

# ARKANSAS STATE BOARD OF EDUCATION

NOVEMBER 7, 2024

9:00 A.M.

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

### BOARD MEMBERS:

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

### NON-VOTING PARTICIPANTS:

MR. JACOB OLIVA, ADE Secretary  
MS. HOPE WORSHAM, Assistant Commissioner - Public School  
Accountability  
MS. KARLI SARACINI, Assistant Commissioner - Educator  
Effectiveness and Licensure  
DR. DARRELL SMITH, Assistant Commissioner - School Choice  
and Parent Empowerment  
MR. MATT SEWELL, Assistant Commissioner - Federal Programs  
and Special Education  
MS. MELISSA JACKS, Office of Educator Licensure  
MS. COURTNEY SALAS-FORD, ADE Chief of Staff

### ADE LEGAL COUNSEL:

MR. DANIEL SHULTS, Interim Chief Legal Counsel

### LOCATION:

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

# **I N D E X**

	Page
Action Agenda . . . . .	3
1. Lead Hill Class Size Waiver Request . . . . .	3
2. Consideration of a Public School Waiver Request by the Osceola School District . . . . .	14
3. KIPP Delta Accreditation-Probation Status Recommendation . . . . .	36
4. Consideration of Boundary Change Petition by the Prairie Grove School District . . . . .	84
5. Request to Release Administrative Rules for Public Comment. . . . .	100
a. DESE Rule Governing Grading and Course Credit . . . . .	100
b. DESE Rule Governing Distance and Digital Learning . . . . .	104
c. DESE Rule Governing the First Connections Program Under Part C of the Individuals with Disabilities Education Act . . . . .	109
d. DESE Rule Governing Special Education (Section 18.00 -- Residential Placement) . . . . .	117
Court Reporter's Certificate . . . . .	123

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

**1: LEAD HILL CLASS SIZE WAIVER REQUEST**

CHAIR MOORE: With that, we will get started.  
We have the Lead Hill School District here to request  
a class size waiver.

MS. WORSHAM: Good morning. Hope Worsham,  
Assistant Commissioner of Public School  
Accountability.

I do believe the superintendent is on the Zoom.

CHAIR MOORE: Yes, I see Superintendent Richey.

MS. WORSHAM: Good. So the Lead Hill School  
District has presented a waiver for consideration of  
class size. That's standard 1-A.5. They are one  
over in their fourth-grade classroom, putting them at  
29 students, where the current class size is 28 for  
fourth grade. So they are requesting a waiver due to  
inability to fill that spot at this -- or to --  
inability to hire an additional teacher, and the  
superintendent is available if you have questions for  
her.

CHAIR MOORE: Superintendent Richey, did you  
want to add anything before we ask questions to you?

SUPT. RICHEY: No. I will say that we've gone  
up two more in fourth grade.

CHAIR MOORE: One second. We can't hear you

1                   very well. I don't know if we can --

2                   SUPT. RICHEY: How about now?

3                   CHAIR MOORE: That's better, yes. Thank you.

4                   SUPT. RICHEY: Okay. I'll just get real close  
5 to my screen and you can see my big face.

6                   No, we have added two more students to the  
7 fourth grade and lost one in sixth. You know, I'd  
8 given you a group of four through sixth grade  
9 numbers, so we did add two more to that group. It's  
10 a good thing, but it's a hard thing.

11                  CHAIR MOORE: Board members -- thank you, Ms.  
12 Richey, we'll have Board Members ask questions.

13                  I'll start to my left. Ms. Rollins, questions?

14                  VICE CHAIR ROLLINS: I think we'd like to know  
15 how are you supporting the teacher in the classroom  
16 and the students when you -- when you've got the  
17 overage that you have?

18                  SUPT. RICHEY: Well, we have -- our fourth --  
19 that group, that band of grade levels, go to four  
20 different teachers, and so it's more than one  
21 teacher. We did build in -- we added minutes to our  
22 school day, and so we have -- each teacher has an  
23 hour of prep instead of 40 minutes at this time, so  
24 they have time to work with each other -- the  
25 teachers do -- and to -- and to plan for those

1 additional students.

2 VICE CHAIR ROLLINS: Is your school board in  
3 support of this?

4 SUPT. RICHEY: Yes, yes. I did get their  
5 approval before asking -- before sending a letter to  
6 you all.

7 VICE CHAIR ROLLINS: Was that a unanimous  
8 support?

9 SUPT. RICHEY: It was.

10 VICE CHAIR ROLLINS: Okay. Was this a one-year  
11 request?

12 SUPT. RICHEY: Yes, just for the remainder of  
13 this year; and then we can make plans for the  
14 following year.

15 VICE CHAIR ROLLINS: Okay. Thank you.

16 SUPT. RICHEY: Thank you.

17 CHAIR MOORE: Mr. Wood?

18 MR. WOOD: Is there any additional compensation  
19 being offered to this teacher?

20 SUPT. RICHEY: Now, there are four teachers that  
21 these kids rotate through, so we have not offered  
22 additional money to them.

23 CHAIR MOORE: Ms. Keener?

24 MS. KEENER: Good morning. You mentioned the  
25 high mobility of the population. Can you tell me a

1           little bit more about that? Is that industry based  
2           or --

3           SUPT. RICHEY: You know, we're just a sleepy  
4           little community. Right now, our numbers, we sit at  
5           about 352 kids right now -- K-12. And this  
6           particular grade, fourth grade, at the end of last  
7           school year in May, had 22 students; and we have 31  
8           students right now. So those kids could very well  
9           just leave -- you know, leave as quickly as they  
10          came. I'm not sure why the families moved in, and  
11          I'm -- so I'm not -- you know, I don't know the  
12          reasoning behind that. We don't have a lot of  
13          industry here. It's very small. We're on Bull  
14          Shoals Lake. I don't know if you know where that is,  
15          but we're north of Harrison, very tiny. Probably the  
16          closest, biggest thing is Branson. We do have --  
17          occasionally have people move here to work in Branson  
18          which is about 30 miles northwest as the crow flies.  
19          It takes about 40 minutes to get there. You know,  
20          it's -- we have a big retirement community, so you  
21          know -- sometimes -- at one time, we were considered  
22          a migrant school, so people came through to work in  
23          truck crops, but that's not as big anymore, either.  
24          So --

25          MS. KEENER: Thank you. Well, is there a point

1           that -- what's the tipping point for hiring an  
2           additional teacher?

3           SUPT. RICHEY:  Thirty.  I believe 30 is the  
4           number that --

5           MS. KEENER:  I'm so sorry.  Pass the waiver, at  
6           what point -- with this waiver, if you're --

7           SUPT. RICHEY:  Oh, I see what you're saying.  
8           What would we do to -- I think, you know, we would  
9           like to reconfigure before -- you know, due to our  
10          size, we were overstaffed last year and our numbers  
11          -- our three-quarter average for last year was 343.  
12          And so we let go a high school teacher, an elementary  
13          teacher, and three classified staff members to try to  
14          get a rain on our on our numbers and being able to  
15          afford what we -- what we can do.  You know, I'm a  
16          former sixth grade teacher, so, you know, back in --  
17          this is my 37th year in education, so back in the  
18          day, you know, 36 and 37 was not an unusual number in  
19          a classroom for me.  But -- so I know it's doable,  
20          and I know it could potentially be temporary, but if  
21          we -- if we do gain more this year, you know, we'll  
22          -- we may try to reconfigure how -- you know, it's  
23          three grade levels and four teachers.  We may have to  
24          reconfigure how -- you know, maybe split one of the  
25          classes and reconfigure how we're -- we're working in

1           -- like, our social studies course, I think, is the  
2           one that's the odd one out.

3           MS. KEENER: Thank you.

4           SUPT. RICHEY: I don't know if that makes sense,  
5           but --

6           CHAIR MOORE: Dr. Arnold, any questions?

7           DR. ARNOLD: My questions have been asked and  
8           thank you for your responses.

9           SUPT. RICHEY: Thank you.

10          CHAIR MOORE: Mr. Bragg, questions?

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

12          CHAIR MOORE: Mr. Henderson?

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

14          CHAIR MOORE: I would like to ask, Ms. Worsham,  
15          a question of you. Here, they're requesting a  
16          standard for accreditation waiver versus an Act 1240  
17          Waiver. Is there -- can you speak a little bit about  
18          the differences between those waivers and why to go  
19          down this path versus the other?

20          MS. WORSHAM: Yeah, because this is a temporary  
21          fix. It's a one-year request for a standards for  
22          accreditation class size due to being able to plan or  
23          inability to hire, things like that. That's why this  
24          waiver would go this direction. If it goes to Act  
25          1240, I believe that's a three-year request



1           typically. So class size, we encourage schools, or  
2           want schools, to be able to remedy that issue yearly.

3           CHAIR MOORE: Okay. I know there -- Mr. Wood  
4           asked about compensation. Is there a -- is this  
5           waving a requirement to compensate if there's  
6           additional students?

7           MS. WORSHAM: Yeah, the requirement to  
8           compensate for additional students is in the upper  
9           grades, so that starts in fifth grade --

10          CHAIR MOORE: Okay.

11          MS. WORSHAM: -- depending on how you're  
12          configured, or seventh grade, if you're -- the way  
13          your schools are configured.

14          CHAIR MOORE: Okay. It's over that 150?

15          MS. WORSHAM: Correct.

16          CHAIR MOORE: Okay. So it doesn't pertain to --

17          MS. WORSHAM: That would not pertain to this  
18          group of students, yeah.

19          CHAIR MOORE: Okay.

20          MR. WOOD: I'd like to ask a follow up that I  
21          think puts me at risk of looking kind of ignorant,  
22          but I don't think I fully understand what the request  
23          is even. I see, I think, three different grades  
24          listed here and three different class sizes, but then  
25          mentioned they rotate through four teachers. Can I

1           just get a two-minute explanation of what -- what the  
2           request is?

3           MS. WORSHAM: Yeah, sure. So they had the --  
4           the standards for accreditation required by grade  
5           level certain numbers of ratios of students to  
6           teachers. So the fourth-grade class is the one  
7           that's problematic for the school. They have -- they  
8           are at 29 when they submitted the waiver. They're at  
9           31 now --

10          MR. WOOD: Okay.

11          MS. WORSHAM: -- in that particular class, and  
12          the standards for accreditation require no more than  
13          28. So even though they are rotating through  
14          different teachers throughout the day, it is still  
15          that group of students is over the required size of  
16          28.

17          MR. WOOD: I see. If you don't mind me asking,  
18          what's the relevance of even telling us the  
19          fifth-grade and the sixth-grade situation?

20          MS. WORSHAM: I think that would be a question  
21          for the superintendent. That's just how they  
22          submitted the --

23          MR. WOOD: I have got you.

24          SUPT. RICHEY: I can answer that. It's because,  
25          you know, we oftentimes have the -- especially in the

1 elementary grades, we can -- we can make split  
2 classes. You know, have a third and fourth class  
3 combined together, or a fourth and fifth grade  
4 combined. It just didn't -- because of the numbers,  
5 it didn't make sense to try to split a class because  
6 the other two grades were just -- were bordering on  
7 too big as well. Does that make sense?

8 MR. WOOD: Okay. Yeah, I think that makes  
9 sense.

10 SUPT. RICHEY: Okay.

11 CHAIR MOORE: I think I want to circle back to a  
12 question Ms. Keener asked. So for 31 right now, so  
13 you've had more students enter that grade since you  
14 put in this request, could it grow to 35 or is it --  
15 would they have to come back to us at some point if  
16 it got much larger?

17 MS. WORSHAM: So in granting the waiver -- and I  
18 would defer to legal if I'm wrong in this. In  
19 granting the waiver, it does remove the requirement  
20 for class size.

21 CHAIR MOORE: Okay. So it could go up to 50? I  
22 mean --

23 MS. WORSHAM: Correct.

24 CHAIR MOORE: -- I imagine it won't. Ms.  
25 Richey, do you have a number like you said, that if

1           it went that large, you would have to really restaff?

2           SUPT. RICHEY: Yeah, I think -- I think if it  
3           got -- if it got that much bigger -- I don't -- you  
4           know, most of the -- I think any -- the next change  
5           would probably come right after Christmas. That's  
6           when, you know, people start getting moving again is  
7           around Christmastime. I think if it got to 35-ish,  
8           we'd have to find a way to reconfigure, to maybe  
9           break out a group of them, to take in their own, you  
10          know -- you know, we would -- we would find a way to  
11          do it. I think -- I think it gets kind of big, and  
12          having -- like I said, having taught large classes,  
13          it's not ideal, but it can be done.

14          CHAIR MOORE: Do these teachers, when they have  
15          the fourth grade, have any support from a  
16          paraprofessional or anyone else pulling in to  
17          intervene with students?

18          SUPT. RICHEY: Not at this time. We did  
19          consider that, but the teachers felt like that they  
20          were handling it okay at this time, so -- well, the  
21          paras -- there are paras in there, but they're one  
22          to one paras. so there's some kids in there that  
23          have -- there are one to ones that are in there, but  
24          they -- so they don't help in the -- you know, they  
25          might help other kids sometimes, but they're not in

1           there just because of the numbers.

2           CHAIR MOORE: Okay. You mentioned that you  
3           added hours to the day. Are you all a four-day  
4           school week?

5           SUPT. RICHEY: No. We're five.

6           CHAIR MOORE: Okay. Additional questions, Board  
7           Members?

8                         (NO RESPONSE)

9           Any additional comments, Superintendent?

10          SUPT. RICHEY: No, ma'am.

11          CHAIR MOORE: With that, if there's no more  
12          questions, the floor will be open for a motion.

13          MR. BRAGG: I move to accept the request.

14          CHAIR MOORE: There's a motion by Mr. Bragg to  
15          accept the waiver request. Is there a second?

16          MR. HENDERSON: Second the request.

17          CHAIR MOORE: A second by Mr. Henderson. Any  
18          comments or questions?

19          MR. WOOD: I have a comment. I'll oppose the  
20          waiver request just on the lack of additional  
21          compensation to the teachers. I think that the  
22          school district ought to pay teachers more when they  
23          have more kids, so I'd like to see that in these --  
24          when districts bring these requests to us.

25          CHAIR MOORE: Any other questions or comments?

(NO RESPONSE)

CHAIR MOORE: Okay. So we have a motion on the floor by Mr. Bragg to accept the waiver request. All in favor, say aye.

MS. WOODS: Aye.

MR. HENDERSON: Aye.

MR. BRAGG: Aye.

VICE CHAIR ROLLINS: Aye.

MS. KEENER: Aye.

DR. ARNOLD: Aye.

MS. HUNTER: Aye.

CHAIR MOORE: Any opposed?

MR. WOOD: No.

CHAIR MOORE: Motion passes. Thank you, Ms. Richey.

MS. WORSHAM: Thank you.

SUPT. RICHEY: Thank you.

**2: CONSIDERATION OF A PUBLIC SCHOOL WAIVER REQUEST BY THE  
OSCEOLA SCHOOL DISTRICT**

CHAIR MOORE: Okay. Up next, we have a waiver request by the Osceola School District. Ms. Saracini.

MS. SARACINI: Good morning, State Board, Chair, Secretary Oliva. Can you hear me now? Okay.

This morning, Osceola School District had a

1           proposal for a waiver with several waivers that they  
2           were asking for, but they have put in new requests --  
3           updated requests -- and the only waiver that they are  
4           asking for at this time is for licensure. It is  
5           standards 4-D.1 for licensure just for completing  
6           this school year. I know you had previous seen that  
7           they were asking for a three-to-five-year waiver and  
8           several waivers, but Melissa Jacks -- her team out of  
9           my unit -- has gone in and worked with them I guess,  
10          probably about three times; and she was just there  
11          again on Friday, and worked very closely with  
12          superintendent and the assistant superintendent. So  
13          we feel very comfortable about asking and supporting  
14          this waiver for just the remainder of this school  
15          year for licensure. Melissa and her team has gone in  
16          and at this point in time, everyone that isn't  
17          licensed is on a route to -- or pathway -- to be  
18          licensed. We're also providing extra support, and  
19          we're working very closely.

20                 And the superintendent, Mr. Webster, and Ms.  
21                 Pugh, are here, and also is -- Melissa Jacks with me.

22                 CHAIR MOORE: Okay. Thank you. We will open it  
23                 up to you all, Mr. Webster, if you have any comments  
24                 before we move into questions.

25                 SUPT. WEBSTER: Good morning, Board. Again, my

1 name is Charles Webster. I am the interim  
2 superintendent of the Osceola School Board. We do  
3 understand the importance of this waiver, and we  
4 would like to have you-all's support so that we can  
5 complete this year.

6 MS. PUGH: Good morning. Toshiba Pugh,  
7 assistant superintendent of Osceola School District.  
8 We know that it is important that our students have  
9 the best opportunity at a great education. And we  
10 also understand that we are not unique to our  
11 situation of filling positions with certified  
12 teachers. That is a national pandemic, so to speak,  
13 of not having enough teachers that are certified in  
14 the classroom before students. We have filled  
15 positions as best we could. Some of those positions,  
16 unfortunately, were filled with those who are not  
17 certified, but we are impressing upon them the  
18 importance of moving towards certification and  
19 continuing to work toward their progress.

20 CHAIR MOORE: Thank you.

21 Board members, questions? Ms. Rollins?

22 VICE CHAIR ROLLINS: I think I'd like to just  
23 make a comment and congratulate you on the six new  
24 teachers that you have, and you've got seven that are  
25 now in the process of becoming licensed. Can you



1           talk a little bit -- share a little bit about your  
2           partnership with the Crowley Ridge Coop? I know you  
3           mentioned that in your materials, and I'm just  
4           curious about how -- how are they helping you?

5           SUPT. WEBSTER: They are helping us with  
6           tutoring. They are mentoring our waiver teachers.  
7           They're coming in on a weekly basis. And we're also  
8           working with the Arkansas Northeast College as well.  
9           They're going to provide us with tutoring twice a  
10          week. Ms. Pugh has been working with that group, and  
11          I'm going to let her explain the process and what we  
12          have been doing with those two groups, and as far as  
13          Crowley's Ridge is concerned and the Northeast  
14          College.

15          MS. PUGH: Ms. Sharon Coburn and her group from  
16          Crowley's Ridge Cooperative has come in and helped  
17          our teachers, through mentoring. They have worked  
18          with them, worked out a plan with them. Each teacher  
19          has a plan in place for the remainder of the year,  
20          and it talks about what they have now and how they're  
21          going to work towards certification. Also, Arkansas  
22          Northeastern College has agreed to help us with  
23          tutoring to help teachers pass the PRAXIS test. They  
24          are partnering with Department of Ed through a grant,  
25          and they will be providing tutoring to our teachers,

1 as well as other teach -- other school districts in  
2 our county, but with us, I have impressed upon them  
3 the importance of making sure that it fits within the  
4 teacher's schedule. We are four-day week. We do  
5 have a long day, so they have agreed on Monday, which  
6 is our non-scheduled day, to work with teachers in  
7 their tutoring process.

8 MR. BALDWIN: You mentioned the plan for the end  
9 of the year. Is there a certain time frame? Is  
10 there a required time frame that they complete their  
11 license by from the time they start?

12 MS. PUGH: Several of our teachers are working  
13 with ATC, Arkansas Teacher Corps, and they have their  
14 own time frame through their program, but we have let  
15 teachers know that it's very important to continue  
16 their progress. At the beginning, we had some who  
17 had made no progress, and we have worked with them.  
18 We have met with them. We have explained to them the  
19 importance of that. We've also provided them with  
20 resources to help them toward their progress of being  
21 certified teachers.

22 MR. BALDWIN: Okay. Thank you.

23 CHAIR MOORE: More questions, Mr. Henderson?

24 MR. HENDERSON: I don't really have a question,  
25 but I do have a comment. You know, I know you guys

1           have been working really, really hard, and I'm really  
2           proud to see the progress that you have made.

3           SUPT. WEBSTER: Thank you, sir.

4           CHAIR MOORE: Ms. Rollins, you have more  
5           questions?

6           VICE CHAIR ROLLINS: (Shakes head side to side)

7           Okay. Mr. Wood?

8           MR. WOOD: No questions, just a general comment  
9           on waivers in general. I renew my previous comments  
10          and sentiment of the Board that I hope that Arkansas  
11          will transition to waivers, attaching to individuals  
12          rather than school districts, because I think that it  
13          allows -- it would make this process much more  
14          manageable and efficient, and it's just smarter, in  
15          my opinion. So anyway --

16          CHAIR MOORE: Ms. Keener?

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

18          CHAIR MOORE: Dr. Arnold?

19          DR. ARNOLD: I echo what Mr. Wood has said the  
20          -- I may have missed it, and pardon me if I have, but  
21          when you speak of the 29 teachers of the 41 in  
22          training, did I miss where the -- what the balance of  
23          the total 41 is doing?

24          MS. PUGH: For clarification, are you speaking  
25          of the teachers who are not -- who we're not

1           requesting a waiver for?

2           DR. ARNOLD: That must be what I missed. I was  
3           just looking at your answers to question four, where  
4           it speaks of the 41 waiver teachers who have begun  
5           the year. It looks like 14 are in professional  
6           training and 15 in tutoring and I was just curious  
7           about the other 12.

8           MS. PUGH: Some of them are, for lack of a  
9           better word, trying to make up their mind about what  
10          program they want to be a part of. They're  
11          exploring, looking at ArPEP. They're also looking at  
12          ATC. I believe there are at least three of them who  
13          have mentioned a MAT program through a school.

14          DR. ARNOLD: Okay.

15          MS. PUGH: And we are really pushing for them to  
16          make a decision soon, because we want them to  
17          understand that not moving toward progress of  
18          certification could end their employment with the  
19          Osceola School District.

20          DR. ARNOLD: Well, thank you for that  
21          recommendation. Thank you.

22          MR. WOOD: Yeah, that's good.

23          CHAIR MOORE: Board members, questions?

24                        (NO RESPONSE)

25          CHAIR MOORE: Okay. I do have some additional

1           questions. Superintendent, at what point did you all  
2           move to a four-day school week? And was that -- I  
3           know a lot of districts come to us telling us that it  
4           was because of teacher recruitment and retention.

5           SUPT. WEBSTER: We moved to a four-day week  
6           basically because of the survey that we sent out to  
7           our parent, to our board members, and basically, we  
8           decided on the board and pretty much a survey that we  
9           passed throughout the community.

10          CHAIR MOORE: Is this your first year to do it?

11          SUPT. WEBSTER: This is our first year to do a  
12          four-day.

13          CHAIR MOORE: Did you see an uptick in teachers  
14          moving to apply for your district?

15          SUPT. WEBSTER: There were -- several new  
16          teachers this year applied because of the fact that  
17          we were only four-day schedule.

18          CHAIR MOORE: Okay. And I noticed -- how many -  
19          - I think it -- whatever point in time you wrote this  
20          report, there were some open positions. How many open  
21          positions do you have right now?

22          SUPT. WEBSTER: I think we have about three at  
23          the time. Three open because we had three to resign  
24          last week.

25          CHAIR MOORE: Okay. Is that normal to resign in

1 the middle of the school year like that?

2 SUPT. WEBSTER: Personal reason, health reason.

3 CHAIR MOORE: Okay. And you are actively  
4 recruiting. Are you looking for individuals with  
5 license --

6 SUPT. WEBSTER: Yes, we are.

7 CHAIR MOORE: -- first?

8 SUPT. WEBSTER: Yes, we are.

9 CHAIR MOORE: Okay. We had a work session  
10 recently, in which case there was great concern for  
11 low performing districts that moved to a four-day  
12 week. What day do you take off?

13 SUPT. WEBSTER: We're off on Mondays.

14 CHAIR MOORE: Okay. And do you have a lot of  
15 students leaving on Fridays for sports?

16 SUPT. WEBSTER: Not very many. We just have  
17 football at this time.

18 CHAIR MOORE: Okay. I think that, as I'm  
19 thinking about it, if you have these teachers without  
20 license, moving towards a four-day week, do you feel  
21 like they're fully supported to really reach the  
22 potential of their students with only four days,  
23 particularly with the number of teachers that don't  
24 have license?

25 SUPT. WEBSTER: We are in the process of

1           offering our kids tutoring in the afternoon. We know  
2           that the day is long, and we also in the process of  
3           partnership with our city to offer that tutoring  
4           program. And we're also looking at the possibility  
5           of offering a tutoring program on the Mondays as  
6           well.

7           CHAIR MOORE: That would be awesome. I would  
8           highly encourage that.

9           SUPT. WEBSTER: Yes.

10          CHAIR MOORE: Do you feel that those teachers  
11          without a license are fully receiving the support  
12          they need to be successful in the classroom?

13          SUPT. WEBSTER: Yes. We team those teachers up  
14          with a mentor, which are teachers that are licensed,  
15          that will support them. We also support them during  
16          their PLCs. They have an opportunity to meet them  
17          during the course of the week as well.

18          CHAIR MOORE: Okay. Thank you.

19          Board members, any additional questions?

20          MR. HENDERSON: Yeah, I do.

21          You mentioned the mentors of Arkansas  
22          Northeastern. How many mentors do you have working  
23          with the teachers?

24          SUPT. WEBSTER: We are obligated to assign at  
25          least one mentor to each waiver teacher. And we do

1           have enough, and we do -- if we do not have enough,  
2           then we reach out to our coops, which is Crowley's  
3           Ridge, and we reach out to State Department as well.  
4           But we do have enough at this time.

5           MR. HENDERSON: I have got you. Is that  
6           mentoring taking place in Osceola, or is it taking  
7           place at the college?

8           SUPT. WEBSTER: Both places.

9           MR. HENDERSON: Okay.

10          SUPT. WEBSTER: And Ms. Pugh want to add one  
11          other thing as well.

12          MS. PUGH: Yes, ma'am. You asked about the  
13          teachers being supported in our four-day week. What  
14          we tried to do with our master schedules on each  
15          campus was to maximize that time and put as much time  
16          into the classroom minutes as we could. Those  
17          classroom minutes also translate to collaboration  
18          time for teachers at grade levels or subject areas,  
19          so they have more time with people who are certified  
20          or who are seasoned in that -- that grade level or  
21          department. Also, our building leaders play a big  
22          role in taking part in department meetings and  
23          meeting with teachers through collaborative efforts  
24          for planning and making the best decisions for our  
25          students.



1 CHAIR MOORE: Board members, additional  
2 questions? Mr. Wood?

3 MR. WOOD: I'll ask a question, and it's not  
4 directly about the 1240 waiver request. It's going  
5 to be about the four-day work -- not work week, but  
6 school week. Do you have any evidence that that is  
7 effective at helping students perform better in the  
8 classroom?

9 SUPT. WEBSTER: Again, this is our first year on  
10 the four-day plan. We do not have the evidence as of  
11 right now, but we are collecting the data as we -- as  
12 the year goes on.

13 MR. WOOD: I look forward to the data you  
14 collect on that. I would like to review it when you  
15 collect it.

16 SUPT. WEBSTER: Okay.

17 MR. WOOD: When you made the decision to go to  
18 the four-day week, what evidence -- what studies did  
19 you rely on to decide that that would be better for  
20 your students?

21 SUPT. WEBSTER: One of the things that we -- was  
22 a -- I guess a profound decision to go to four-day,  
23 because of our neighbors that are going to a  
24 four-days, and we had to make this a competitive --  
25 as far as recruitment of teachers. And most of our

1 teachers, were at the time thinking about moving to a  
2 school that are on that four-day. That was one of  
3 the things that we thought about, and that constantly  
4 came up as we talked about a four-day schedule.

5 MR. WOOD: Okay. How many school districts  
6 nearby went to a four-day week?

7 SUPT. WEBSTER: We'll be the third in our -- in  
8 our in county, yes.

9 MR. WOOD: Did any of them make that decision  
10 based on academic outcomes for students? Do you  
11 know?

12 SUPT. WEBSTER: I don't know at this time.

13 MR. WOOD: You what?

14 SUPT. WEBSTER: We don't know at this time how  
15 they made their decision?

16 MR. WOOD: Yeah. Well, I'm revealing my bias  
17 against four-day weeks. I don't like it, but I  
18 invite anyone who does support it to bring evidence  
19 that it improves academic outcomes for students,  
20 because I'm open-minded to reading that. I don't  
21 think -- it doesn't make any sense to, you know, this  
22 lay person parent that four days is better for  
23 students. So I'm interested in evidence that it is  
24 better for students. Until then, I think that  
25 districts should lean heavy into returning to a

1           traditional five-day week for students.

2           SUPT. WEBSTER: Thank you, sir.

3           CHAIR MOORE: Ms. Keener?

4           MS. KEENER: Yeah, I had -- who are the two  
5 neighbors that you mentioned are -- went to four-day  
6 weeks prior to you guys?

7           MS. PUGH: Armorel and Rivercrest School  
8 District.

9           MS. KEENER: And then my other question is about  
10 the mentors. Often asking a licensed teacher to  
11 serve as a mentor is an additional piece of workload.  
12 Are you able to compensate them for their time or  
13 their efforts in the work that they do, supporting  
14 the unlicensed teachers?

15          MS. PUGH: The mentorship that happens with our  
16 current licensed teachers, with the non-licensed  
17 teacher, is kind of an unofficial role that they play  
18 through their department meetings and grade level  
19 meetings. But we do have mentors assigned from the  
20 coop and also through the -- through ATC, for those  
21 who are a part of that program.

22          CHAIR MOORE: Additional questions, Board  
23 Members?

24                       (NO RESPONSE)

25          CHAIR MOORE: Ms. Saracini, I would like to ask

1           you a question.

2           MS. SARACINI: Yes, ma'am.

3           CHAIR MOORE: So you all, as you've done in  
4           districts before, have done -- did you all do an  
5           audit of the teachers? When was that process done?

6           MS. SARACINI: Can I have Melissa Jacks my --  
7           because she was the one that took the team, and  
8           actually she was there on Friday, again. We've been  
9           there three months, and I will let her explain.

10          MS. JACKS: So I'd say that's a continuous  
11          process. We started back in October when they first  
12          came before the Board and requested the original  
13          waiver. And I've been three times to Osceola, so  
14          it's a continuous process, auditing, and I will  
15          answer your question a little further about where  
16          those teachers that are unlicensed are, that are not  
17          in programs yet.

18          DR. ARNOLD: Yes.

19          MS. JACKS: Usually it's about a testing issue,  
20          and so that's where we're focusing some attention on  
21          helping them to pass that exam. And we've got a  
22          partnership we're working on with Arkansas  
23          Northeastern College to facilitate some tutoring for  
24          those teachers, and that's what Ms. Pugh was talking  
25          about, that they'll use some of the Mondays for that,

1           and she's already spoken with them. That's going to  
2           be Mississippi County wide. So I think that, you  
3           know, with some of our other districts that we've  
4           talked about, I know, especially Mr. Henderson knows  
5           what I'm referring to, that we're going to have that  
6           extra help with them. Also, with the recruitment and  
7           retention, I'm really going to work with them on that  
8           registered apprenticeship, which I know some of you  
9           have heard about, and retaining those teachers  
10          through that process as well. So it's going to be an  
11          ongoing process and keeping our eye on it really well  
12          throughout the school year.

13                 MS. SARACINI: And I just want to follow up.  
14          Melissa's team, when they go out, they actually have  
15          conversations with the teachers, one-on-one. She  
16          works with Ms. Pugh and goes in during their planning  
17          period, and they actually counsel them. They have  
18          conversations to make sure that we're guiding them in  
19          the right path for licensure and meeting all those  
20          needs. And so when they do an audit, we look at  
21          master schedules, we actually go into classrooms,  
22          making sure who's teaching what, and looking at what  
23          licensure needs that they need. So I mean, it's very  
24          intense.

25                 MS. JACKS: I personally have -- I've met all of

the principals in the schools, and I've been to all the buildings and met the principals. I've been in classrooms at the middle school and talked to teachers there as well. The coop has been helping with that to go into other classrooms and other members of my team, and we will continue to do so.

CHAIR MOORE: Thank you very much. Thank you to you and your team, Ms. Jacks.

Ms. Saracini, I think without that, it would be very hard to understand where this waiver is. We know that our districts -- our lowest performing districts, are generally the ones struggling to find teachers the most, and unfortunately, are generally understaffed as far as what kind of support they can offer their teachers. So I appreciate the support that you all are giving them in that.

Board members, any additional questions?

Comments?

(NO RESPONSE)

Ms. Saracini, did you have any more comments?

MS. SARACINI: No, ma'am.

CHAIR MOORE: Okay.

I will open the floor for any additional comments or a motion. And this -- remind us, it's a one-year request for a waiver and this is an Act 1240

1 waiver?

2 MS. SARACINI: It is an Act 1240 waiver for the  
3 school year '24-'25, that will end June 30th.

4 CHAIR MOORE: Okay.

5 VICE CHAIR ROLLINS: And this is for the rule  
6 only on the licensure piece, not recess or anything,  
7 else.

8 MS. SARACINI: Nothing. All other waivers are  
9 off the table. The only waiver is 4-D.1, which is  
10 licensure.

11 VICE CHAIR ROLLINS: I'll make the motion then  
12 that we approve the Osceola School District 1240  
13 waiver.

14 CHAIR MOORE: There's a motion by Ms. Rollins to  
15 approve the waiver from Osceola School District. Is  
16 there a second?

17 MS. KEENER: Second.

18 CHAIR MOORE: A second by Ms. Keener. Any  
19 questions or comments?

20 (NO RESPONSE)

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

23 (UNANIMOUS CHORUS OF AYES)

24 CHAIR MOORE: Any opposed?

25 Motion passes.

1 MS. SARACINI: Thank you.

2 CHAIR MOORE: Thank you.

3 Yes, Secretary?

4 SECRETARY OLIVA: I just want to make a comment  
5 to Mr. Wood's point about the four-day school week,  
6 since that was brought up and I kind of refrained  
7 because that wasn't what the waiver request was on.  
8 But once again, there's another example where  
9 districts are making decisions about access to  
10 education for students because of what their  
11 neighbors are doing. And I really struggle with  
12 that. And I go back to if we've learned anything  
13 from the pandemic -- and we keep hearing these  
14 national phenomena terms like mitigating COVID  
15 learning loss. Well, I think that narrative needs to  
16 be shifted from not learning loss. These kids didn't  
17 lose learning. They lost access to being in front of  
18 a teacher. And when you have a school calendar with  
19 students that are persistently low performing and  
20 need access to high quality education and  
21 instruction, when we limited access -- we closed  
22 schools for four, five, six weeks. And I'm looking  
23 at school calendars that are 150-145 days. That's  
24 like saying we're going to implement these same COVID  
25 strategies every year for these students that need



1           access to high quality education the most. And I  
2           really struggle with it, so I will echo Mr. Wood's  
3           comments that if we can find evidence -- because  
4           maybe there are some communities that this is working  
5           well. And I keep going back to what I see in the  
6           research. The research is telling us that kids are  
7           learning when they go to school four days a week, but  
8           they would learn more if they went for five. And the  
9           kids in the school districts that are doing right,  
10          and maybe Osceola is one of them, are still finding a  
11          way to get these kids in a classroom in front of a  
12          teacher on that fifth day. They're not just closed.  
13          We've got to make decisions on what's best for  
14          students and not for adults.

15                 So I look forward to continuing that  
16          conversation, Mr. Wood. I know that wasn't really  
17          what the waiver request was on, but I think it's  
18          something that's important to highlight, that if  
19          we're going to make sure our students are being on a  
20          successful path towards acceleration, then we need to  
21          make sure our schools are open and welcoming.

22                 MS. KEENER: To your -- one quick comment to  
23          your point, I just glanced at the letter grades of  
24          Osceola and Rivercrest. Forgive me, I missed the  
25          third district they mentioned, but all of the schools

1           in Rivercrest are D rated, and all of the schools in  
2           Osceola are D rated, so that is of concern that  
3           they're now spending less time in -- you know, in  
4           front of a teacher.

5           CHAIR MOORE: I will also take a point; I've  
6           looked up data after the Lead Hill superintendent  
7           left. And obviously that's not what we were talking  
8           about. But she said they actually added extra  
9           minutes, but at the expense of they're only doing 162  
10          days this year, and our norm used to be 178. So  
11          you're adding time to the day with more students and  
12          taking away majority of the month of May.

13          SECRETARY OLIVA: And I think you'll also find  
14          that just even at 178-day calendar, which is the  
15          standard expectation that's still middle or lower of  
16          the pack nationally. Most school districts across  
17          the nation are at least 180 days and/or more. And if  
18          there's anything we know about time on task is that  
19          students that are persistently low performing need  
20          direct access to explicit or implicit, systematic  
21          instruction as much as they can get it. So limiting  
22          those opportunities is probably going to help  
23          exacerbate the struggles for students when we should  
24          be finding strategies to get them in front of  
25          teachers more to mitigate.

1                   CHAIR MOORE: Thank you, Secretary. No, I think  
2                   -- I mean, it's related, when districts are coming to  
3                   us, particularly districts that are struggling. We  
4                   can't just take one issue in a silo. We need to --  
5                   we have to look at the broader issue of what's going  
6                   on in their landscape.

7                   MS. KEENER: Well and I think any teacher  
8                   understands that kids have a capacity for attention  
9                   and focus, and once they've given all they can give,  
10                  making them sit in front of you for an additional  
11                  minute -- or you know, additional minutes at the end  
12                  of the day -- is not a good use of their time, or the  
13                  teachers.

14                  MR. WOOD: This also lends to a discussion about  
15                  block scheduling. It is similarly related in that an  
16                  hour and a half of math three days a week instead of  
17                  an hour of math five days a week, there's a question  
18                  -- I have questions about that effectiveness as well,  
19                  but that --

20                  CHAIR MOORE: I think we're continuing to send a  
21                  message. What the Secretary is saying is saying is  
22                  we understand a high-quality instruction is  
23                  important, and we want our districts to be figuring  
24                  out the best way to serve their students.

25                  MR. HENDERSON: You know, in my opinion -- you

1 know, I do know that obviously some school districts  
2 make the four-day week schedule work. But in my  
3 opinion, particularly schools that are suffering and  
4 failing, you know, I question that one day on, you  
5 know, what are the kids doing? I mean, if they're  
6 failing, where are they at, especially in areas that  
7 those efforts could be used to learn?

8 SECT. OLIVA: Well and I -- I hope it's okay. I  
9 go back to if the expectation is 178 days, then a  
10 four-day school week can go 178 days. They just need  
11 to go more weeks; right? Time on task matters. So  
12 just saying we're only going to go -- our schedule is  
13 going to last us 36 weeks, but we're only going 150  
14 days, I don't think that's acceptable.

15 CHAIR MOORE: With that, I think we are -- I  
16 think it's good that we can send a strong message to  
17 districts and to other districts across the state.

18 **3: KIPP DELTA ACCREDITATION-PROBATION STATUS RECOMMENDATION**

19 CHAIR MOORE: With that, we will move on to item  
20 number three. We have KIPP Delta. Ms. Worsham will  
21 be presenting a probation recommendation.

22 MS. WORSHAM: Good morning. Hope Worsham,  
23 assistant commissioner for public school  
24 accountability. I'm joined today by Mr. Matt Sewell,  
25 who's assistant commissioner for federal programs and

1 special education, and Darrell Smith, assistant  
2 commissioner for parental involvement.

3 So we bring to you today a request to place KIPP  
4 Delta schools on a probationary status for two  
5 standards for accreditation: due to failure to meet  
6 long standing -- or for remaining long standing  
7 non-compliance, for some special ed complaints and  
8 for failure to provide all special ed services to  
9 their students.

10 And do we have a clicker? We do. Oh, there it  
11 is. Sorry. Thank you.

12 So division is request -- we have determined  
13 that they have failed to satisfy the requirements  
14 under the standards for accreditation. The district  
15 is currently long-standing non-compliance from a  
16 complaint that was received by the special ed office  
17 previously and Mr. Matt Sewell, will talk you through  
18 the details of that. We are requesting that the  
19 school be -- the district be placed on probationary  
20 status for two standards, 2-F.1 and 2-F.2, both  
21 pertaining to special education services and the  
22 continuum of services that must be offered to  
23 students under state and federal law. So I'm going  
24 to hand it over to Mr. Sewell and let him talk you  
25 through the details.

1 MR. SEWELL: Good morning. Matt Sewell,  
2 assistant commissioner federal programs.

3 June 27, 2023 a complaint was filed against KIPP  
4 with two allegations. The two allegations were that  
5 the district failed to provide FAPE, specifically  
6 failed to provide educational services, and that the  
7 district failed to implement an IEP that would allow  
8 meaningful progress. Specifically, the IEP did not  
9 meet the medical needs of the student.

10 On August the 25th -- or August 26th of 2023,  
11 the complaint investigation was concluded. The final  
12 report concluded findings for both allegations and  
13 provided corrective actions for both allegations.  
14 The final report was provided to KIPP executive  
15 director, James Boyd, and special ed director Charlet  
16 Jones via certified mail on September 11, 2023.

17 The corrective actions for conclusion one  
18 specified the following compensatory education  
19 services, the ones that are listed in the schedule  
20 there in your slide. Those are still not complete as  
21 of today. While there were some extenuating  
22 circumstances due to the parent becoming ill around  
23 January that did limit the district's ability to  
24 access the student, the district ultimately failed to  
25 provide the student with compensatory education

1 services required. The Office of Special Education  
2 does believe that the district could have avoided  
3 this by promptly beginning the services in the  
4 corrective action plan to avoid any delays in  
5 beginning those services. There were also large  
6 breaks in services from December 14th of '23 to  
7 February 1st of '24, and all services -- all related  
8 services, came to a stop by April the 5th of '24, and  
9 for educational services by May 1st of '24, which  
10 left five months for related services, four months  
11 for educational services, that the district -- of  
12 time that the district had to complete those  
13 compensatory education services for that student.

14 Corrective action two there, leadership training  
15 on the district's homebound policies and procedures  
16 that were developed as a result of a '21-'22  
17 corrective action plan that they had from a prior  
18 monitoring. This student was placed on homebound  
19 services. The leadership training was completed;  
20 however, since the student was placed on homebound  
21 services, according to DESE Rules in Section 19 -- or  
22 Section 17 of the DESE Special Education Rules, you  
23 are to review that IEP every 90 days. We don't have  
24 any records that this occurred over the course of  
25 that year. The corrective actions for conclusion

1           number two were that the district reconvene an IEP  
2           meeting to discuss training needed for the service  
3           providers. This required IEP meeting to discuss this  
4           training happened approximately five months after the  
5           due date of September 12th -- September 25, 2023, but  
6           the entire conclusion -- the entire corrective  
7           action, was not complete until September 26th of  
8           2024. So over a year from that date.

9           In the second corrective action there, convene  
10          an IEP meeting every 60 days due to the nature of the  
11          student's medical condition should have happened five  
12          times. It happened twice over the course of the  
13          year. DESE Office of Special Education contacted the  
14          district multiple times over the course of a year for  
15          updates on progress of the corrective actions. Many  
16          of those contacts did include executive director,  
17          James Boyd. Some of them included managing director,  
18          Linda Murdock, and all of them included special ed  
19          director Charlet Jones. All submissions from the  
20          district for the corrective actions were late, many  
21          were incomplete, and several of them still have not  
22          been completed.

23          While it was the failure to complete this in a  
24          timely manner that led to this recommendation to  
25          place them in accredited-probation, there are some



1           other important information here that I think this  
2           Board needs to have when considering this placement.

3           During this corrective action time period, the  
4           Office of Special Education was made aware that in  
5           March of '24, this parent filed a due process hearing  
6           against the district. The district entered into a  
7           resolution agreement with the parent, and according  
8           to a response letter submitted by the district's  
9           attorney, this was not completed. The resolution  
10          agreement was not completed in a timely manner.

11          On September 3rd of '24 another complaint  
12          investigation was filed. After that investigation  
13          was concluded, there are corrective actions that the  
14          district would need to adhere to as well and this  
15          report was submitted to the district on November 2nd.  
16          Due to multiple concerns that have come into the  
17          department, the district -- the Office of Special Ed,  
18          decided to an on-site visit on October 2nd. During  
19          that visit, it was found that no related services  
20          were currently being provided to students who are IEP  
21          eligible. This is also one of the findings from the  
22          most recent complaint investigation. From the  
23          response letter submitted by the district's attorney,  
24          they now have related services personnel under  
25          contract. DESE has requested copies of those signed

1           contracts to be submitted to the division no later  
2           than December 20th. As you guys probably know,  
3           compensatory education is the way that districts  
4           provide extra services and support when they've not  
5           provided them as they should in a child's IEP. This  
6           is designed to help make up for any educational  
7           deprivation that students may have experienced due to  
8           their disability. In this case, these services have  
9           not been provided, and have led to the district being  
10          placed in long-standing non-compliance and the  
11          recommendation for probation. Knowing that the  
12          district began the year without related services for  
13          any IEP eligible student, which were still not being  
14          delivered on October 2nd, we suspect that there may  
15          be many more students who may be owed compensatory  
16          services as well. On October 30th, we sent a letter  
17          to the district requesting a list of the students who  
18          have missed any services, the types of services that  
19          they have missed, and the minutes owed by November  
20          15, 2024.

21                 So that's what's led to us being before you  
22                 today to place the district -- recommend placing the  
23                 district in accredited probationary status.

24                         CHAIR MOORE: Thank you.

25                         Ms. Worsham, at this point, do we hear from the

1 district?

2 MS. WORSHAM: Yes. So the district is here. I  
3 believe they have --

4 Mr. Schultz, is it 15 minutes for the district?  
5 Sorry. They have 20 minutes to address the Board.  
6 And they are here.

7 CHAIR MOORE: Okay.

8 Superintendent Boyd? Good morning. Thank you  
9 for coming in. I have to swear you in before you  
10 begin.

11 MR. BOYD: Okay.

12 CHAIR MOORE: If you would raise your right  
13 hand. Do you swear the testimony you're about to  
14 give is the truth, the whole truth, and nothing but  
15 the truth?

16 MR. BOYD: I do.

17 CHAIR MOORE: Thank you. You may begin.

18 MR. BOYD: Thank you. I apologize, I'm not sure  
19 if you have our documents that we submitted to the  
20 State.

21 CHAIR MOORE: No, we don't.

22 MR. BOYD: Okay. I do apologize because we have  
23 some artifacts that we did want to share, including  
24 some email correspondence and other documents.

25 SECT. OLIVA: Do you need copies made? We have

1 not received any of this documentation from the  
2 district, so if you have something you want to share  
3 with the Board, we can make copies and enter it into  
4 this conversation.

5 MR. BOYD: Yes, sir. I also have some artifacts  
6 as well, email correspondence that we had between --

7 CHAIR MOORE: Okay. They'll make copies. If  
8 you want to get started on presentation and then we  
9 can look at this.

10 MR. BOYD: Okay.

11 MS. WOODS: Could you also move the mic closer  
12 to your mouth?

13 MR. BOYD: I'm sorry. I apologize. Yes.

14 CHAIR MOORE: Yes, thank you.

15 MR. BOYD: So I did want to share that we did  
16 have some issues with being compliant with this  
17 complaint, and I did understand the severity and the  
18 necessity of urgency for this situation.  
19 Unfortunately, other people did not, and I have made  
20 staffing changes because of that. The personnel at  
21 the school, the special ed personnel, as well as the  
22 school administrator, as well as my director of  
23 special ed have all been transitioned out, related to  
24 this situation and other situations in our special ed  
25 department.

1           I do want to share that we have made several  
2           good faith efforts to work with this parent. Because  
3           of the needs of this child, the parent has limited  
4           our access to the child, only allowing us to work  
5           with the child four hours, which does not give us  
6           time for the compensatory hours and the academic  
7           hours and the physical and occupational therapy that  
8           the child has. I also have Ms. Kim Parks here from  
9           APSRC, who could also verify, because she attended  
10          those special ed meetings with the parent who  
11          severely limited our access to the child for this  
12          time period.

13                 SECT. OLIVA: So you're blaming --

14                 MR. BOYD: I'm not blaming, no, sir.

15                 SECT. OLIVA: You're blaming the parent because  
16          of your lack of services?

17                 MR. BOYD: No, sir. I'm not blaming the parent.  
18          I'm saying that we weren't given enough access to the  
19          child to provide all the hours we needed. In the  
20          time period that I became aware of it, we tried to  
21          work and give the parent a plan that could give all  
22          the hours, and the parent did not want to work with  
23          that plan. We're currently also working on having  
24          the child brought back to school so now the child can  
25          receive all of the hours necessary.

1 MS. KEENER: So I'm assuming that's the initial  
2 child that filed the complaint, but you also received  
3 a second complaint in September of '24. I'm assuming  
4 that was a new incident, and a different child;  
5 correct?

6 MR. BOYD: Same child.

7 CHAIR MOORE: So the parent filed two  
8 complaints, okay.

9 MR. BOYD: Yes, ma'am.

10 MS. WOODS: Can I ask some questions?

11 CHAIR MOORE: Yes.

12 MS. WOODS: I have a lot. How many kids in your  
13 school have been identified for services?

14 MR. BOYD: For special ed services? We have  
15 over a hundred special ed students. Yes, Ma'am.

16 MS. WOODS: Okay. And what's the amount of  
17 federal funding per student that you receive?

18 MR. BOYD: I apologize, I don't know that  
19 number.

20 MS. WOODS: Okay. Have you -- has there been  
21 any audits completed as it relates to the federal  
22 funding that you have received for any of these kids?  
23 Because it's my understanding, and let me make sure I  
24 have the facts correct, that there was a year where  
25 over a hundred students didn't receive services, but

1                   yet federal dollars were given; correct?

2                   MR. BOYD: I'm not aware of that situation,  
3                   ma'am. What year was that?

4                   MR. SEWELL: Are you referring to the complaint?

5                   MS. WOODS: Yes.

6                   MR. SEWELL: That complaint is one specific  
7                   student where the services haven't been provided to  
8                   that student. What I was sharing about no related  
9                   services, on October 2nd, when our team went there  
10                  were currently no related services being provided at  
11                  that time, which means --

12                  MS. WOODS: For the one student, or for any  
13                  student?

14                  MR. SEWELL: For any student. Not for a  
15                  calendar year, though. From what we know at this  
16                  point, no related services were in place at the start  
17                  of this school year, until October -- while we were  
18                  there on October 2nd, that's why we have asked for a  
19                  related services contract -- signed contracts because  
20                  their lawyer sent a letter saying that they do now  
21                  have those in place. And we've requested signed  
22                  contracts, as well as list -- the list of students  
23                  who have missed services, the type of services and  
24                  the time that they have missed since the beginning of  
25                  school year.

1           SECT. OLIVA: Let me also add, just to clarify,  
2           when you went on the on-site, there was no evidence  
3           of related services for this school year. So school  
4           started in August, so we know for at least three  
5           months, none of those students were being served; and  
6           because we weren't there until October, who knows how  
7           long until the past school year, this practice has  
8           been in place. Is that a fair question?

9           MR. SEWELL: Correct.

10          MS. KEENER: And no new students were  
11          identified. So there are more than likely of 20 to  
12          25 percent, I would assume, students that have not  
13          been identified and therefore are not receiving  
14          services.

15          MS. WOODS: Can you walk us through what your  
16          policies protocols look like for identifying a  
17          student? So at the beginning of this year, kid start  
18          in August, what do you do to identify them as having  
19          special -- special needs or needing of services?

20          MS. BOYD: Yes, ma'am. We still had a  
21          contractor who was providing those testing for  
22          students, so students were still being identified.  
23          The process is usually when students enter  
24          kindergarten, we take anecdotal data from both the  
25          teacher and any information that we get from the



1 parent. You have your CST, your child study team,  
2 where you actually look and identify those things.  
3 We have a contractor named Lori Ginn, who does the  
4 testing. Once those things are identified, our sped  
5 manager conducts a meeting with the parent and the  
6 LEA and the teachers to ensure that the student will  
7 receive those necessary services.

8 MS. WOODS: So how many for the current school  
9 year have you identified in need of services?

10 MR. BOYD: I apologize, I don't have that number  
11 for this year.

12 MS. KEENER: You mentioned anecdotal records for  
13 -- and this may not be a question for you, but  
14 charter schools are also required to perform dyslexia  
15 screeners, as well; correct?

16 MR. BOYD: Yes, ma'am. We do those screeners.

17 MS. KEENER: Okay. So it was more than  
18 anecdotal, okay. Thank you.

19 MR. BOYD: Yes, ma'am. So when I say anecdotal,  
20 I mean, like, teacher notes or student work surveys,  
21 but we also do DIBELS and we do our screeners as  
22 well. Yes, ma'am.

23 MS. KEENER: Is i-Ready, one of the --

24 MR. BOYD: Yes, ma'am. We do i-Ready, DIBLES  
25 and NWEA.

1 MS. KEENER: Okay.

2 MS. WOODS: So what services is the school  
3 currently providing?

4 MR. BOYD: The school is providing occupational  
5 therapy, physical therapy and speech language.

6 MS. WOODS: Okay. Have you guys had any audits  
7 over the last year as it relates to special  
8 education?

9 MR. BOYD: We have an audit coming up in  
10 November, November 20th through 22nd.

11 MS. WOODS: Okay. But has there been any for  
12 23-24?

13 MR. SEWELL: I didn't hear your last question.

14 MS. WOODS: No, was there one conducted for 23-  
15 24?

16 MR. SEWELL: No, we're planning an on-site  
17 monitoring of the programmatic and fiscal special  
18 education operations in mid-November. I believe the  
19 date that he said was correct.

20 MR. BALDWIN: You mentioned you transitioned out  
21 some staff. Were they the ones that were responsible  
22 for --

23 MR. BOYD: Yes, sir.

24 MR. BALDWIN: Were they in place in August, when  
25 school started?

1 MR. BOYD: When this school year started? No,  
2 sir.

3 MR. BALDWIN: Okay.

4 CHAIR MOORE: Board member -- Mr. Henderson, do  
5 you have any questions?

6 MR. HENDERSON: Not at this time.

7 CHAIR MOORE: Ms. Woods, do you have further  
8 questions?

9 MS. WOODS: I have just a couple more. What has  
10 been the communication with parents of students with  
11 services over the last year?

12 MR. BOYD: The issue related services started  
13 this school year.

14 MS. WOODS: Okay.

15 MR. BOYD: There was no problems during the  
16 '23-'24 school year. The problem was in the Delta  
17 area, we have very limited access to related services  
18 providers, and there were some issues with one  
19 specific related service provider. That related  
20 service provider was part of the largest related  
21 service provider in the area and so in our process of  
22 having conversations with that related services  
23 provider about things that were not being done, as  
24 far as documentation and things of that nature, we  
25 could not come to a agreement on how we're going to

1           move forward; and so that started the process of us  
2           having to do a request for proposals for another  
3           related service provider. Unfortunately, that took  
4           way longer than it should have, and that was how we  
5           ended up starting the school year without a related  
6           services provider.

7           MS. WOODS: But if there wasn't anything -- if  
8           there wasn't an issue until the beginning of this  
9           year, then why did you let go all of those staff  
10          members?

11          MR. BOYD: No, ma'am. It was a -- the two  
12          issues were the staff members did not have the  
13          appropriate sense of urgency to get this corrective  
14          action taken care of, not just for this student, but  
15          all the students we serve. There was not a -- there  
16          were no systems in place to document the services we  
17          provided students. The quality of what they were  
18          providing was not what I would feel was appropriate,  
19          if it was my child, so it certainly would not be  
20          appropriate for other people's children. If I  
21          wouldn't allow it, then I won't -- if it's not -- it  
22          was not adequate, and it was certainly not of the  
23          standards that we uphold for KIPP.

24          MS. WOODS: So what communications then were  
25          made to parents, or what communications have been

1           made to parents currently?

2           MR. BOYD: The current communication to parents  
3           has been that -- the parents who have students who  
4           are supposed to receive related services have been  
5           informed that we did not have a related services  
6           provider. We provided the -- we have a tracker that  
7           shows the number of hours students are supposed to  
8           have and how many hours they've missed, and we are  
9           actively working with parents to inform them of how  
10          we're going to work, now that we have related  
11          services providers, on giving them those hours that  
12          they've missed.

13          MS. WOODS: Have you also gone back to all of  
14          those students, though, from the last year to  
15          evaluate where they are in terms of their IEP?

16          MR. BOYD: That is a plan, yes, ma'am.

17          MS. WOODS: Okay. Where are you at in that  
18          plan? Because we're in November.

19          MR. BOYD: I am not sure where we are with that  
20          plan. The biggest issue has really been with our  
21          related services, not the actual IEPs, but we have  
22          been working. We have a new special ed manager, and  
23          we have been working to make sure that not only the  
24          '24-'25 but previous year IEPs are reflective of the  
25          services that students should be receiving and the

1           quality of the accommodations that they need to be  
2           successful.

3           SECT. OLIVA: I just want to make a comment to  
4           that point, that when a parent comes to the school to  
5           sign an individualized education plan that's  
6           basically a contract between the school and that  
7           parent which you have been violating. When you get  
8           your charter from the State, that's a contract with  
9           the State. Your contract with our State says you're  
10          going to provide these services. You are breaking  
11          the State contract. So today we're talking about due  
12          process and support for students and probationary  
13          accreditation status, but we need to take this  
14          charter to our Charter Authoring Panel because I'm a  
15          big proponent of school choice. I think I've been  
16          very consistent and clear for that, but choice has to  
17          be of quality; and I am questioning the quality of  
18          your charter school and why you're allowed to have a  
19          charter agreement with our State that you just  
20          blatantly violate, just like you're blatantly  
21          violating your parents' contract that they're going  
22          to get services with you.

23          MR. WOODS: I think my biggest issue with this  
24          is that kids are entitled to a free and appropriate  
25          public education, and we have failed them.

1 MR. BOYD: I agree.

2 MS. WOODS: And I've had two days to stew on  
3 this, and I've gotten really mad, and then, like,  
4 brought myself back down. But that is the biggest  
5 disappointment here.

6 MR. BOYD: And let me be clear when I say that,  
7 I don't want to make excuses. I agree with you, that  
8 is -- that is my own personal frustration. I am  
9 frustrated that we have not given our students what  
10 they deserve. We have not given that community what  
11 it deserves. But I also stand here saying I need the  
12 opportunity to fix those things, to make those things  
13 happen, because I did not come here to fail this  
14 community. I want to get these things better.

15 SECT. OLIVA: How long? What's that timeline?  
16 A month? Six months? Ten years? What's the  
17 timeline? We've been told that you haven't provided  
18 any related services this school year. It's  
19 November. The first nine weeks is over, and you're  
20 saying your staff is not acting with urgency. Are  
21 you acting with urgency? Because there's ways --  
22 have you called your coops? Have you called  
23 neighboring districts? Have you figured out how to  
24 get contracts in place? There are strategies. Our  
25 office will help you with those strategies because at

1           the end of the day, the students that are the most  
2           vulnerable and need the most support are being  
3           denied. Like, I struggle, that this is allowed to  
4           happen, and I know this Board is going to consider  
5           taking action, and I'll let you continue that.

6           CHAIR MOORE: Let me check down here board  
7           members questions.

8           MR. WOOD: I would highlight that it has been a  
9           year and a half since the complaint was first  
10          received, and we're talking about lack of urgency on  
11          your staff. I mean, the complaint should have been  
12          the heart attack, the earthquake that woke everyone  
13          up, and it seems as though it was not.

14          MR. BOYD: Agreed.

15          MR. WOOD: And I respectfully, and not  
16          personally, but I guess I'm kind of talking about the  
17          leadership of the district. So I guess I'm kind of  
18          talking about you.

19          MR. BOYD: About me, yes.

20          MR. WOOD: But you know, this should have been  
21          the moment that you realized that staff wasn't  
22          treating students appropriately, not the end of --  
23          not a year later.

24          MR. BOYD: Agreed.

25          MR. WOOD: You gave ineffective staff a year to



1 waste of these kids' educational opportunities. And  
2 I think that that needs to be the standard in  
3 Arkansas, that when -- when complaints are received,  
4 that major changes will happen then, that we won't  
5 make excuses for people. And there is too much on  
6 the line. There is too much to fix to just allow  
7 ineffective people to continue being ineffective.  
8 And I'm very disappointed that it took a year to make  
9 the changes necessary after these complaints were  
10 received.

11 MS. KEENER: And I struggle with the implication  
12 that the staff was ineffective because the staff is  
13 only as effective as their leaders.

14 MR. BOYD: Agreed.

15 MS. KEENER: And I'm concerned that in your  
16 area, you struggle to -- we know that there is a lack  
17 of qualified educators, so I assume there's going to  
18 be a lack of qualified staff that you're replacing --

19 MR. BOYD: Special ed educators, yes.

20 MS. KEENER: Right. Exactly. So how can you --  
21 what are you doing to address your leadership style,  
22 so these new hires don't fall into the same pattern  
23 of ineffective services that the previous staff had?  
24 Because, again, I think this comes back to your  
25 leadership. So tell us what changes you're making in

1           your role.

2           MR. BOYD: The two biggest changes that we're  
3           making is we're creating systems that were not  
4           appropriate tracking systems. So when the specific  
5           leaders are reporting in on what things are going on  
6           in their departments, without having appropriate  
7           tracking, we don't have a way of verifying that, so  
8           we've created those systems. We've also improved our  
9           work with APSRC to provide training and services to  
10          our managers. We've also changed our staffing model  
11          as far as supervision. So we previously had a  
12          director of special ed. We now have a manager.  
13          We're going to have a manager in both our  
14          communities, the Blytheville and the Helena  
15          community. Someone who's actually going to be able  
16          to go in classrooms and support teachers, as opposed  
17          to a director who's more of an administrative person.  
18          So we're now going to have managers who actually work  
19          in schools with special ed teachers. We've been  
20          working diligently on trying to hire more special ed  
21          teachers. We have a critical need bonus that we  
22          provide to teachers who wish to teach special ed, and  
23          we also are providing tuition support to teachers who  
24          decide to get special ed certification or to get a  
25          degree in special ed as well.

1 MS. KEENER: So putting things in place that  
2 should have been there in the first place?

3 MR. BOYD: Agreed.

4 MS. KEENER: Tell me, how are you building your  
5 personal capacity to be a leader?

6 MR. BOYD: I have a background in special ed. I  
7 started my career as a special ed teacher. I served  
8 in Hillsborough, County, Florida. I was a special ed  
9 -- I was the administrator at a special ed school, so  
10 I have a background, and I understand special ed. I  
11 think for me, the issue is becoming a lot more  
12 participatory which is what I've done now, where  
13 actually I'm sitting in meetings. I meet with Ms.  
14 Parks on a regular basis. We have a consultant who's  
15 working with our special ed department, as well  
16 because -- because we have a lot of teachers who are  
17 working on their certification in special ed but  
18 don't have it, so we actually have a consultant who's  
19 working out training our special ed manager, who's  
20 helping the manager actually create those systems and  
21 those trackers to make sure that we're providing  
22 those services. I also have been working with the  
23 specific related services providers to make sure that  
24 we can actually broaden the numbers of related  
25 services providers that we currently have on

1 contract. I'm working on contracting more related  
2 services providers so we can catch up those students  
3 who have missed those hours. So we can catch those  
4 students up and it won't be a burden on them, so they  
5 end up losing recess every day because they're trying  
6 to make up hours and working on ways to make sure  
7 that that does not happen by having more providers.

8 MS. KEENER: You -- I truly hope that you have  
9 never taken a recess from a child because of your  
10 lack of ability to lead your staff?

11 MR. BOYD: That's what I'm saying. I'm making  
12 sure we don't, because I know sometimes when you get  
13 in a situation where you're trying to make up, the  
14 first thing adults want to do is say, we'll, pull  
15 them out of recess, so I'm saying we're providing  
16 more providers, so we don't get to that point. We're  
17 trying to figure out the time during the school day.  
18 If we have more providers, then there are more  
19 options on the times that providers can work with  
20 those students, so we don't use that as a -- and so I  
21 apologize, the way I said it, but so we don't take  
22 students out of recess.

23 MS. KEENER: Tell me more about the contractor.  
24 Who is it and how much are you paying them?

25 MR. BOYD: The three contractors, they all make

1           between 90 and \$100 an hour for the services and  
2           then, I think, they charge 100 to 150 for the initial  
3           evaluations. I can pull those contracts up. And one  
4           of the things we also made sure that we included --  
5           because, again, unfortunately, something that we were  
6           not doing an effective job on, is ensuring that our  
7           new related services providers are actually available  
8           for IEP meetings. Because a lot of times, what I  
9           noticed was they would provide reports, but using  
10          that jargon doesn't always fit to what a parent  
11          understands. So making sure they're actually -- so  
12          all the way from the provider who does the  
13          evaluations to the related services providers making  
14          sure they're available for IEP meetings. So they can  
15          explain progress and not just submit a report, but  
16          actually be available to answer questions for the  
17          parent. And that was -- those are things that we  
18          wrote into the contracts with the related services  
19          providers that they would be available for those  
20          meetings.

21                 MS. KEENER: I appreciate your response. I'm  
22                 not -- I suppose I'm not convinced that change is on  
23                 the horizon.

24                 DR. ARNOLD: One comment.

25                 CHAIR MOORE: Dr. Arnold, questions?

1 DR. ARNOLD: Yes. It seems to me that over the  
2 timeline of this case, certain fatal flaws have  
3 surfaced. They being: non-compliance, lack of  
4 follow-through, missed deadlines. But another one  
5 struck me today as I read your memo, or the memo that  
6 was distributed, rather in real time. Page 2,  
7 Paragraph 2, Line 4, the lack of DESE having a  
8 streamlined monitoring system, dot, dot, dot, just  
9 seems to be another illustration of blaming, and that  
10 enters into the fray as well. So my rhetorical  
11 question to the Board and the room is probation a  
12 strong enough response to this?

13 MR. BOYD: Well, if I could, sir, I think the  
14 purpose of that comment was the fact that it was more  
15 related to the person who was in that role not  
16 keeping appropriate records; and so not having a way  
17 that those records reported to DESE. Like, if there  
18 was a -- a specific repository where that person  
19 should have been documenting solely when that person  
20 was transitioned out, we didn't have to archive  
21 through that person's emails to find the  
22 documentation, as opposed if there was a an actual  
23 place that person was supposed to have been  
24 documenting those things to the State if that -- if  
25 that makes sense. Because what we ended up having to

1 do is -- when that person was transitioned out, we  
2 had to go through and archive that person's emails to  
3 get the artifacts of what had been done, as opposed  
4 to if there was a tracker that the State had provided  
5 where that person was supposed to have been putting  
6 that information. Which we've now created our own.

7 MS. WOODS: How long has your school been here?

8 MR. BOYD: Since 2002.

9 MS. WOODS: So have there been systems in place  
10 and they just fell off in 2023?

11 MR. BOYD: No, ma'am, they weren't -- there were  
12 not effective systems in place.

13 MS. WOODS: So we're talking 20 years of lack of  
14 systems?

15 MR. BOYD: Well, it wasn't a lack of systems.  
16 It was as our special ed population grew and there  
17 were not enough people there who could address the  
18 needs as the population grew -- of the systems that  
19 they were using for a smaller denominator did not --  
20 were not as effective when the denominator got  
21 larger. So I'm used to larger systems where these  
22 processes are already in place, and so whoever  
23 transitioned into that role, they just continued to  
24 use the systems; but previously, what was happening  
25 is whoever had a system that was a system they used.

1           When that person transitioned out, the next person  
2           created their own system, as opposed to there's a  
3           system that the entire organization is using. It was  
4           more dependent on the individual and not the  
5           organization.

6           MS. WOODS: So how many special ed people have  
7           you had in place since the beginning?

8           MR. BOYD: Just in the time I've been there,  
9           which is 18 months, I'm on my -- I had one special ed  
10          director, and now I have a manager, and I have a  
11          vacancy for another manager. Because, as I shared,  
12          instead of -- because our schools are in two  
13          different communities, I didn't feel it was effective  
14          to have one director that was in one city, as opposed  
15          to having two managers who were actually in both  
16          communities, supporting the teachers and the students  
17          in those communities.

18          MS. WOODS: So two over 18 months; is that  
19          right?

20          MR. BOYD: Yes.

21          MS. WOODS: Just making sure.

22          MR. HENDERSON: Dr. Boyd, you know, me being  
23          from that area and having an understanding of the  
24          dynamics, trying to have a very broad thought process  
25          of this whole issue here. Explain to me, I guess,



1           with the KIPP structure -- I know -- what position  
2           does the board have with this, as far as  
3           communication piece? And also, I know we have KIPP  
4           Helena that used to be a very strong bridge in  
5           communication gap there. Because I guess what I'm  
6           trying to determine here is, as good as we all are  
7           individually, what kind of support do you have?  
8           Because what I'm hearing is a lot of the systematic  
9           processes that we failed at, you know, it's all  
10          looking like it's on you. So what support do you  
11          have, or have you had with this the last 18 months,  
12          with the board and Helena -- structure?

13                 MR. BOYD: My board is extremely supportive. I  
14          think to be quite transparent, I think one of the  
15          issues is that my predecessors were not as  
16          transparent, so a lot of these things were not  
17          brought to the board. One of the things that our  
18          charter requires is that we meet quarterly. Since  
19          I've been executive director, my board actually meets  
20          monthly, so I can provide them with more transparency  
21          and let them know the things that are going on. I  
22          think the other part is that, in all honesty -- in  
23          respect to Secretary Oliva -- I can say myself, we  
24          have not had the appropriate sense of urgency. And I  
25          think the 18 months that I've been here has shown

1           that. I will say not as an excuse, but just as a  
2           point of transparency, that when I took the role in  
3           of April of '23, my entire senior leadership team  
4           resigned shortly after that; so I lost my finance  
5           team, I lost my academics team, and all of the people  
6           who worked under them. So I came into an  
7           organization I had to learn, and I'm not from the  
8           state of Arkansas; so I had to learn the state of  
9           Arkansas systems, and I did not have the  
10          institutional knowledge of the individuals that were  
11          there because within my first two months, my --  
12          except for one person, my entire senior leadership  
13          team transitioned out. So I had to learn all the  
14          systems and try to archive that stuff from pulling up  
15          old emails and pulling up things from -- and I will  
16          say, DESE and APSRC have been extremely supportive,  
17          but it was not the ideal situation, because it was  
18          the worst. It was like I had to learn Arkansas and I  
19          had to learn KIPP all simultaneously with not --  
20          without the institutional knowledge that comes from  
21          having a leadership team of people who have been  
22          doing this work. All those people took that  
23          knowledge with them, so I had to learn those things  
24          from scratch, which delayed me getting the things  
25          that needed to be done in place. But that is -- that

1 is an excuse, but it is the reality of what I  
2 inherited.

3 CHAIR MOORE: Mr. Bragg, questions?

4 MR. BRAGG: Just a process question. If a  
5 charter school is put on probation, does it  
6 automatically go back to the charter authorizing  
7 panel for review?

8 CHAIR MOORE: I think it would be helpful if --  
9 Ms. Worsham, if you don't mind coming up to share a  
10 little bit about the probation status and the  
11 consequences of it.

12 MS. WORSHAM: So with the probationary status  
13 that would remain in place for a year, and if they do  
14 not correct the parameters around which they went  
15 into probationary status, then that could lead to  
16 further action.

17 And I will defer to Mr. Smith if there's  
18 anything regarding charter panel.

19 SECT. OLIVA: And Hope, also before Dr. Smith  
20 goes --

21 DR. SMITH: Yes, sir.

22 SECT. OLIVA: -- can you address Dr. Arnold's  
23 question on the process, I guess, that you go through  
24 for accreditation? To go from probation -- or what  
25 are the next -- he asked a question is -- is

1           probation firm enough; right? So I think we need to  
2           make sure we understand that process.

3           MS. WORSHAM: Yeah. So within the law, you are  
4           allowed to put a district on probation for a  
5           particular standard, and then again, if there is  
6           non-compliance with that standard there are further  
7           actions that can be taken. I would need to review  
8           the rules quickly and make sure that I'm not missing  
9           something in that. Yeah.

10          CHAIR MOORE: May I ask a question from that Ms.  
11          Worsham? Or Mr. Sewell. Will you all be going back  
12          to do another audit of the district soon? What does  
13          that timeline look like?

14          MR. SEWELL: Yes, we'll be on-site mid-November  
15          to do a full programmatic and financial -- we call it  
16          monitoring, but audit same.

17          CHAIR MOORE: Okay. And then another one in the  
18          spring? And then I'm just thinking about next school  
19          year getting started, as well.

20          MR. SEWELL: We'll be there pretty regular.

21          CHAIR MOORE: Okay. So it's not just a one  
22          time?

23          MR. SEWELL: And we already have scheduled  
24          monthly check ins with the district, via Zoom, with  
25          our dispute -- our dispute officer, so there will be

1 a lot of checks moving forward over the course of the  
2 next year.

3 CHAIR MOORE: Okay.

4 MS. KEENER: Can I ask if we can join on those  
5 visits as well?

6 MR. SEWELL: Say that again.

7 MS. KEENER: You know, I love a good school  
8 visit. Is it appropriate for us to come and -- as a  
9 board member, to come and visit and take a tour?

10 MR. SEWELL: I wouldn't have any issues with  
11 that. I'm going to --

12 SECT. OLIVA: I would just say, as long as  
13 you're observing, because if it does have to come  
14 back to the Board, you don't want to have to put  
15 yourself in a position where you couldn't vote to  
16 take action because you could have participated in a  
17 review process. So I think there needs to be a clear  
18 delineation of are you participating in the on-site  
19 review or just observing the process? And as long as  
20 we can make sure those buckets are very clear, I  
21 don't think it's an issue; but if you want a school  
22 visit, I'm sure we can schedule a school visit, even  
23 outside of their review.

24 MS. KEENER: Outside of that. I appreciate  
25 that.

1                   SECT. OLIVA: Just to be clear.

2                   MS. KEENER: I like that, because I struggle  
3                   having not visited and having not walked the halls  
4                   and seen, you know, the feeling. So I appreciate  
5                   that. Thank you.

6                   CHAIR MOORE: Ms. Rollins?

7                   VICE CHAIR ROLLINS: Mr. Sewell, I know this  
8                   goes back to -- and I hope you can clarify this for  
9                   me. This goes back to June of 2023, the first letter  
10                  from the parent?

11                  MR. SEWELL: That's correct.

12                  VICE CHAIR ROLLINS: The first complaint?

13                  MR. SEWELL: Yeah.

14                  VICE CHAIR ROLLINS: How many times have you  
15                  gone to the KIPP district then to support them and  
16                  give them help?

17                  MR. SEWELL: So Mr. Boyd mentioned Kimberly  
18                  Parks with APSRC, just some of the resources and  
19                  supports that we provide. We checked in with the  
20                  district monthly. I'm not sure how often we went on-  
21                  site over the course of the last year, but from an  
22                  Office of Special Education discretionary grant  
23                  through IDEA funds, we provide funds to APSRC to  
24                  support the salary of Ms. Parks and work very closely  
25                  with her as an extension of the Department and APSRC.

1           That is a joint participation that we use to support  
2           some of our charter school districts. Our compliance  
3           officer checked -- did monthly checks, and they also  
4           have a state education advisor that is there to  
5           support as well.

6           As far as being on-site in the last year, unless  
7           Dr. Adams knows another time we've been on site, this  
8           October 2nd was the first time that we've been  
9           on-site.

10          VICE CHAIR ROLLINS: Because it really says they  
11          didn't give you required documentation to comply with  
12          requested actions.

13          MR. SEWELL: Say that again, I'm sorry.

14          VICE CHAIR ROLLINS: I know I'm reading it off  
15          your sheet here. You were not given required  
16          documentation to comply with requested actions. And  
17          yet I'm sitting here thinking, how did that go on for  
18          this long?

19          MR. SEWELL: Well, with a lot of those actions,  
20          they have -- the ones that were specified for  
21          September 25th, they had a specific date, those are  
22          due by those dates. And so I've got communication  
23          logs where we're trying to communicate with them,  
24          saying these actions have not been completed.  
25          Outside of that, IDEA gives the district a calendar

1           year to complete those activities. And so it didn't  
2           conclude until --

3           VICE CHAIR ROLLINS: September of this year.

4           MR. SEWELL: That's correct.

5           VICE CHAIR ROLLINS: Okay. Thank you. That  
6           really clarifies it. Thank you so much.

7           CHAIR MOORE: Ms. Keener, did you have a  
8           question?

9           MS. KEENER: Well, I'm afraid I interrupted, and  
10          I wanted to be sure that Mr. Arnold's question was  
11          answered as far as the processes.

12          MS. WORSHAM: So I have confirmed. Yeah. So we  
13          -- once a district is put on accredited probationary  
14          status, at any point past that, that the district is  
15          seen -- deemed to have violated the standard again,  
16          then the Board may take further actions. And those  
17          do include actions such as requiring a public school  
18          to close down or dissolve, annexing, consolidating  
19          public schools. So there's a list of actions that  
20          the Board would be required to take should it be seen  
21          that the district did not comply, after being put on  
22          probationary status, for this probation -- for this  
23          violation. We would give them actions they must take  
24          after the probationary status is put in place. And  
25          if they don't comply with that, and this is seen



1           again for this particular standard, then there would  
2           be further action from the Board.

3           SECT. OLIVA: So I just want to clarify. So any  
4           accreditation actions that are put on a school or  
5           school district is progressive, and you have to start  
6           with putting them on probation and giving them an  
7           opportunity to fix it. If they're not able to come  
8           to that, then there's -- there's an opportunity to  
9           come back to the Board to go through that progressive  
10          process, to look at further sanctions. So I think --

11          MS. WORSHAM: That is accurate.

12          SECT. OLIVA: -- to answer the question for  
13          today, step one, if the Board chooses, would just  
14          start that process by putting them on a formal  
15          probationary status from our Board.

16          MS. WORSHAM: That is correct.

17          MS. WOODS: Is there a timeline? Like, can we  
18          specify 60 days before we review or do they get a  
19          full rest of the year?

20          MS. WORSHAM: The rules do not specify a  
21          timeline. We do -- we are required to provide  
22          corrective action steps from the department, and I  
23          would defer to our legal if that needs to be in the  
24          motion or --

25          MS. WOODS: Because my fear is, if we put

1           probationary status today through the end of the  
2           year, when are kids going to start getting the  
3           services they need. That's my big issue. Because I  
4           don't have -- I have zero faith that they are getting  
5           what they need. You can't even tell me how many kids  
6           you've assessed yet this year, and that was the whole  
7           point of this hearing. So I guess that's mine -- and  
8           I apologize for directing my frustration at you --

9           MR. BOYD: No, it deserves to be on me.

10          MS. WOODS: Because I know you've been here for  
11          only 18 months, but these are basic questions I would  
12          have thought you could have answered today. So  
13          that's my concern. So can we say, like, 60 days, and  
14          then have, a review.

15          SECT. OLIVA: I think if you made that in your  
16          motion, we would include that in that probationary  
17          letter status; and then you could even give us a time  
18          that you want to bring this back to the Board; right?  
19          So you can just say we want to review the  
20          accreditation status in January. But I see Matt's  
21          going to go -- because they're going to be on-site in  
22          November. We're going to have a better understanding  
23          in the next few weeks of where we are, but we'd be  
24          happy to come back and provide updates on that.

25          MR. SEWELL: And that's what I was going to

1           mention. We would be happy to come back before this  
2           Board and share what the monitoring findings were,  
3           and if there were any corrective actions from these  
4           -- this monitoring that's going to take place that  
5           this Board would want to know about.

6           SECT. OLIVA: And Matt, if it's okay, I think we  
7           could be even fair enough to say we'll bring this  
8           back up in December.

9           MR. SEWELL: Absolutely.

10          SECT. OLIVA: So, like, we can just go ahead and  
11          know -- I'm not saying to take action on their  
12          accreditation status, but to at least provide an  
13          update on where we are with the process and making  
14          sure these students are getting the attention they  
15          deserve.

16          MR. SEWELL: Absolutely.

17          MS. WOODS: So by December, you'll have  
18          completed your monitoring situation and have  
19          corrective actions for them to follow up? So I'm  
20          trying to get -- if we said in February, we want to  
21          re review this, is that enough time?

22          MR. SEWELL: February should be. I mean, by  
23          February, we would know what the preliminary findings  
24          are, and then they have a corrective action window of  
25          those preliminary findings that they have time to

1           correct. But we could definitely come back before  
2           this board in December, in January, in February, just  
3           to give you an update on where we are on the  
4           monitoring process and kind of what we've seen from  
5           the initial audit of their programs and finances.

6           CHAIR MOORE: Okay. I want to give an  
7           opportunity. Ms. Hunter is on Zoom to make sure --  
8           Do you have any questions, Ms. Hunter?

9           MS. HUNTER: No, I don't have any -- I don't  
10          have any direct questions, but I do want to just  
11          express my concerns which are similar to those that  
12          have already been expressed about -- I think it's an  
13          extremely fragile situation. Frankly, I have a low  
14          confidence in the leadership. I also have a low  
15          confidence that anything will turn around, to be  
16          honest, but I do understand in the way that we need  
17          to give the district a chance to make this right.  
18          But it's my preference that we give them the shortest  
19          amount of time to make things right and get on the  
20          right track before we take further action because I  
21          personally believe that what I've heard the last 30  
22          minutes here is, you know, unconscionable and just  
23          completely unacceptable.

24          CHAIR MOORE: Thank you, Ms. Hunter.

25          Board members, additional questions? Mr. Bragg?

1                   MR. BRAGG: One more process question. Are we  
2 here because a parent raised this issue? If the  
3 parent had not raised an issue, is there something in  
4 our system that would've brought this to light? I  
5 just need clarification.

6                   MR. SEWELL: That is why we've made the  
7 recommendation for you today that has been made  
8 because of a complaint investigation that was not  
9 concluded within the time frame that it was set to  
10 conclude. We felt like a lot of actions were  
11 somewhat egregious in nature, specifically that the  
12 student did not receive compensatory education  
13 services, and that those services were delayed. The  
14 services -- there was large breaks in those services,  
15 and over a year later, the services had still not  
16 been completed. So that's why this has been brought  
17 to you today. Is it because the parent brought it  
18 up? I'm going to say that was the spark that got us  
19 to where we are over a year later. And I also wanted  
20 to add, a minute ago when I said we could come back  
21 before this board in December. We probably will not  
22 have a completed audit by that time, but happy to  
23 come give you an update on where we are in the audit.

24                   MS. WOODS: I was just happy if you want to just  
25 send me what you have. I don't want to put extra

1 work on everybody else's plate, but I would be --

2 SECT. OLIVA: I think it would be prudent for  
3 our Board to model what acting with urgency looks  
4 like. And so we will bring this up until this is  
5 resolved at every board meeting.

6 MS. KEENER: And to Mr. Bragg's point, I want to  
7 look further into what we can -- what systems we can  
8 set in place so that these things don't rely on -- we  
9 should have known before the parent complained. That  
10 should be the last fail safe.

11 MR. WOOD: Yeah. To that point, how can we go  
12 20 years without knowing that the -- that this  
13 charter does not have systems in place to ensure the  
14 special education students are getting what they  
15 need? That's shocking to me. And I think that --

16 MR. BOYD: I apologize, Mr. Wood, that's not  
17 what I said. I said that as the denominator  
18 increased, that that was what was going on. The  
19 services have been provided. We've worked diligently  
20 to make sure. I do want to say that I feel like this  
21 situation, with this specific case and related  
22 services provider, I want to say, was isolated  
23 because it was one specific -- the services had been  
24 provided previously for our students. There was an  
25 issue with the related services provider that started

1           in May of this year, and that was why we didn't renew  
2           their contract.

3           MR. WOOD: I don't want to get into a back-and-  
4           forth argument with you. To the extent that I --  
5           well, first of all, I have no confidence that  
6           services have been provided adequately ever, okay,  
7           based on what we've heard today. I have no reason to  
8           believe that. It may be true, but I don't know that.  
9           What you did say was that there were not systems in  
10          place -- and I don't know exactly what you were  
11          describing, but I believed it was something along the  
12          lines of, there were not systems in place to ensure  
13          that the individuals employed by KIPP who were  
14          responsible for providing this appropriately did what  
15          they were supposed to do.

16          MS. WOODS: My understanding was the systems  
17          changed with every individual person. That is not a  
18          system that is one person's way of doing work.

19          MR. BOYD: Correct.

20          MS. WOODS: And that has been going on for 20  
21          years.

22          MR. BOYD: Correct, but we were still providing  
23          the services. It just wasn't in a way that --

24          MS. WOODS: I'm not suggesting you weren't, but  
25          --

1           MR. BOYD: It just made it difficult that when  
2 new people came in, it was difficult to understand  
3 what those systems were because it wasn't an  
4 established system that everyone was aware of. That  
5 is what I was trying to articulate, but not saying  
6 that services were not provided, not saying that  
7 students were not getting what they needed. It was  
8 for individuals who weren't directly working with  
9 those students, it was difficult to understand what  
10 the system was. So for example, we had a -- I  
11 actually have a tracker now, so I can go on the  
12 tracker and see what number of hours students are  
13 being provided weekly. I can see what the provider  
14 is providing for those students. There's a way that  
15 I can know that. There's a way that school leaders  
16 can know that. That system didn't exist before.  
17 They'd have to go to the individual who was  
18 responsible for that child, that child's case  
19 manager, and ask those questions to get that  
20 documentation, as opposed to a dashboard or a tracker  
21 where that information was available. That's what I  
22 meant about systems.

23           MR. WOOD: Well, a lot has been said. I agree  
24 with so much of what has been said. My stomach is  
25 kind of churning at learning about this type of



1 failure because so often when we talk about failure  
2 of academic achievement or even growth in various  
3 places around Arkansas, we so quickly point to that's  
4 a high poverty area, that's a low income area; and we  
5 just quickly dismiss and blame and almost as though  
6 we build an excuse that if you're from a high  
7 poverty, low income, you can't learn.

8 MR. BOYD: Right.

9 MR. WOODS: It's the region's fault.

10 MR. BOYD: Correct.

11 MR. WOOD: But today highlights that oftentimes  
12 it's --

13 MR. BOYD: It's the adults.

14 MR. WOOD: It's the provider's fault. It's the  
15 government's fault. And that is disgusting.

16 MR. BOYD: It is.

17 MR. WOOD: And it can't stand.

18 MR. BOYD: It cannot.

19 MR. WOOD: Respectfully to KIPP, if your charter  
20 was before us, I couldn't vote to extend it. It's  
21 better to not be doing it than to be doing it poorly.  
22 Let someone else step in and try, you know. I  
23 respect that you've only been there 18 months. This  
24 is -- from what I can tell this is almost day one for  
25 you, when this complaint came in. I'll give an ounce

1 of credit to that, and I look forward to the changes  
2 you make. I hope you take away from this that while  
3 there may not have been an urgency at KIPP, there's  
4 urgency at the State Board of Education.

5 MR. BOYD: Absolutely.

6 MR. WOOD: I also believe that this is happening  
7 in other places too. I don't think that KIPP is the  
8 only place struggling with this type of lack of  
9 systems. And I -- they're the ones in front of us  
10 today, but I really do think that we have a  
11 responsibility to find where this failure is  
12 occurring in other places because too many students  
13 aren't learning what they should be learning, and too  
14 often we blame it on all the things except the person  
15 or the people providing the education. And I think  
16 today highlights that it's -- there's a good chance  
17 it's the people providing the education that are  
18 letting our kids down.

19 MS. KEENER: I'm also surprised that the board  
20 isn't here. Ironically enough, the board chair is  
21 the quality systems director at Nucor Steel. That  
22 could be a great resource for you. You also have a  
23 director of student support services as a board  
24 member. I'd like to see them here perhaps in the  
25 future.

1 CHAIR MOORE: More questions or comments, board  
2 members?

3 (NO RESPONSE)

4 CHAIR MOORE: Okay. The floor will then be open  
5 for a motion. The recommendation is to place KIPP  
6 Delta in probation status.

7 MS. WOODS: I'll make that motion, but should we  
8 add in that we want a follow up report in December  
9 and then -- or just monthly thereafter, until --

10 MR. : You can make the motion.

11 MS. WOODS: Okay.

12 I think for me, I would like -- we could motion  
13 to put them on probationary status, and I want an  
14 update in December on what you found, or even just an  
15 email to me is fine. And then I want to reevaluate  
16 in December how much longer we extend their  
17 probationary status before we discuss the next step.

18 CHAIR MOORE: Okay. So there's a motion to  
19 place KIPP Delta on probation status with a  
20 reevaluation -- a report and a reevaluation in  
21 December. Is there a second?

22 DR. ARNOLD: Second.

23 CHAIR MOORE: A second by Dr. Arnold. Questions  
24 or comments before a vote?

25 (NO RESPONSE)

1 CHAIR MOORE: All in favor, say aye

2 (UNANIMOUS CHORUS OF AYES)

3 CHAIR MOORE: Any opposed? Motion passes. Thank  
4 you.

5 With that, let's take a -- let's take a five-  
6 minute break before we enter in our next hearing.

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

9 **4: CONSIDERATION OF BOUNDARY CHANGE PETITION BY THE PRAIRIE**  
10 **GROVE SCHOOL DISTRICT**

11 CHAIR MOORE: Thank you, Board Members. We are  
12 going to get back started on Item Number 4,  
13 consideration of a boundary change by the Prairie  
14 Grove School District. We have Mr. Shults here to  
15 present to us, to begin.

16 MR. SHULTS: Morning, ladies and gentlemen of  
17 the Board. This is a matter which came before you.  
18 Petition was filed by the Prairie Grove School  
19 District to alter its boundary, which is something  
20 state law allows, and they're submitting a request to  
21 you. It was heard by you originally in June, and you  
22 had determined that the district should work together  
23 and see if they can come to a resolution. That --  
24 they have attempted to do that. It took some time  
25 because one board would need to meet. The other

1 board would need to consider their ideas, so it was  
2 kind of a multi-month process. Ultimately, the  
3 districts have determined that they're not going to  
4 be able to come to any sort of collaborative  
5 agreement and would simply ask that the Board decide  
6 the question. And your options are essentially to  
7 approve Prairie Grove's petition to alter the  
8 boundary, to approve some alteration that's separate  
9 for them, or deny the petition, in which case those  
10 boundaries would remain the same as they are right  
11 now.

12 I know both superintendents are available to  
13 answer any questions, as am I, and turn it over to  
14 you.

15 SECT. OLIVA: Can I just make sure that, for  
16 clarification, we understand? The petition, if the  
17 Board approves it, would allow the rezoning to take  
18 place. If they don't approve the petition, then the  
19 boundaries stay as they're currently formed?

20 MR. SHULTS: That's correct. And rezoning being  
21 that about 18 residents will be moved from Lincoln  
22 into Prairie Grove.

23 CHAIR MOORE: Do we have any procedures as far  
24 as districts presenting?

25 MR. SHULTS: They had presented in June.

1 CHAIR MOORE: Okay.

2 MR. SHULTS: My understanding, based on  
3 communication with the district, is they're content  
4 to allow that presentation to rest with you --

5 CHAIR MOORE: Okay.

6 MR. SHULTS: -- if that's acceptable to you, but  
7 they're available if you have any concerns or  
8 questions.

9 CHAIR MOORE: Okay.

10 Dr. Campbell and Dr. Spears, I appreciate you-  
11 all coming down today. I know it's a drive, so thank  
12 you for coming. It's good to see you off Zoom as  
13 well. So with that, we'll open the floor up to  
14 questions, and our Board Members will be able to pull  
15 you all up as needed.

16 MR. SHULTS: Thank you.

17 CHAIR MOORE: Thank you.

18 To my left, questions? Ms. Rollins?

19 VICE CHAIR ROLLINS: Not right now.

20 CHAIR MOORE: Mr. Wood?

21 MR. WOOD: I do have some questions. And I  
22 think they would be to the petitioners, the folks  
23 requesting the change. I'll start by saying that I  
24 am open to changing school district boundaries.  
25 Having said that, I believe that there needs to be

1           significant evidence that a majority of the  
2           individuals in the affected area agree with the  
3           movement. And what we have is a petition signed by,  
4           I think, less than 30 people. And so I would like to  
5           know how many residents are there in the affected  
6           area?

7           DR. CAMPBELL: There's about 18 residents.

8           MR. WOOD: Eighteen --

9           DR. CAMPBELL: Homes.

10          MR. WOOD: There's only 18 homes? There's only  
11          30 -- how many people live in those 18 homes?

12          DR. CAMPBELL: I would say roughly 30 people up  
13          on the mountain of Kelly Mountain.

14          MR. WOOD: So you would tell us that close to  
15          everyone who lives in the affected zone change, in  
16          the affected geographic area that is being proposed  
17          to move, has signed the petition?

18          DR. CAMPBELL: I would not say that on record  
19          that everyone has signed the petition.

20          MR. WOOD: I didn't say everyone. Almost.

21          DR. CAMPBELL: No, no.

22          MR. WOOD: Or whatever.

23          DR. CAMPBELL: But I'm just saying --

24          MR. WOOD: More than fifty percent.

25          DR. CAMPBELL: But it's A high volume of people

1           that live on Kelly Mountain, yes, sir.

2           MR. WOOD: Well, this isn't a question, really.  
3           It is a frustration in the process. Like I said, I  
4           agree that people should be able to move. I don't  
5           believe that the geography of our school districts  
6           should be set in stone for hundreds of years. I  
7           think that people should be able to petition and move  
8           to a different district if they -- if they agree.  
9           This is -- I believe this is the process that state  
10          law outlines. I wish that there was one more step in  
11          the process that required that that question be on a  
12          ballot for the people in the affected area. And  
13          while I wish that was the case, that's not currently  
14          state law. I do think that that might be a proposal  
15          that the legislature could consider soon, so that  
16          they could add that as one more step before it comes  
17          to the State Board; so that we would have the  
18          information that, okay, here are the results of an  
19          election in this neighborhood, and more than 50  
20          percent of them voted to move. So that would be an  
21          important data point. Right now we have informal  
22          data, but I guess it's better than nothing. And it  
23          sounds like a decent majority of the folks who live  
24          in the area wish -- wish to move. Okay. I guess I  
25          don't have any more questions at this point.



1 CHAIR MOORE: Ms. Keener, questions?

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

3 CHAIR MOORE: Dr Arnold?

4 DR. ARNOLD: (Shakes head side to side)

5 CHAIR MOORE: Mr. Bragg?

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

7 CHAIR MOORE: Mr. Henderson?

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

9 MS. WOODS: I do have a comment and a question.  
10 And Jeff, I can give you some context. I'm from  
11 Bentonville, and I have driven down to Prairie Grove  
12 because it's like 40 minutes, just to see the area  
13 that we're talking about. And I guess my concern, if  
14 you're from Northwest Arkansas, you realize that that  
15 this just sets a really bad precedent for every time  
16 somebody -- for example, I live in Bentonville. I'm  
17 actually closer to Pea Ridge public schools than I am  
18 to the school that I'm zoned for. So why don't I  
19 just petition to move my boundary so that I'm now in  
20 Pea Ridge? I can school choice. That's already an  
21 available option. And so I guess I just really,  
22 really struggle, especially with, you know,  
23 everything that we have before us, to say why do 18  
24 people get to decide where their boundary is without  
25 an overarching reason, just because they want to go

1 to another district? And I think both districts are  
2 fine. I'm not sitting here suggesting that. I just  
3 -- being from Northwest Arkansas, I just feel like  
4 this just opens a Pandora's box of saying, well, I  
5 don't want to be in this district, so I'm just going  
6 to petition to make the change when we have school  
7 choice. I just don't -- I don't feel like we've been  
8 given a good enough reason, in my opinion, to merit  
9 this.

10 CHAIR MOORE: Ms. Hunter, questions?

11 MS. HUNTER: Yes, thank you.

12 So Ms. Woods, I happen to agree with you. I've  
13 not heard any compelling reason and with school  
14 choice, I think that really kind of is a game changer  
15 with respect to stated school boundaries. But just  
16 curious of why did the talks break down? I mean --  
17 and I think that at one -- maybe at the first  
18 hearing, there was some conversation about Prairie  
19 Grove offering transportation for those students.  
20 Can you just kind of update us on what has  
21 transpired?

22 SUPT. C AMPBELL: Yes, ma'am. My first  
23 experience with the Board, I gleaned that it would be  
24 difficult to change boundaries based on a couple of  
25 comments. So we went back to the school district and

1           talked about a memorandum of understanding, 20-year  
2           agreement that anyone that lived on Kelly Mountain,  
3           they would be able to go to Lincoln School District  
4           or Prairie Grove School District. They didn't have  
5           to sign any more paperwork. That was the agreement.  
6           Because we figured that the Board would not support  
7           boundary changes, and that was rejected by Lincoln,  
8           and rightfully so. That's what they wanted to do.  
9           The Prairie Grove School District supported that.  
10          And then -- you want to talk about your --

11                 SUPT. SPEARS: Sure.

12                 DR. CAMPBELL: -- your side?

13                 SUPT. SPEARS: So I had actually had a patron of  
14           ours that had school choice to us who bought a farm  
15           right on the edge of Lincoln and Prairie Grove, right  
16           on the boundary. Like, right across the street is  
17           Lincoln. And she had asked me that over a year ago  
18           about a boundary change then, and I'm like, we just  
19           -- that just doesn't happen. And my thought it was  
20           always like, you know, had to be an agreement. We  
21           had to both agree before you would take that up. So  
22           I kind of dismissed that. And then when this was all  
23           making the paper, she approached me again because  
24           she's really -- she's really involved in our school  
25           and PTA and all of that. She approached me again.

1           She goes, this looks like it's going to happen for  
2           them. What about us? So I actually met with him and  
3           his board president, our board president, and we  
4           talked about, kind of like a land swap; and that  
5           actually made the paper last week, our little land  
6           swap option, but his board denied that. So we've  
7           kind of been back and forth, but I do want to quote  
8           that one of his board members said that they thought  
9           a land swap would set a bad precedent for the state  
10          because other districts would follow suit and want to  
11          do that as well. And I agree with that  
12          wholeheartedly. I also think changing boundaries is  
13          a bad precedent because I think -- I mean, lots of  
14          school districts around the state, Pea Ridge and  
15          Bentonville is a big one, Fayetteville and Elkins is  
16          a huge one. There are lots of neighborhoods that are  
17          Fayetteville School District, and those kids are  
18          choicing over to Elkins, and they would like to have  
19          those boundaries changed. I think you will see an  
20          influx of boundary change requests if you do approve  
21          this today. Thank you.

22                 SECT. OLIVA: Can you just speak really quickly  
23                 -- Ms. Hunter asked about the transportation and just  
24                 make sure -- like, are the students and families  
25                 being served in the school that they want?

1 MS. SPEARS: Oh, absolutely.

2 SECT. OLIVA: Can you verify that we're clear on  
3 that?

4 MS. SPEARS: Yes. So we -- we border Prairie  
5 Grove School District, Siloam to the north and  
6 Cedarville to the south, and I have students that  
7 have choice or board-to-board transferred to us and  
8 been going to us for multiple years. And we go into  
9 those districts and pick those students up, and vice  
10 versa. I see a Siloam bus as I drive into work. A  
11 Siloam bus is coming out of part of my district to  
12 pick up kids that have choiced to Siloam or  
13 transferred. And Prairie Grove. I go into Prairie  
14 Grove. He's going in -- he's providing  
15 transportation for those students. So those students  
16 are being served, and they do have -- because our  
17 laws have allowed school choice and board to board  
18 transfers, so kids -- kids are getting to go where  
19 they want. I think we'll get kind of muddy if we  
20 start changing up boundaries. So --

21 CHAIR MOORE: Thank you. Ms. Hunter, did you  
22 have any follow up questions?

23 MS. HUNTER: No. No, thank you.

24 CHAIR MOORE: Thank you. Ms. Rollins?

25 VICE CHAIR ROLLINS: I just appreciate your

1           comments, Ms. Spears. I'm not a proponent as well of  
2           changing boundaries. I do think it'll cause a lot of  
3           headaches for us and for other communities. I think  
4           with school choice and school transfers, that really  
5           fits the need.

6           CHAIR MOORE: Ms. Keener?

7           MS. KEENER: So this is -- may be a question for  
8           legal, but the -- it says that there was a petition  
9           filed. Who was that filed with or who --

10          MR. SHULTS: With the ADE.

11          MS. KEENER: So is there --

12          MR. SHULTS: They petitioned here.

13          MS. KEENER: So did someone -- did one of us  
14          verify the addresses and the residents or that this  
15          is a legit --

16          MR. SHULTS: Yes. Again, this was done in the  
17          spring, but when we received it, we did review the  
18          petition and found it to satisfy the legal  
19          requirements to come before you, when we put it on  
20          your agenda.

21          MS. KEENER: Thanks.

22          CHAIR MOORE: Mr. Wood, did you have questions?

23          MR. WOOD: No, not right now.

24          CHAIR MOORE: Okay. Further questions or  
25          comments?

1 MS. WOODS: I was going to ask, was there -- did  
2 I read somewhere that it's like 10 or \$12,000 is what  
3 we're talking about? Yes?

4 MS. KEENER: I heard similarly.

5 MS. WOODS: Okay. I just can't remember. So  
6 we're talking about \$10,000-\$12,000 in property taxes  
7 and local millage. Okay.

8 CHAIR MOORE: And I wanted to clarify, Dr  
9 Campbell, is prairie growth picking up students that  
10 are choicing into your district on this road?

11 DR. CAMPBELL: Yes, for Kelly Mountain. Yes,  
12 ma'am, but we do not pick up kids outside of our  
13 district typically, but we are doing it for the kids  
14 on Kelly Mountain. Yes, ma'am.

15 CHAIR MOORE: Okay. And they are -- it is  
16 meeting their needs at this point in time?

17 DR. CAMPBELL: Yes, ma'am, absolutely.

18 CHAIR MOORE: Okay. I had expected maybe some  
19 of the families -- I know it's a burden to travel  
20 here, but at least to submit information before our  
21 hearing today. Did you hear from any of them?

22 DR. CAMPBELL: Yes, ma'am. They were at our  
23 last board meeting --

24 CHAIR MOORE: Okay.

25 DR. CAMPBELL: -- and they had requested that

1           the board at least allow the State Board to make the  
2           decision, and they would -- they would be comfortable  
3           with whatever decision was made.

4           CHAIR MOORE: Okay. I know it's a large burden  
5           to come here, so I didn't expect them to all come  
6           here, but at least any more communication. Okay.

7           Any more questions, comments, Board Members?  
8           Okay. So --

9           MR. WOODS: I guess I'll make a comment, just  
10          out of fear that I think that if I were to make a  
11          motion to approve the petition, I probably won't even  
12          get a second. So I'll make a comment before I fail  
13          to get a second. I hope that board members would not  
14          be so hardened against boundary changes that we would  
15          never allow one. I would challenge everyone to  
16          consider when would you allow one? If everyone that  
17          lives in the geographic area wants to move to a  
18          different school district, why would we say no? Does  
19          it set a bad precedent? Maybe, but we're talking  
20          about government here, and the people have a right to  
21          associate with whichever government they want to  
22          associate with. We're talking about taxation and  
23          representation, and -- fundamentally -- that these  
24          people pay taxes, that when they -- when their  
25          student choices to a different school district, money



1           does follow that student to the receiving school  
2           district, but the property taxes go to a different  
3           school district; and if you don't have children, your  
4           money still goes to a different school district.  
5           When your child is in a school district that you  
6           don't live in their district, you are -- you have no  
7           representation. You have no school board member to  
8           go speak to about changes you would like to see in  
9           the schools. You like that school better, but you  
10          don't get to affect -- you have no vote to cast to  
11          affect the policies of the schools that you're  
12          sending your kids to. I realize the response might  
13          be, well, then just don't send your kids there. But  
14          there -- so there could be fundamental reasons why  
15          communities want to change, and I hope that when --  
16          when the legislature sets out a process -- the  
17          legislature didn't say, no one shall ever change  
18          boundaries. The legislature said, if you want to  
19          change boundaries, here's the process to go through  
20          to do that, and the final step is State Board  
21          approval. I hope that we don't step into a role of  
22          super legislature and say, no, we will never allow  
23          that. So as we deny this petition, it seems like, I  
24          hope that just in future, as people want to change  
25          the government that governs their schools -- their

1 children's schools -- I hope that we will allow a  
2 place that we could be convinced that enough people  
3 want it or want it for the right reasons or whatever,  
4 and would not just cut it off as a fundamental, no  
5 that creates too much chaos. So anyway, that's my  
6 comment.

7 With that, I'll make a motion to approve the  
8 petition to change the boundary.

9 CHAIR MOORE: There's a motion by Mr. Wood to  
10 approve the petition to change the boundary of the  
11 Prairie Grove and Lincoln School Districts. Is there  
12 a second?

13 MR. WOOD: Which is why I made my comment.

14 CHAIR MOORE: So motion --

15 MR. WOOD: I've been around Robert's Rules a  
16 minute or two.

17 CHAIR MOORE: Motion fails without a second.  
18 Back to the floor. Is there a motion on the  
19 consideration of boundary change for the Lincoln and  
20 Prairie Grove School Districts?

21 VICE CHAIR ROLLINS: I'll make the motion then  
22 to deny the change petition by the Prairie Grove  
23 School District.

24 CHAIR MOORE: There's a motion by Ms. Rollins to  
25 deny the petition. Is there a second?

1 MR. BRAGG: I second.

2 CHAIR MOORE: There's a second by Mr. Bragg.

3 Questions or comments before a vote is taken?

4 MR. BRAGG: Just one comment about a group of  
5 people wanting to vote on moving into another  
6 district. If the millages are the same, their taxes  
7 may not be affected at all, but the effect on a  
8 school district that loses those -- that area could  
9 be. Now, this is a relatively small area, but if  
10 it's a large area, it could have a significant  
11 financial impact on the school district. That's just  
12 a comment.

13 CHAIR MOORE: So there's a motion on the floor  
14 to deny the petition. There's a second to it. Any  
15 more questions or comments?

16 Okay. We'll take a vote. All in favor, say  
17 aye.

18 MS. WOODS: Aye.

19 MR. HENDERSON: Aye.

20 MR. BRAGG: Aye.

21 VICE CHAIR ROLLINS: Aye.

22 MS. KEENER: Aye.

23 DR. ARNOLD: Aye.

24 MS. HUNTER: Aye.

25 CHAIR MOORE: Any opposed?

1 MR. WOOD: No.

2 CHAIR MOORE: Motion passes to deny the  
3 petition.

4 Thank you, Dr. Campbell and Dr. Spears for  
5 driving down far today. We appreciate you.

6 **5: REQUEST TO RELEASE ADMINISTRATIVE RULES FOR PUBLIC COMMENT**

7 CHAIR MOORE: With that, we will move to Item  
8 Number 5, a number of rules that are to be up for  
9 public comment. We have Ms. Salas-Ford presenting.

10 MS. SALAS-FORD: Good morning. Courtney  
11 Salas-Ford. Yes, as you all know, many of you know,  
12 Ms. Smith is out this week, so you're stuck with the  
13 second string, but I'll try to be at least um, as  
14 descriptive, if not as entertaining, as Stacy always  
15 is. Oh, she knows. Hopefully, she might be  
16 watching. She might be watching.

17 So we do have four rules for you that are going  
18 to be going out for public comment. As you all know,  
19 you approve them to go out for public comment, they  
20 go out for 30 days so that we can get comments from  
21 the public, make any changes as necessary before we  
22 make final approval.

23 **5A: DESE RULE GOVERNING GRADING AND COURSE CREDIT**

24 The first rules up are governing grading and  
25 course credit. As you all have heard us talk about

1           many times, we are making changes to make sure that  
2           students have as many opportunities for acceleration  
3           as possible, and that we are focusing on some of  
4           those. And so specifically, we have added into the  
5           rules the Cambridge Advanced International  
6           Certificate of Education, otherwise known as AICE, as  
7           an opportunity for advancement, for acceleration.  
8           There are also some added criteria for students to  
9           receive weighted credit for a CTE course, within one  
10          of the career and technical pathways that has been  
11          identified. And as the result of a legislative  
12          change, we have added computer-science related CTE  
13          courses as an option for students to take to meet  
14          their computer science requirement. There's also a  
15          lot of cleanup and so if it looks like there's a lot  
16          of changes in there, some of that is just changing  
17          numbering and the way things are worded.

18                 But those were pretty much the big, major  
19                 changes, and I'm happy to answer any questions. And  
20                 if I can't, then we have lots of experts behind me  
21                 that can.

22                 SECT. OLIVA: And I and I just want to clarify  
23                 that if we approve the draft language, this is to go  
24                 out for public comment, so this isn't recommending  
25                 final form. This is just for us to take this draft

1 out and receive feedback from this first round.

2 MS. SALAS-FORD: That is correct.

3 CHAIR MOORE: Board Members, questions on the  
4 grading and course credit rules?

5 Ms. Rollins?

6 VICE CHAIR ROLLINS: (Shakes head side to side)

7 CHAIR MOORE: Mr. Wood? Dr. Arnold? To my  
8 right?

9 Ms. Hunter, questions on this first set of  
10 rules.

11 MS. HUNTER: No.

12 CHAIR MOORE: I do have a question. One issue  
13 in the state that reoccurs is the cost for concurrent  
14 credit courses. I think there's just cleanup  
15 language around that in here. Have there been any  
16 substantial changes to those policies?

17 SECT. OLIVA: So unrelated to this rule, and  
18 hopefully something that we can talk about, like Mr.  
19 Wood talked about, maybe there's some considerations  
20 with the legislator for upcoming session.  
21 Standardizing weighted credit, a common course code  
22 catalog system for concurrent credit, unifying  
23 concurrent credit, all needs to be addressed because  
24 it's different, completely different depending on the  
25 district you attend and how they handle these

1 requests is not uniform or coordinated. And I think  
2 it would be -- it would behoove our state to start  
3 looking at -- as we're looking at pushing more and  
4 more accelerated pathways for students, standardizing  
5 this process.

6 So I agree with you, Dr Moore. There's a lot of  
7 confusion on the practices that are being  
8 implemented. This rule is going to help start  
9 coordinating that, but there are also some things  
10 that I think need to be addressed or reviewed  
11 legislatively that will help streamline this process  
12 as well.

13 CHAIR MOORE: Okay. That's good news to hear.  
14 I know there's a lot on y'all's plate, but I'm glad  
15 you're looking at that, because it's long overdue.

16 MS. SALAS-FORD: Yeah, and if I'll add, probably  
17 in the next month or two, you'll see the course  
18 choice rules that was a result of LEARNS, putting in  
19 the Course Choice Program; and a lot of that, the  
20 surrounding issues with concurrent credit will be  
21 addressed through those as well.

22 CHAIR MOORE: Okay. Thank you. Any additional  
23 questions on this first set of rules?

24 (NO RESPONSE)

25 CHAIR MOORE: Should we go -- should we take a

1 vote on each one or go through --

2 SECT. OLIVA: They're listed separately --

3 CHAIR MOORE: Yeah.

4 SECT. OLIVA: -- so I think it would make sense  
5 to do that.

6 CHAIR MOORE: Okay. If no further questions or  
7 comments, the floor will be open to release for  
8 public comment the rules governing grading and course  
9 credit.

10 MS. WOODS: I'll move to release for public  
11 comment.

12 CHAIR MOORE: There's a motion by Ms. Woods to  
13 release the rules governing grading and course credit  
14 for public comment. Is there a second?

15 MS. KEENER: Second.

16 CHAIR MOORE: Second by Ms. Keener. Any  
17 questions or comments?

18 (NO RESPONSE)

19 CHAIR MOORE: All in favor, say, "Aye."

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIR MOORE: Any opposed?

22 Motion passes.

23 **5B: DESE RULE GOVERNING DISTANCE AND DIGITAL LEARNING**

24 MS. SALAS-FORD: Okay. The next rules are governing  
25 distance and digital learning. Again, a lot of



1 cleanup with these, but some of the big changes were  
2 that we added requirements to align with Course  
3 Choice, as I just talked about a minute ago. You'll  
4 be seeing that come up in a lot of our rules to  
5 ensure alignment. We also removed the requirement  
6 that each high school student take at least one  
7 digital learning course to graduate. That was the  
8 result of a repeal in legislation, and also  
9 legislative repeal of the requirement that school  
10 districts and charter schools offer digital learning  
11 courses to students when they are expelled. Again, I  
12 think you're just seeing a lot of cleanup in these  
13 and those legislative changes in alignment with  
14 Course Choice.

15 CHAIR MOORE: Okay.

16 Board members, questions to my left?

17 MR. WOOD: What is a digital learning course?

18 MS. SALAS-FORD: A digital learning course is,  
19 essentially, students are accessing their coursework  
20 through a digital format. So the online schools,  
21 online classes.

22 MS. KEENER: Like Canvas and Schoology, things  
23 like that?

24 MS. SALAS-FORD: Uh-huh.

25 MS. KEENER: So are they, excuse me,

1 asynchronous or synchronous?

2 MS. SALAS-FORD: If I understand correctly,  
3 distance learning is synchronous. Digital Learning  
4 can be synchronous or asynchronous.

5 MR. WOOD: There was a requirement that you had  
6 to take at least one course through that medium?

7 MS. SALAS-FORD: Yes, there was in law up until  
8 -- once COVID happened and kind of all schools  
9 started offering digital courses, then the last  
10 legislative session that was taken out of law.

11 MR. WOOD: That's fascinating.

12 CHAIR MOORE: I think it was like a decade and a  
13 half ago, and it was that you wanted to get students  
14 prepared to take virtual courses before they went to  
15 college, and likely had one.

16 MR. WOOD: Did it show them what a computer was?

17 CHAIR MOORE: We rolled in the cart with the --  
18 okay, so additional questions on the distance and  
19 digital learning rules to my left?

20 (NO RESPONSE)

21 CHAIR MOORE: Okay. I have two questions. One  
22 is on the portion about students that are expelled.  
23 Was this a law change?

24 MS. SALAS-FORD: It was.

25 CHAIR MOORE: Okay. So if a student had

1           expelled, it means they are no longer -- can they  
2           still enroll in a virtual school, or it's just that  
3           they're no longer --

4           MS. SALAS-FORD: They still can, and the school  
5           district from which they were expelled can still  
6           choose to offer them; they just no longer have that  
7           right to -- or the school district doesn't have the  
8           requirement to offer them that how they did  
9           previously.

10          CHAIR MOORE: Okay. So it puts --

11          SECT. OLIVA: My hope is that we would -- you  
12          know, students make mistakes. They violate the code  
13          of conduct. There are some egregious events what  
14          would require an expulsion of a student, but I would  
15          hope even if they're expelled, they would still have  
16          access to services in some form. I mean, the worst  
17          thing we can do is put a kid out there without any  
18          services and have them give up hope that they'll ever  
19          be able to achieve at least a standard high school  
20          diploma. So while that requirement may not be in  
21          place, I feel like in good faith, most of our  
22          districts understand that these are sensitive areas  
23          for students and will provide some kind of service in  
24          some alternative format because they don't want to  
25          lose connections with students.

1           CHAIR MOORE: My other question is, in regard to  
2           class size. I don't see it in these rules, but at  
3           some point when we were going through the process of  
4           virtual schools during COVID, there was some rules  
5           stating that if it was a digital course, there was no  
6           class size requirement. Do you know about that and  
7           where that would come from?

8           MS. SALAS-FORD: I don't. We do have rules that  
9           are specific to class size and teaching load, so  
10          there may be something in there. But without those  
11          rules in front of me, I couldn't say specifically.

12          CHAIR MOORE: Okay. But it's not in this. But  
13          I think the concern was that the digital -- you know,  
14          those that are teaching virtual courses could have  
15          unlimited number of students.

16          MS. SALAS-FORD: If there is a requirement in  
17          the class size and teaching load, they would still be  
18          bound by that. But I can look that up for you and  
19          let you know.

20          CHAIR MOORE: Okay. Thank you.

21          Ms. Hunter, any questions?

22          MS. HUNTER: No. Thank you.

23          CHAIR MOORE: Any additional questions or  
24          comments, Board Members?

25                               (NO RESPONSE)

1 CHAIR MOORE: And then, the floor will be open  
2 for a motion to release for public comment the rules  
3 governing distance learning and digital learning.

4 MR. BRAGG: I'll make that motion that we  
5 release them for public comment.

6 CHAIR MOORE: Okay. There's a motion by Mr.  
7 Bragg to release the rules for public comment. Is  
8 there a second?

9 VICE CHAIR ROLLINS: Second.

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

12 (NO RESPONSE)

13 CHAIR MOORE: All in favor, say aye.

14 (UNANIMOUS CHORUS OF AYES)

15 CHAIR MOORE: Any opposed?

16 Motion passes.

17 **5C: DESE RULE GOVERNING THE FIRST CONNECTIONS PROGRAM UNDER**  
18 **PART C OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT**

19 MS. SALAS-FORD: The next rules are governing  
20 the First Connections Program under Part C of IDEA,  
21 and I actually am going to turn this over to Board  
22 Member Keener to give you guys a little bit of  
23 information about the First Connections Program.  
24 Since this is her area of expertise, we asked her to  
25 take the floor and educate you guys a little bit

1           about these and the changes that were made.

2           MS. KEENER: Thank you and my apologies that  
3           this fell on me to you guys.

4           So this covers part C under IDEA, which is for  
5           children ages birth to three. The bottom line here  
6           is that the federal government -- it is a federal  
7           grant program that early intervention is truly seen  
8           as prevention for later issues. That during this  
9           time of rapid brain development, that if you know a  
10          child falls slightly behind in development, we can  
11          catch it and address it. And it will -- during this  
12          particular time, K through 3, it reduces the need and  
13          the cost for special ed later down the road. It is  
14          designed to maximize the potential.

15          There are two big pieces here that I love about  
16          this and first and foremost is this really values the  
17          family as not just a partner in the child's education  
18          and development, but as the expert in the child's  
19          education and development. So evaluations are done  
20          with the primary caregiver in place. The parent can  
21          pull consent at any time, those types of things. And  
22          then secondly, the -- it is designed to be -- the  
23          therapy, the services are designed to be done in the  
24          natural environment. So we know that speech and  
25          language pathology, occupational therapy, if they're

1 not done in the child's natural environment, it  
2 doesn't necessarily translate. We're seeing that  
3 more and more in pre-K and K, so I loved seeing that  
4 in this piece.

5 And that's about it. If there are any  
6 questions, I'm not sure I can answer them, but I'll  
7 do my best.

8 MR. BRAGG: Is it up to the parent to know that  
9 this is available, or is there some other --

10 MS. KEENER: Mechanism? So that is a good  
11 question. There are -- basically anybody can refer a  
12 child. Typically, it's done -- the hospital, the  
13 pediatrician, the child care; but I, myself as a  
14 parent, made that referral for a child, for one of my  
15 twins, and so it's -- it's open to anyone; and then  
16 there's a timeline for evaluation and parent meetings  
17 and things like that. So --

18 CHAIR MOORE: Thank you, Ms. Keener.

19 Questions, Board Members, to my left?

20 DR. ARNOLD: Personal comment. My granddaughter  
21 in another state was identified and had intervention  
22 during this time frame, so I'm so grateful.

23 MS. KEENER: And I'm sure -- I'm not sure if  
24 this is clear, but it's at no cost to the family  
25 which was wonderful, I'm sure, for your grand and for

1           us, because it makes it a no brainer; right? You  
2           don't want to have to consider cost when you're  
3           working -- when you're worried about development of  
4           your child, so it's a great program.

5           CHAIR MOORE: Questions, Board Members to my  
6           right?

7           MR. HENDERSON: I have a -- along with the same  
8           lines of Ken, I know -- does the school have a  
9           responsibility, or is there a process of  
10          communicating this information to the parents?  
11          Because I know -- like said, I know it's available,  
12          but I guess one thing I would think of is, if it's  
13          not presented or marketed the right way, parents  
14          won't know about it.

15          MS. KEENER: Well, you're absolutely right. And  
16          so there's two pieces of that. First and foremost,  
17          as a former child -- you know, teacher in first  
18          grade, often things would arise, and the conversation  
19          was a very delicate one with the family, because you  
20          want them to be receptive, not see it as labeling,  
21          not see it as an accusation that they've done  
22          something wrong, that it really is a benefit to  
23          address things early on. So that conversation is  
24          delicate, but also throughout this entire lengthy  
25          rule, the parents are included in every piece. They



1           can remove consent at any point. But also, there are  
2           requirements for them to be present at meetings, of  
3           course, that they can be in the evaluation, things  
4           like that. So the parents are first and foremost,  
5           seen and displayed in this role as the expert on  
6           their child.

7           MS. SALAS-FORD: Yeah. And since we're talking  
8           about children, you know, birth to three, I think a  
9           lot of the times it does fall on the parents or  
10          hospitals or doctors to make that information  
11          available. This traditional K-12 school districts  
12          aren't going to know who those children are,  
13          necessarily, until they do get into the early  
14          childhood system around age three. But if they are a  
15          federally -- if there's an entity that receives  
16          federal funds, I believe -- and I'm looking for  
17          confirmation -- they are required to make that  
18          information known to the parents in that facility.

19          SECT. OLIVA: Can -- let me just add to that,  
20          because I think you bring up a good point is, if you  
21          have a parent and they don't know what to look for,  
22          right, or they -- they don't have -- sometimes we  
23          compare our own kids to what the other kid was doing  
24          at a certain age. You got a lot of new families, a  
25          lot of new moms. Hopefully, they're going to their

1 doctors, they're getting their checkup, they're doing  
2 prenatal care, postnatal care, and they're able to  
3 get access to this type of information. Because  
4 school districts may or may not know who these  
5 families are; right? So I think, to your point, that  
6 communication plan is something that we may need to  
7 elevate and see how we can always do a better job  
8 with communication. I think as one of the exciting  
9 things with LEARNS is as we've established those  
10 local leads, and we're now being reflected in all 75  
11 counties, this is something that we need to bring to  
12 them to say, do a needs assessment and find out how  
13 are you communicating with families; how are you  
14 making sure they know what's the developmentally  
15 appropriate stages that they should be looking for?  
16 And if they're not, who do you call and what do you  
17 do, and why, and what is that next step? So I think  
18 that's a point well made. And I think for us, as  
19 we're looking at this next step, so really, to put --  
20 put another charge on the local leads to help us kind  
21 of get a snapshot of what are we doing and how can we  
22 support them.

23 MS. KEENER: And as a part of this, should the  
24 child not -- you know, should the interventions be  
25 successful in the six to nine months -- or whatever

1           it is that's one path to kind of graduate out -- but  
2           if they're not, and if the child turns three, there  
3           is a path in here to notify the local education  
4           agency so that they can take over. So I think, again  
5           to your point, that bringing this under the  
6           Department of Ed is the first step in allowing this  
7           to be seen as a crucial piece of education that birth  
8           to three is the time to address these things. So I  
9           appreciate that in LEARNS.

10           MR. SEWELL: I just wanted to briefly share,  
11           talking about communication plans, since this program  
12           has come under the Office of Special Education,  
13           transitioning from DHS, they've made a lot of efforts  
14           to -- whether it was at the State Fair, at LEA  
15           Academy, on monthly calls with school personnel to  
16           make sure that our schools do understand that this  
17           birth to three program does exist. So that will also  
18           help educate our school personnel that when they are  
19           meeting with families, if they do recognize or they  
20           see a parent in need of information, they would have  
21           that to share, also. And also kind of part of those  
22           child find activities. A lot of publications put out  
23           their libraries, doctor's offices, newspapers, so  
24           really trying hard to recognize the need to get the  
25           information out.

1 CHAIR MOORE: May -- I have a further question  
2 with that. So once a student turns three, they're no  
3 longer eligible for this money. Is there other  
4 monies that they're available for those related  
5 services?

6 MR. SEWELL: Yes. School-age services -- well,  
7 schools are responsible for services ages three to  
8 21.

9 CHAIR MOORE: Okay.

10 MR. SEWELL: That all falls under Part B.

11 CHAIR MOORE: Okay.

12 MR. SEWELL: Six to 11 is your school age. Part  
13 -- 619 is considered early childhood, three to five.

14 CHAIR MOORE: Okay.

15 MR. SEWELL: And so when those referrals at age  
16 three are made to school districts or a child could  
17 transition from Part C to Part B, and that's what Ms.  
18 Keener was just talking about a minute ago.

19 CHAIR MOORE: Okay. Thank you.

20 Ms. Hunter, do you have questions at this point?

21 MS. HUNTER: I do not. Thank you.

22 CHAIR MOORE: Board Members, any additional  
23 questions, or comments?

24 (NO RESPONSE)

25 Ms. Keener, anything else you want to add?

1 MS. KEENER: I hope you'll release it for public  
2 comment. Thank you. Trying to channel my inner  
3 Stacy.

4 CHAIR MOORE: With that, then the floor will be  
5 open to release the rules governing the First  
6 Connections Program for public comment.

7 MS. KEENER: I make a motion that we release  
8 these rules for public comment.

9 CHAIR MOORE: There's a motion by Ms. Keener to  
10 release the rules for public comment. Is there a  
11 second?

12 DR. ARNOLD: Second.

13 CHAIR MOORE: There's a second by Dr. Arnold.  
14 Questions or comments?

15 (NO RESPONSE)

16 CHAIR MOORE: All in favor, say aye.

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIR MOORE: Any opposed?

19 Motion passes.

20 **5D: DESE RULE GOVERNING SPECIAL EDUCATION (SECTION 18.00 -**  
21 **RESIDENTIAL PLACEMENT)**

22 CHAIR MOORE: Next, we have the rules governing  
23 special education.

24 MS. SALAS-FORD: Yes. And so this is Section 18  
25 of the special education rules, which governs

1 residential placement of students with disabilities.  
2 Two just minor changes. One is a requirement -- it  
3 adds requirements that must be met to pay for  
4 educational and related costs for students with  
5 disabilities placed in an out of state residential or  
6 inpatient facility. These were legislative changes  
7 made in the last session, so they are now reflected  
8 in our rules. Also added some notification  
9 requirements for students that are placed in juvenile  
10 detention facilities, that they notify the school  
11 district where the facility is, so that they can be  
12 aware of that student's need for an education within  
13 five days of being released. The rest of it is all  
14 just clean up, and I'm happy to answer any questions.

15 CHAIR MOORE: Thank you. Board members to my  
16 left, questions? Ms. Rollins? Mr. Wood? Ms.  
17 Keener? Dr. Arnold?

18 To my right, Mr. Bragg?

19 MR. BRAGG: How does the -- if they're sent to a  
20 detention facility, are they still considered  
21 enrolled in the local school, or does that funding --  
22 is that funding affected?

23 MS. SALAS-FORD: I'm going to have Matt Sewell  
24 come up and address that question.

25 MR. SEWELL: So most of these parents -- most of

1           these students are parentally placed into this  
2           private facility. The -- ask your question again,  
3           because I want to make sure I don't get too off track  
4           here.

5           MR. BRAGG: Is the foundation funding affected  
6           when they move to a detention facility?

7           MR. SEWELL: No. It's not because we -- that is  
8           a separate payment process. The students are put on  
9           the roll of the school district. They are marked as  
10          Resident X. They do not generate ADM for the school.  
11          Did you say this is JDC or residential?

12          MS. SALAS-FORD: No, I think he was asking about  
13          JDC.

14          MR. SEWELL: Okay. With JDC or residential they  
15          get \$60 a day. With JDC it's \$60 a day per bed, and  
16          it's a flat rate. Superintendent certifies the  
17          students who are in the facility. That's submitted  
18          to us. We process all those payments with  
19          residential facilities. It's \$60 a day per bed if  
20          the student is in it. And so again, Resident X, no  
21          ADM generated.

22          CHAIR MOORE: Additional comments? Questions?

23          MS. HUNTER: I have a question.

24          CHAIR MOORE: Yes, Ms. Hunter?

25          MS. HUNTER: And this is just a point of clarity

1           and education for me. So in the definition section,  
2           it says that juveniles are a person who's 18 years  
3           old or younger. And I guess I was always working on  
4           the premise that --

5           MS. SALAS-FORD: I'm not sure I heard all of the  
6           question, but the --

7           MS. HUNTER: I'm sorry, I think you got the  
8           question. Sorry about that.

9           MS. SALAS-FORD: That's okay. I think -- I  
10          heard juvenile and 18 years. So that's in reference  
11          to the juvenile detention facilities, because they  
12          only house students or children 18 and under. If  
13          they were above 18, then they would go to an adult  
14          correction facility.

15          MS. HUNTER: Yeah. So actually, my question  
16          was, I was always under the understanding that  
17          juveniles were under 18. So this is 18 or younger.  
18          So is there just a difference in definition, or have  
19          I just always been uninformed?

20          MS. SALAS-FORD: I'm not entirely sure on that.  
21          I will look at it and we can probably get that answer  
22          for you before you give final approval to the rules.

23          MS. HUNTER: Thank you.

24          CHAIR MOORE: Are including 18-year-olds. Yeah.

25          Ms. Hunter, any additional questions?



1 MS. HUNTER: No. Thank you.

2 CHAIR MOORE: Board members, questions or  
3 comments?

4 (NO RESPONSE)

5 CHAIR MOORE: Okay. Floor will be open for a  
6 motion to approve the rules for public comment.

7 MR. HENDERSON: Motion to approve for public  
8 comments.

9 CHAIR MOORE: Thank you. Motion by Mr.  
10 Henderson to approve the rules governing special  
11 education for public comment. Is there a second?

12 MR. BRAGG: I second.

13 CHAIR MOORE: Second by Mr. Bragg. Any  
14 questions or comments?

15 (NO RESPONSE)

16 CHAIR MOORE: All in favor, say aye.

17 (UNANIMOUS CHORUS OF AYES)

18 CHAIR MOORE: Any opposed?

19 Motion passes.

20 And Courtney, just because we do have a new  
21 board member, these rules go up for a 30-day public  
22 comment period, and then they come -- when do they  
23 come back to us after that?

24 MS. SALAS-FORD: So depending on when that 30  
25 days -- once we publish notification in the

1 newspaper, that's when the 30 days starts. And so  
2 after that 30 days -- in which we will also hold a  
3 public hearing -- legal will review all of the  
4 comments, determine if any changes need to be made.  
5 If no changes are made, then they will bring -- the  
6 rules will come back to you at the next meeting. So  
7 probably not December for these. More likely  
8 January. And then after that, they go to legislative  
9 council for review. If we receive sufficient  
10 comments that we determine changes are necessary,  
11 then we have to put them back out for another 30-day  
12 public comment. And so it'll be a little bit longer  
13 before they come back to you.

14 DR. ARNOLD: Thank you.

15 CHAIR MOORE: Thank you. With that, that  
16 concludes our action agenda unless there is any new  
17 business.

18 (The Action Agenda was concluded at 11:51 a.m.)  
19  
20  
21  
22  
23  
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 3rd day of December, 2024.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

