

ARKANSAS STATE BOARD OF EDUCATION

NOVEMBER 13, 2025

9:00 A.M.

A P P E A R A N C E S

BOARD MEMBERS:

MS. ADRIENNE WOODS, Chair
MS. LISA HUNTER, Vice Chair
MR. RANDY HENDERSON
MR. JEFF WOOD
MR. KEN BRAGG
DR. GARY ARNOLD
MR. DAVID PEACOCK
DR. AARON ABBOTT

NON-VOTING BOARD MEMBERS:

MR. JACOB OLIVA, Secretary of Education

ALSO APPEARING:

MS. STACY SMITH, Deputy Commissioner - DESE
MR. ROSS WHITE, Director of CTE
DR. DARRELL SMITH, Assistant Commissioner - Office of School
Choice and Parent Empowerment
MS. COURTNEY SALAS-FORD, Chief of Staff

LOCATION:

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

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P R O C E E D I N G S

ACTION AGENDA

1. CLEVELAND COUNTY WAIVER REQUEST FOR ELEMENTARY CLASS SIZE

CHAIR WOODS: All right. So then I think Ms. Smith is going to present the Cleveland County waiver request.

Here you are.

MS. SMITH: Good morning. Stacy Smith, deputy commissioner.

Action agenda item on -- the first thing on the list is Cleveland County School District is requesting a standards for accreditation waiver. They flagged in August for having one student over in third grade, and so they'll need the waiver not to have a standards for accreditation violation; and that's what they're seeking today. Their superintendent, Davy King, is here to present for their district.

Mr. King.

SUPT. KING: Good morning. My name is Davy King. I'm the superintendent of the Cleveland County School District.

Thank you for the opportunity to be able to speak to you today in regards to our waiver request. Give you a little background on what has brought us

1 here today. Back in August, working with our
2 elementary principal, we were one over in our
3 district in the third grade. Normally, that will
4 take care of itself, in normal years because we live
5 in a high mobility area that we have a lot of in and
6 out kids. And I could be here today and tomorrow we
7 would be under the number by two. That's just where
8 we live at. So we have been monitoring this
9 situation since August, as I stated.

10 Give you some feedback on the things that we
11 have been doing to ensure that our teachers maintain
12 the support that they need, that our kids are still
13 getting a high standard of learning. We have
14 implemented -- we have two teachers in these
15 classrooms. One is a 13-year veteran teacher; the
16 other one is a four-year that has multiple licensure
17 areas, which we believe is helping in these
18 situations. But we have implemented some new
19 strategies to help these teachers and these students.
20 We have six different interventionists throughout the
21 building and have scheduled more time for these
22 intervention -- interventionists to be in these
23 classrooms with these teachers. And we've also --
24 our instructional coaches have made a schedule out to
25 be in the classrooms more with these teachers as

1 well. And so I don't want you to think that we're
2 just coming here asking for a waiver and not
3 realizing that being one over does constitute some
4 more things from the district in need of support to
5 ensure that these teachers and the students are
6 getting the education that they deserve.

7 CHAIR WOODS: Does anybody have any questions?

8 VICE CHAIR HUNTER: So this waiver is for --
9 you're one over, and this waiver is for one year?

10 SUPT. KING: Yes, ma'am.

11 VICE CHAIR HUNTER: Is that correct?

12 DR. ARNOLD: Well, that was a well-stated
13 argument. Probably one of the better ones we've
14 heard seeking a waiver because it showed sensitivity,
15 even with just an aberration of one, so I commend you
16 for that.

17 SUPT. KING: Thank you.

18 CHAIR WOODS: Okay. If there any other further
19 questions, do I have motion?

20 VICE CHAIR HUNTER: I'll make a motion to
21 approve the waiver request.

22 DR. ARNOLD: Second.

23 CHAIR WOODS: I have a motion by Ms. Hunter to
24 approve and seconded by Dr. Arnold. All in favor,
25 say aye.

1 (UNANIMOUS CHORUS OF AYES)

2 CHAIR WOODS: Any opposed? Hearing none, motion
3 passes. Thank you.

4 SUPT. KING: Thank you.

5 **2. CAREER AND TECHNICAL EDUCATION STANDARDS**

6 CHAIR WOODS: Okay. Mr. White, we have you for
7 the Career and Technical Education Standards.

8 MS. SMITH: So earlier today when all the -- I
9 know, I'm sorry. When all these kids were over here,
10 one of the things I noticed -- did you notice their
11 microphone etiquette? How they all patiently waited
12 for the next one? What was great about that is I was
13 talking to Director Ross White and he was like, you
14 know, I'm so proud of Sunni Teale and she's already
15 left and he's like, for a summer in the week. So I
16 just want you to know, people at the Department of Ed
17 are still teachers; right? For a week every summer,
18 they pull these kids who are state leaders together,
19 and they teach them leadership skills. They teach
20 them what it means to be representing the State of
21 Arkansas. They go through etiquette. So that is
22 just, again, under Ross's leadership, under -- like,
23 they exhibited today things that they learned from
24 people at the Department who are also educators. So
25 I just wanted to tell you what a great job I think

1 that was.

2 MR. WHITE: We do good work. They do a good
3 job. And we are -- we always -- you're always
4 welcome to come to our State Officer Leadership
5 Academy. We always do a luncheon, and you're welcome
6 to join us at Arkansas Tech first week of June.

7 So anyway. But today, Career and Technical
8 Education Standards. I know we spent some time
9 yesterday together, so we will quickly run through
10 just a few items and then take questions and ask for
11 approval with this.

12 So as we discussed yesterday, you know, the
13 Division, our goal here is to ensure that our
14 students graduate prepared for that enlistment,
15 enrollment, employment, and we are working to align
16 our pathways to workforce demand through looking at
17 our labor market information specifically, but then
18 how are we aligning our programs with the -- what we
19 call a SOC code with that standard occupational
20 classification, and then our CIP codes, which is our
21 instructional programming. So a lot of these
22 revisions really are due to the LEARNS Act and us
23 really aligning and focusing our students to meet the
24 technical skills needed to fill the workforce needs
25 in Arkansas that lead to high-wage, high-demand

1 careers.

2 So this process involved numerous steps that
3 we've taken over the past year and a half. The first
4 piece is really us internally, as the Department,
5 reviewing the programs that we offered; and the CIP
6 and SOC codes, as I just mentioned, that those were
7 aligned to, to make sure they still were relevant and
8 then still meeting the demand and wage that we were
9 looking for. So from those internal reviews, we were
10 able to make recommendations of what needed to
11 possibly be revised, merged, new items that needed to
12 be created or ones that we possibly needed to delete.

13 So then from that, we started presentations last
14 spring. And so we visited all 15 education co-ops.
15 And as I mentioned yesterday, we had every single
16 school district, but one, in the state attend those
17 sessions to talk about the revisions that we were
18 looking to and what those would involve.

19 And then from there, we created committees, and
20 those committees are the ones that write our
21 standards for our courses. And so our committee
22 representation is really important to us, that we
23 have K-12 educators, our boots on the ground that are
24 teaching it, but at the same time, we have business
25 and industry partners. So we have a one-to-one ratio

1 for every K-12 educator that's there. We must have a
2 business and industry partner. And then, of course,
3 most of our programs lead to an additional
4 post-secondary education, so having post-secondary
5 partners involved in it as well. So those committees
6 met this past spring. And then this summer, we
7 finalized it with a two-day meeting in July to kind
8 of put the final stamp on these standards. And then
9 they were available for our educators that weren't a
10 part of the committees to provide us feedback from
11 that time to pretty much the point we're at now.

12 And then with that, there are 74 sets of
13 standards that are in front of you, so I apologize
14 for the reading. But obviously, there are a lot of
15 them. This was a very big revision process for us.
16 I will remind you all that this is not all of our
17 courses. We have a total of 152 different set of
18 course standards. These 74 are the ones that needed
19 the most immediate attention or were new ones we are
20 creating. We will have additional ones that you'll
21 see over the next year that will come through,
22 hopefully not such a large batch for you.

23 But that is kind of where we're at with a total
24 of 48 different pathways as we go forward. And so
25 once you look at that list there, that's each of the

1 pathways and then how many courses are within that.
2 As a reminder, each pathway has a minimum of three
3 courses because we build on levels and that's
4 building the skill level from a foundational all the
5 way up to they're ready to exit and enter the
6 workforce or ready to transition to that next phase
7 of their post-secondary education goals.

8 So with that, I will take questions and then
9 entertain a motion to approve our standards as
10 presented.

11 CHAIR WOODS: I'll start on my left.

12 Mr. Peacock?

13 MR. PEACOCK: No questions.

14 CHAIR WOODS: Dr. Abbott?

15 DR. ABBOTT: I know yesterday I asked a little
16 bit more about the AI --

17 MR. WHITE: Yes, sir.

18 DR. ABBOTT: -- and the computer science. I
19 would just like to say before we move on that I would
20 like to see, I guess, some of those second and third
21 level classes start to introduce AI maybe sooner
22 rather than later. I think this is something that's
23 stretching across all careers and is going to become
24 -- it's not going away. I think everyone knows that.
25 And so I -- I think teaching kids how to use it

1 responsibly early is going to set Arkansas up for
2 success. And so -- yeah. That's -- that's the only
3 comment I have.

4 MR. WHITE: Yes, sir.

5 DR. ARNOLD: As noted -- as I noted yesterday, I
6 think the slide on embedded artificial intelligence
7 is very important and deserves widespread
8 communication.

9 DR. ABBOTT: Yeah.

10 MR. WHITE: Sure.

11 CHAIR WOODS: Mr. Henderson?

12 MR. HENDERSON: Thank you, Mr. White.

13 There's no argument that for years we've been
14 working to align the industry educators to workforce.
15 And I certainly want to -- appreciate you and your
16 team again, and these efforts are aligned directly
17 with our goal.

18 CHAIR WOODS: Mr. Bragg?

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

20 CHAIR WOODS: No?

21 Mr. Wood?

22 MR. WOOD: The only thing I -- I want to just
23 offer a compliment for just the intense focus on
24 this. I -- as I've spent time at my son's high
25 school and talking with his friends and classmates,

1 I've probably heard more people talking about this
2 type of a career path more than ever before. And I
3 don't think that it's any coincidence, and I think
4 that it's because of the renewed focus and -- or new
5 focus. So congratulations on the success of that. I
6 know that the numbers will soon bear out and be
7 something for you to brag about. But you can feel it
8 and hear it in the kids' comments on campuses.

9 MR. WHITE: Yeah. We -- I ran it for this in
10 case a similar question came up. So our 6-12
11 enrollment in any CTE course that we have from
12 October of 2024 to October of 2025, we have seen an
13 increase right over 20,000 students. Now, I always
14 remind people that's in seats and so we have many
15 students who can be duplicates; they're being counted
16 numerous times because they're taking numerous
17 courses. But that's -- it's a tremendous --

18 MR. WOOD: Shift.

19 MR. WHITE: -- shift. We've also seen a
20 tremendous shift in our pathways, where some of our
21 traditional programs that are still very relevant and
22 still meet some of our wage and demand, but -- like,
23 we'll use healthcare as an example. It's always kind
24 of been middle-of-the-road number. It is now our
25 third highest enrollment that we have in our

1 healthcare pathways. That shift has happened very
2 quickly, but we know part of it has been from the
3 LEARNS Act and our focus on high-wage, high-demand
4 pathways in schools, kind of having intentional
5 conversations about where are they going after this
6 like how is this supporting our community our region;
7 and so we hope to continue to see more of those
8 changes as we move along.

9 CHAIR WOODS: Okay.

10 If there's no more questions, then I need a
11 motion.

12 DR. ABBOTT: I make a motion.

13 CHAIR WOODS: First by Dr. Abbott. Is there a
14 second?

15 MR. HENDERSON: Second.

16 CHAIR WOODS: Second by Mr. Henderson. All in
17 favor, say aye.

18 (UNANIMOUS CHORUS OF AYES)

19 CHAIR WOODS: Any opposed? Hearing none, motion
20 passes.

21 MR. WHITE: Thank you.

22 CHAIR WOODS: Congratulations.

23 **3. REQUEST TO RELEASE THE RULES GOVERNING THE ARKANSAS**

24 **CHILDREN'S EDUCATIONAL FREEDOM ACCOUNT PROGRAM FOR PUBLIC**

25 **COMMENT**

1 CHAIR WOODS: All right. Ms. Smith to talk
2 about EFA accounts.

3 MS. SMITH: All right. I think there's a
4 presentation. So we are asking today to release two
5 sets of rules for public comment. In the process for
6 releasing, again, the public comment period is a
7 minimum of 30 days. They go out for public comment
8 once they are approved by the state board to do so.
9 If there's any substantive changes during that time
10 period, they go out again. Once all public comment
11 is finished, they come back to the State Board for
12 final approval before they go to ALC, the Arkansas
13 Legislative Council. So the two sets of rules that
14 are coming to you today, one has to do with
15 educational freedom accounts, and these are actually
16 not a -- these rules were actually written over a
17 year ago; they've been revised, all right. So they
18 are going through the process now because the rules
19 have been updated and revised. And you did your work
20 session yesterday on these rules and had to ask
21 several questions, but again, it defines universal
22 eligibility in here. It establishes the fixed
23 application window, revises payment schedule and
24 administrative fees and it clarifies qualifying
25 expenses. So again, we anticipate a lot of public

1 comment, and we'll go through that process. But
2 that's one of the sets of rules we're asking for
3 today.

4 **4. REQUEST TO RELEASE THE RULES GOVERNING THE ARKANSAS ADULT**
5 **DIPLOMA PROGRAM FOR PUBLIC COMMENT**

6 The second set of rules, again, these were
7 existing rules that have been revised because of
8 legislative changes and updates. It amended the
9 definition of milestones, and it also clarifies
10 payment associated with each of the milestones. This
11 is the adult diploma program, and so it is for adults
12 who do not have a high school diploma, but they're
13 not seeking a GED. They want the high school
14 diploma. And so this sets up -- the legislation
15 actually set up how different organizations can set
16 up an entity to be able to give a high school
17 diploma, and these rules help assist -- guide in how
18 that program goes. So we're seeking today to release
19 both sets for public comment.

20 CHAIR WOODS: Can you explain for our new board
21 members, if we don't vote to release them today, will
22 they come back for the next month?

23 MS. SMITH: Yes, I mean, we would -- yeah.

24 CHAIR WOODS: I foresee that. I'm just
25 educating.

1 MS. SMITH: Right.

2 CHAIR WOODS: Okay.

3 MS. SMITH: Yes, Ms. Woods, they would come back
4 over and over and over.

5 CHAIR WOODS: Okay.

6 So did you say there was going to be a
7 presentation?

8 MS. SMITH: That's your presentation.

9 CHAIR WOODS: Oh, that's the presentation.

10 MS. SMITH: I hit those two steps.

11 CHAIR WOODS: Okay. Could we have Dr. Smith
12 come up here because I do have questions.

13 MS. SMITH: Absolutely.

14 CHAIR WOODS: That's fine. I really only have
15 questions on EFA.

16 MS. SMITH: And Mr. White is here too if anybody
17 has questions on the --

18 DR. SMITH: Good morning.

19 CHAIR WOODS: Good morning. All right. I did
20 not do my homework before yesterday's presentation,
21 so I have questions. I'm so sorry.

22 DR. SMITH: You're good.

23 CHAIR WOODS: Did anybody else want to go first?
24 I don't have to go first.

25 You can go.

1 VICE CHAIR HUNTER: I'll go second.

2 CHAIR WOODS: Okay. perfect.

3 I had a couple questions and I'm sure you can
4 help clarify them. When we were going through --
5 page 21. All right. Page 21. I know this one
6 wasn't edited, and I just didn't know if it had been
7 called out. It is in regards to if a student
8 withdraws from a private school after the quarter has
9 started. And in Section (C), it says, in the event
10 of participating student withdraws from a private
11 school and the school has not received the
12 disbursement on behalf of the student, the Department
13 will determine any excess funds that should be
14 refunded to the state. Why would -- why if they
15 haven't received funds, would they be refunding
16 something to the state? I understand if they have
17 received their disbursement, that's above in (B).

18 DR. SMITH: Sure.

19 CHAIR WOODS: But then (C), it says they have
20 not. And then it says, but the Department will
21 determine any excess funds that should be refunded to
22 the state based on the number of weeks the student
23 was enrolled prior to withdrawal. What am I missing?

24 DR. SMITH: Yeah. I'm trying to think. Thank
25 you.

1 CHAIR WOODS: Sorry.

2 (CROSSTALK)

3 DR. SMITH: I'm listening to it.

4 CHAIR WOODS: Yeah.

5 DR. SMITH: I'm trying to play it out -- play --

6 (CROSSTALK)

7 DR. SMITH: -- it's like where does it fit in
8 the actual thing? Thank you very much. Okay. Let
9 me read with you --

10 CHAIR WOODS: Yes.

11 DR. SMITH: -- for just a second if you don't
12 mind.

13 CHAIR WOODS: Okay. So in Section (B), it says,
14 in the event of participating student withdraws from
15 a private school and they have received a
16 disbursement on behalf of the student, the Department
17 will determine any excess funds that should be
18 refunded to the state. Makes sense? They've only
19 been there for two weeks --

20 DR. SMITH: Correct.

21 CHAIR WOODS: -- got to get some stuff back.
22 But then in Section (C), it talks about when they
23 have not received the disbursement, why is the
24 Department determining excess funds that should be
25 refunded to the state? I haven't gotten --

1 DR. SMITH: That's a great question. And I
2 think it all -- I think we kind of go back to the
3 (2) (A) up there --

4 CHAIR WOODS: Okay.

5 DR. SMITH: -- where it says -- we're talking
6 about any excess funds that are allocated to the
7 private schools. So that's -- that's the main point
8 --

9 CHAIR WOODS: Right.

10 DR. SMITH: -- right? So I think these are just
11 potentially opportunities to say, no matter --
12 regardless of what the state's going to look at and
13 see, has the school received any funds that they did
14 not necessarily earn, you know, for services that
15 they provided, I believe, the way it reads. And it
16 does sound somewhat confusing about if --

17 CHAIR WOODS: Right.

18 DR. SMITH: -- you didn't get money, then you
19 shouldn't -- then there shouldn't be any excess
20 there. So I'd have to kind of go back and -- through
21 and just read through it a little bit more closely.
22 But the idea behind that whole section right there is
23 that we are going to examine -- anytime a student
24 withdraws, we are going to examine whether or not the
25 school has received --

1 CHAIR WOODS: Funds they didn't deserve.

2 DR. SMITH: -- any money additional to what they
3 have, you know, for the services they provided. And
4 so I believe that's what the section's about. Now,
5 again, that particular section, I -- you know, you
6 make a great point, something we would have to look
7 at, you know, further and maybe in public comment and
8 look and see if there -- if we need to make some
9 adjustments there. But -- yeah. Absolutely. But I
10 mean, I think, like I said, the intent of that
11 section is just to make sure we're not overpaying for
12 --

13 CHAIR WOODS: Sure.

14 DR. SMITH: -- services provided.

15 CHAIR WOODS: Can you think of an example of
16 when we would have excess funds outside of tuition?

17 DR. SMITH: Well --

18 CHAIR WOODS: And I'm -- specifically for a
19 private school because I know homeschool is
20 different.

21 DR. SMITH: Sure. I mean, well, anytime that --
22 because the way we do the quarterly disbursements,
23 they happen right in the middle of a quarter --

24 CHAIR WOODS: Right.

25 DR. SMITH: -- right? And so there is a

1 potential that a student could -- could -- we could
2 have paid the school because they were there their
3 first three weeks of that quarter, right, and then
4 they withdraw. So we pay them for that whole
5 quarter.

6 CHAIR WOODS: Right.

7 DR. SMITH: Right? And so what we need to do is
8 we kind of prorate it based on that nine weeks,
9 actually. If they were there for three of the nine
10 weeks, then, you know, the school is only owed three
11 of the nine weeks that we were -- of that quarterly
12 payment. So then the school would then pay us -- pay
13 the state back.

14 CHAIR WOODS: Yes. And I have no problem with
15 (B). I'm just trying to figure out what scenario
16 exists where (C) would become applicable if they've
17 not received any funds.

18 DR. PEACOCK: I read it as an accounting
19 function that at the beginning of the school year,
20 the school probably put in their accounts receivables
21 that they were going to receive those funds. And so
22 they need something to -- to release -- to release
23 that accounting -- the accounting for the money.

24 CHAIR WOODS: Is that what that is intended for?
25 I guess that's just where my confusion is.

1 DR. SMITH: No, I get it. And I'm like, to be
2 honest with you, I mean, I'd have to totally just
3 reread that and kind of go through that again.

4 CHAIR WOODS: Okay.

5 DR. SMITH: So I'm not sure that I'm prepared
6 to give you a full explanation --

7 CHAIR WOODS: As long as --

8 DR. SMITH: -- of that section.

9 CHAIR WOODS: I was like, what am I missing? So
10 --

11 DR. SMITH: Something that we will definitely
12 mark and note as we move into public comment.

13 CHAIR WOODS: Okay. On page 23, so flip over.

14 DR. SMITH: All right.

15 CHAIR WOODS: It's a new section. Basically, it
16 says -- this is talking about when people are being
17 removed from the program. And it says, in (C), the
18 Department may immediately remove any participating
19 student from eligibility for EFA if the Department
20 determines that -- and then it goes down to number
21 three -- is found to have committed fraudulent
22 conduct. Is that just in regards to the program or
23 in general in life?

24 DR. SMITH: In the program, specifically.

25 CHAIR WOODS: Okay.

1 DR. SMITH: I mean, obviously it's your EFA
2 rule, so the only thing we're talking about here is
3 did you have -- were you fraudulent --

4 CHAIR WOODS: What we did here? Okay.

5 DR. SMITH: -- in the EFA program?

6 CHAIR WOODS: I assumed. That's what I thought.
7 It's very open-ended.

8 DR. SMITH: Yeah. I don't want to get into the
9 other law side of that thing. We've got enough.

10 CHAIR WOODS: Okay. And then the other question
11 I had was on page 35. It's the new section that
12 talks about an appeal being received less than 14
13 calendar days. Does this allow for interim meetings
14 to be called? And here's where I went with this.
15 It's July. We've determined somebody's ineligible
16 and they want to appeal that. But we don't have a
17 meeting until August. Does this allow us to call for
18 like interim meetings to be able to hear an appeals
19 process?

20 DR. SMITH: I think you're -- you're always
21 allowed to call an emergency meeting at any point in
22 time.

23 CHAIR WOODS: Okay.

24 DR. SMITH: So --

25 CHAIR WOODS: It's just good to be able to hear

1 stuff like that. Okay.

2 I'll -- I'll turn it over to Ms. Hunter.

3 VICE CHAIR HUNTER: Okay. All right. So I too
4 did not do my homework before yesterday, but it's
5 always helpful just to hear all about it before you
6 actually --

7 DR. SMITH: Sure.

8 VICE CHAIR HUNTER: It gives you a little
9 context. Okay. So my question -- my first question,
10 is on page three of Section (7) where it talks about
11 educational field trip.

12 DR. SMITH: Uh-huh.

13 VICE CHAIR HUNTER: Educational field trip means
14 a learning experience that, (A), takes place outside
15 the traditional classroom setting that satisfies the
16 following. So how does that apply to homeschoolers?
17 I don't think that they have a -- necessarily a
18 traditional classroom setting. Or is this not to --

19 DR. SMITH: It's providing a frame of reference.
20 You know, if this was a field trip that is commonly
21 used -- or that's commonly taken from -- in a school,
22 then at that point, then we would consider that part
23 of an eligibility of a field trip. So it's -- what
24 it's doing, it's just trying to help define a little
25 bit. So we just can't do anything --

1 VICE CHAIR HUNTER: Right.

2 DR. SMITH: -- right? That we're putting some
3 kind of a context to what the field trip was designed
4 to do. What's the educational benefit of that field
5 trip?

6 VICE CHAIR HUNTER: Okay. And I guess my
7 argument there would be that homeschoolers are not in
8 a traditional classroom setting.

9 DR. SMITH: Yeah.

10 (CROSSTALK)

11 DR. SMITH: Yeah. And so I don't think it's --
12 yeah.

13 VICE CHAIR HUNTER: Like, is there -- is it all
14 a field trip? Anyway, I

15 DR. SMITH: No. Yeah. I don't think that --
16 yeah. Certainly the intent's not to limit what they
17 can or cannot do; right? Because that's not the
18 point of the law or the EFA program, but it is to put
19 some context to what is an allowable expense to be
20 paid for by the EFA program.

21 VICE CHAIR HUNTER: Okay. Fair. Fair enough.
22 Then my next question is on page five, and this --
23 and I -- seems like I'm just harping on expulsion,
24 and that is not my intent. But Section (13), where
25 it defines expulsion as a period of ten days for

1 conduct and violation of schools' student discipline
2 policies. So we talked yesterday that if, you know,
3 the -- that -- a student could be released from the
4 program if they are expelled from school.

5 DR. SMITH: Correct.

6 VICE CHAIR HUNTER: And that we would capture
7 that information on the quarterly cycle of where the
8 student was no longer on the roll of the school and
9 we would ask why and then they say expelled.

10 DR. SMITH: Correct.

11 VICE CHAIR HUNTER: But if -- if it's a ten-day
12 expulsion, is there a possibility that they would
13 still be on the rolls at the end of the quarter, and
14 we wouldn't know that they had been expelled? Does
15 that make sense?

16 DR. SMITH: So tell me again -- tell me where
17 you're reading that. Oh, it's right -- the (13) (A).
18 I see it right there.

19 VICE CHAIR HUNTER: (13) (A). Yeah. Kids get
20 expelled, week three. Yeah, week three, they're out.

21 DR. SMITH: I think that, again, the intent
22 there is to make a distinction between suspension and
23 expulsion; right? A suspension can be three, four,
24 five, six days. That's not going to remove you from
25 the program. Typically an expulsion is longer;

1 right? It's -- you're permanently removed from the
2 school. And so I think that's just basically, again,
3 a -- tying a little bit to the public-school ten-day
4 rule of attendance, but also to just ensure that it's
5 not just a shorter suspension; right? And so we're
6 just -- we're in the rules explaining this is what we
7 would consider expulsion. You've been pushed out of
8 school for longer than ten days, which typically at
9 that point, would say you're probably not coming
10 back.

11 VICE CHAIR HUNTER: Right. Well, and as long
12 as, you know, there's a high level of confidence that
13 we will be able to capture that event, whether it
14 crosses the end of the quarter or it happens early in
15 the quarter.

16 DR. SMITH: I feel confident that the schools
17 are going to report accurately. You know, certainly,
18 there's lots of ways that schools work around that
19 situation, you know, with withdrawals versus expense
20 -- you know, expulsions and those type of things.
21 And so, you know, expulsion is a pretty severe
22 penalty for something. And for a school to issue an
23 expulsion, typically, there is something pretty
24 egregious that's happened. And for that reason, you
25 know, we will ask that question. And most schools

1 are going to be -- I can't imagine a scenario where a
2 school would not tell us that a student was expelled.

3 VICE CHAIR HUNTER: Right. Right. Right.
4 Okay. All right. That -- that's it.

5 DR. ARNOLD: Okay. I have, you know, something
6 broad and something specific. And so -- and they're
7 not -- I don't know if there are questions or just
8 requests for clarifications.

9 But on the broad note, the -- since the workshop
10 yesterday, which was loaded, lots of great
11 information; it was a fast train. And I felt like I
12 was on the platform watching a fast train. But the
13 -- since then, there have been public communications,
14 you know, asking questions about the particulars that
15 I hadn't heard before today. So, I guess, my
16 clarification is hearing Dr. Stacy Smith's outline of
17 the process, that inevitably we're going to have time
18 to talk about things that arise, like during the
19 30-day public comment period and then, you know,
20 before any gross approval.

21 DR. SMITH: Correct.

22 DR. ARNOLD: Am I correct on that Board?

23 CHAIR WOODS: Correct.

24 DR. ARNOLD: That's your understanding too?

25 CHAIR WOODS: So if we -- if we release today

1 for public comment and there are substantive changes,
2 those will go back and get changed and then they'll
3 re-come back to the board to then be re-released for
4 public comment.

5 DR. ARNOLD: Okay. So that will make today
6 easier because we don't have to feel like we're at a
7 desperate --

8 DR. SMITH: Correct.

9 DR. ARNOLD: -- last moment moment. So --

10 MS. SMITH: Let me clarify that. So if there's
11 substantive changes, they don't come back to the
12 board yet; they'll go back out to public comment
13 again. They don't get approved to go to ALC --

14 CHAIR WOODS: Until --

15 MS. SMITH: -- and for final until they come
16 back to you. So once these go out, we'll be getting
17 regular public comment. If we feel like there's
18 public comment, even comments that you made today,
19 there are people taking notes. They may say, oh,
20 that's an area we got to clear up. Some of it's just
21 for clarity, it didn't really change anything.
22 That's not substantive. It would come right back to
23 you at the end of the month, and we'd say we're ready
24 to go. If it's substantive, it would be sent back
25 out again. We'd be hearing more public comment on

1 that. And so when it comes back to you, we'd be
2 coming back to you saying, these are the final rules,
3 and it would still require your vote approving it for
4 it to be able to move forward.

5 DR. ARNOLD: Okay. That's wonderful. Thank
6 you. So that helps us pace this out a little bit.

7 DR. SMITH: Correct. Yeah.

8 DR. ARNOLD: And so more particular then,
9 sometimes when you read something, it's hyperbole,
10 sometimes it's just catching something that was
11 missed. And so in this particular case, concerns
12 have been voiced about team sports and relation -- in
13 relationship to EFA, private to public, presumably.
14 So I was wondering if you could clarify that bit of
15 content? And -- and then if the Board has other
16 things that they've heard through the messaging that
17 this week, it'd be a good time to bring it up.

18 DR. SMITH: Well, obviously it's not my job to
19 comment necessarily on the rules because the rules
20 are presented as you -- as they currently stand in
21 these -- the rules that are being presented to take
22 out to --

23 DR. ARNOLD: Correct.

24 DR. SMITH: -- public comment, there is -- the
25 team sports have been disallowed as an eligible

1 expense. The beauty of the process is that now they
2 go out to public comment, and we'll see how the state
3 views that particular part of the rules. And
4 certainly we -- we'll make the adjustments as
5 necessary. But, at this time, the way the rules are
6 written, that's -- you know, as far as the team
7 sports, that's the way the rules are written. You
8 know, and why and hows and all that, that's a lot of
9 backroom talking and a lot of discussion with just
10 various, you know, various people throughout the
11 state and felt like that was a reasonable request at
12 this point. Now, when the -- with the addition of
13 the legislation that capped the 25 percent for
14 extracurriculars activities, there may be some room
15 to work with that a little bit just because you've
16 already capped it. It's already the money -- the
17 amount of money that could be spent in that area. So
18 maybe then that maybe that becomes an unnecessary
19 piece of the puzzle. But again, that's for the state
20 to decide and for the public comment to be heard and
21 find out kind of where we're -- where we land on that
22 issue as a state.

23 MR. WOOD: Can we -- can we dive into that a
24 little bit?

25 DR. SMITH: Sure.

1 MR. WOOD: Let's talk about the backroom talk
2 and specifically the why. Why would we -- because I
3 -- when you read -- when you read the -- the
4 definition of -- 12A, the definition of
5 extracurricular activity.

6 DR. SMITH: Yes, sir.

7 MR. WOOD: It's extremely hard to read that
8 six-sentence definition of extracurricular activity
9 and not picture team sports when you read that. And
10 then for some reason, we specifically eliminate team
11 sports.

12 DR. SMITH: Yeah.

13 MR. WOOD: So let's talk about why -- why would
14 there be a rationale?

15 DR. SMITH: Yeah. I think originally, the
16 reason -- but this -- I think originally, that
17 section was there prior to the 25-percent cap. So I
18 think, again, there's a little bit of discussion
19 that, you know, you kind of have to play with that.
20 But when the original discussion was there for the
21 team sports, it was somewhat to modify some of these
22 travel teams, elite teams, some of those types of
23 things that become very, very expensive. And without
24 the cap, a lot of the, you know, the -- a lot of the
25 money that EFA would -- obviously is there to help

1 educate a child -- could have been spent on travel
2 teams, elite sports teams, a lot of those types of
3 things, using up a higher percentage of their money
4 for what we would consider probably not the intent of
5 the EFA program. So that was the original reason
6 that it was put in there. Okay?

7 MR. WOOD: But I think the way that we've
8 crafted it, it might go too far. I could get behind
9 that rationale and say that if you -- if you are on
10 a, you know, a separate travel team that has no
11 association with a school setting at all, that's kind
12 of your own --

13 DR. SMITH: Sure.

14 MR. WOOD: -- hobby.

15 DR. SMITH: Correct.

16 MR. WOOD: We'll call that a hobby. But when
17 you want to participate in team sports, that are
18 under some umbrella of a school, that is more
19 traditional and regular part of a student experience
20 in school. And so maybe we could rewrite the
21 exclusion to include some language that if it -- if
22 it's a team sport that has no association with a
23 school, you know, or whatever, to try to cut that
24 out, I would be a little more open to that. But I
25 feel like as it's written, it goes a little too far

1 because if -- if -- I just -- I just don't like us
2 excluding kids from being able to be a part of --
3 well, the funds being utilized to aid a student in
4 being a part of a regular --

5 DR. SMITH: Sure.

6 MR. WOOD: -- team sport at a school.

7 DR. SMITH: And I think it's a point well taken.
8 And I think it's a point that as we can -- as it goes
9 into public comment, I'm sure that we're going to
10 have several comments related to this particular
11 section and certainly we'll take those under
12 advisement to see if there needs to be a substantive
13 change to the rules at that point.

14 MR. WOOD: My proposal might be that we spend a
15 few more weeks honing that in before we release this
16 out to the public to create that confusion. I've
17 also heard that I'm not sure that this type of
18 exclusion was the intent of members of the
19 legislature that passed the law. They're concerned
20 that this doesn't align with what they were thinking
21 when the law was passed. I understand that. And I
22 hate for us to put something out there that stirs a
23 pot of confusion, and potentially chaos, that we
24 don't have to stir. I would propose that we hold
25 that back, rewrite that a little bit and then see if

1 there's a different response that no, no, no, we
2 don't want you paying for extracurricular activities
3 associated with traditional school setting. Then we
4 might can re- --

5 DR. SMITH: Sure. And it's -- certainly that is
6 the, you know, that's certainly something that as --
7 this Board can, you know, can vote on today and we
8 will certainly go back and take a second look at
9 those things. Absolutely.

10 CHAIR WOODS: Will there be any -- on that note,
11 will there be any requirement for schools to have to
12 carve out in their accounting, like, that we know
13 that EFA funds aren't going towards school
14 activities?

15 DR. SMITH: For private schools? Now, private
16 schools, again, you know, as far as what they include
17 in their tuition is, you know, that's going to be up
18 to them.

19 CHAIR WOODS: Okay.

20 DR. SMITH: Right. So --

21 MR. WOOD: Well, what about a homeschool student
22 that might be participating even at a public school?
23 How would -- how would that student be impacted?

24 DR. ARNOLD: Yeah, that's a good example.

25 MS. SMITH: So there are multiple laws that

1 govern homeschool, okay? And there are other laws
2 that allow for students who are homeschooled to take
3 courses at a public school, and the public school is
4 getting funding through another source. And so there
5 are multiple different ways for that to happen. It
6 does not prevent a private school student or a
7 homeschool student from playing sports, you know, the
8 Tim Tebow laws and things like that. Like, those are
9 all still in effect. One thing I will note about
10 these rules, we're never, this month, next month, two
11 months from now, not going to hear from somebody
12 about them. Right? We're either going to be too
13 tight or we're going to be too loose. That's a
14 guarantee.

15 MR. WOOD: I don't disagree with that, but when
16 -- when the people that I'm hearing from are -- are
17 the people that wrote the law, passed the law in the
18 legislature -- and I can tell you, in three years of
19 being on the school -- on this Board, I'm not sure
20 I've heard from very many legislators about rules
21 that we were writing about the laws that they passed.
22 But I have heard about this. So this struck a nerve,
23 I think, with some members of the legislature. And
24 --

25 MS. SMITH: Well, again --

1 MR. WOOD: -- they are not -- I would not put
2 them in the category -- the description that you just
3 gave of we're always going to hear from people.
4 These are the 135 people that voted to make this the
5 law. So I think that, you know, that's --

6 MS. SMITH: Well, and as the State Board, you
7 guys have the authority to say it goes out for public
8 comment, or it doesn't.

9 MR. WOOD: Yeah.

10 MS. SMITH: So --

11 DR. ARNOLD: Yeah, that's correct. But you
12 know, I've learned 12 months in now that the onus is
13 on me. And I should have presumed that, and I'm
14 responsible being a member of the Board. But I would
15 say that it was a pretty cursory flow yesterday
16 through the -- the eight bullet points. And -- and
17 certain things didn't come up. And that's on us or
18 that's on me.

19 But I guess I'm just concerned, Dr. Smith, that
20 it was as if there was -- we didn't want to go there.
21 But yet, to Mr. Wood's part -- point, and you seem to
22 agree when you said, yeah the next 30 days are going
23 to be interesting; the next 30 days could be hot.
24 Things will be discovered, and the volatile ones
25 especially. Well, athletics are always volatile. So

1 just using that as an example. I left the room
2 yesterday unawares. That's on me. But isn't it your
3 job to kind of warn me that they're -- that we're
4 going to be walking into fire?

5 DR. SMITH: I'm not going to deny the fact that
6 -- we didn't try to hide anything. Obviously, the
7 rules were there, and we're certainly -- you know, we
8 believe that these rules were written -- we think
9 that was a substantive piece. It was part of the
10 extracurriculars that were there. We did talk about
11 extracurriculars and the fact that we defined
12 extracurriculars. And so I think we did touch on
13 that role about where extracurriculars fit and kind
14 of briefly went over the definitions that were in the
15 rules. So, you know, whether or not we should have
16 gone to that particular section and spent a little
17 more time, I think maybe we can -- we could probably
18 debate that back and forth. And what's -- what's --
19 you know, obviously we had a limited amount of time
20 and at the same time, you know, we could have gone
21 through -- we could have spent the whole day
22 literally going through the way that this thing was
23 written.

24 DR. ARNOLD: Certainly.

25 DR. SMITH: So obviously we had to make some

1 judicious decisions --

2 DR. ARNOLD: Yeah.

3 DR. SMITH: -- as far -- as to what --

4 DR. ARNOLD: And it's not personal. This isn't
5 --

6 DR. SMITH: No, I understand that. I understand
7 that.

8 DR. ARNOLD: -- or Darrell v. Darrell. Yeah.
9 But it's really kind of staff/Board, you know,
10 understandings as to how much information we're to be
11 a brief time in a workshop.

12 DR. SMITH: Sure. And that -- it's fair. Is
13 there a --

14 DR. SMITH: Your turn.

15 MS. SALAS-FORD: I tried not to.

16 Good morning. The one thing I will say, and I
17 would request is that you consider before not
18 allowing them out for public comment is the delay in
19 the process that creates. As you stated, there's 135
20 legislators, and we've heard from one or two. We may
21 have heard from 100 and trying to balance the -- the
22 desires of some versus the desires of other. Putting
23 them out for public comment allows us to continue
24 having those conversations and also hearing from
25 others, from parents, from concerned citizens, from

1 school officials, from homeschool families, as to
2 what their thoughts are. So that is the purpose of
3 the public comment period, is for us to have those
4 discussions, make changes if appropriate and then
5 bring them back to you for final approval. If we
6 don't release them for public comment, they're out
7 there, but then we are not going to be able to engage
8 in those conversations; we're not going to be able to
9 accept public comments from the public in general
10 because they're not in an official public comment
11 period. And so it makes it very tricky for us. And
12 so I would just request that you consider allowing
13 them to go out for public comment. We'll get that
14 feedback. We'll have those discussions. We may go
15 out for a second or third public comment. That, to
16 me, is more true to the intended process than to not
17 release them, have conversations with legislators,
18 make changes. Do you kind of see my point?

19 MR. WOOD: I do understand your point. I would
20 say this, in the time that I've been around, I don't
21 know that we've ever not released, on a first vote,
22 rules for public comment. I would anticipate,
23 though, that the public -- that rumors begin
24 instantly. And when we put these out there, it's
25 going to -- it's going to set in that we're writing

1 rules to exclude team sports at schools from
2 receiving EFA funds. And it would -- it is harder to
3 undo that in the public rumor mill than it is to just
4 not start it. And so my -- my opinion would be that
5 it is worth the delay to not start that rumor, to set
6 -- what I find concerning, what I hear maybe another
7 board member or two find concerning, what
8 high-ranking legislators who voted on the law find
9 concerning, to maybe not start that boulder rolling
10 downhill and try to stop it thirty days from now or
11 60 days, 90 days from now. I would rather us amend
12 that, not start that rumor and have the public
13 discussion about whether we should do the opposite.

14 MS. SALAS-FORD: And we can have that public
15 discussion. Again it, you not releasing them from
16 public comment and you all making public comment or
17 your intended or requested changes to the rules
18 doesn't mean that we'll bring them back 30 days from
19 now and that you're going to like them then. I mean,
20 that's just the point of the public-comment process,
21 is to be able for us to engage in that, to put them
22 out there. If you don't allow us to release them for
23 public comment, we can't put them on the website. We
24 can't send an email out to all the school districts
25 like we do when we release them for public comment.

1 To me, that is hindering the process more so than it
2 is encouraging it. Of course, that's still your
3 decision on which to do. But I don't feel like
4 that's going to get us any closer to where we want to
5 be. When you release these for public comment, you
6 are simply voting to release them, not that you
7 endorse the rules as they are written, not that you
8 are not also requesting that changes be made. You
9 are simply releasing them for public comment. And
10 that will be the communication that is sent out via
11 email, via Commissioner's memo in the newspaper,
12 because we have to post an ad on that, is that these
13 are proposed Department rules subject to revision.
14 and open for public comment and informing everyone on
15 how to share those public comments with us.

16 DR. ABBOTT: How are decisions made on what
17 public comments or board comments changes are
18 actually made?

19 MS. SALAS-FORD: That's an agency decision. We
20 collect all of those comments. We meet as a team,
21 discuss what is appropriate, what's not. And then
22 ultimately, that's why we have to bring it back to
23 you for approval. And we have to respond to every
24 public comment that is made to us in writing. Here's
25 the comment; here's whether we decided to make a

1 change as a result or not.

2 CHAIR WOODS: But I do want to make sure that I
3 understand because I believe it's in statute, it is
4 the State Board's responsibility for the rules. I
5 mean, ultimately at the end of the day; right?

6 MS. SALAS-FORD: To approve them, yes.

7 CHAIR WOODS: To approve them.

8 MS. SALAS-FORD: Yes.

9 CHAIR WOODS: So -- and I'm not trying to be an
10 inhibitor, but if we don't like the way that they
11 look, we keep sending them back four, five, six
12 times.

13 MS. SALAS-FORD: You can do that.

14 CHAIR WOODS: Okay.

15 DR. ARNOLD: Yeah.

16 CHAIR WOODS: I know you don't want that. I'm
17 just saying.

18 DR. ARNOLD: Yeah. And --

19 VICE CHAIR HUNTER: We don't have to wait a
20 month either. I mean, like, we could, you know, you
21 work on them a week or two -- I mean, we could, look
22 at them and have a Zoom meeting and --

23 DR. SMITH: I think -- I think the goal here, to
24 Courtney's point, is to start the conversation.

25 Releasing the rules starts the conversation. And I

1 understand, it's like, hey, if we can avoid something
2 we probably know is going to be a pretty hot
3 conversation, maybe we should do that on the front
4 end instead of the back end; right? And that's
5 legitimate, but we got to have -- we got to start the
6 conversation, and by you pulling them back -- the
7 cat's out -- you know, to your point, the cat's
8 already out of the bag; I mean, it's already been out
9 there. So at this point, we're not going to keep the
10 rumor mill from happening. The rumor mill's already
11 gone. So might as well, at this point, let's just
12 start the conversation with the rumor mill if we have
13 to do that. And let's address them with truth, and
14 let's address them transparently and let's just get
15 after and do what we need to do to make sure that we
16 get a really good set of rules that, you know, that
17 we can live with, that you all can approve, that the
18 state will -- and that's going to continue to make
19 the program transparent and accountable to the
20 taxpayers of Arkansas.

21 DR. ARNOLD: Well, for the record, you know, Mr.
22 Wood makes a great point and expressed it very well.
23 It's great reasonableness. But you guys are swaying
24 me on the basis of expediency. Sometimes you can get
25 stung by expediency. So that drives it down to the

1 level of trust. And I want to have full trust. I
2 just felt like I was rushed yesterday. So I still go
3 back to the role of the workshop as to how to prepare
4 for a board meeting adequately. And so I want to
5 just increase trust that there's no railroad -- no
6 railroading down of things that we could have been
7 aware of, but we were not made aware of.

8 DR. SMITH: Sure.

9 DR. ARNOLD: That's my deeper point. But if --
10 that's why I asked at the very beginning from
11 Dr. Smith, Dr. Stacy Smith, that if the process
12 allows for more deliberation, maybe even some
13 reconstruction, then we have -- then we have to
14 start. But Jeff, you know, says that it's so hard to
15 undo rumors and we get sucked into it as if we're
16 great with everything because they've been released
17 by us.

18 MS. SMITH: Yeah.

19 DR. ARNOLD: Then we -- then it makes us look
20 like we have to backtrack and change our mind when it
21 caught us from behind.

22 MS. SMITH: Okay. Well, definitely hearing you
23 today. I think if the opportunity or the pleasure of
24 the Board is to table those rules for the minute,
25 let's maybe do another work session or something to

1 go through, bring some examples for you. We don't
2 want you to feel railroaded. We want you to feel
3 like you know what you're voting on. So we can table
4 it if that's the pleasure of the Board, so I'm going
5 to defer to you for that. And then we can separate
6 the ask for EFA so if you guys want to table that or
7 pull it or we -- I mean, do you want to table it?

8 CHAIR WOODS: Well, I -- a quick question. Was
9 there an opportunity, like, an open opportunity for
10 people to already help with the construction of these
11 rules? Like, did we go to schools or was this just
12 an internal Department draft?

13 MS. SMITH: Internal. Going out to the public
14 would be when -- yeah?

15 CHAIR WOODS: But, like, okay. I didn't know if
16 we had committees that we just regularly went to, and
17 so that was my ask.

18 MR. PEACOCK: I had a question.

19 CHAIR WOODS: Yes.

20 MR. PEACOCK: When they come back, if we
21 disagree with the rules, I understand that we're not
22 endorsing the rules by releasing them for public
23 comment. At what point do we get an opportunity to
24 influence the rules or -- I know we can always vote
25 against them if we don't. But my concern is, when

1 they go out for public comment, they get reviewed;
2 they get adjusted; they come back; and then we're
3 expected to just approve them.

4 MS. SMITH: So I think -- I think this is
5 probably warranting another work session where you
6 guys feel more prepared going into the work session,
7 where you can ask more deliberate questions, get
8 feedback during that time, and that's part of that
9 process.

10 MR. ARNOLD: Okay.

11 VICE CHAIR HUNTER: I --

12 DR. ARNOLD: That's fair. To safeguard you,
13 Stacy, is backwards mapping from when they really
14 have to be sound and solid and in effect, you know,
15 is a one-week, two-week, three-week, four-week delay,
16 is that jeopardizing your end point on a calendar?

17 MS. SMITH: Well, yeah, it -- the sooner that we
18 can meet on these rules and get them going because
19 there's still a bigger process.

20 DR. ARNOLD: Sure.

21 MS. SMITH: When these go out to the public,
22 even when this Board gets to the point where you're
23 comfortable releasing it, we're anticipating a lot of
24 public comment. We're anticipating some more
25 changes. I'm not thinking it's going to be a 30-day

1 public comment. I'm thinking it's probably going to
2 be maybe one or two -- be two or three rounds. And
3 so when you just think about then it has to go to ALC
4 for -- for them to look at it. So we're still pretty
5 -- a few months ahead, but this would probably be an
6 opportunity to set up a meeting sooner than later so
7 that we can get these out.

8 MR. BRAGG: Is it possible to involve some of
9 the concerned stakeholders here even before we
10 redraft it?

11 MS. SMITH: That's what --

12 CHAIR WOODS: I think that's what public comment
13 is for.

14 MS. SMITH: Yeah.

15 CHAIR WOODS: So --

16 MS. SALAS-FORD: Yeah, that's the purpose of
17 public comment. And to Jeff's point of the ball
18 rolling, I mean, this has already hit social media.
19 So you know, it's out there for parents -- requesting
20 parents to review it and make comment. And I just
21 want to reiterate, if these are not approved or
22 released for public comment, we can't accept the
23 public comments. And so we will have to let parents
24 know to delay them sending in comments until the
25 Board releases them officially. And so it's not that

1 we can't put them out there because they're public
2 information. They are on the website with the agenda
3 for the Board. It just creates a notice issue, and
4 it creates, again, the 30-day timeline. And so if we
5 do want to delay, table them for, say, two weeks,
6 have another workshop, discuss some of these
7 specifics, we're just going to have to make sure that
8 we communicate and notice that very well so that when
9 parents are submitting comments, it's during the
10 public comment period and not prior. Not that we
11 wouldn't consider them, but it just creates some
12 issues for us.

13 DR. ARNOLD: How about this idea that we would
14 be able to -- as a hypothesis -- no, as a proposal --
15 no, as an idea. That we do play ball, we release for
16 expediency and to get the comments coming, but that
17 we have a special workshop --

18 MS. SMITH: Yes.

19 DR. ARNOLD: -- next week where we get to be --
20 where we get to more fully express ourselves and ask
21 our questions more deeply in a better context
22 alongside the public comments that are coming in. We
23 -- could we do it that way? And would the -- would
24 our Board -- would the Board be okay with that
25 approach?

1 MS. SALAS-FORD: Yeah. And if I can add in
2 there, we hold a public comment hearing for every set
3 of rules. So a chance for anyone who wants to come
4 in person. I'm going to throw my legal team out
5 there and say, we'll do that. We might do two of
6 those, one during the day, one after five o'clock so
7 that we can allow parents sufficient time to come and
8 make public comment. Board members are welcome to
9 come to those public-comment hearings, and then we
10 could have a work session to discuss it after that
11 hearing so that you all can consider all of the
12 public comments that were made.

13 DR. ARNOLD: Well, there may be no second, there
14 may be a nay vote, but I could -- I would move that
15 we release the rules for public comment if they're
16 accompanied by a specially held workshop for the
17 State Board of Education in the very near future.

18 DR. ABBOTT: I would second that.

19 CHAIR WOODS: Okay. So I have a motion by Dr.
20 Arnold to release for public comment contingent upon
21 a work session for the State Board within the very
22 near future within the very near future. You want to
23 say within the next -- before the next Board meeting?

24 DR. ARNOLD: Before the next Board meeting.

25 CHAIR WOODS: Before the next Board meeting.

1 Seconded by Dr. Abbott. All in favor, say aye.

2 (MAJORITY CHORUS OF AYES)

3 CHAIR WOODS: Any opposed?

4 MR. WOOD: Respectfully, no.

5 CHAIR WOODS: One nay. Hearing only one, motion
6 passes.

7 So let's move on to --

8 MS. SMITH: Hang on a second.

9 CHAIR WOODS: Yes, ma'am.

10 MS. SMITH: I've got adult diploma rules. There
11 was another --

12 CHAIR WOODS: Adult diploma rules.

13 MS. SMITH: There was another set of rules in
14 there.

15 CHAIR WOODS: Yeah.

16 MS. SMITH: So the adult diploma rules, again,
17 these were existing rules that had some revision due
18 to legislation. It's about a program for adults who
19 do not have a high school diploma, and they are not
20 seeking a GED, but they want that high school
21 diploma. This is program specifically designed for
22 them. So I would ask those be released for public
23 comment.

24 VICE CHAIR HUNTER: Make a motion to release
25 those public comments.

1 MS. SMITH: Thank you, Ms. Hunter.

2 CHAIR WOODS: I have a motion by Ms. Hunter.

3 MR. HENDERSON: Second.

4 CHAIR WOODS: Seconded by Mr. Henderson. All in
5 favor, say aye.

6 (UNANIMOUS CHORUS OF AYES)

7 CHAIR WOODS: Any opposed?

8 MR. SMIHT: Thank you, Mr. Wood.

9 CHAIR WOODS: For the record, Mr. Wood was very
10 emphatic with aye.

11 Hearing no opposition, motion passes.

12 MS. SMITH: Thank you.

13 **5. 2026 STATE BOARD OF EDUCATION MEETING DATES**

14 CHAIR WOODS: All right. The last -- well, yes,
15 one of the last action agenda items is for reapproval
16 of the 2026 State Board of Education meeting dates.
17 So if you'll remember, we approved them last month.
18 And then after we approved them, we realized that two
19 or three of the dates were actually wrong. They were
20 not on the date that we thought they were. And so
21 they're basically held on the second Thursday of
22 every month.

23 I'm sorry, I'm taking your spot, but that's what
24 it is.

25 So we just went through and made the corrections

1 for two or three of the dates. So we just need a
2 motion to approve those and a second again.

3 So --

4 MR. WOOD: Before --

5 CHAIR WOODS: Yes?

6 MR. WOOD: Before we move --

7 CHAIR WOODS: Oh.

8 MR. WOOD: I would like to bring up a slight
9 discussion, given the fact that we're about to
10 conclude our meeting after an hour and a half about
11 going to every other month meetings.

12 CHAIR WOODS: We can do that.

13 VICE CHAIR HUNTER: I like that idea.

14 MR. WOOD: I know that this was brought up by
15 staff probably about a year ago, and I think maybe
16 our agendas were a little more robust at that time,
17 but they've grown thinner.

18 VICE CHAIR HUNTER: Well, and --

19 MR. WOOD: And I just --

20 VICE CHAIR HUNTER: And if there is -- I mean,
21 we always have the ability to have an emergency or --

22 MR. WOOD: Right.

23 VICE CHAIR HUNTER: -- something in between.

24 MR. HENDERSON: I kind of like the idea of, to
25 Mr. Wood's point, you know, like, we had a workshop

1 yesterday, and the months that we have a light
2 agenda, perhaps having a workshop meeting one day
3 instead of a compound two days of meetings.

4 CHAIR WOODS: Do we have the ability to, I don't
5 want to say cancel a meeting. But do we have the
6 ability to hold these dates, but then actually meet
7 every other month, but hold the date for a work
8 session?

9 MS. SALAS-FORD: I mean, you do. I think once
10 you put it out there, as these are our adopted
11 scheduled meetings, some people may rely on those.
12 And so, to Mr. Wood's point, met or so does set six
13 established meetings and then you could call special
14 meetings because those require notice --

15 CHAIR WOODS: Right.

16 MS. SALAS-FORD: -- et cetera. But the converse
17 is also true. If you set a meeting and the agenda is
18 light, then we could cancel the meeting and postpone
19 those items to the next month.

20 CHAIR WOODS: Okay.

21 MR. PEACOCK: I'm going to try to stop using the
22 new guy excuse, but I'm going to use it at -- this
23 one time. I've been to two meetings, and both times
24 we've taken actions on things that we didn't put in.
25 We voted against an exemption last time. I think the

1 conversations we had here -- granted, I haven't --
2 this is my second meeting, and all of our times are
3 valuable. But my concern would be if we don't meet
4 on a monthly basis, does that send a message that the
5 value of this Board or the impact of this Board is
6 less? So would -- not to get ahead of the vote, but
7 if it is a vote, I'm going to vote that we continue
8 to meet monthly.

9 MS. SALAS-FORD: Just throwing it out there is
10 another option. You could adopt the dates and to --
11 you know, there's lots of requests for work sessions.
12 You could do a work session in the morning and the
13 meeting in the afternoon.

14 CHAIR WOODS: Right.

15 MS. SALAS-FORD: It just doesn't give you as
16 much time in between --

17 CHAIR WOODS: Sure.

18 MS. SALAS-FORD: -- to, you know, kind of digest
19 all the information and then vote. But whatever you
20 adopt, we can make changes as necessary.

21 CHAIR WOODS: It feels like this is worth a
22 further discussion because I'm also -- I've only ever
23 met every month for six years. And I'm just hesitant
24 to put that forward for a vote, not understanding the
25 full impact of it. So can we table this to next

1 month?

2 MS. SALAS-FORD: Absolutely.

3 CHAIR WOODS: We'll have some discussions and
4 maybe we can come back with a proposal.

5 MS. SALAS-FORD: Yeah, absolutely.

6 CHAIR WOODS: Does that work? Okay.

7 All right. Then we'll do that.

8 Do I need a motion for that tabling it or can I
9 choose to do that?

10 MS. SALAS-FORD: Yeah, it's better if you do.

11 CHAIR WOODS: Okay.

12 MR. WOOD: Move to table --

13 CHAIR WOODS: Thank you.

14 MR. WOOD: -- the State -- the 2026 meeting
15 dates until next month.

16 DR. ABBOTT: Second.

17 CHAIR WOODS: Seconded by Dr. Abbott. So a
18 motion was made by Mr. Wood. It was seconded by Dr.
19 Abbott. All in favor, say aye.

20 (UNANIMOUS CHORUS OF AYES)

21 CHAIR WOODS: Any opposed? Hearing none, motion
22 passes to table that.

23 (The action agenda concluded at 10:20 a.m.)
24
25

C E R T I F I C A T E

STATE OF ARKANSAS)

) ss

COUNTY OF PULASKI)

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

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

WITNESS MY HAND AND SEAL this 8th day of December, 2025.



MIRANDA MCENTIRE, CCR

Certified Court Reporter #852

