

# ARKANSAS STATE BOARD OF EDUCATION

JULY 11, 2024

9:00 A.M.

## A P P E A R A N C E S

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MS. STACY SMITH, Deputy Secretary of Education  
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- Auditorium  
#4 Capitol Mall  
Little Rock, AR 72201

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**P R O C E E D I N G S**

**1: CONSIDERATION OF REQUEST FOR PUBLIC SCHOOL WAIVERS**

CHAIR MOORE: Then let's get started, action agenda one, consideration of requests for public school waivers. We have the Westside Consolidated School District.

MS. SMITH: So -- yeah. So this was a school district that came before this Board last year asking for this particular waiver. You granted it for a year and then you requested that they come back in a year and tell you how that's going. And so they're here to do that today and then to request an extension. So we have their principal here.

MR. GEORGE: Thank you for your time this morning. My name is Chris George, and I am the high school principal at Westside High School at Westside Consolidated School District.

As Ms. Smith said, my superintendent and I, Mr. Scott Gauntt, we came here last year, I believe it was in October, for an ACT 1240 waiver on the teacher daily load of the 150 max of students. You asked for us to come back and have a little bit of data to present to you. So as -- as she also said, we're -- we are hoping to have this same waiver for the next three years.

1           At the time we presented last year, we were just  
2           starting our PLC processes throughout K-12 --  
3           actually PK-12 in our district. And at our high  
4           school -- just a refresher on our schedule -- we run  
5           a -- kind of a modified block schedule to where we  
6           have A days and B days. First, second and third  
7           block are 90-minute class periods that meet every  
8           other day and then fourth and fifth block are 45  
9           minutes that meet every single day. And when we put  
10          that into practice several years ago, there were  
11          different reasons that that works for us. So last  
12          year we -- we brought kind of a concept to you. This  
13          year I think we have a proof of concept.

14          So just recapping, our Mondays through Thursdays  
15          this past year on -- we have a home room block of  
16          time every day, a 30-minute block session in between  
17          first and second block. And we work on Mondays on  
18          some social/emotional things with Capturing Kids'  
19          Hearts. We're -- I think we're going to be starting  
20          year four with that this year. Tuesday, we had just  
21          a homeroom time of grade checks and parent calls and  
22          that type of thing. And then Wednesdays and  
23          Thursdays is where this waiver -- part of this  
24          waiver, really hinges on we would do interventions  
25          and enrichments. And I'll kind of get more into that

1 in a minute. Friday is a Fast Friday. So on our  
2 Fridays, every single class on the student schedule  
3 meets for 45 minutes and that is where the 150  
4 student per day load on a teacher can kind of start  
5 creeping up on us.

6 Last year, whenever I was here talking, I  
7 thought we were going to have five or six teachers  
8 that that would affect. Potentially this could be a  
9 special education coteaching scenario. Say, like,  
10 our English class, it has a special ed coteacher with  
11 it, the regular ed teacher, they get credit for every  
12 student in there. A special educator with the  
13 universal -- the UDL that they can't give grades, so  
14 that doesn't go towards their case -- or their  
15 student load.

16 For the '23-'24 school year, what we actually  
17 had, we had one history teacher -- we had three total  
18 teachers that went over 150 a day. We had a history  
19 teacher that had 154 the first semester, 155 for the  
20 second semester; a computer science teacher with 151  
21 and 153; and then our art teacher had 172 for the  
22 first semester and 163 for the second semester. So  
23 we are doing our best to make sure that, especially  
24 the core classes, they're not going to go over that  
25 150. However, very important to note, no teacher at

1 any time has over 30 students during a class period,  
2 so this just adds up on the Fridays which is why we  
3 are requesting the -- the waiver. The flexibility  
4 that this waiver gave us last year, again, it was  
5 just three teachers, but that -- that is something  
6 that we need to make sure we're doing right by the  
7 teachers and ultimately right by our students.

8 During the Fridays, we started off last year --  
9 the purpose of the Friday meeting every day, No. one,  
10 over the years of our doing this modified block every  
11 -- every class one week, one class will meet three  
12 times and the next week they would meet two. So it  
13 took two weeks to have an equal time in sitting  
14 inside of that classroom. This -- the way we're  
15 doing it now, every teacher sees every kid they have  
16 three times a week, so they -- they kind of get a  
17 equalization there. But our Fridays were kind of  
18 for, not necessarily tests, but kind of quick check  
19 assessments based on essential standards and skills  
20 that our teachers and their PLC team planning time  
21 they say these are the things -- throughout this  
22 week, these are the essential skills or standards  
23 that we want to hit on, and then they would test at  
24 the -- they would do a quick assessment, might be  
25 three questions, something that we could see. And I

1           have in your packets that you have kind of the -- all  
2           spreadsheets that we would use that would have green,  
3           yellow and reds to show student proficiency as far as  
4           during those quick checks. And then the next week,  
5           our teachers would talk about it again on Monday and  
6           they would repeat the process.

7           Our teacher of the year last year, that y'all  
8           recognized this morning, her question to us was the  
9           pacing that we were going to be doing and what our  
10          teachers would think about the pace. And at the  
11          time, I really didn't know. We knew that it would be  
12          fast and furious. It's something that's new. But  
13          here's one of our -- I send out a survey on myself  
14          every year to my staff just to get their real  
15          comments about me. But part of the PLC process, one  
16          of our people said our administration exemplified  
17          what I hope teachers do when they know and see that  
18          the administration will make adjustments to the  
19          curriculum by allowing the unit data to be placed on  
20          the master spreadsheet instead of the weekly check --  
21          quick checks, admin saved the year. Data is vital to  
22          our curriculum, and it should be driven by it. So  
23          that was -- that was just we listened to our  
24          teachers. So after the first nine weeks, we kind of  
25          slowed it down and instead of saying has to be on a

1 Friday, we want to put it in more naturally to where  
2 it fits inside of their -- inside of the week. So  
3 even with that we had many teachers that were still  
4 using the Friday because they liked the data that was  
5 provided by the assessments. They like the  
6 information that they could gather and go back to and  
7 talk with their teacher -- department teachers.

8 So a few data points that you have in your  
9 spreadsheet, we use a program called RTI Scheduler to  
10 get students where they're supposed to go during this  
11 30-minute block of time on the intervention and  
12 enrichment days. Total sessions we had 2,721  
13 sessions created last year. And then student  
14 placements -- or student enrollments, we had 38,434.  
15 Seventeen percent -- let me back up real quick. So  
16 on these sessions, our teachers are drafting the  
17 students. So if the student did not meet the  
18 standard that the teacher needed, they would draft  
19 somebody. So say it was my son needed an English --  
20 they didn't get the concept that week, Wednesday and  
21 Thursday that English he could draft that -- could  
22 draft my son. So 17 percent were English and  
23 language arts; 13 percent were math; 11 percent  
24 social studies; ten percent science and then the rest  
25 is kind of our outside of core areas. And the core



1 is what we are concerned about, so our core teachers  
2 may draft six kids; they may draft 22 kids; it's  
3 whatever they think they need to have more time with  
4 the kids that they need. And then, we have different  
5 activities. I know our ROTC loved it, our basketball  
6 loved it, our drama. They were able to use some of  
7 that time to bring in and get extra practice, our  
8 band, that type of thing.

9 So you have two scores -- two student sheets  
10 that are -- that are provided to you just showing how  
11 we track attendance with this. And then it's listed  
12 what the skill was that they were working on that  
13 week. So inside of a IEP meeting, inside of a 504  
14 meeting, inside of any kind of parent thing where  
15 they're saying my kid needs help, we can go in and  
16 point, we've put your kid in -- 16 percent of the  
17 time they've been in additional math; 12 times  
18 they've been inside of, you know, whatever those  
19 basic student needs that they -- concepts that they  
20 were missing. The attendance, that doesn't link up  
21 with eSchool, so where one of those is like an 89  
22 percent -- again, I just pulled my own kid. He was  
23 at school; he was in ROTC. He they may have been off  
24 campus doing community service, that type of thing,  
25 but his teacher may have just marked him. Doesn't

1           necessarily correlate to the attendance through  
2           eSchool. Department time PLC data, as I said, our  
3           teachers meet on Monday and they're able to go  
4           through the information that they've collected  
5           through the week, have discussions about it and then  
6           put those -- those things into practice.

7           We tried --this past year, we've mixed up some  
8           of our grade levels of -- instead of teaching an 8th  
9           grade English and then having somebody else do a 9th  
10          grade, we made it to where one taught part 8th, one  
11          taught part 9th and the other one did the opposite.  
12          That way we could have -- if you didn't just  
13          completely jive with the teacher that you had, you  
14          could go to interventions with the other teacher and  
15          maybe hear it a different way to be able to spark  
16          your mind a little bit there.

17          We post all of this information inside our  
18          District PLC hub. You have a spreadsheet that has  
19          the links of agendas and that type of thing. So our  
20          teachers, they're not just having these meetings and  
21          doing nothing with it. Our kindergarten teachers  
22          could go in and look at the agendas. So in the  
23          summers we may do some vertical alignment to where  
24          our say our middle school 7th grade teachers and our  
25          8th grade high school teachers are getting together

1 to talk with each other. We bring our teachers in  
2 next week -- my core teachers are coming in next week  
3 for five days of unit planning -- yearly planning for  
4 this upcoming year to where they'll be able to see --  
5 go back through the skills and say was this really  
6 what we needed to teach? Was the rigor high enough  
7 of what we needed to be doing? I've also provided a  
8 couple of -- I think there was an English and a I  
9 think it was a science maybe agenda that has some  
10 data built into that of what teachers were gathering  
11 and what they were seeing that way they could have  
12 those conversations inside of those team meetings.

13 And to wrap this up, we -- just this past week  
14 we got some AP testing data. So we had some sessions  
15 that were catered strictly to the AP classes, so the  
16 enrichment would come in. So our AP scores this year  
17 increased by 12 percent on the students who were the  
18 three plus qualifying scores. That's the highest  
19 level we've had in five years. So I was extremely  
20 pleased with that. We had 37 -- or excuse me -- 36  
21 qualifying scores from 27 students and last year we  
22 had 21. So we had a 15 -- 15 qualifying score  
23 increase. That's just one of the areas of growth  
24 that we can see.

25 Another one that I -- I'm sorry it didn't get in

1           your packet. But another one we just figured up  
2           yesterday was Star diagnostic testing for our 8th  
3           through 10th grade beginning of the year and ending  
4           of the year. So in math, kind of labeled proficient,  
5           on watch and needed support. Eighth grade math went  
6           up nine percent on the proficient; and as important  
7           we dropped by 11 percent in the support needed; we  
8           went from 43 to 32 percent. In the ninth grade -- or  
9           excuse me -- the 9th grade math, we pretty much  
10          stayed equal from where we started at to where we  
11          ended at. Tenth grade, we had an eight percent  
12          increase up to 71 percent end of year proficiency and  
13          the other categories dropped as well. So that was a  
14          good data point there. Language arts, really proud  
15          of this. In 8th grade, we went up four points on the  
16          proficient, 29 percent on watch. So we were pulling  
17          kids up. We went from 36 percent to 12 percent in  
18          the needed support in 8th grade English. So that's  
19          trending way down -- 24 points down. Ninth grade  
20          English was up 22 percent in proficient to 66  
21          percent, so that is great growth. Also, had 23  
22          percent of the -- decrease in the support needed, so  
23          we were down to 18 percent there. And then, 10th  
24          grade again, we had a 15-point jump, 53 percent. And  
25          then we went up eight points in the on watch and went

1 down 25 points in the support needed. So I believe,  
2 as we are looking at this kind of data, when we get  
3 ATLAS testing data back, I'm interested to see what  
4 that's going to look like. I know our teachers have  
5 worked hard. I know our students have worked hard at  
6 this process.

7 And looking back at some things that we're going  
8 to change, last year we provided two days on  
9 Wednesday and Thursday of the -- that homeroom block  
10 of time to -- Wednesday and Thursday was for  
11 interventions and enrichments; this year we're  
12 pushing it to three. We'll have -- Monday will be  
13 the social/emotional learning and then Wednesday --  
14 Tuesday/Wednesday/Thursday will be our intervention  
15 times.

16 Also, I want students to be able to enroll  
17 themselves in some things. Last year as we were  
18 getting a feel of it, I just did not want to turn  
19 them loose. It is absolutely possible within the RTI  
20 scheduler program. So that is something that we're  
21 working on trying to get where students -- I may not  
22 fit into this category needing help in math, but I  
23 feel that I need it. So they could register to go to  
24 algebra if they wanted to, or they could register to  
25 go to band or art or whatever we have set up that

1 week.

2 Our seniors, they -- we have seniors who kind of  
3 have modified times that they come in and out  
4 depending on the credits that they need, the  
5 internship placements that they may have, work  
6 schedules that they're allowed to have. This past  
7 year, we kind of mandated that our seniors had to be  
8 there. Going to be honest, if a kid is not on  
9 campus, it's kind of hard to get them there for an  
10 enrichment time if they know that it's not an actual  
11 grade. So with the seniors, the adjustment that I'll  
12 make there this year is as long as they're in good  
13 standing with graduation and on time credits and that  
14 type of thing, they're going to be good not to be  
15 here. They can always come if they want, but if they  
16 have any of that in jeopardy, they'll be forced to be  
17 on campus to be picking up these skills that they're  
18 lacking in. And again, teachers will have open and  
19 closed sessions that -- that they'll be able to kind  
20 of help facilitate some of this.

21 So last thing I want to say, at Westside we  
22 truly believe that the teacher is the most  
23 influential factor on student learning and  
24 achievement. And through this process and this Act  
25 1240, it may be three teachers this year, it may be

1           five, it may be none, but this gives us some  
2           flexibility to build our schedule in a way that we  
3           are giving time, energy and effort to our teachers.  
4           And that's what makes it go. It doesn't matter  
5           administration what we do, we have to get the bang  
6           from the teachers. And, you know, there's -- there  
7           is teachers who are seeing the benefits of what we're  
8           -- what we're doing here. So with that I appreciate  
9           your time and I'll take any questions you may have.

10           CHAIR MOORE: Thank you, Mr. George. I  
11           appreciate you sharing with us and coming back again  
12           this year.

13           So we'll start with questions to my left. Board  
14           Members, questions? Ms. Keener?

15           MS. KEENER: Yeah, I have a few questions.

16           Well, I loved hearing the updates and I love  
17           hearing the feedback from your teachers. I think  
18           this is the first time I've seen a schedule of this  
19           type of school district where -- so you're on the  
20           hourly accumulation of time -- of instructional time.  
21           1068 hours as opposed to the days in class; right?  
22           So just looking at your schedule and kind of working  
23           through some math -- well, first of all, let me say  
24           that the 150 waiver, I do not have personally have a  
25           concern with that. So that being the agenda item, I

1 do want to make some comments on the schedule --

2 MR. GEORGE: Okay.

3 MS. KEENER: -- and ask you some questions. So  
4 your students have 171 contact days with educators  
5 throughout the year; correct?

6 MR. GEORGE: So we -- we were -- our  
7 superintendent had that changed in the middle of last  
8 year after, I guess, it was the winter -- winter  
9 weather that came along and there was the opportunity  
10 to change some of that up. So we actually changed to  
11 the -- and it'll be that way this upcoming year with  
12 the 171 contact days based on the hourly time that  
13 that we approve.

14 MS. KEENER: Okay. So with that, it looks like  
15 your daily schedule is -- and correct me if I'm wrong  
16 -- 7:55 to 3:20; is that correct?

17 MR. GEORGE: Yes. First bell -- first bell  
18 7:50-3:20, so, yes.

19 MS. KEENER: All right.

20 MR. GEORGE: 7:50-3:20.

21 MS. KEENER: Which, you know, in order for those  
22 hours for that number of days, you'd need to have six  
23 hours -- six and 1/4 hours a day of instructional  
24 time. You know, removing lunch and travel time that  
25 puts you right at, like, six hours and 30 minutes.



1           So you've hit that mark. But I'm worried about the  
2           Fridays. If there are, say, 34 Fridays -- 34 Fast  
3           Fridays --

4           MR. GEORGE: Uh-huh.

5           MS. KEENER: -- that are assessments, enrichment  
6           -- assessments, enrichment and review, it really  
7           removes those days as an opportunity to introduce new  
8           concepts, so that takes you down to, like, 137 days  
9           of introductory materials. I worry -- having been a  
10          former math specialist, you know, even with 180 days,  
11          we could barely get through all the concepts. Are  
12          your teachers able to introduce all the concepts they  
13          want to in 137 introductory days?

14          MR. GEORGE: So on Friday, we do not have the 30  
15          minutes of the intervention time, so that -- every  
16          class is a 45 minutes there. I did not have -- I  
17          sent out, you know, things to teachers asking if you  
18          have feedback, positive or negative, let me know.  
19          There was no one -- and, of course, we're in the --  
20          my assistant principal and I are in as many of those  
21          PLC meetings as we can get to and there's never been  
22          a complaint of we can't get enough in.

23          MS. KEENER: Okay.

24          MR. GEORGE: And that that, honestly, with the  
25          -- and I like the way the ATLAS testing is, it's say

1           with geometry you have an end of course geometry test  
2           as opposed to something that was assessing what you  
3           should have already learned to what you have learned  
4           and maybe even what you haven't learned yet. So as  
5           far as -- we were very comfortable with -- with the  
6           ability to get in what we need to get in. And that  
7           also -- the Fridays, originally it was set to not  
8           necessarily introduce new content, but that's one of  
9           those changes we made. If you're plugging in  
10          something else where you've got a 90-minute block  
11          science class, you can get your 45 minutes on Friday  
12          to introduce stuff and you may do the assessment in  
13          the 90 block on Monday or Tuesday.

14                MS. KEENER: Right.

15                MR. GEORGE: So that that kind of goes back to  
16          that in a more natural fit.

17                MS. KEENER: Uh-huh. Yeah. And you mentioned  
18          that -- that you still found that most teachers loved  
19          --

20                MR. GEORGE: Yes.

21                MS. KEENER: -- the Fridays.

22                MR. GEORGE: They did. And because they could  
23          --

24                MS. KEENER: It's a natural and --

25                MR. GEORGE: -- they could get the -- they could

1           get the data from the assessment. And like I said,  
2           we're not talking a unit test here; we're talking  
3           three to five questions of these are the things that  
4           the essential standard said, this is what we're going  
5           to learn and what would our kids get from this.

6           MS. KEENER: So -- and I personally really like  
7           that natural transition of introduced on a Monday,  
8           check in on a Friday, reset, do the same the next  
9           week. I would argue, though, that this is -- that a  
10          May 15th end of school day -- end of school year is  
11          maybe too soon. Continue this. Let it go a few more  
12          weeks. And the other concern that I have is the  
13          seniors on Friday understanding that they've met  
14          minimum requirements, we have an opportunity to  
15          enrich and to continue preparing them. So having  
16          something for them to come to on a Friday that -- you  
17          know, I'm not sure what that would look like for your  
18          kids, but having them -- requiring them to be present  
19          --

20          MR. GEORGE: Well, the --

21          MS. KEENER: -- regardless of minimum.

22          MR. GEORGE: They -- our seniors, you know, they  
23          have -- we have some seniors who have internships  
24          that we -- that we run with my career coach. We have  
25          some that may come to class and get their senior

1 English and their fourth math and then go to work and  
2 come back later in the day for something else that  
3 they may need. We're partnering with ASU this year  
4 -- the ASU Jonesboro main campus for more concurrent  
5 options that we're trying to get -- our 11th graders  
6 can take them, but we'll keep them on campus. Our  
7 seniors, we're going to allow -- it's 15 minutes down  
8 the road. You want to go in the middle of the day,  
9 take a college algebra class, we'll provide that  
10 opportunity for you to go and -- and we -- we just --  
11 we know there's a whole lot of work-based things that  
12 the population of our students, unfortunately, they  
13 need to work to help with their families. So we are  
14 -- we are making sure that they get their academics  
15 met first and then we are providing these outside  
16 opportunities for them to go do what they need to.

17 MS. KEENER: Okay. Good. So maybe I  
18 misunderstood. There are no situations where a  
19 student has met minimum requirements and is just off  
20 if that makes sense?

21 MR. GEORGE: They are -- they can have the  
22 modified schedule to where they can be released and  
23 their parents are involved in all this, you know, a  
24 kid can't leave if they're not 18 years old. They  
25 can't just walk out of the building. So we're -- we

1           are in communication with parents as we're setting up  
2           schedules and -- and that type of thing to make sure  
3           they're where they need to be.

4           MS. KEENER:   Okay.   Thank you.

5           MR. WOOD:    But, I guess, the question is, can  
6           they just go home and play Xbox for a few hours?

7           MR. GEORGE:   Theoretically, I would say they  
8           could.   The -- the seat time, I guess, for students  
9           that changed however many years ago and the block  
10          schedule when we -- when we met this, we require 24  
11          credits to graduate; state minimum is 22.   So as a --  
12          by the time you get to a senior, if you took eight --  
13          or eight credits ever year, you're way past state  
14          minimum.   You're way past what we're -- what we're  
15          requesting.   So our students have the opportunity.  
16          Now, do all of them take that?   Probably not.   I know  
17          with my own son, I'm not going to let him do that  
18          next year when he's a senior.   I want him to have a  
19          job.   I want him to, you know, whatever that may be.  
20          But there are -- to your question, yeah, there could  
21          be some that do that.   But, again, we have internship  
22          opportunities where our kids they will -- and, of  
23          course, that's in the -- it's graded.   I mean, it's  
24          something that our career coach is working with --  
25          say the rice mill down the road -- working with that

1 person's manager or whatever it is throughout the --  
2 throughout the semester. So we're doing our best to  
3 keep kids. We -- we just know that they're going to  
4 lose interest of being at school at all sometimes.  
5 And I have a work program for my 11th graders to  
6 where if I can get verification, say a kid works at  
7 Sonic, I get verification from their -- from their  
8 parent and from their manager, I'll let them go at  
9 2:30 every day to get to work there as well for 11th  
10 graders.

11 MS. KEENER: Yeah. I don't believe in holding  
12 kids hostage in study hall or fluff classes just  
13 because of they're in in the building, but I also  
14 don't want to miss an opportunity for us to better  
15 prepare them for whatever postgraduate life looks  
16 like for them.

17 MR. GEORGE: Absolutely.

18 MS. KEENER: Do you have a number on how many --  
19 first of all, how many seniors take advantage of that  
20 opportunity -- meet the requirements early and are  
21 able to leave campus? And then of that number, how  
22 many are perhaps going home to play Xbox?

23 MR. GEORGE: I do not have a number offhand on  
24 that. I know we have, you know, we'll -- we'll have  
25 some students who come in late, and they don't leave

1           once they get there. So their schedule may not start  
2           till lunch and then they're there from 12:00 to 3:30  
3           or 3:20. So as far as the specific number, I don't.  
4           Last year, I think we graduated 125-ish students. We  
5           start looking at increases, small increases and small  
6           decreases every year of that, but we -- we are  
7           ensuring our students have what they need. And then,  
8           I can -- I can try to find that information out for  
9           you if you'd like?

10           MS. KKENR: Yeah, I'd be interested.

11           MR. GEORGE: Okay. So the number leaving early?

12           MS. KEENER: Uh-huh. Or arriving late, the  
13           number not participating in the full day, I should  
14           say.

15           CHAIR MOORE: Without a full course load.

16           MS. KEENER: Uh-huh.

17           CHAIR MOORE: I will say that -- they're not  
18           issue -- they're not requesting that --

19           MS. KEENER: Right.

20           CHAIR MOORE: -- license -- that waiver today  
21           because that was a law change. I would like for our  
22           Board, at whatever point in time -- I know we've  
23           talked about having a work session on school calendar  
24           -- to include that in there. School districts still  
25           receive full funding for -- for high school students

1           who might not be doing complete coursework and that  
2           -- they might have -- there's some students with  
3           really amazing opportunities outside and there's some  
4           that aren't. And so I -- that is a continuing  
5           problem and I just wanted to take a point of  
6           privilege to add that because I do think there might  
7           need to be some legislative changes or at least would  
8           hope that you all would think about that before the  
9           January session.

10           MS. KEENER: I'm glad you did, and I appreciate  
11           you getting us back on track.

12           CHAIR MOORE: No, I mean, but this is important  
13           information to have and to understand as we seek to  
14           understand what a school district needs.

15           Questions, to my right? I do have a question  
16           and -- Ms. Hunter, you go first.

17           MS. HUNTER: I'm sorry.

18           So just a couple of questions. The statistics  
19           that you put forward of the improvements from the  
20           previous year to the current year is impressive. Was  
21           that -- like, if you were comparing 8th graders, was  
22           that the same cohort, or was that just 8th grade of  
23           one year and 8th grade --

24           MR. GEORGE: The --

25           MS. HUNTER: -- another year?



1 MR. GEORGE: The AP would not necessarily be.

2 MS. HUNTER: Right.

3 MR. GEORGE: However, some of those students  
4 would have taken AP classes a year before, so you  
5 have a mix of students who left as seniors to a mix  
6 of 10th graders who come up to 11th graders.

7 MS. HUNTER: Right.

8 MR. GEORGE: So that's not necessarily the same.  
9 Again, when you look at through the information that  
10 AP College Board gives you, you can kind of see where  
11 we've done this number with that trend, highest  
12 percent in five years that got the three plus. And  
13 quite honestly next year one of the things we've had  
14 AP computer science that I've not really felt that  
15 we've done justice with. I think this year we had 20  
16 kids that had a one in it. We are -- we are removing  
17 the AP computer science which goes into our honor  
18 graduates type scenario. So we're removing that  
19 class, replacing another computer -- computer science  
20 internship, or computer science -- oh, I'm lost on  
21 the word, but where they can work on their own type  
22 thing scenario -- some accredited classes for that.  
23 But -- so theoretically, the AP score should jump  
24 next year as well, just based on that change. And  
25 not that I'm all about numbers, but we know our kids

1           are not performing well with this, so let's replace  
2           it with something else that they can get more benefit  
3           out of.

4           MS. HUNTER: Right. And thank you. I do love  
5           numbers. So, I guess, my question was more about the  
6           math and the ELA growth that you were showing  
7           improvement in.

8           MR. GEORGE: Of the Star data?

9           MS. HUNTER: Yes.

10          MR. GEORGE: So you could -- you could look at  
11          say the -- we'll use the 10th graders. You could  
12          look at 10th grade -- their scores -- and track it  
13          diagonally --

14          MS. HUNTER: Yes.

15          MR. GEORGE: -- to get to 9th grade --

16          MS. HUNTER: Yes.

17          MR. GEORGE: -- to see what they did in 8th  
18          grade. Yes.

19          MS. HUNTER: And that's --

20          MR. GEORGE: Yes.

21          MS. HUNTER: -- that was the growth --

22          MR. GEORGE: Yes.

23          MS. HUNTER: -- that you were show --

24          MR. GEORGE: Yes.

25          MS. HUNTER: -- the improvement that you were

1           talking --

2           MR. GEORGE:   Yes.

3           MS. HUNTER:   Okay.

4           MR. GEORGE:   Now, it would --

5           MS. HUNTER:   I didn't know if it was --

6           MR. GEORGE:   It would be based on -- it would be  
7           based on 9th graders score last year to 9th graders  
8           score -- but you could get the connection of how they  
9           progressed as they went to the next grade.

10          MS. HUNTER:   Okay. Thank you. And then, what  
11          -- just one other question. Completely different  
12          subject, but, you know, I -- I remember you being  
13          here in October, can't believe it was almost a year.  
14          But, you know, as I remember -- and I may not be  
15          understanding this correctly -- but, you know,  
16          students, whenever they're drafted for intervention  
17          if they're not drafted, then they have the  
18          opportunity for enrichment; is that correct?

19          MR. GEORGE:   Yes.

20          MS. HUNTER:   And so, I guess, my concern with  
21          that model is, are there students that never get a  
22          chance for enrichment and what does that do to them,  
23          makes them sad?

24          MR. GEORGE:   No, not necessarily. You know,  
25          quite honestly, a kid would probably rather be in an

1 enrichment in art as opposed to math -- of having to  
2 do what they need to do. But that -- that's one of  
3 the things where this year where we open it up to  
4 students to be able to draft them -- not -- they're  
5 selecting where they want to go.

6 MS. HUNTER: Sure.

7 MR. GEORGE: But -- the -- we had some issues  
8 with, you know, I may have some teachers that didn't  
9 get their kids drafted on time. So my assistant  
10 principal and I would go through and pull those kids  
11 out. And I would go in and say, okay, this kid this  
12 past week, I see they've got zeroes in a class. I,  
13 you know, I could strategically place them where I  
14 wanted. Where you have some study areas that are  
15 kind of -- once we get down to the main  
16 interventions, are full as the teachers want them.  
17 The extra enrichment time places, they have -- what  
18 they have -- we may still have 100 kids left -- 150  
19 kids left. Well, we can go in and strategically  
20 place. You know, we'll use IXL in some of our  
21 places. We want our kids reading. So -- I don't  
22 want a kid sitting there on their cell phone.

23 MS. HUNTER: No.

24 MR. GEORGE: Sometimes that does happen. And,  
25 you know, there's more out there on cell phones that

1 drive every high school principal nuts.

2 MS. HUNTER: We have a solution for that.

3 MR. GEORGE: Our superintendent talked to us  
4 yesterday about it. So the -- that is one of the  
5 places that we're still trying to -- we're in year --  
6 going into year two of this process. So we  
7 anticipate working some things out as we go and I'm  
8 hoping that as we give some kids some ownership of  
9 where they can go this year, that we'll -- we'll kind  
10 of rectify some of that.

11 MS. HUNTER: Yeah. I guess, I'm just concerned  
12 about if the kid never gets to do enrichment and they  
13 feel like they're constantly being drafted. And, I  
14 mean, I -- they have some control over that; right?  
15 But, you know, I just -- I don't know. I could --  
16 you've answered my question. Thank you.

17 MR. WOOD: So I am generally pretty skeptical of  
18 block scheduling. I don't like it as a parent. But  
19 you've presented some information today, some  
20 statistics that, you know, I can't really dive into  
21 and kind of find what I might perceive as holes, so  
22 I'm just going to be impressed with what you've said.  
23 But how -- how do you how do you correlate the  
24 improvement being related to the actual block  
25 schedule as opposed to some other factor because what

1           -- why -- what would your argument be that this  
2           schedule is what has resulted in the improved  
3           academic progress that you've talked about?

4           MR. GEORGE: I don't believe it's the block  
5           schedule that's done it. Block schedule, we've used  
6           that probably for ten plus years now. That was --  
7           that was started when I was dean of students at our  
8           middle school. So all the work that went in, the  
9           decisions that were made at that point, I kind of  
10          came in and we've had block schedule. Our teachers  
11          like it; our kids like it. I brought my own son from  
12          another district the year he turned into 9th grade  
13          after his brother graduated in the other district.  
14          So he came over with me, went from a traditional  
15          eight-period day, I think, what they had to the kind  
16          of the alternating three and two day that we have.  
17          You know, the -- the benefits of being in that block  
18          for say a science class, it's lab time. You can  
19          split up and do particular labs that you need to do.  
20          But it gives -- it gives the kids sometimes a break  
21          from I've been hammering so hard, say in math. Well,  
22          I get the day off where I may get my homework done  
23          and I can -- I can concentrate on something else.  
24          One of the things we've looked at, our superintendent  
25          last year, I believe, when we were talking about this

1 scenario, he was talking about trying to get back to  
2 a seven-period day. When we look at the number of  
3 kids that we have, the number of teachers we have, we  
4 cannot pull a seven-day period off at this point just  
5 because we are very financially, oh, stable. We use  
6 our money appropriately. We don't have a bunch of  
7 extra people hired. So if we try to get back to a  
8 seven-period day, we would really have to start  
9 looking at being over 150 in many classes.

10 MR. WOOD: But --

11 MR. GEORGE: So the block -- the block is not  
12 the thing; it's the 30 minutes of additional targeted  
13 intervention time. We still have our regular RT --  
14 RTI intervention time as well to where if students  
15 are say in the bottom 15 percent or whatever, we have  
16 times throughout the day where they get pulled from  
17 say PE to go for whatever the -- what they need.  
18 Whoever's on prep period, they've got 90-minute times  
19 of block prep. Well, 45 of that is prep and 45 of  
20 that is help for students that need it. So we have  
21 multiple ways to get kids more targeted help.

22 MR. WOOD: Okay.

23 MR. GEORGE: But the 30 minutes that we've added  
24 here, that's -- again, that's not necessarily part of  
25 the waiver, but the 30 minutes that -- it's moving to

1           three times a week to where kids have that targeted  
2           intervention in the lack of standard and skill that  
3           they've been working on in that class. That's where  
4           I'm hoping our growth is showing the correct thing.

5           MR. WOOD: Well, I'm not going to argue that. I  
6           think it's fantastic that you've worked in this  
7           targeted time for intervention that's drafting  
8           students to do. I think that's important. I guess,  
9           I, you know, I guess, as I sit here and digest what  
10          y'all are doing, I don't -- I don't know what the  
11          argument would be counter to what you're presenting.  
12          I -- I'm impressed with what you've come with. I'm  
13          impressed that it seems to be working. I'm still  
14          skeptical of block scheduling, but I would -- I would  
15          love honestly to continue to hear from you all and  
16          how this works, you know, a year from now when you  
17          have ATLAS testing reporting that you can decipher.  
18          And -- anyway, I'd love for you to try to convince me  
19          that that block scheduling is -- is helpful.

20          MR. GEORGE: Seems like I'm on the right track.  
21          You're the one that said this last year too that --  
22          that you wanted us to come back and whatever. So  
23          that's -- if that's what you need, I'll be happy to  
24          -- to come back as much as you need me to.

25          CHAIR MOORE: Okay. May I clarify that? On



1           your waiver request form, you stated the duration  
2           would be the 2025 school year and going forward. Are  
3           you asking for a specific --

4           MR. GEORGE: Three years.

5           CHAIR MOORE: -- timeline?

6           MR. GEORGE: So when I -- when I originally  
7           turned this in --

8           CHAIR MOORE: Okay.

9           MR. GEORGE: -- I didn't realize there was a  
10          three-year option.

11          CHAIR MOORE: Okay.

12          MR. GEORGE: I had going forward, if possible,  
13          on there.

14          CHAIRE MOORE: Okay.

15          MR. GEORGE: And then whoever my -- person that  
16          I was emailing back and forth told me that there was  
17          a three-year --

18          CHAIR MOORE: So it's a three-year --

19          MR. GEORGE: -- availability --

20          CHAIR MOORE: -- request?

21          MR. GEORGE: -- of it. So that is what we would  
22          prefer, but we could -- we could also -- and again,  
23          last year, this helped with three teachers.

24          CHAIR MOORE: Okay.

25          MR. GEORGE: So we can do what you need though.

1                   CHAIR MOORE: And when you're seeking the class  
2 size and teaching load waiver, I know there's a law  
3 that requires districts to pay teachers per student  
4 if they go over. Are you getting your --

5                   MR. GEORGE: This waiver eliminates that.

6                   CHAIR MOORE: Eliminates that?

7                   MR. GEORGE: Yes. And we --

8                   CHAIR MOORE: And is that something --

9                   MR. GEORGE: And we covered all of that with our  
10 teachers last year --

11                  CHAIR MOORE: Okay.

12                  MR. GEORGE: -- and said this is why we're  
13 seeking this waiver. This is what the issue would  
14 be. Art is the one that sticks out to you, the art  
15 teacher. And Secretary Oliva chimed in last year  
16 that as a non-core elective type class, you have to  
17 have -- you have to have a certain amount of credit  
18 of fine arts type thing, but that number was not -- I  
19 don't want to speak for you. Does that -- yes,  
20 that's not concerning. And again, our teachers on  
21 Friday, somebody sits in that chair for 45 minutes;  
22 somebody else sits in that chair for 45 minutes.  
23 It's never over 30 in a classroom.

24                  CHAIR MOORE: And it's not -- yeah.

25                  MR. GEORGE: So on a Monday, one kid sitting

1                   there for 90 minutes as opposed to two for 45.

2                   CHAIR MOORE:   Okay.

3                   MR. GEORGE:    So --

4                   CHAIR MOORE:   I would like to ask a question --  
5                   yeah -- of the Agency on that, though.  I -- so in  
6                   law it does state if you have over 150 students, you  
7                   could be compensated per student.  So do you even  
8                   need a waiver to go over 150?  And is this waiver  
9                   just to request, you know, to waive that  
10                  compensation?

11                  MS. SMITH:   That's a good question.  So I think  
12                  that the whole premise of this is if they go -- they  
13                  don't need a waiver to go over 150; they need the  
14                  waiver for -- it's for the payment of the teachers,  
15                  not to have to pay.

16                  CHAIR MOORE:   Okay.

17                  MS. SMITH:   And then we do have situations in  
18                  which we have large class size on things that  
19                  automatically go over 150.  But I think when you're  
20                  talking about art like this, that's why it's  
21                  categorized in this 150 cat.  But when they're  
22                  talking about it for enrichment and bringing those  
23                  other kids in, that's where they're getting over  
24                  their numbers.

25                  CHAIR MOORE:   So what is the cap that, you know,

1           that 150 is a sort of soft cap. What -- is there a  
2           hard cap?

3           MS. SMITH: There is not one.

4           CHAIR MOORE: Okay. And that's just whatever --  
5           if the district chose to go above and beyond and they  
6           paid for it, that doesn't get flagged in standards  
7           accreditation or anything?

8           MS. SMITH: No.

9           CHAIR MOORE: Okay. So if we were to -- I mean,  
10          I'm not making a motion; I'm the Chair, so --

11          MS. SMITH: No, it would get flagged. If the  
12          teacher --

13          CHAIR MOORE: I'm not trying to --

14          MS. SMITH: No. I'm sorry if -- it does get  
15          flagged. So this -- if a school district is over 150  
16          it would get flagged, but the school district then  
17          would have to show the compensation.

18          CHAIR MOORE: That they compensated?

19          MS. SMITH: Uh-huh.

20          CHAIR MOORE: So if we weren't to approve this,  
21          they could continue on as is, they would just have to  
22          compensate; is that fair?

23          MS. SMITH: Yeah.

24          CHAIR MOORE: I -- and -- maybe I try this way.

25          MS. SMITH: Yeah. Yeah. I'm playing my

1           nighttime role as an attorney and I'm not sure I'm  
2           right.

3           CHAIR MOORE: Yeah, yeah. And I think -- again,  
4           this is something -- because I know we've had  
5           numerous waivers on class size and that came up with  
6           school calendar too that I would like for us to sort  
7           of have those continuing conversations to get more  
8           understanding of --

9           MS. SMITH: Well, again -- and this goes into --  
10          and this is a place where probably Secretary Oliva,  
11          at times, is like what -- y'all have so many rules on  
12          this number and this number and this number. This is  
13          why we are looking at the class size rules.

14          CHAIR MOORE: Okay.

15          MS. SMITH: Trying to figure out how does that  
16          look for flexibility? What is some legislation  
17          pieces that maybe we need to change? Again, this  
18          Board has seen lots of waivers for one student over,  
19          you know, but yet -- then, we're putting a kid in a  
20          bus and sending them across town to another school.  
21          What was the best choice? Putting the kid on the bus  
22          or letting them go one over? And so I think when  
23          we're getting into discussions like this for how many  
24          students are is a teacher responsible for on her  
25          class list for grades? Is it the 150? That's what

1 we've always had in standards. That's what we have  
2 in legislation. So we're having more conversations  
3 around that. So I agree with you. We do need to  
4 make some clarifications for that and hopefully  
5 that's something that we can address this legislative  
6 session as well.

7 CHAIR MOORE: Thank you.

8 MR. WOOD: Can I clarify? So Arkansas  
9 Connections Academy has the waiver to not pay their  
10 teachers for the additional students; is that right?

11 MS. SMITH: So digital is different. So that  
12 would be an exception. Virtual schools don't have  
13 the 150 minimum piece.

14 MR. WOOD: Well, then can -- then, how would  
15 that --

16 MS. SMITH: Class size with virtual is  
17 completely different. Yeah. Class size with virtual  
18 schools is different.

19 MR. WOOD: Well, no, I understand that. I  
20 guess, my question is why is the waiver based on --  
21 the waiver being granted to Arkansas Connections  
22 Academy?

23 MS. SMITH: Well, again, that's old legislation  
24 and policy. Before you used to have to cite a school  
25 district or a charter school that had the waiver if

1           you were going to ask for the waiver. There was  
2           legislation that passed that doesn't -- that no  
3           longer requires a charter school to have that waiver  
4           to be able to ask for it.

5           MR. WOOD: Oh.

6           MS. SMITH: And so that's probably an old form  
7           --

8           CHAIR MOORE: Yeah.

9           MS. SMITH: -- or just a side of that.

10          CHAIR MOORE: Yeah.

11          MR. WOOD: Fair enough.

12          MS. SMITH: Yeah.

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

15          MS. KEENER: Okay. Maybe I'm not understanding  
16          correctly, but if we do not grant the waiver -- and I  
17          think you asked this, but I want to clarify. If we  
18          do not grant the waiver, nothing will change for your  
19          district, except those teachers will be compensated  
20          for the additional students; is that correct? I see  
21          that as a beautiful thing.

22          MS. SMITH: I'm not going to say that. I mean,  
23          I feel everybody's looking at me.

24          MS. KEENER: Well, I'm looking around, yeah.

25          MR. RHODES: So the waiver that's before you

1 right is a waiver of standards. It's not a waiver of  
2 the statutes. So on the front page, it's just simply  
3 cited to the standards. So what you're granting  
4 today is the enforcement of going over the class size  
5 and teaching load for the -- for those classes,  
6 nothing else. Nothing else is before you today.  
7 Now, if there's a question about compensation, that's  
8 a question that the school district needs to consider  
9 with their counsel because that's not what they  
10 brought before you today. Does that answer the  
11 question?

12 MS. KEENER: Yes. What would be the --  
13 essentially, if we don't grant this and they do not  
14 change the -- nothing changes for the district, what  
15 would their consequence be with standards? That  
16 would be a violation against the standard of  
17 accreditation?

18 MR. RHODES: Then there may be a finding that  
19 they're violating a particular standard.

20 MS. KEENER: Okay.

21 MS. SMITH: And I --

22 CHAIR MOORE: Want to come up for a sec?

23 MS. SMITH: I did confirm with Ms. Worsham, if a  
24 district flags for the 150, they then have to submit  
25 evidence that they compensated the teacher for the



1 flag to be removed.

2 MS. KEENER: Oh, okay.

3 Do you know what that price -- with that -- how  
4 much that would look like financially for you?

5 MR. GEORGE: I honestly don't. I think last  
6 year when we met, I had -- I had some figures after  
7 speaking with one of your representatives that I was  
8 working it through. But I have no idea what that was  
9 at the time. And again, I mean, you would be  
10 talking, I guess, it's on Friday. So I don't know if  
11 that takes into account a fifth because it's not like  
12 they're over 150 per week -- or per class every day.  
13 It's you just may go over one or two on Friday  
14 because every class meets.

15 MR. WOOD: And I would also point out -- and  
16 this is piggybacking on the notion of the  
17 extracurricular -- not extracurricular -- but the  
18 elective classes being larger than others. And  
19 specifically I think about maybe band. There's not a  
20 band director in Arkansas that doesn't want the  
21 largest band --

22 MR. GEORGE: Right.

23 MR. WOOD: -- he can get to be on the football  
24 field on Friday nights. And so they're more than  
25 that -- if -- they want 300 kids, if they can get 300

1 kids. So the idea that you would double their salary  
2 or that you would have to double their salary, I  
3 think that would be a little onerous. So there might  
4 would need to be some sort of consideration made that  
5 -- that's not that -- that's not the same as a math  
6 teacher having, you know, one-to-one compensation.

7 MS. SMITH: One thing that I would encourage, so  
8 this is something they did last year. I think if  
9 there was a huge complaint or concern about it, you  
10 would have folks here with that. So that's one thing  
11 to keep in mind. Two, I think this is a great  
12 opportunity for the Board to maybe do a visit to this  
13 district in the fall. Actually talk to the teachers,  
14 get on site and see. This could also lead to the  
15 discussion of any changes we do want to make in the  
16 school class size rules that would be coming up. So  
17 that may be something that you might want to consider  
18 is to approve it and be able to then plan for a  
19 visit. And let's go visit and talk to folks and that  
20 would assist you then in future decisions.

21 MR. WOOD: And maybe it would be a good day to  
22 have a work session on schedule --

23 CHAIR MOORE: School calendar.

24 MR. WOOD: -- school calendar.

25 CHAIR MOORE: Class size.

1 MS. HUNTER: Class size.

2 CHAIR MOORE: Yeah. And -- because it's all  
3 interconnected.

4 MR. WOOD: And maybe after they have ATLAS data  
5 to --

6 CHAIR MOORE: Yeah.

7 MR. WOOD: -- discuss.

8 CHAIR MOORE: Yeah. And these have all been  
9 impacted by various laws over the past few years and  
10 some districts might not even realize where they  
11 could land.

12 Questions, comments, Board members? Or open the  
13 floor for our motion.

14 MR. WOOD: I would love just a little bit of  
15 direction about the compensation related to an art  
16 teacher because you -- if I heard you correct, I  
17 think in there at some times, maybe 21 students over  
18 the 150 mark? I don't know if I have that  
19 information.

20 MR. GEORGE: I've got --

21 MR. WOOD: I thought it was in the 170s?

22 MR. GEORGE: I've got something that will show  
23 you his daily period if -- give me just one second  
24 for me to locate that.

25 SECRETARY OLIVA: I think when you start getting

1           into these salaries, you have to remember that with  
2           LEARNS we're giving local control over how the  
3           district chooses to compensate their educators as  
4           long as they meet those minimum salary requirements.  
5           So it's going to look different in every district.  
6           The spirit behind the rule of 150 is if you're a  
7           teacher on a seven-period day, you're expected to  
8           teach six periods --

9           MR. WOOD: Yeah.

10          SECRETARY OLIVA: -- 25 students in a class.  
11          You're going to have 150 students. Why they're  
12          saying you should get compensated for going above  
13          that is because you have a lot of school districts,  
14          they may need to compensate the educator to give up  
15          their planning period and teach a seventh period.  
16          That's what that statute and those rules are  
17          referring to and on how they quantify a teacher  
18          giving up their planning so that they get -- they get  
19          compensated because they're going to go over  
20          potentially the 150 students a day. So when you look  
21          at that average teacher load being within 150  
22          students plus or minus a few, you're still average  
23          teacher load is going to be, especially for a core  
24          content area. Asking an educator to give up their  
25          planning, they should get compensated because they're

1 teaching an extra section and that's really the  
2 spirit why they're saying you're going to get flagged  
3 because we want to see, are you teaching additional  
4 sections and being compensated for that. Going over  
5 a couple students is why we don't have an issue with  
6 this waiver request as an Agency is a different  
7 conversation. But then to your point, if the band  
8 teacher has 200 students, if they fit in the band  
9 room, they're not going to have 200 students every  
10 period. There's not 2,000 kids taking band, so they  
11 may have a couple of other periods where they're  
12 doing maybe small group or additional planning or  
13 working with the brass instruments. But during that  
14 one time where the whole concert band comes together,  
15 it's going to look and feel different. That's why  
16 schools need to have that flexibility and design  
17 schedules and compensation, salary schedules that  
18 work best for them because it's not a  
19 one-size-fits-all approach.

20 MR. GEORGE: He's got 16.

21 MR. WOOD: I think the whole Board could benefit  
22 from maybe hearing this.

23 MR. GEORGE: Okay.

24 MR. WOOD: This is about the art teacher's --

25 MR. GEORGE: This is specific to the art

1 teacher, and I really think it was something that I  
2 submitted before that had the breakdown of my three  
3 teachers. So for the art teacher, we're going to use  
4 A days here, so it's a Monday or a Wednesday. The  
5 art teacher had 16 -- so there was a mix of art 2, 3  
6 and 4 altogether. He had 22 students first block; he  
7 had 26 students second block; third block, he had 27  
8 students; fourth block is his prep, so he has no  
9 students; and then fifth block he had 24. So when  
10 you do that math, it's well below 150. And then same  
11 thing on the B days, it would be equivalent to that.  
12 Then you mix those all together, though, to get the  
13 -- what we're doing with our Fast Friday, that's  
14 where he goes over. But it's -- for 45 minutes, he  
15 has a student. It was an A day. For the next 45  
16 minutes, he has a student. It was a B day.

17 MR. WOOD: I see.

18 MS. HUNTER: Yeah. It's just --

19 MR. WOOD: I see. Right. Yeah.

20 MS. HUNTER: It's just three.

21 MR. GEORGE: But again, daily, they're not over  
22 that in the --

23 MR. WOOD: Yeah.

24 MR. GEORGE: -- traditional sense.

25 MR. WOOD: All right.

1 CHAIR MOORE: Additional questions, comments?  
2 Or the floor is open for a motion.

3 MS. KEENER: I appreciate the focus on the  
4 intent of the accreditation standard, that sort of  
5 clarified a lot of my concerns, so I move that we  
6 accept -- let me get the wording right -- the request  
7 -- where was it? Sorry.

8 CHAIR MOORE: A waiver request --

9 MS. KEENER: The waiver request that -- there we  
10 will simplify.

11 CHAIR MOORE: And then you'll --

12 MS. KEENER: I was trying to get the exact  
13 wording, but okay.

14 CHAIR MOORE: -- need the time period.

15 MR. GEORGE: Yes. To clarify my part, three  
16 years that we were requesting or the one year.

17 CHAIR MOORE: You can put that in your motion.

18 MS. KEENER: I'm a fan of one year. Okay.

19 So I move that we request, excuse me, accept the  
20 request for a waiver for one year.

21 CHAIR MOORE: Okay. A motion by Ms. Keener to  
22 accept the 1240 waiver request for one year. Is  
23 there a second?

24 MS. HUNTER: Second.

25 CHAIR MOORE: Questions or comments?

1 (NO RESPONSE)

2 CHAIR MOORE: Okay. We'll take vote all in  
3 favor, say aye.

4 (UNANIMOUS CHORUS OF AYES)

5 CHAIR MOORE: Any opposed?

6 Motion passes.

7 MR. GEORGE: Okay. Thank you.

8 CHAIR MOORE: Thank you, Mr. George.

9 MR. GEORGE: And as your request, we'll be happy  
10 to come back next year and get more data.

11 MS. KEENER: And we want to come see you before  
12 then, so thanks.

13 MR. GEORGE: That'll be absolutely fine.

14 MS. KEENER: I love a good tour.

15 MR. GEORGE: Thank you so much.

16 CHAIR MOORE: Thank you.

17 **2: CONSIDERATION OF BOUNDARY CHANGE PETITION BY THE PRAIRIE**  
18 **GROVE SCHOOL DISTRICT**

19 CHAIR MOORE: Okay. Up next, we have the  
20 consideration of a boundary change by the Prairie  
21 Grove School District. And I believe I have seen --  
22 let's see -- Superintendent Spears from Lincoln  
23 online and Superintendent Campbell from Prairie  
24 Grove. Can you all hear us okay --

25 SUPT. SPEARS: Yes.



1 CHAIR MOORE: -- from --

2 SUPT. SPEARS: Yes.

3 CHAIR MOORE: -- Lincoln and Prairie Grove?

4 Great.

5 Do you want to get started and then we will  
6 swear them in; is that correct?

7 MR. RHODES: Yes, ma'am.

8 So, Chair, Members of the Board, I'm going to  
9 just provide a quick update. I know the school  
10 districts are on the Zoom call. But they're  
11 currently working on a memorandum of understanding  
12 between the school districts to provide for  
13 attendance to Prairie Grove schools for the affected  
14 households, as well as transportation. That  
15 memorandum is written, has been drafted and has not  
16 been presented the two school boards' folk to be  
17 ratified, so there's really nothing to be reviewed by  
18 you today. I would recommend that we just simply  
19 table this item for August so that you actually have  
20 something to look at. It's my understanding that the  
21 Prairie Grove School District would agree to withdraw  
22 its petition if both districts were to agree to the  
23 memorandum. So --

24 CHAIR MOORE: Okay. So with that, do we --  
25 we're not going -- you're saying your recommendation

1 is not to have a hearing today? Can we still --

2 MR. RHODES: Yeah. But --

3 CHAIR MOORE: Do we need to still hear from the  
4 school districts, Secretary?

5 MR. RHODES: You certainly may.

6 CHAIR MOORE: Okay.

7 MR. RHODES: They're available.

8 CHAIR MOORE: Board Members, would you like to  
9 hear from the school districts?

10 (NO RESPONSE)

11 CHAIR MOORE: Okay. We have something in our  
12 folder that was presented to us.

13 MR. RHODES: Well, that's the draft. This is  
14 not the --

15 CHAIR MOORE: Okay. That's the draft. And that  
16 was made by their districts; is that correct?

17 MR. RHODES: So -- yeah. They -- the Prairie  
18 Grove School District contracted with an attorney;  
19 they put that together; and they presented it to the  
20 Lincoln Consolidated School District for  
21 consideration.

22 CHAIR MOORE: Okay.

23 Board Members, questions?

24 (NO RESPONSE)

25 CHAIR MOORE: Okay.

1 MR. WOOD: I'm -- I would be more than happy to  
2 just move this to August to not waste everyone's time  
3 discussing it again today; and then, just to hear  
4 from them again in August.

5 CHAIR MOORE: Okay. So what is a proper motion  
6 for --

7 MR. RHODES: It would --

8 CHAIR MOORE: -- Mr. Wood to make?

9 MR. RHODES: -- just be -- just move to table to  
10 --

11 CHAIR MOORE: Table? Okay.

12 MR. RHODES: -- this item to the August agenda.

13 CHAIR MOORE: Okay. Okay.

14 MR. WOOD: So moved.

15 MS. KEENER: Second.

16 CHAIR MOORE: A motion by Mr. Wood to table the  
17 item till August. A second by Ms. Keener. Any  
18 questions or comments?

19 (NO RESPONSE)

20 CHAIR MOORE: Okay. All in favor, say aye.

21 (UNANIMOUS CHORUS OF AYES)

22 CHAIR MOORE: Any opposed?

23 Motion passes.

24 MR. RHODES: Thank you, Chair.

25 CHAIR MOORE: Thank you.

1                   Thank you, superintendents, for joining us  
2                   today.

3                   SUPT. SPEARS: Thank you.

4   **3:    REQUEST TO RELEASE RULE FOR PUBLIC COMMENT**

5                   CHAIR MOORE: We will move along to rules. We  
6                   have a number of rules today. First up is Braille  
7                   and large print textbook.

8                   MS. SMITH: Okay. So these are rules that are  
9                   being released for public comment. The only changes  
10                  -- these are rules that were pre-existing rules.  
11                  They are for large print and Braille; and the only  
12                  changes that were made was in special language to the  
13                  appropriation and that is in section seven; and then  
14                  other items that were changed were basically some  
15                  formatting things in regulation pieces.

16                  But this is a great opportunity to talk and  
17                  share and introduce to you someone new, Nicole Walsh,  
18                  she is right here on the front row. I'm going to let  
19                  her come up. She is the newly hired superintendent  
20                  for the School for the Deaf. I will tell you that  
21                  when she interviewed with Secretary Oliva and I got  
22                  to come over and meet her, I was blown away. We are  
23                  extremely fortunate to have Ms. Walsh take the helm  
24                  of the School for the Deaf and be creating a  
25                  partnership with the School for the Blind and take

1           this school forward because we have lots of big  
2           plans; and she is the one who's bringing those plans  
3           and is going to actually implement them and make them  
4           -- make them come to life. So I'm going to let her  
5           come up and just tell you a little bit about herself.

6           SUPT. WALSH: Thank you so much.

7           Good morning. I have to start off by saying,  
8           having recently moved here and gotten started -- I am  
9           nine days in, so -- but everyone has been so  
10          welcoming and wonderful, and I truly feel like  
11          Arkansas is our home. So fortunate to be here.

12          Oh, thank you. I'm a little tall.

13          Okay. So I just appreciate having a moment to  
14          introduce myself and meet all of you. I was so  
15          honored to be chosen to lead the Arkansas School for  
16          the Deaf back in April. I'm officially nine days in,  
17          but we have been working and planning with the help  
18          of Dr. Barnes and many other people at ADE for months  
19          at this point. With extensive background in both, as  
20          a teacher of the deaf, teacher of the blind/visually  
21          impaired and as an administrator for programs for  
22          district wide services and statewide services, I am  
23          so excited to have the opportunity to really take the  
24          helm, make big changes with the way things have been  
25          going over at the Arkansas School for the Deaf,

1           coordinate with the Arkansas School for the Blind and  
2           really create a beacon for services for the state of  
3           Arkansas for every student, regardless of whether  
4           they are at our residential programs or out in their  
5           public schools.

6           ASD is such a special place. Our boots on the  
7           ground are extremely dedicated educators who want and  
8           have a passion for the students with sensory  
9           impairments. And so they are hungry to improve their  
10          services and their supports and instruction; and it  
11          is my goal to help lead our school to making those  
12          positive changes and becoming absolutely the best  
13          school that we can be and a beacon for the nation. I  
14          would love to have schools come and visit us because  
15          they want to see what the great -- what great things  
16          we're doing. That starts with our early intervention  
17          services all the way up through our CTE programs and  
18          our postgraduate services that we're providing to  
19          students who are not quite ready to step out into the  
20          world just yet.

21          So we look forward to partnering in all areas of  
22          ADE to improve practices, support our families, grow  
23          students who are successful in whatever that may mean  
24          for each of them, and moving forward with all of  
25          those kinds of things.

1           Thank you so much for this opportunity. I truly  
2           appreciate it. I can't wait to get to know all of  
3           you more. Do you have any questions for me?

4           CHAIR MOORE: Awesome. Welcome to Arkansas.

5           SUPT. WALSH: Thank you.

6           CHAIR MOORE: Thank you for your service. We  
7           are excited to be here, and we're excited. We -- our  
8           Board has not had much depth of contact with the  
9           schools, and I know that we can -- we are -- we'll be  
10          happy to partner with you all to support you and the  
11          work that you're doing.

12          Board Members --

13          SUPT. WALSH: I look forward to a wonderful  
14          partnership.

15          CHAIR MOORE: Questions? Comments?

16          MR. WOOD: Well, I know that the school has been  
17          the subject of some focus of legislators and  
18          whatever, and there's been some tours and whatnot,  
19          site visits by legislators, but I would love for us  
20          to get to go on a tour, maybe on a Friday in the fall  
21          so that we could then go see the Deaf Leopards play  
22          some football.

23          SUPT. WALSH: That's my team this year, that's  
24          right.

25          MR. WOOD: I would -- I would love that.

1 SUPT. WALSH: Well --

2 MR. WOOD: I would love to come see them.

3 SUPT. WALSH: Well, that's a perfect point.

4 It is our 175th year in service --

5 CHAIR MOORE: Oh, wow.

6 SUPT. WALSH: -- this year.

7 MR. WOOD: That's great.

8 SUPT. WALSH: And so we're super excited to  
9 celebrate that honor and we're going to have all  
10 kinds of really great things. We're already planning  
11 some really great banquets and a museum tour. So I  
12 would love to have you guys come. Our homecoming is  
13 going to be September the 28th, I believe, I'll  
14 double check on that date and make sure. But I would  
15 love for you guys to join us at that celebration and  
16 come meet our community and get to know everyone  
17 that's there and working so hard for our students.

18 MR. WOOD: That's cool. Where are you from?

19 SUPT. WALSH: Florida.

20 MR. WOOD: Oh, cool.

21 SUPT. WALSH: Yeah.

22 MR. WOOD: All right. Well, welcome.

23 CHAIR MOORE: He looks very proud over there.

24 One of your own.

25 SUPT. WALSH: Thank you so much for your time.



1 CHAIR MOORE: Thank you very much.

2 MS. SMITH: We want that school --

3 MR. WOOD: All these -- all these people from  
4 Florida moving to Arkansas.

5 MS. SMITH: I'm telling you, listen, we've got  
6 -- we've got our own beaches here; right?

7 MR. WOOD: Yeah, right.

8 CHAIR MOORE: The Arkansas River is great.

9 MS. SMITH: That's right.

10 MS. KEENER: I was there yesterday. Thank you  
11 very much.

12 MS. SMITH: We want the school for the Deaf,  
13 School for the Blind to be a school of choice for our  
14 blind and deaf and hard of hearing students  
15 throughout the state. And we truly believe that  
16 Superintendent Walsh is the one to be able to lead  
17 that and make it be a school of choice.

18 The rules that I've presented for you highlight  
19 the actual instructional resource center that is  
20 housed at the School for the Blind. That allows for  
21 any student throughout the state who has a visual  
22 impairment to have access to textbooks either in  
23 Braille or large print. And so these rules outline  
24 that process. So I'd ask at this time that the Board  
25 approve the request to release these for public

1 comment.

2 CHAIR MOORE: Questions, Board Members?

3 I think it would -- I think would be awesome if  
4 we could do a visit. I would love to hear more about  
5 what services are provided to students who choose to  
6 stay in their local district. So I'm excited about  
7 supporting you all further and learning more.

8 Okay. The floor is open for a motion.

9 VICE CHAIR ROLLINS: I'll make the motion that  
10 we release these rules for public comment.

11 CHAIR MOORE: Okay. Motion by Ms. Rollins. Is  
12 there a second?

13 MR. HENDERSON: Second.

14 CHAIR MOORE: There is a second. Questions or  
15 comments?

16 (NO RESPONSE)

17 CHAIR MOORE: We'll take a vote. All in favor,  
18 say aye.

19 (UNANIMOUS CHORUS OF AYES)

20 CHAIR MOORE: Any opposed?

21 Motion passes. Thank you.

22 VICE CHAIR ROLLINS: I really appreciate reading  
23 just through the rules and how educational it was for  
24 me to really think about the process and the needs of  
25 these students. And I'm -- yeah. I appreciate that.

1                   And can you introduce yourself because I --

2                   MS. SMITH: Come on, Chris.

3                   DR. BARNES: Well, it was not my plan to get up  
4 here and speak with you this morning. But I'm Dr.  
5 Chris Barnes. I work with the Office of Coordinated  
6 Support and Service here at the Agency, and I have  
7 been working with the School for the Blind and Deaf  
8 for the past year in trying to organize and support  
9 those schools.

10                  VICE CHAIR ROLLINS: Okay. Thank you.

11                  MS. KEENER: And thank you both for coming  
12 today.

13                  VICE CHAIR ROLLINS: Yes.

14                  SECRETARY OLIVA: And I just want to add,  
15 welcome, Nicole, to the team. Even though she says  
16 technically she started July 1st, but once we knew  
17 she was coming, I think I probably called her about  
18 every other day. So she's been very busy over the  
19 last few months.

20                  SUPT. WALSH: I think we started, like, the day  
21 after.

22                  SECRETARY OLIVA: Yeah. Like, I got a long list  
23 for you. I just need to let you know how this is  
24 going to work. But I think we're really excited.  
25 And in fact Nicole's going to start doing some

1           strategic planning with their board, so to setting up  
2           a visit in a tour, I think the timing of this is  
3           really going to work well because the long-term plan  
4           is we have to make that, not just a world class  
5           education opportunity, we're going to get a  
6           world-class facility as well. So we're in the  
7           current process right now of acquiring architects and  
8           contractors and rolling out about a three-year plan  
9           to completely transform the look and feel of the  
10          School of Deaf and Blind as well as elevate  
11          accelerated opportunities for all the students that  
12          that attend that campus. And then part of that is  
13          we're identifying even greater opportunity for  
14          students across the state that could benefit from  
15          deaf and blind services, but the reality of them  
16          being able to come here or be a full-time resident is  
17          just not really what's in the best needs of their  
18          educational needs and opportunities. So we're --  
19          part of this conversation is billing out resource hub  
20          centers like we're looking at establishing something  
21          in the northwest areas to so -- that we can  
22          strengthen, strengthen direct services and students  
23          that require extra attention or actually able to get  
24          it. So we're going to reemphasize the main campus  
25          here, but we're also going to have satellite campuses

1 of this school and we're going to be able to support  
2 students even greater. And this is a plan that's --  
3 it's still kind of being developed. We're working  
4 with their board, but we want this Board to be a part  
5 of that conversation as well.

6 SUPT. WALSH: Absolutely.

7 SECRETARY OLIVA: And we're going to need to  
8 work coherently. We shouldn't just coexist. We  
9 should -- we should work together in coherence  
10 because this is about making sure that every student  
11 in this state, regardless of geographic location or  
12 program need, has the opportunity to be fully  
13 accelerated and be successful beyond high school and  
14 beyond. So we're really excited that the robust,  
15 deep conversations -- and poor Chris is he's been  
16 kind of on the campus for about the last year  
17 planning the logistics and coordination and all the  
18 moving parts.

19 And so thank you for everything you've done for  
20 the families and students.

21 SUPT. WALSH: Yes, sir.

22 The ultimate goal is to truly build a continuum  
23 of services where every family has a choice to make  
24 the right decision for their student, whether that's  
25 in their public schools in a maybe day program for

1 resource hubs, being supported within their own  
2 environment, whatever that looks like, or our  
3 residential program. And truly feeling like parents  
4 have an option. And we do that by starting with our  
5 small campus over there, but then also really  
6 building out our hubs and making those a true support  
7 system for every school district in Arkansas.

8 CHAIR MOORE: Awesome. That's great.

9 SUPT. WALSH: Thank you.

10 CHAIR MOORE: Thank you so much again for  
11 coming.

12 So we'll move on to the next segment.

13 MS. SMITH: I still need a motion on the rules.

14 CHAIR MOORE: We did it.

15 MS. SMITH: Oh, we did it?

16 CHAIR MOORE: Yeah. Yeah, yeah. Yeah, we got  
17 it.

18 MS. HUNTER: I don't -- did we vote?

19 SECRETARY OLIVA: Yeah.

20 CHAIR MOORE: We did.

21 MR. WOOD: Are you sure?

22 SECRETARY OLIVA: I wrote it down.

23 CHAIR MOORE: We have a collective memory.

24 MS. HUNTER: It was Kathy --

25 MS. SMITH: Okay. They voted. Never mind.

1 CHAIR MOORE: It was Kathy and Mr. Henderson.  
2 Yeah. Yeah, so --

3 MS. SMITH: I told you it was a long week at the  
4 conference.

5 CHAIR MOORE: They're released for public  
6 comment. Now, we're on to item number four which  
7 will be final approval for rules. And one of those,  
8 C, was pulled, so just A and B.

9 MS. SMITH: Sorry. Sorry about that. Just  
10 keeping you on your toes, making sure you knew what  
11 was happening. All right. I just feel better that  
12 Jeff didn't know any more than I did.

13 MR. WOOD: I still don't -- I'm still not  
14 convinced we voted.

15 MS. HUNTER: Me neither.

16 SECRETARY OLIVA: You had a motion by Kathy  
17 Rollins, second by Randy and it was unanimous.

18 MS. SMITH: Yeah. It was a unanimous vote.

19 MR. WOOD: Okay.

20 MS. SMITH: I trust Angela.

21 MS. KEENER: Yes.

22 **4: CONSIDERATION OF REQUEST FOR FINAL APPROVAL OF**  
23 **ADMINISTRATIVE RULES**

24 **4A: DESE RULE GOVERNING THE EDUCATIONAL FREEDOM ACCOUNT**  
25 **PROGRAM**

1     **4B:   DESE RULE GOVERNING EDUCATOR LICENSURE**

2                   MS. SMITH:   All right.   Here we go.

3                   The next set of rules are for final approval and the  
4                   ones you -- that you're seeing here is the  
5                   Educational Freedom Account rules.   Those were on the  
6                   board last agenda; you released them.   But going back  
7                   through and looking at a comment from, I guess it was  
8                   BLR, on the clarifying participants, they made a  
9                   clarification that we went back and added to those  
10                  rules.   It is more in line with -- specific to  
11                  legislation, so it was it was not substantive; it was  
12                  really just clarifying the language piece.   And so  
13                  we're back today to ask for those for final approval.  
14                  Then they'll go back to ALC.   And then also asking  
15                  for final approval of the licensure rules.   We've  
16                  done workshops on both of those rules with you.   You  
17                  have seen them before you -- this will be your second  
18                  time; third with the EFA rules.   And so I'm asking  
19                  for a motion to approve those two rules for final  
20                  approval.

21                  MS. KEENER:   I just had one quick question.   I  
22                  know that the -- there's a transition right now  
23                  between the vendors and -- for the EFA accounts.   Do  
24                  we have an update on when it will be reopened for  
25                  applications?



1 MR. SMITH: Darrell Smith, assistant  
2 commissioner for Office of School Choice. To answer  
3 your question, yes. We -- at this point, we  
4 anticipate opening up for schools -- being able to  
5 onboard into the new system next week. So our --  
6 week after that, July 22nd; and family should be able  
7 to start by July 29th.

8 MS. KEENER: Perfect. Thank you.

9 MR. SMITH: Thank -- you bet.

10 CHAIR MOORE: More questions, Board Members, to  
11 my left?

12 VICE CHAIR ROLLINS: I have a --

13 CHAIR MOORE: Yeah. Ms. Rollins.

14 VICE CHAIR ROLLINS: This -- this goes in with  
15 the rule, but people will comment and then it's a  
16 legislative item. So the comment is -- it's a  
17 legislative change. What does the Department do  
18 about that? When you see that, gee, that might be a  
19 good change, but it's a legislative change. At what  
20 point do you take that on to the legislature? Does  
21 the -- what is the process?

22 MS. SMITH: So actually, internally right now  
23 the Department is making -- we are all actually  
24 making suggestions and lists that we're submitting to  
25 the Secretary's office for changes that need to be

1           made. We're having internal conversations. Those  
2           conversations then will also be had with the  
3           governor's office in determining what our legislative  
4           suggestions are as we're moving forward. So we do  
5           that. There are times, especially with the school  
6           choice rules that you guys have seen before, where we  
7           saw that there's some overlap there. You know,  
8           that's definitely on our list. And then -- so we  
9           take note of that.

10           VICE CHAIR ROLLINS: Okay.

11           MS. SMITH: And it's also opportunities too.  
12           Public comment a lot of times tells us to where we  
13           need to make sure and get out and do training educate  
14           people that this is why this is the way it is or what  
15           the reasoning is behind that.

16           VICE CHAIR ROLLINS: I think that's what's hard  
17           is when you see, well, it's a legislative change and  
18           then where does it go? And I think, like you said,  
19           educating the public.

20           MS. SMITH: Right.

21           VICE CHAIR ROLLINS: Yes, we are listening and  
22           yes, it may cause a legislative change and we'll be  
23           working on that. So -- yeah.

24           MS. SMITH: Right, right. No, I appreciate that  
25           comment.

1 VICE CHAIR ROLLINS: Thank you.

2 MS. SMITH: Uh-huh.

3 CHAIR MOORE: More questions, Board Members?

4 Ms. Keener? Questions.

5 (NO RESPONSE)

6 CHAIR MOORE: Okay. Floor is open for a motion  
7 then.

8 MS. KEENER: I move we approve both the rules.

9 MS. HUNTER: Second.

10 CHAIR MOORE: Oh, wait. Did you say both?

11 MS. KEENER: Yes.

12 CHAIR MOORE: Okay. So -- can we do -- okay.  
13 So this is item No. four. There's been a motion by  
14 Ms. Keener to approve the Education Freedom Account  
15 Program rules and the Educator Licensure rules.  
16 Second by Ms. Hunter. Questions or comments?

17 (NO RESPONSE)

18 CHAIR MOORE: We'll take a vote. All in favor,  
19 say aye.

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIR MOORE: Any opposed?

22 Motion passes.

23 MS. SMITH: Thank you.

24 CHAIR MOORE: Thank you.

25 **5: SCHOOL CHOICE APPEAL UNDER ARKANSAS CODE 6-18-1901 ET SEQ.**

1                   CHAIR MOORE: Okay. Next on our list is a  
2 school choice appeal.

3                   Mr. Rhodes.

4                   MR. RHODES: Good morning, Chair, Members of the  
5 Board. Before you is a school choice appeal by Ms.  
6 Kacey Olvey appealing the decision of the Harmony  
7 Grove School District to deny a school choice  
8 application on behalf of one of her children. She  
9 originally applied for school choice for both of her  
10 children. One of her children was allowed to go into  
11 the school district and the other one was denied on  
12 the basis that it would require the school district  
13 to add teachers, staff or classrooms. Harmony Grove  
14 School District provided that decision in writing;  
15 and she is now appealing it to you.

16                   So in terms of process, same process as usual,  
17 the Chair will place everyone that will speak before  
18 you under oath. Every party will have 20 minutes to  
19 speak. After that, the State Board will grant or  
20 deny the appeal based on the totality of the evidence  
21 presented to you. And it will -- which will give you  
22 three options: you can either overturn the decision  
23 of the school district and grant the petition for a  
24 school transfer -- well, not transfer, but school  
25 choice, you can affirm the school district and then

1           -- their decision of denying the school choice  
2           application or you can table that decision for a  
3           future meeting. Once you've reached a decision,  
4           we'll put an order in writing which will be signed by  
5           the Chair and that will be the official action of the  
6           Board.

7           CHAIR MOORE: Thank you.

8           So anyone who is going to speak on behalf of the  
9           school districts or the family, that's not an  
10          attorney, please raise your right hand. Thank you.  
11          Do you swear to tell the truth, the whole truth and  
12          nothing but the truth?

13          (ALL ANSWER AFFIRMATIVELY)

14          CHAIR MOORE: Thank you.

15          So Mr. Rhodes, who's up first?

16          MR. RHODES: The parent, Ms. Olvey, will go  
17          first.

18          CHAIR MOORE: Awesome. Thank you.

19          MS. OLVEY: How are you today? My name is Kacey  
20          Olvey. I'm a mother of three children: Grance  
21          Olvey, Gannon Olvey and Gentry Olvey. I'm here today  
22          because I applied for the school choice to Harmony  
23          Grove for both of my sons, one of whom is autistic,  
24          one of whom is not. We're originally from Hampton  
25          which is a great school. I love that school.

1           However, they chose to do year-round schooling this  
2           year, and I thought that it would be in my son's best  
3           interest to attend Harmony Grove School. When we  
4           applied for the Harmony Grove School District, I put  
5           both of my sons' name on the paper together and my  
6           typical son was approved, but my neurotypical son was  
7           denied. And it was stated that it was because he  
8           would need a paraprofessional. He struggles with  
9           getting place to place -- places on his own, but he's  
10          very smart. He -- excuse me.

11           CHAIR MOORE: You're okay. Thank you. If you  
12          need a minute, it's okay. Yeah. We completely  
13          understand and we've had lots of families before our  
14          Board today. We appreciate you advocating on behalf  
15          of your students and family.

16           MR. RHODES: So I'll present the case as best as  
17          I can without advocating for either party. Just  
18          present you the facts as we know them. Again, as --  
19          one of the items that was presented to you was the  
20          letter from Harmony Grove. And Ms. Olvey here -- in  
21          the rule -- in the letter they stated that the rules  
22          are not required to add staff which is true. The  
23          rules do not require that. But that's generally as  
24          to traditional students. At the end of the day, the  
25          rules also state that a school district receiving

1 transfers on the Public School Choice Act of 2015  
2 shall not discriminate on the basis of gender,  
3 national origin, race, ethnicity, religion or  
4 disability. And so while the disability may not have  
5 been listed on the letter, if the basis for the  
6 denying a school choice transfer is because that  
7 particular student who, being neurotypical and may  
8 have maybe on the autism spectrum, requires a peer  
9 professional, then the decision made by the school  
10 board may be hinged on that individual's disability.

11 Again, the rules and the statutes are pretty  
12 clear. And that school districts cannot discriminate  
13 on the basis of disability. And so if I'm  
14 understanding correctly, her appeal to you is that  
15 while this letter and the rules correctly do not  
16 require a school district to hire additional staff  
17 for a traditional student, it does not obviate the  
18 need for them to comply with federal law and state  
19 requirements that they provide required services to  
20 special needs students.

21 CHAIR MOORE: Thank you.

22 Ms. Olvey, is there anyone else that you'd want  
23 to speak on your behalf?

24 MS. OLVEY: The only thing that I ask is that if  
25 you make a decision, you make it today.

1 CHAIR MOORE: On the microphone -- you guys need  
2 it today? Yeah.

3 MS. OLVEY: Yes, please. Because if he does  
4 need an aid, it does take time to get those aids.  
5 And with Hampton starting back at -- July 24th, I  
6 believe it is, it would leave us a very small window  
7 to try and find what he needed. Other than that, I  
8 think that covers everything. I'm so sorry.

9 CHAIR MOORE: No, you're wonderful. Thank you  
10 for being here and for sharing.

11 We will allow -- now, do we allow the  
12 nonresident or the resident school district first?

13 MR. RHODES: The nonresident school district is  
14 the one that took action, so that would go next.

15 CHAIR MOORE: Okay.

16 MR. RHODES: And then, if you wanted to hear  
17 from the resident school district, they could go  
18 after.

19 CHAIR MOORE: Harmony Grove School District.

20 MS. HALE: I'm Sharon Hale; I'm the special  
21 programs coordinator -- or administrator -- at  
22 Harmony Grove. Our superintendent is recovering from  
23 surgery, so he is not here today. And I'll let Ms.  
24 Cheatham --

25 MS. Cheatham: I'm Jennifer Cheatham. I'm the



1 special ed director at Harmony Grove.

2 MS. HALE: We did not -- we denied it based on  
3 the fact that we're going to have to hire staff to --  
4 to accommodate his needs. We did not see it as  
5 discrimination, so --

6 CHAIR MOORE: Thank you. Any further comments?  
7 Okay. Okay. Thank you. We'll allow any comments  
8 from the resident school district.

9 SUPT. SCARBROUGH: Matt Scarbrough,  
10 superintendent at Hampton. The resident school  
11 district would just say this, we did not -- we had  
12 the young -- I won't say his name because I know  
13 we're live streaming -- but the young man with  
14 autism. We did not dismiss the aid that we had for  
15 him last year. We still have him on staff, so if the  
16 Board decides he's come back, we just make a switch  
17 and we're ready to go. However, the Hampton School  
18 District will say this Harmony Grove is a fantastic  
19 school. They're just under us, I think, but that's  
20 biased opinion, I'm sure. But we will be happy to  
21 support Kacey and her children if they decide to go  
22 to Harmony Grove and the Board allows that. We will  
23 also love him. And we are the Bulldogs; we will wag  
24 our tails if he comes back, be happy to have him. We  
25 love him. We have the ability to take him

1 immediately if we need too, but we will honor the  
2 Board's decision either way and we will support the  
3 family either way. This decision is based on her  
4 scheduling for her young man and what we've decided  
5 to do as a district with year-round. This isn't a  
6 problem between us and the district. We love Kacey;  
7 we love her kids. And either way, we'll support the  
8 family. Okay.

9 CHAIR MOORE: Thank you, Superintendent  
10 Scarbrough. We appreciate you coming in today.

11 Yes.

12 MS. OLVEY: After -- you know, it's been a  
13 couple of months of where I've been considering this  
14 and when I began it was, you know, I did want what  
15 was best for my boys; and, you know, I still love  
16 Hampton; I think it's great. It kind of just turned  
17 into more of -- you know, I know that the other  
18 district does not feel like they are discriminating,  
19 but that was the reason I pressed forward with this  
20 is because I feel like if someone comes behind us, I  
21 don't think that they should have to come all the way  
22 up here to Little Rock just to get the point across.  
23 It should be known that special people deserve school  
24 choice too. Thank you.

25 CHAIR MOORE: Thank you, Ms. Olvey.

1                   At this point, we'll open the floor for  
2                   questions from Board Members. I'll go to my right  
3                   first. Questions, Mr. Henderson?

4                   MR. HENDERSON: What does the law or Department  
5                   of Education indicate? They said they would have to  
6                   hire someone based on resources. I'm curious to  
7                   know, is that something that we govern or mandate?  
8                   Can someone elaborate on that for me?

9                   SECRETARY OLIVA: So when -- when you look at a  
10                  child that enrolls in a school and you look at the  
11                  funding that's associated with the child, there's  
12                  many different factors that carry on different  
13                  weights and the different dollars that would follow  
14                  the student. The students that have additional needs  
15                  and supports, they may get additional funding. This  
16                  is discrimination. I'm just going to say it. You  
17                  cannot deny a student because they have a disability,  
18                  and if there's additional funding that's associated  
19                  by the receiving district to take that on -- you also  
20                  can't control who moves into your neighborhoods. You  
21                  can't control who moves into your home zoned school  
22                  districts. School districts need to be ready to  
23                  embrace the many wonderful opportunities that our  
24                  children bring us each and every single day,  
25                  regardless of the background and additional layers of

1 support they need. That's why our public schools are  
2 going to continue to excel because we're going to get  
3 this right. And this is something that we -- in our  
4 Agency, my recommendation is that we would grant that  
5 waiver and we would want to see this child thrive and  
6 be in a school district that's willing and ready to  
7 get the supports needed to support that child.

8 MR. HENDERSON: Thank you.

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

10 I believe last summer we had a case that was  
11 similar unfortunately.

12 Mr. Wood?

13 MR. WOOD: Well, I am a graduate of Harmony  
14 Grove High School, class of 1998; and Ms. Hale, it's  
15 good to see you again. It's been a number of years.  
16 She was my GT teacher when I was in high school.  
17 It's good to see you again. I am going to vote  
18 against you today. Okay. I'm going to support the  
19 students transfer request. I think that it's clear  
20 that there is a shift in thinking among school choice  
21 and students and parents having the right and the  
22 empowerment to go to school where they want to go to  
23 school. And anytime I can support that, I want to do  
24 so. It's certainly -- I mean, it -- no offense to  
25 Harmony Grove. And I take exception with what the

1 Hampton superintendent had to say because I remember  
2 beating Hampton in football just about every time we  
3 played when I was in school there. But other than  
4 that, I look forward to supporting the student and I  
5 -- and I hope to hear that that it's a fantastic --  
6 that your child has as good of an experience at  
7 Harmony Grove as I had.

8 CHAIR MOORE: With that, would you like to make  
9 a motion? The floor is open for a motion.

10 MS. KEENER: Well, I wanted to say one more  
11 thing that as a mother of three children myself, I  
12 understand how -- and I think any parent in here  
13 knows that when you send your child into the world,  
14 you send a little piece of your heart out there with  
15 them. And with that comes all the big feelings. So  
16 please know that you are well understood here. And I  
17 want to also maybe highlight the benefits of, you  
18 know, in early childhood we call it a mixed delivery  
19 system where neurotypical and neurodivergent children  
20 learn together. The benefits are research based,  
21 they are proven, and it is a beautiful thing for both  
22 communities. So I look forward to seeing those  
23 benefits in your school district.

24 So anybody want to, I guess, let me read it. I  
25 make a motion that we approve the -- approve; is that

1 right? The transfer -- excuse me. The -- what --  
2 what's the wording here? Sorry.

3 MR. RHODES: So --

4 MS. KEENER: It's a --

5 MR. RHODES: So --

6 MS. KEEENR: They're appealing the rejection --

7 MR. RHODES: Right.

8 MS. KEENER: Double negative.

9 MR. RHODES: So it would be a motion to approve  
10 the petition to grant to overturn -- well, I guess,  
11 this is where it's starting to get --

12 MS. KEENER: Yeah.

13 MR. RHODES: -- wordy; right? It's a motion to  
14 approve the petition to overturn the Harmony Grove  
15 School District's denial of the school choice  
16 petition.

17 MS. KEENER: That's the motion I make.

18 MR. RHODES: Okay.

19 MR. WOOD: So moved.

20 MS. KEENER: So moved.

21 CHAIR MOORE: So Ms. Keener has a motion to  
22 approve the transfer of the student.

23 MS. KEENER: Yes.

24 CHAIR MOORE: Is there a second?

25 MR. WOOD: I'll second that.

1 CHAIR MOORE: A second by Mr. Wood. Questions  
2 or comments?

3 (NO RESPONSE)

4 CHAIR MOORE: We'll take a vote. All in favor,  
5 say aye.

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIR MOORE: Any opposed?

8 Motion passes. Thank you.

9 And thank you again, Ms. Olvey, for coming in  
10 and advocating on behalf of your student.

11 **6: REQUEST FOR APPROVAL OF ASSOCIATIONS TO ACCREDIT PRIVATE**  
12 **SCHOOLS PARTICIPATING IN THE EDUCATIONAL FREEDOM ACCOUNT**  
13 **PROGRAM**

14 CHAIR MOORE: We actually just have one more  
15 agenda item -- action item left. Let's do that and  
16 the consent agenda and then we'll take a break. Is  
17 that okay?

18 MR. SMITH: I have a much easier motion for us.

19 MS. KEENER: Triple negative.

20 MS. HUNTER: Yeah.

21 MR. SMITH: Darrell Smith, again, assistant  
22 commissioner of the Office of School Choice. Last  
23 month, you all approved 23 accrediting organizations  
24 for the EFA program that private schools could be  
25 accredited by, and we mentioned last time we were

1 bringing some additional agencies this month. The --  
2 in your packet, you'll see five additional agencies  
3 that we would like to add to the approved list and  
4 they're asking for your approval today.

5 CHAIR MOORE: Thank you.

6 Board members, to my left questions or comments?

7 (NO RESPONSE)

8 CHAIR MOORE: To my right, questions?

9 (NO RESPONSE)

10 CHAIR MOORE: Okay. Floor is open for a motion  
11 then. I appreciate you making --

12 MR. SMITH: You bet. Thank you.

13 CHAIR MOORE: -- the accommodation.

14 MS. HUNTER: Move to approve.

15 CHAIR MOORE: There's a motion by Ms. Hunter to  
16 approve. Is there a second?

17 MR. BRAGG: I second.

18 CHAIR MOORE: A second by Mr. Bragg. All in  
19 favor, say aye?

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIR MOORE: Any opposed?

22 Motion passes.

23 (The Action Agenda was concluded at 11:04 a.m.)  
24  
25



## C E R T I F I C A T E

STATE OF ARKANSAS )

) ss

COUNTY OF PULASKI )

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

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

WITNESS MY HAND AND SEAL this 30th day of July, 2024.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

