allegations that -- that you're
12 referring to that were in there -- when I talked
13 about the way that we see kids, we -- we send kids
14 like -- like we send kids in waves; and I always
15 started with 9th grade and worked our way down to
16 7th. That was just -- it also helped them stagger,
17 because they go to breakfast after that. So I -- I
18 think there was one allegation that I -- I punished a
19 kid by making sure that they were late. But we have
20 had multiple instances where either practice might've
21 went long or something, something could've happened,
22 and I email teachers. I check tardy reports through
23 our dean of students who runs those, to make sure our
24 kids are getting to class on time. So that -- that
25 -- that just wasn't true. It was just the way that

1 we started with -- and then we did kids who took
2 showers, because some didn't take showers; some would
3 change clothes. And so we try to send those kids in
4 first so they're in and they're out. You know, and
5 then some of it had to do with the locker number that
6 they were in, so we knew where they were in the
7 locker room. So -- so that --

8 As far as -- you know, we had one instance where
9 there was -- there was a confusion with the schedule
10 and, you know, a kid showed up on a certain day. So,
11 you know, we didn't want them crossing paths. It was
12 a senior high and a junior high who were, you know,
13 on opposite ends of the schedule, but they would've
14 been crossing paths at that time. So, you know, we
15 had an issue there. But if anything, we offered more
16 opportunities because any time there was a missed day
17 they could always come after-hours with me to -- just
18 to be able to make up that one-on-one time where,
19 number one, I could -- I -- I could kind of talk to
20 them and feel them out and then make sure things were
21 good. And then let them sprint and let them get --
22 get their lift and not really miss out. Whereas, the
23 perpetrators are obviously missing out.

24 CHAIR MOORE: Ms. Hunter.

25 MS. HUNTER: Yes. So I don't fully understand

1 all of the logistical changes that you made, but it
2 seems pretty involved and sounds like a number of you
3 thought it out. But my question is more around, did
4 your messaging to your team change after this? And
5 beyond that, did the messaging to the students as a
6 whole -- I mean, because this has -- I'm sure, has
7 tremendous ripple effect through the whole student
8 body and into the community. So can you talk about
9 how that might've changed, how you encourage students
10 to talk to one another and treat one another?

11 MR. MARRS: Yes. Yes, ma'am. And we -- we --
12 we went through a lot of -- this was also something
13 that I, you know, even consulted with other -- other
14 coaches and -- and did things, even -- actually, the
15 best -- one of the best ideas that I got was from a
16 -- from a parent, you know, and how we -- we -- you
17 can have rules for this; if you do this, you're
18 punished for this. But, you know, really talking
19 about from the other side of how it makes a kid feel
20 who might -- you know, who -- who might get bullied,
21 or even just their opportunity to lead those kids.
22 And -- and since then, we started programs where we
23 have kids that -- that we -- they write down their
24 goals and their -- their spiritual, their personal,
25 and then we pair them with a kid -- an older kid and

1 a younger kid together, to talk about how they can
2 support each other in that. That -- that was one
3 thing that we adopted and -- and we're doing it right
4 now this summer to -- to try to connect that and make
5 them feel closer, to make -- so like I said, being at
6 a -- at a smaller school, we do have some times where
7 we have junior high and senior high together for some
8 summer things. They're -- they're never all in the
9 same location. But we bring them in and try to
10 connect that gap 7 to 12 and let some of our older
11 kids who are great kids, who do things right, who've
12 been in the program and -- and understand, and be an
13 example to some of those younger kids. Because one
14 of my fears was that since -- since this happened and
15 I realize the risk of taking a kid who has committed
16 these acts, and allowing them to stay in the program,
17 there is a risk that they could leave a mark on the
18 program. So that was part of the reason for removing
19 them from any positive activities, moving them from
20 the -- taking them from the weight room to where, you
21 know, the time that they have is on the field and
22 then with us and try -- and try to build that up and
23 change it. So I want to make sure that it's stopped
24 with them and it wasn't something that repeated it
25 and became a norm because that's a risk I realize

1 that I was taking by letting these certain kids back
2 into the program. I -- I -- I fully realize that,
3 and I feel like me and my staff and along with Mr.
4 Stacks have done a good job of spending a lot more
5 time and a lot more focus on that. I even said
6 throughout my last interview that, like, we're going
7 to -- we're going to shave ten to 15 minutes off of
8 practice every single day, not only to make sure we
9 can be more efficient in and out of the locker room,
10 but to -- but to also make sure that we can speak to
11 these things and that they could hear not just me,
12 but my assistant coaches and -- and -- and even some
13 kids who have already graduated talk about the
14 importance of just the safety and how we treat -- and
15 the legacy that we leave. And -- and I tried to -- I
16 probably -- I -- I felt like I did that, but I -- I
17 don't think -- I didn't do a great enough job. I --
18 I -- you know, and then I feel like -- when I say I
19 wasn't responsible, I did not mean it as -- I just
20 can't -- if I can't be there with them, with my eye
21 and my thumb on them, like, there are going to be
22 kids who -- who -- who go -- and -- and I always take
23 responsibility for, and it hurts me. I lose a lot of
24 sleep over these kids. And if you think it's because
25 I want to win football games, that's not it.

1 Honestly, I didn't win that many football games. I
2 haven't. I don't -- I don't hang my hat on wins and
3 losses. Did I when I was younger? Sure. But -- but
4 my -- my biggest pride is -- like hopefully a lot of
5 coaches say it is -- is that the kids would come away
6 -- and if I can take a kid who makes a terrible
7 decision as a 9th grader and -- and in some way that
8 never happens again, and they can come back and walk
9 down the sideline -- or maybe they don't even play
10 football anymore, but maybe they've learned some
11 lessons and they've moved on and they come back with
12 their wife and their kids, like, I know it's a
13 coaching cliché but honestly, that's -- that's where
14 I'm at, not -- I have a 7th grade son who's in that
15 locker room. So, like, I -- I under- -- I understand
16 that you -- where parents come from with that, and --
17 and I don't ever want parents to not trust me with
18 their kids. And even through all of this, I felt
19 like the changes that we made, some of the -- of the
20 -- the kids who were victims stayed in our program
21 throughout -- like, stayed with us. And I took a
22 little pride in that, that we're -- we're going --
23 we're going to do a good job to make sure this kid
24 goes through and plays football and -- and is safe
25 and has a positive experience to where we can --

1 again, this doesn't become the norm. But at the same
2 time, this doesn't become something that even labels
3 them. And -- and -- and I -- and I -- I mean, that's
4 -- that's -- that's just -- that's probably the
5 biggest changes that -- that we have tried to push to
6 make.

7 MS. HUNTER: So just to follow on that, I mean,
8 so you -- you -- you thought in your judgment that it
9 was a better messaging to the victims, the student
10 body, the whole community to keep the perpetrators in
11 the program and not have them suffer consequences?

12 MR. MARRS: They -- they suffered consequences.

13 MS. HUNTER: Well -- but --

14 MR. MARRS: As far as they -- they -- not being
15 -- like I said, not being in the locker -- not having
16 any benefits of the team, other than practice and
17 work. I mean, like one of the kids that -- that --
18 that came back -- because some did not -- they were
19 not -- they weren't -- I mean, for the first several
20 weeks didn't play. They -- there was -- and -- and
21 -- and talent, whatever, the message was sent to the
22 team that if you don't want to have the gear that the
23 team has and you don't want to have that -- the --
24 the locker room ability and the nice locker and the
25 ability to compete for a spot to -- to play, you're

1 -- meanwhile, the victims that were on the team
2 played every single Thursday night and started. So
3 it wasn't -- there wasn't punishment with playing
4 time, other than to the perpetrators and that was --
5 again, the benefits that you get from being from a
6 team were taken away from them. They were on the
7 team so that I could have access to them.

8 MR. WOOD: I'm going to have to interrupt and --
9 and let the record reflect that we have some shocked
10 looks on some mothers' faces at your statement that
11 the victims got to play every Thursday night.

12 MR. MARRS: They --

13 MR. WOOD: Well, there's at least a protest to
14 that statement. Whether --

15 MR. MARRS: Well, we had -- we had --

16 MR. WOOD: I don't know who's telling the truth.

17 MR. MARRS: -- film from the games. I mean --

18 MR. WOOD: Well, it's not in the record, so I
19 don't know that that's --

20 MS. KEENER: Regardless --

21 MR. WOOD: -- substantiated.

22 MS. KEENER: -- their play time should have
23 never been at risk, so that's a moot point. I think
24 our point, collectively, what we're trying to say is,
25 my gosh, what would it have taken for any child to

1 forfeit their own privilege to play this game?
2 Because that's what happened. They made decisions
3 and they gave up that right by policy, by court
4 order. And I am so sorry that your leadership failed
5 you in their guidance. Because they -- we're telling
6 you we fully believe allowing those children to join
7 on the field, less than a quarter of a year after
8 such appalling incidents occurred, was not a strong
9 enough consequence and it sent the wrong message to
10 those boys, to the victims, to the entire community,
11 bottom line. Again, I don't know what it would've
12 taken. Okay.

13 CHAIR MOORE: I know Ms. Woods --

14 MS. WOODS: Can I make a comment? And I may ask
15 even Ms. James or the investigator -- if you could
16 swear her in.

17 This was a failure but it was not all you.
18 Unfortunately, you're the one here today that we have
19 to talk about, but every level at Quitman has a
20 responsibility in this. We have the matrix here that
21 we go through. I understand where probation came
22 from because the failure to report, all of the
23 district policy failures, those are all in the
24 probation category. But on our back page we have the
25 potential mitigating and aggravating factors that we

1 have to consider. And in the aggravating side, we
2 have to consider was there severe -- was there a
3 moderate to severe level of negative impact on the
4 students? Yes. We had a whole law created around
5 locker rooms because of this incident. We have
6 mothers who stood here in November and sat through
7 our entire days' worth of meetings that did not apply
8 to them so that they could have three minutes to get
9 nine people's attention because nobody at their
10 school was paying attention. We're having to talk
11 about: is there evidence of prior similar behavior?
12 I believe Mr. Wood confirmed there was. Do the
13 actions constitute child maltreatment? No. Was a
14 criminal offense involved? Yes. Did it have a
15 severe impact on community? Yes. Did it have a
16 severe level of impact on the district funds? Not
17 necessarily. Was there multiple violations and did
18 they occur over a period of years?

19 The majority of these aggravating factors are
20 yes. And so we have to sit here and struggle with is
21 probation -- two years, five years, ten years -- I
22 don't know -- appropriate. And so that's my comment.
23 I just want you to understand where we're sitting
24 here is not to just rail on you and say you're a
25 terrible person and you did a bad job. But we have

1 been appointed to this board to uphold standards.
2 And for somebody who's been teaching since 2010, and
3 coaching, I would've assumed there would've been a
4 different outcome. Because to Ms. Keener's point,
5 what did a kid have to do for you to be like, you're
6 not on the team this year; you will come to practice,
7 you will sit here and you will learn something from
8 that.

9 So, that's my comment. I -- oh, I was going to
10 ask Ms. James. Could we talk to the investigator or
11 is there a way that we can get an assessment of like
12 why they landed on probation and didn't escalate it?
13 I don't know who is the appropriate person to ask
14 that.

15 MS. JAMES: Everything that the Ethics
16 Subcommittee considered is spelled out in rationale.

17 MS. WOODS: In the rationale.

18 MS. JAMES: Yes, ma'am. You probably knew I was
19 going to say that.

20 MS. WOODS: Yes, I did.

21 MS. JAMES: Yes, ma'am. Our job is just to put
22 everything together. And we did have a quorum that
23 day. We had all five members --

24 MS. WOODS: Okay.

25 MS. JAMES: -- of our -- well, we always have a

1 quorum. But we had a full --

2 MS. WOODS: Panel.

3 MS. JAMES: -- subcommittee that day that --
4 that reviewed this and spent quite a bit of time. Of
5 course, you're free to do whatever you feel is -- is
6 best. But, yes, ma'am, all of the mitigators and
7 aggravators are spelled out in -- in the rationale.
8 Yes, ma'am.

9 MS. WOODS: Okay.

10 MS. KEENER: May -- oh, sorry. Go ahead.

11 MS. WOODS: No. I was just going to say, do
12 they ever typically go above the matrix?

13 MS. JAMES: If there are enough aggravating
14 factors, they do. I will tell you we have never had
15 a case -- all cases are different. We've never had a
16 case with -- that -- since I've been with the PLSB
17 that is this exact fact scenario. And I think the
18 reason that they went with probation because -- it
19 was because of all of the mitigators. So they were
20 kind of balancing -- balancing that out. But
21 everything is in the rationale. Yes, ma'am.

22 MS. WOODS: Okay.

23 MS. KEENER: May I --

24 CHAIR MOORE: Ms. James, do you mind to stay? I
25 think there might be other questions I have --

1 MS. JAMES: Sure.

2 CHAIR MOORE: -- for you.

3 Ms. Keener.

4 MS. KEENER: Yeah, I just had one quick
5 question. I understand as we dig into these cases
6 and dig into the PLSB process and that kind of thing,
7 the members of the subcommittee, was -- was it the
8 people that were appointed or was it their proxies?
9 Because they are allowed to name a proxy; correct?

10 MS. JAMES: It -- the members of the Ethics
11 Subcommittee are all members of our full board which
12 are approved by the State Board. Does that make
13 sense? I'm not under- -- I don't understand --

14 MS. KEENER: Yeah.

15 MS. JAMES: -- the proxy question.

16 MS. KEENER: Well, yeah. I guess that -- and I
17 may be --

18 CHAIR MOORE: Well -- and I'll jump in.

19 MS. KEENER: Yeah.

20 CHAIR MOORE: Is there -- so this case only went
21 through the one process?

22 MS. JAMES: Ethics Subcommittee. Those are all
23 full board members. Yes, ma'am.

24 CHAIR MOORE: Yes. So to go -- so sometimes you
25 go through two processes?

1 MS. JAMES: Yes, ma'am.

2 CHAIR MOORE: The second process is called?

3 MS. JAMES: The evidentiary hearing.

4 CHAIR MOORE: Evidentiary hearing. That did not
5 occur --

6 MS. JAMES: Yes. Yes, ma'am. I thought I
7 understood.

8 CHAIR MOORE: Okay. That did not occur here?

9 MS. JAMES: No, ma'am. No, ma'am.

10 CHAIR MOORE: What triggers the evidentiary
11 hearing?

12 MS. JAMES: The educator would have to request
13 an evidentiary hearing. And in this case he accepted
14 the recommended sanction, so we went straight to
15 consent.

16 CHAIR MOORE: Okay.

17 MS. JAMES: Yes, ma'am.

18 CHAIR MOORE: So there's that. When you have
19 the full board and five individuals, is it just the
20 five individuals who are most available at that time?

21 MS. JAMES: No, ma'am. It is a group of five
22 that the full board elects.

23 CHAIR MOORE: Selects? Okay.

24 MS. JAMES: We have to have two administrators,
25 two classroom teachers, and one from some other

1 representation, which we have a dean of a higher
2 education program.

3 CHAIR MOORE: Okay.

4 MS. JAMES: Yes.

5 CHAIR MOORE: The sanctioning guidelines, those
6 are not law; correct?

7 MS. JAMES: They are promulgated as part of the
8 rules. Yes, ma'am.

9 CHAIR MOORE: So they're part of the rules that
10 we approved at some point in time?

11 MS. JAMES: Yes, ma'am.

12 CHAIR MOORE: But they're not in law?

13 MS. JAMES: They would have the same effect
14 because they're part of the rules. However, they are
15 guidelines.

16 CHAIR MOORE: Okay. Yes.

17 Okay. Does anyone else on the board have
18 questions of Ms. James or Ms. Banker, the
19 investigator?

20 (NO RESPONSE)

21 CHAIR MOORE: Okay. Thank you.

22 MS. JAMES: Yes, ma'am.

23 CHAIR MOORE: Board Members, are there questions
24 or comments at this point in time?

25 MR. WOOD: I -- I do have some more that I'd

1 like to bring up.

2 Specifically, in -- a little while ago, you said
3 that the investigation that was done by the attorney
4 hired by the school district to investigate all of
5 this did not find anything with regard to anyone
6 actually shooting the Orbeez guns. But her report
7 says that Student C said there had been players
8 holding others down, humping them, hitting them in
9 the legs with a whip and shooting gel blasters at
10 them. That's according to her report, that she found
11 that Student C said that he had been shot with an
12 Orbeez gun.

13 I also am frustrated at your response, not just
14 -- not just the culture that existed prior to May
15 10th; not just the response with regard to these
16 victims and these perpetrators in the wake of May
17 10th. But then when the moms came here to complain,
18 because in their opinion they were not heard by the
19 local school district, your response to that was to
20 sue the moms for defamation. And I find that
21 entirely inappropriate for moms to come here and --
22 and explain all of the bad things that happened, and
23 you might disagree with this or that, or you might
24 say that this one thing was slightly embellished or
25 this or that. But I believe that there are other

1 instances, as the record alludes to -- and I don't
2 have the specific page number -- but the record
3 alludes to other parents that did not want to come
4 forward and tell the story of what was happening to
5 their kids in Quitman. And I believe that this
6 lawsuit against the moms, which you've now dismissed
7 -- you got a warning from the judge that this case
8 was in trouble and you voluntarily dismissed it, but
9 with the right to refile it against them later. I
10 believe that this was an effort to make sure that
11 everybody else kept their mouth shut; don't come
12 forward and talk about these things, I'll sue you
13 too. I think that the culture in this football
14 program was -- has been terrible for years and is
15 really bad, even in the wake of some very heinous
16 things coming to light. And, Mr. Marrs, I -- I -- I
17 personally can -- cannot imagine how we would
18 continue to allow you to be a teacher in -- in an
19 Arkansas public school, given this record in front of
20 us that has been going on for years and what has
21 happened since then. I am just one of nine, but I --
22 I would support a revocation of the license based on
23 what we have in front of us.

24 CHAIR MOORE: Board Members, questions of either
25 party?

1 (NO RESPONSE)

2 CHAIR MOORE: Additional comments, to my right?

3 (NO RESPONSE)

4 CHAIR MOORE: To my left? Mr. Bragg.

5 MR. BRAGG: I struggle with this, too. I mean,
6 I've -- I read all the information. There have been
7 extensive investigations. I kind of look at it
8 almost like a -- a replay of an umpire calling
9 somebody out at first base, the other coach objects,
10 wants a replay. There has to be a -- a good bit of
11 evidence to overturn the original call, and to me the
12 PLSB has done an investigation, outside
13 investigations, internal investigations. I know this
14 is an extremely emotional issue. Something bad
15 happened. There were some fall downs in the system.
16 But I don't know that a revocation -- revocation of
17 -- of a license is -- is necessarily justified. I --
18 I don't know if probation is -- is enough, but I
19 don't know that anything past that is going to make
20 Mr. Marrs a better coach or a better person. I just
21 don't know that ending a -- a career -- what happened
22 because there's other people involved. That's some
23 institutional issues, I think. Part of it was the
24 policy, to me, about the -- the locker room, you
25 know, not being visited. You know, I think that's a

1 fall-down and you -- you have accepted
2 responsibility. There were steps taken, you know, to
3 address the individuals. There can be some
4 disagreement on -- on how severe those steps were.
5 But I -- I just don't know that revocation of license
6 is -- is justified in this -- this instance.

7 CHAIR MOORE: Ms. Hunter.

8 MS. HUNTER: So, Mr. Bragg, I would agree with
9 you. I'm not sure that revocation is the answer
10 here. I think that there is -- to Ms. Woods' point,
11 there is a failure kind of up and down the ranks here
12 and it's not all on you. In the same way that you
13 went through the mitigating factors, you know, there
14 are -- I'm sorry -- the aggravating factors -- you
15 know, I'm reading back through the mitigating factors
16 and there are few, if any, mitigating factors. So I
17 -- you know, I'm not sure, you know, how the
18 conclusion of probation came, but there is middle
19 ground between revocation and probation, and that is
20 suspension. So I think that is -- that's what is --
21 is going through my mind right now, and I would
22 encourage the rest of my colleagues here to, you
23 know, think about that and, you know, what would be
24 an appropriate time frame. But I -- I do think that
25 there is -- I think the most important message here

1 is the failure up and down -- up and down the ranks
2 in that -- in that school district.

3 DR. ARNOLD: Yeah. To -- to underscore that, as
4 a former school superintendent, you know, I just have
5 to cast out images in my head of how all this looked.
6 But truly, there's dysfunction in the district,
7 whether it's superintendent, principal, athletic
8 director, coaching staff. I mean, there's just this
9 us/them mentality and circle the wagons, rely on the
10 passage of time, downplay, color the story. It's
11 just not full extreme ownership. And I think those
12 two words alone in the -- from the beginning, I know
13 what the attorney said, that you're willing to take
14 responsibility. But it's been muted quite a bit by
15 the pushback or the -- the -- the opposing arguments
16 that -- I don't think there is extreme ownership.
17 And that's what I think we'd like to get the
18 district's attention to say -- not making you the
19 scapegoat necessarily because of their involvement in
20 this as well. But to say, Hey, everybody, wake up,
21 this isn't how you do school; this isn't how you do
22 football. I -- I know I was amused by the fact that
23 you even said, well, when the kid's at school, it's
24 not my job. Well, the fieldhouse is part of the
25 school. I mean, I'm always fighting this with

1 coaches, to say, you know, you're not a silo, you're
2 not independent of the school; you are the school and
3 you need to be leading the school. And so this
4 compartmentalization wasn't in your favor as well.

5 So I know you've been scolded enough, but, man,
6 this is a bad situation that could've been repaired
7 or made not so bad a lot sooner.

8 CHAIR MOORE: Okay. I'm going to ask Ms. James
9 to come up. Thank you.

10 And can you walk us through -- we've done this
11 before, but there's three different motions, to make
12 sure board members remember what this looks like.

13 MS. JAMES: There -- there should be three
14 motions. The first one is whether there was a
15 violation of the Code of Ethics, and which standards
16 are part of the motion.

17 The second one is the sanction, whether the
18 State Board wants to uphold the recommended sanction
19 or modify it, and, if so, what that would be. Just a
20 reminder that with suspension -- if that's the way
21 you chose to go -- typically with PLSB there's a
22 probationary period following that, but however you'd
23 like to proceed.

24 The third motion is the rationale. The Ethics
25 Subcommittee had a very detailed rationale if you

1 want to adopt that and remove some things or add some
2 things, that might be the best way to -- to handle
3 that.

4 But those are the three motions.

5 CHAIR MOORE: Thank you.

6 Board Members, as you think about that, any
7 additional questions or comments that come to mind,
8 anyone?

9 MS. WOODS: Well, I mean, I'll move to -- motion
10 that there was a violation of the Code of Ethics. We
11 can do that part.

12 CHAIR MOORE: Which -- which standards?

13 MS. WOODS: 1, 2 and 3. Sorry.

14 CHAIR MOORE: Number 7 was also listed by PLSB.

15 MS. WOODS: Yes. All of those, yes. Thank you.

16 MR. WOOD: They actually found not a
17 preponderance on that one --

18 MS. JAMES: Correct.

19 MR. WOOD: -- from the --

20 CHAIR MOORE: Right. Okay. Sorry.

21 MS. WOODS: 1A, 1B -- 1A was confirmed, 2A was
22 confirmed, and 2B --

23 CHAIR MOORE: And --

24 MS. WOODS: -- and then 3A, and then some were
25 not. So I'm going to move to find that the Code of

1 Ethics was violated as to standards 1A, 2A, 2B and
2 3A.

3 CHAIR MOORE: Okay. So there's a motion by Ms.
4 Woods that there is a violation of the Code of
5 Ethics. Is there a second to that?

6 DR. ARNOLD: Second.

7 CHAIR MOORE: Any questions or comments?

8 (NO RESPONSE)

9 CHAIR MOORE: Okay. All in favor say aye.

10 (UNANIMOUS CHORUS OF AYES)

11 CHAIR MOORE: Any opposed?

12 Okay. The motion passes.

13 Motion number two is in regard to the sanction.
14 Any questions or comments before that I'll welcome
15 here too.

16 MS. WOODS: I just want to make sure. So we
17 have probation, a written reprimand, suspension and
18 then -- and revocation are the four possibilities?

19 MS. JAMES: Yes, ma'am. And with -- with the
20 sanction, the Ethics Subcommittee recommended a
21 number of quarterly reports and reflections,
22 training, so if when you're making your motion, you
23 would include that and the fine that way nothing gets
24 lost.

25 MS. WOODS: Sure.

1 MR. WOOD: I have -- I have a question. Is it
2 -- is it possible to -- I'm not even -- I don't even
3 know where I am on this issue. I -- I really
4 struggle with this. But is it possible to simply
5 take away his ability to be a coach but allow him to
6 continue to be a teacher?

7 MS. JAMES: No, sir. Not at this time.

8 MS. KEENER: With -- I have a question for you,
9 as well.

10 MS. JAMES: Yes, ma'am.

11 MS. KEENER: Suppose we -- with probation, to
12 whom is he accountable? So who could say he violated
13 the probation, who could say he crossed a line prior
14 to it ever coming to PLSB?

15 MS. JAMES: If -- well, the -- the probation is
16 actually enforced and monitored by us. So it
17 wouldn't -- there wouldn't be anything that the
18 district -- the district would have to provide the
19 quarterly reports to you, and you would have to
20 accept those, and he would remain on probation until
21 every single piece is met, and all of the reports
22 have been approved. If there were anything else
23 filed, then the Ethics Subcommittee can and likely
24 would increase the sanction, if anything else
25 occurred.

1 MS. KEENER: Okay.

2 MS. JAMES: Yes, ma'am. I hope that answers
3 your question.

4 MS. KEENER: Yes, it does. Thanks.

5 DR. ARNOLD: So, in other words, per quarter we
6 can gauge whether there is increased ownership of
7 this culture building?

8 MS. JAMES: Yes, sir.

9 DR. ARNOLD: Okay.

10 MS. WOODS: Now, probation falls off of a
11 license publicly, right, after its completed?

12 MS. JAMES: It will be public in AELS and it
13 will be on the website.

14 MS. WOODS: Forever on his license or just until
15 it's complete?

16 MS. JAMES: Until it's completed. We don't
17 leave a probation forever.

18 MS. WOODS: Right.

19 MS. JAMES: Yes, ma'am.

20 MS. WOODS: And so, for example, a law license,
21 if you have a proba- -- it's like on there for people
22 to see forever. So that -- that's what I'm asking.
23 So does a written reprimand stay on there?

24 MS. JAMES: A written reprimand is not in AELS
25 and that would come down from the website eventually.

1 MS. WOODS: Okay.

2 MS. JAMES: Revocations stay on --

3 MS. WOODS: Okay.

4 MS. JAMES: Yes. We -- we -- you should be able
5 to look at someone's license in AELS and tell if
6 they're in good standing or what the current -- yes,
7 ma'am.

8 MS. WOODS: Okay.

9 MS. JAMES: We would have, of course, in our
10 office and in the Department -- we will be able to
11 tell how many violations someone has had and see the
12 history, all the way back. So we do keep that
13 internally, but --

14 MS. WOODS: Sure.

15 MS. JAMES: -- publicly --

16 MS. WOODS: I'm just thinking like a future
17 employer, if they were to go up and see -- in five
18 years, if probation has fallen off, they would never
19 see anything; right?

20 MS. JAMES: If the probation has -- but I
21 believe a lot of employers will ask if you've ever
22 had an ethics violation.

23 MS. WOODS: Oh, really?

24 MS. JAMES: And he wouldn't be able to answer
25 truthfully no.

1 MS. WOODS: Okay.

2 CHAIR MOORE: Board Members, anyone else with
3 questions or comments?

4 (NO RESPONSE)

5 CHAIR MOORE: Ms. James, and just to be clear,
6 the current recommendation is two years' probation
7 and it does require a supervisor to give a report and
8 the Educator?

9 MS. JAMES: Yes.

10 CHAIR MOORE: Okay.

11 MS. JAMES: Yes, ma'am.

12 CHAIR MOORE: And those reports come to the
13 Board?

14 MS. JAMES: Because this came to a full hearing,
15 they would have to come back to the Board.

16 CHAIR MOORE: Okay. I actually didn't realize
17 that. So it's when our board has heard it, is when
18 the reports come to us. If it stays at the PLSB
19 level, we don't see their reflections?

20 MS. JAMES: Our Ethics Subcommittee would
21 approve those. Yes, ma'am. It really depends on who
22 orders them.

23 CHAIR MOORE: Okay. That makes sense. Thank
24 you for that clarification.

25 Board Members, any other questions?

1 MS. WOODS: I've got to be honest. The
2 quarterly reports from the supervisor is laughable,
3 considering we also have lumped them in as part of
4 the problem. I'm just going to point that out.

5 MR. WOOD: I'll -- I'll make a motion, just to
6 have something concrete to talk about on the table.
7 Because, otherwise, we just sit here and wait on
8 someone else to talk and whatever. And I -- I hear
9 other board members and I -- I try to be reasonable.

10 I'm -- I'm going to move that his license be
11 suspended for one year and -- and no fine.

12 MS. JAMES: Followed by probation?

13 MR. WOOD: Yes. Followed by a two-year
14 probation, after the one-year suspension.

15 MS. JAMES: Would you also like a recommended
16 training, quarterly reports, written reflections --
17 all of those items?

18 MR. WOOD: Trainings, yes; quarterly reports, I
19 -- sure, yes.

20 MS. JAMES: Okay.

21 MR. WOOD: Might as well. We can laugh at them,
22 if we find them laughable. But nonetheless, we can
23 receive them.

24 MS. JAMES: Would you like a fine, as well? You
25 may have already said that.

1 MR. WOOD: I don't -- I'm not a fan of fines.

2 CHAIR MOORE: Okay. Board Members -- is that
3 your motion?

4 MR. WOOD: That's my motion.

5 CHAIR MOORE: Okay. There's a motion on the
6 floor.

7 MS. WOODS: Are you still wanting the supervisor
8 reports?

9 MS. KEENER: Yes.

10 MS. WOODS: You are. Okay.

11 MS. KEENER: Perhaps that supervisor changes --
12 an unnamed direct supervisor.

13 I'll second.

14 CHAIR MOORE: Okay. So there's a motion and a
15 second. Any questions or comments?

16 (NO RESPONSE)

17 CHAIR MOORE: Ms. Keener. So there's a motion
18 by Mr. Wood, and a second by Ms. Keener.

19 And could you restate the motion, Mr. Wood? I'm
20 sorry.

21 MR. WOOD: Yes. A one-year suspension of his
22 license, two-years' probation following the
23 suspension, and quarterly -- quarterly reports from
24 Mr. Marrs during his probation, and training.

25 MS. JAMES: All the recommended trainings and

1 readings --

2 MR. WOOD: Yes.

3 MS. JAMES: -- from the Ethics -- I have got
4 you.

5 MR. WOOD: And no fine.

6 CHAIR MOORE: Okay. The motion is on the floor.
7 Any questions or comments?

8 Okay. All in favor say aye.

9 (MAJORITY CHORUS OF AYES)

10 CHAIR MOORE: All opposed?

11 MR. BRAGG: No.

12 CHAIR MOORE: Okay. Motion passes.

13 Our last motion is a motion for the rationale
14 for the decision.

15 MS. JAMES: Yes, ma'am.

16 CHAIR MOORE: The Board may accept the
17 rationale or modify the one presented by the PLSB.

18 MS. KEENER: I'll make a motion -- and correct
19 me if I get it wrong.

20 MS. JAMES: Okay.

21 MS. KEENER: Correct me when I get it wrong. I
22 move that we accept the rationale and add the lack of
23 mitigating factors and that the Board find a
24 preponderance of evidence of several aggravating
25 factors. How's that?

1 CHAIR MOORE: Okay. So there's a motion by Ms.
2 Keener with the rationale. Is there a second to
3 that?

4 MS. WOODS: I'll second.

5 CHAIR MOORE: A second by Ms. Woods. Any
6 questions or comments?

7 (NO RESPONSE)

8 CHAIR MOORE: Okay. All in favor say aye.

9 (UNANIMOUS CHORUS OF AYES)

10 CHAIR MOORE: Any opposed?

11 Okay. Motion passes. Thank you.

12 MS. KEENER: And I want to say my
13 appreciation to you and to the PLSB for -- this is
14 the worst part of the job. So I cannot imagine being
15 on that board and doing it all the time. So I
16 appreciate your work and your -- the due diligence of
17 all the stuff we had to read. Thank you.

18 MS. JAMES: I will tell you Sarah Banker worked
19 very hard on this case and she -- she does a
20 wonderful job.

21 MS. KEENER: Thank you.

22 CHAIR MOORE: Thank you. And actually I'm going
23 to take a point of privilege to make a comment. It
24 came to my attention this week that House Bill 1941
25 passed during the session. I was not aware that --

1 when it was going through the session. And that bill
2 takes away the right for the State Board to hear PLSB
3 cases. So PLSB cases will no longer come in front of
4 the State Board.

5 I am reflecting on my seven years in this job.
6 I -- I -- it is very difficult to be in front of
7 educators. It's very difficult to have these
8 hearings. Things happen, unfortunately. But I think
9 it's our job as a board to have a high standard for
10 all individuals in front of our educators. So I was
11 disappointed that this all went through because our
12 board is the one consistent body over the years that
13 have seen cases. We are the only one -- we're the
14 same group of people are seeing the consequences, the
15 sanctions that are going out to individuals. If you
16 go -- I pulled out my law book this week. The State
17 Board has a list of powers and duties, and one of our
18 powers and duties is to provide license to teachers.
19 We, you know, push that power to the Agency, but at
20 the end of the day it is our duty to provide general
21 supervision of public schools, including issuing
22 licenses. And so I was very disappointed that this
23 law went through without any discourse to our board.
24 I know we've had many conversations over my seven
25 years up here about how do we best glean information

1 from PLSB; how do we work with each other? Maybe
2 some changes along the way; I've not seen those
3 changes, and now here we are with that being gone.
4 So I will be gone, but I hope that we all as a body
5 continue to push for high expectations for all
6 individuals. We have 30,000 amazing teachers. We
7 have amazing people who make mistakes and things
8 happen. But that -- this process, while it's very
9 draining of us -- I know we've talked about having
10 separate meetings for these. That would have been
11 beneficial, as opposed to just taking it away. But
12 this process is important, that it's transparent.
13 People are accountable for their actions, whether
14 mistakes or not, and doing that in front of a public
15 body is important and not behind a closed door at a
16 PLSB case. Certainly, there are things that should
17 be -- stay behind closed doors. We could've revamped
18 our State Board procedures to do that, instead of
19 just taking it away. But that -- that's my final
20 words on this. I will encourage you all to work with
21 the agency and the PLSB to see if any -- anything
22 else can be done before this just goes all behind a
23 closed door. And in the future, my -- my
24 understanding is if I'm a complainant I won't know
25 what occurs until it's on that individual's license.

1 And so perhaps, as y'all think about putting rules to
2 this, you can think about that perspective too, as to
3 how we continue again to hold and communicate high
4 expectations for individuals.

5 MS. KEENER: I have a follow-up question with
6 that. Given the shift, after today, these things are
7 available, Freedom of Information Act, correct, to
8 anybody that requests them? Given the new law, is
9 that still going to be true? Will there still be
10 transparency to the public?

11 MS. JAMES: I may have to have some support from
12 Legal on this, please.

13 MR. SHULTS: We had to put our heads together.
14 I'm not a hundred percent sure to answer that
15 question. Of course, the law doesn't go into effect
16 till August. So we will get back to you with that
17 answer.

18 MS. KEENER: Okay.

19 MR. SHULTS: I can probably look it up here,
20 while you go on lunch break.

21 MS. KEENER: Well, I guess another procedure
22 question that I'm just showing my ignorance here.
23 But I understand the law goes into effect in August.
24 But oftentimes, the rules have to be written and
25 approved and gone through the process first. Is that

1 the case here, as well? Like, will the rules for
2 this law come to us for release for public comment
3 and all that?

4 MR. SHULTS: Yes. All rules come to you,
5 regardless of the --

6 MS. KEENER: Prior to the law going into effect?
7 Yeah, help us -- help me on the timeline there.

8 MS. SALAS-FORD: The rules will come to you, but
9 that does not delay implementation of the law.

10 MS. KEENER: Okay.

11 MS. SALAS-FORD: So when the law goes into
12 effect on August 5th, that is the law.

13 MS. KEENER: Okay.

14 CHAIR MOORE: With that, let's go ahead and
15 conclude our action agenda.

16 (The meeting was concluded at 12:42 p.m.)

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C E R T I F I C A T E

STATE OF ARKANSAS)

) ss

COUNTY OF PULASKI)

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

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WITNESS MY HAND AND SEAL this 3rd day of July, 2025.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

